

**SUBSTITUTE FOR
HOUSE BILL NO. 5259**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 722 (MCL 257.722), as amended by 2006 PA 83.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 722. (1) The maximum axle load shall not exceed the
2 number of pounds designated in the following provisions that
3 prescribe the distance between axles:

4 (a) If the axle spacing is 9 feet or more between axles, the
5 maximum axle load shall not exceed 18,000 pounds for vehicles
6 equipped with high pressure pneumatic or balloon tires.

7 (b) If the axle spacing is less than 9 feet between 2 axles
8 but more than 3-1/2 feet, the maximum axle load shall not exceed
9 13,000 pounds for high pressure pneumatic or balloon tires.

1 (c) If the axles are spaced less than 3-1/2 feet apart, the
2 maximum axle load shall not exceed 9,000 pounds per axle.

3 (d) Subdivisions (a), (b), and (c) shall be known as the
4 normal loading maximum.

5 (2) When normal loading is in effect, the state
6 transportation department, or a local authority with respect to
7 highways under its jurisdiction, may designate certain highways,
8 or sections of those highways, where bridges and road surfaces
9 are adequate for heavier loading, and revise a designation as
10 needed, on which the maximum tandem axle assembly loading shall
11 not exceed 16,000 pounds for any axle of the assembly, if there
12 is no other axle within 9 feet of any axle of the assembly.

13 (3) On a legal combination of vehicles, only 1 tandem axle
14 assembly shall be permitted on the designated highways at the
15 gross permissible weight of 16,000 pounds per axle, if there is
16 no other axle within 9 feet of any axle of the assembly, and if
17 no other tandem axle assembly in the combination of vehicles
18 exceeds a gross weight of 13,000 pounds per axle. On a
19 combination of truck tractor and semitrailer having not more than
20 5 axles, 2 consecutive tandem axle assemblies shall be permitted
21 on the designated highways at a gross permissible weight of
22 16,000 pounds per axle, if there is no other axle within 9 feet
23 of any axle of the assembly.

24 (4) Notwithstanding subsection (3), on a combination of
25 truck tractor and semitrailer having not more than 5 axles, 2
26 consecutive sets of tandem axles may carry a gross permissible
27 weight of not to exceed 17,000 pounds on any axle of the tandem

1 axles if there is no other axle within 9 feet of any axle of the
2 tandem axles and if the first and last axles of the consecutive
3 sets of tandem axles are not less than 36 feet apart and the
4 gross vehicle weight does not exceed 80,000 pounds to pick up and
5 deliver agricultural commodities between the national truck
6 network or special designated highways and any other highway.
7 This subsection is not subject to the maximum axle loads of
8 subsections (1), (2), and (3). For purposes of this subsection, a
9 "tandem axle" means 2 axles spaced more than 40 inches but not
10 more than 96 inches apart or 2 axles spaced more than 3-1/2 feet
11 but less than 9 feet apart. This subsection does not apply during
12 that period when reduced maximum loads are in effect pursuant to
13 subsection ~~(7)~~ (8).

14 (5) The exception to the loading maximums and gross vehicle
15 weight requirements of subsection ~~(11)~~ (12) under subsection
16 ~~(7)~~ (8) for a person hauling agricultural commodities ~~or a~~
17 ~~public utility vehicle~~ applies only if the person who picks up
18 or delivers the agricultural commodity either from a farm or to a
19 farm ~~or the public utility~~ notifies the county road commission
20 for roads under its authority not less than 48 hours before the
21 pickup or delivery of the time and location of the pickup or
22 delivery. The county road commission shall issue a permit to the
23 person ~~or the public utility~~ and charge a fee that does not
24 exceed the administrative costs incurred. The permit shall
25 contain **ALL OF** the following:

26 (a) The designated route or routes of travel for the load.

27 (b) The date and time period requested by the person who

1 picks up or delivers the agricultural commodities ~~or the public~~
2 ~~utility~~ during which the load may be delivered or picked up.

3 (c) A maximum speed limit of travel, if necessary.

4 (d) Any other specific conditions agreed to between the
5 parties.

6 (6) THE EXCEPTION TO THE LOADING MAXIMUMS AND GROSS VEHICLE
7 WEIGHT REQUIREMENTS OF SUBSECTION (12) UNDER SUBSECTION (8)
8 APPLIES TO PUBLIC UTILITY VEHICLES ONLY UNDER THE FOLLOWING
9 CIRCUMSTANCES:

10 (A) FOR EMERGENCY PUBLIC UTILITY WORK, THE PUBLIC UTILITY
11 VEHICLE TRAVELS TO AND FROM THE SITE OF EMERGENCY PUBLIC UTILITY
12 WORK AT A SPEED NOT GREATER THAN 35 MILES PER HOUR.

