

**SUBSTITUTE FOR
SENATE BILL NO. 1525**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 722 (MCL 257.722), as amended by 2006 PA 658.

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.

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

12 (d) Subdivisions (a), (b), and (c) shall be known as the

1 normal loading maximum.

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

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

21 (4) Notwithstanding subsection (3), on a combination of
22 truck tractor and semitrailer having not more than 5 axles, 2
23 consecutive sets of tandem axles may carry a gross permissible
24 weight of not to exceed 17,000 pounds on any axle of the tandem
25 axles if there is no other axle within 9 feet of any axle of the
26 tandem axles and if the first and last axles of the consecutive
27 sets of tandem axles are not less than 36 feet apart and the

1 gross vehicle weight does not exceed 80,000 pounds to pick up and
2 deliver agricultural commodities between the national truck
3 network or special designated highways and any other highway.
4 This subsection is not subject to the maximum axle loads of
5 subsections (1), (2), and (3). For purposes of this subsection, a
6 "tandem axle" means 2 axles spaced more than 40 inches but not
7 more than 96 inches apart or 2 axles spaced more than 3-1/2 feet
8 but less than 9 feet apart. This subsection does not apply during
9 that period when reduced maximum loads are in effect pursuant to
10 subsection (8).

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

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

22 (b) The date and time period requested by the person who
23 picks up or delivers the agricultural commodities during which
24 the load may be delivered or picked up.

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

26 (d) Any other specific conditions agreed to between the
27 parties.

1 (6) The exception to the loading maximums and gross vehicle
2 weight requirements of subsection (12) under subsection (8)
3 applies to public utility vehicles that are owned or operated by
4 public utilities under the jurisdiction of the Michigan public
5 service commission, or are subcontracted by public utilities
6 under the jurisdiction of the Michigan public service commission
7 to perform electrical emergency public utility work, only under
8 the following circumstances:

9 (a) For emergency public utility work on restricted roads,
10 as follows:

11 (i) If required by the county road commission, the public
12 utility shall notify the county road commission, as soon as
13 practical, of the location of the emergency public utility work
14 and provide a statement that the vehicles that were used to
15 perform the emergency utility work may have exceeded the loading
16 maximums and gross vehicle weight requirements of subsection (12)
17 under subsection (8). The notification may be made via facsimile
18 or electronically.

19 (ii) The public utility vehicle travels to and from the site
20 of the emergency public utility work while on a restricted road
21 at a speed not greater than 35 miles per hour.

22 (b) For nonemergency public utility work on restricted
23 roads, as follows:

24 (i) If the county road commission requires, the public
25 utility shall apply to the county road commission annually for a
26 seasonal truck permit for roads under its authority before
27 seasonal weight restrictions are effective. The county road

1 commission shall issue a seasonal truck permit for each vehicle
2 or vehicle configuration the public utility anticipates will be
3 utilized for nonemergency public utility work. The county road
4 commission may charge a fee for a permit that does not exceed the
5 administrative costs incurred for the permit. The seasonal truck
6 permit shall contain all of the following:

7 (A) The seasonal period requested by the public utility
8 during which the permit is valid.

9 (B) A unique identification number for the vehicle and any
10 vehicle configuration to be covered on the seasonal truck permit
11 requested by the public utility.

12 (C) A requirement that travel on restricted roads during
13 weight restrictions will be minimized and only utilized when
14 necessary to perform work using the public utility vehicle or
15 vehicle configuration and that nonrestricted roads shall be used
16 for travel when available and for routine travel.

17 (ii) If the county road commission requires notification, the
18 county road commission shall provide a notification application
19 for the public utility to use when requesting access to operate
20 on restricted roads and the public utility shall provide
21 notification to the county road commission, via facsimile or
22 electronically, not later than 24 hours before the time of the
23 intended travel. Notwithstanding this subsection or an agreement
24 under this subsection, if the county road commission determines
25 that the condition of a particular road under its jurisdiction
26 makes it unusable, the county road commission may deny access to
27 all or any part of that road. The denial shall be made and

1 communicated via facsimile or electronically to the public
2 utility within 24 hours after receiving notification that the
3 public utility intends to perform nonemergency work that requires
4 use of that road. Any notification that is not disapproved within
5 24 hours after the notice is received by the county road
6 commission is considered approved. The notification application
7 required under this subparagraph may include all of the following
8 information:

9 (A) The address or location of the nonemergency work.

10 (B) The date or dates of the nonemergency work.

11 (C) The route to be taken to the nonemergency work site.

12 (D) The restricted road or roads intended to be traveled
13 upon to the nonemergency work site or sites.

14 (7) The normal size of tires shall be the rated size as
15 published by the manufacturers, and the maximum wheel load
16 permissible for any wheel shall not exceed 700 pounds per inch of
17 width of tire.