13 (B) FOR NONEMERGENCY PUBLIC UTILITY WORK, THE PUBLIC UTILITY
14 APPLIES TO THE COUNTY ROAD COMMISSION ANNUALLY FOR ROADS UNDER
15 ITS AUTHORITY BEFORE THE PUBLIC UTILITY VEHICLE TRAVELS TO AND
16 FROM THE SITE OF NONEMERGENCY PUBLIC UTILITY WORK. WHEN THE
17 PUBLIC UTILITY PROVIDES THE REQUIRED NOTICE, THE COUNTY ROAD
18 COMMISSION SHALL ISSUE A BLANKET PERMIT TO THE PUBLIC UTILITY FOR
19 NONEMERGENCY PUBLIC UTILITY WORK. THE LOCAL UNIT OF GOVERNMENT
20 MAY CHARGE A FEE FOR THE ACTUAL AND REASONABLE COST OF ISSUING
21 THE PERMIT PER YEAR. THE PERMIT SHALL CONTAIN ALL OF THE
22 FOLLOWING:

23 (i) THE ANNUAL PERIOD REQUESTED BY THE PUBLIC UTILITY DURING
24 WHICH THE PERMIT IS VALID.

25 (ii) A LIST OF VEHICLES TO BE COVERED ON THE BLANKET PERMIT
26 REQUESTED BY THE PUBLIC UTILITY.

27 (iii) A REQUIREMENT THAT TRAVEL ON RESTRICTED ROADS WILL BE

1 MINIMIZED AND ONLY UTILIZED WHEN NECESSARY TO PERFORM WORK BY THE
2 PUBLIC UTILITY VEHICLE. NONRESTRICTED ROADS MUST BE USED WHERE
3 AVAILABLE OR FOR ROUTINE TRAVEL.

4 (iv) IF THE PERMITTING AGENCY REQUIRES, THE MAXIMUM SPEED
5 LIMIT OF TRAVEL.

6 (v) IF THE PERMITTING AGENCY REQUIRES, A STATEMENT THAT
7 TRAVEL ON RESTRICTED ROADS WILL REQUIRE NOTIFICATION TO THE
8 PERMITTING AGENCY, VIA FAX OR ELECTRONICALLY, THE DAY BEFORE THE
9 INTENDED TRAVEL OR THE DAY FOLLOWING THE ACTUAL TRAVEL.

10 (7) ~~—(6)—~~ The normal size of tires shall be the rated size
11 as published by the manufacturers, and the maximum wheel load
12 permissible for any wheel shall not exceed 700 pounds per inch of
13 width of tire.

14 (8) ~~—(7)—~~ Except as provided in this subsection and
15 subsection ~~(8)— (9)~~, during the months of March, April, and May
16 in each year, the maximum axle load allowable on concrete
17 pavements or pavements with a concrete base ~~—shall be—~~ **IS** reduced
18 by 25% from the maximum axle load as specified in this chapter,
19 and the maximum axle loads allowable on all other types of roads
20 during these months ~~—shall be—~~ **ARE** reduced by 35% from the
21 maximum axle loads as specified. The maximum wheel load shall not
22 exceed 525 pounds per inch of tire width on concrete and concrete
23 base or 450 pounds per inch of tire width on all other roads
24 during the period the seasonal road restrictions are in effect.
25 This subsection does not apply to vehicles transporting
26 agricultural commodities or public utility vehicles on a highway,
27 road, or street under the jurisdiction of a local road agency.

1 (9) ~~—(8)—~~ The state transportation department for roads
2 under its jurisdiction and a county road commission for roads
3 under its jurisdiction may grant exemptions from seasonal weight
4 restrictions for milk on specified routes when requested in
5 writing. Approval or denial of a request for an exemption shall
6 be given by written notice to the applicant within 30 days after
7 the date of submission of the application. If a request is
8 denied, the written notice shall state the reason for denial and
9 alternate routes for which the permit may be issued. The
10 applicant may appeal to the state transportation commission or
11 the county road commission. These exemptions do not apply on
12 county roads in counties that have negotiated agreements with
13 milk haulers or haulers of other commodities during periods of
14 seasonal load limits before April 14, 1993. This subsection does
15 not limit the ability of these counties to continue to negotiate
16 such agreements.