18 (8) Except as provided in this subsection and subsection

19 (9), during the months of March, April, and May in each year, the
20 maximum axle load allowable on concrete pavements or pavements
21 with a concrete base is reduced by 25% from the maximum axle load
22 as specified in this chapter, and the maximum axle loads
23 allowable on all other types of roads during these months are
24 reduced by 35% from the maximum axle loads as specified. The
25 maximum wheel load shall not exceed 525 pounds per inch of tire
26 width on concrete and concrete base or 450 pounds per inch of
27 tire width on all other roads during the period the seasonal road

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1 restrictions are in effect. This subsection does not apply to
2 vehicles transporting agricultural commodities or public utility
3 vehicles on a highway, road, or street under the jurisdiction of
4 a local road agency. **THE STATE TRANSPORTATION DEPARTMENT AND EACH
5 LOCAL AUTHORITY WITH HIGHWAYS AND STREETS UNDER ITS JURISDICTION
6 TO WHICH THE SEASONAL RESTRICTIONS PRESCRIBED UNDER THIS
7 SUBSECTION APPLY SHALL POST ALL OF THE FOLLOWING INFORMATION ON
8 THE HOMEPAGE OF ITS WEBSITE [OR, IF A LOCAL AUTHORITY DOES NOT HAVE A
WEBSITE, THEN ON THE WEBSITE OF A STATEWIDE ROAD ASSOCIATION OF WHICH IT
IS A MEMBER]:**

9 (A) THE DATES WHEN THE SEASONAL RESTRICTIONS ARE IN EFFECT.

10 (B) THE NAMES OF THE HIGHWAYS AND STREETS AND PORTIONS OF
11 HIGHWAYS AND STREETS TO WHICH THE SEASONAL RESTRICTIONS APPLY.

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

1 (10) The state transportation department, or a local
2 authority with respect to highways under its jurisdiction, may
3 suspend the restrictions imposed by this section when and where
4 conditions of the highways or the public health, safety, and
5 welfare warrant suspension, and impose the restricted loading
6 requirements of this section on designated highways at any other
7 time that the conditions of the highway require.

8 (11) For the purpose of enforcing this act, the gross
9 vehicle weight of a single vehicle and load or a combination of
10 vehicles and loads ~~7~~ shall be determined by weighing individual
11 axles or groups of axles, and the total weight on all the axles
12 shall be the gross vehicle weight. In addition, the gross axle
13 weight shall be determined by weighing individual axles or by
14 weighing a group of axles and dividing the gross weight of the
15 group of axles by the number of axles in the group. For purposes
16 of subsection (12), the overall gross weight on a group of 2 or
17 more axles shall be determined by weighing individual axles or
18 several axles, and the total weight of all the axles in the group
19 shall be the overall gross weight of the group.

20 (12) The loading maximum in this subsection applies to
21 interstate highways, and the state transportation department, or
22 a local authority with respect to highways under its
23 jurisdiction, may designate a highway, or a section of a highway,
24 for the operation of vehicles having a gross vehicle weight of
25 not more than 80,000 pounds that are subject to the following
26 load maximums:

27 (a) Twenty thousand pounds on any 1 axle, including all

1 enforcement tolerances.

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

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

$$6 \quad W = 500 \frac{\sqrt{LN} + 12N + 36}{\sqrt{N-1}} /$$

8 where W = overall gross weight on a group of 2 or more
9 consecutive axles to the nearest 500 pounds, L = distance in feet
10 between the extreme of a group of 2 or more consecutive axles,
11 and N = number of axles in the group under consideration; except
12 that 2 consecutive sets of tandem axles may carry a gross load of
13 34,000 pounds each if the first and last axles of the consecutive
14 sets of tandem axles are not less than 36 feet apart. The gross
15 vehicle weight shall not exceed 80,000 pounds including all
16 enforcement tolerances. Except for 5 axle truck tractor,
17 semitrailer combinations having 2 consecutive sets of tandem
18 axles, vehicles having a gross weight in excess of 80,000 pounds
19 or in excess of the vehicle gross weight determined by
20 application of the formula in this subsection are subject to the
21 maximum axle loads of subsections (1), (2), and (3). As used in
22 this subsection, "tandem axle weight" means the total weight
23 transmitted to the road by 2 or more consecutive axles, the
24 centers of which may be included between parallel transverse
25 vertical planes spaced more than 40 inches but not more than 96

1 inches apart, extending across the full width of the vehicle.
2 Except as otherwise provided in this section, vehicles
3 transporting agricultural commodities shall have weight load
4 maximums as set forth in this subsection.

5 (13) As used in this section:

6 (a) "Agricultural commodities" means those plants and
7 animals useful to human beings produced by agriculture and
8 includes, but is not limited to, forages and sod crops, grains
9 and feed crops, field crops, dairy and dairy products, poultry
10 and poultry products, cervidae, livestock, including breeding and
11 grazing, equine, fish, and other aquacultural products, bees and
12 bee products, berries, herbs, fruits, vegetables, flowers, seeds,
13 grasses, nursery stock, mushrooms, fertilizer, livestock bedding,
14 farming equipment, and fuel for agricultural use. The term does
15 not include trees or lumber.

16 (b) "Emergency public utility work" means work performed to
17 restore public utility service or to eliminate a danger to the
18 public due to a natural disaster, an act of God, or an emergency
19 situation, whether or not a public official has declared an
20 emergency.