17 (10) ~~—(9)—~~ The state transportation department, or a local
18 authority with respect to highways under its jurisdiction, may
19 suspend the restrictions imposed by this section when and where
20 conditions of the highways or the public health, safety, and
21 welfare warrant suspension, and impose the restricted loading
22 requirements of this section on designated highways at any other
23 time that the conditions of the highway require.

24 (11) ~~—(10)—~~ For the purpose of ~~enforcement of~~ **ENFORCING**
25 this act, the gross vehicle weight of a single vehicle and load
26 or a combination of vehicles and loads, shall be determined by
27 weighing individual axles or groups of axles, and the total

1 weight on all the axles shall be the gross vehicle weight. In
 2 addition, the gross axle weight shall be determined by weighing
 3 individual axles or by weighing a group of axles and dividing the
 4 gross weight of the group of axles by the number of axles in the
 5 group. ~~Pursuant to~~ **FOR PURPOSES OF** subsection ~~(11)~~ **(12)**, the
 6 overall gross weight on a group of 2 or more axles shall be
 7 determined by weighing individual axles or several axles, and the
 8 total weight of all the axles in the group shall be the overall
 9 gross weight of the group.

10 **(12)** ~~(11)~~ The loading maximum in this subsection applies
 11 to interstate highways, and the state transportation department,
 12 or a local authority with respect to highways under its
 13 jurisdiction, may designate a highway, or a section of a highway,
 14 for the operation of vehicles having a gross vehicle weight of
 15 not more than 80,000 pounds that are subject to the following
 16 load maximums:

17 (a) Twenty thousand pounds on any 1 axle, including all
 18 enforcement tolerances.

19 (b) A tandem axle weight of 34,000 pounds, including all
 20 enforcement tolerances.

21 (c) An overall gross weight on a group of 2 or more
 22 consecutive axles equaling:

$$23 \quad W = 500 \frac{\sqrt{LN} + 12N + 36}{\sqrt{N-1}} \\ 24$$

25 where W = overall gross weight on a group of 2 or more
 26 consecutive axles to the nearest 500 pounds, L = distance in feet

1 between the extreme of a group of 2 or more consecutive axles,
 2 and N = number of axles in the group under consideration; except
 3 that 2 consecutive sets of tandem axles may carry a gross load of
 4 34,000 pounds each if the first and last axles of the consecutive
 5 sets of tandem axles are not less than 36 feet apart. The gross
 6 vehicle weight shall not exceed 80,000 pounds including all
 7 enforcement tolerances. Except for 5 axle truck tractor,
 8 semitrailer combinations having 2 consecutive sets of tandem
 9 axles, vehicles having a gross weight in excess of 80,000 pounds
 10 or in excess of the vehicle gross weight determined by
 11 application of the formula in this subsection ~~shall be~~ **ARE**
 12 subject to the maximum axle loads of subsections (1), (2), and
 13 (3). As used in this subsection, "tandem axle weight" means the
 14 total weight transmitted to the road by 2 or more consecutive
 15 axles, the centers of which may be included between parallel
 16 transverse vertical planes spaced more than 40 inches but not
 17 more than 96 inches apart, extending across the full width of the
 18 vehicle. Except as otherwise provided in this section, vehicles
 19 transporting agricultural commodities shall have weight load
 20 maximums as ~~defined~~ **SET FORTH** in this subsection.

21 (13) ~~(12)~~ As used in this section: ~~—, "agricultural~~
 22 ~~commodities"~~

23 (A) **"AGRICULTURAL COMMODITIES"** means those plants and
 24 animals useful to human beings produced by agriculture and
 25 includes, but is not limited to, forages and sod crops, grains
 26 and feed crops, field crops, dairy and dairy products, poultry
 27 and poultry products, cervidae, livestock, including breeding and

1 grazing, equine, fish, and other aquacultural products, bees and
2 bee products, berries, herbs, fruits, vegetables, flowers, seeds,
3 grasses, nursery stock, mushrooms, fertilizer, livestock bedding,
4 farming equipment, and fuel for agricultural use. The term
5 ~~"agricultural commodities" shall~~ **DOES** not include trees ~~and~~ **OR**
6 lumber.

7 **(B) "EMERGENCY PUBLIC UTILITY WORK" MEANS WORK PERFORMED TO**
8 **RESTORE PUBLIC UTILITY SERVICE OR TO ELIMINATE A DANGER TO THE**
9 **PUBLIC DUE TO AN UNFORESEEN CIRCUMSTANCE, A NATURAL DISASTER, OR**
10 **AN ACT OF GOD, WHETHER OR NOT A PUBLIC OFFICIAL HAS DECLARED AN**
11 **EMERGENCY.**