

SENATE BILL No. 1316

May 4, 2010, Introduced by Senator STAMAS and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 710 (MCL 257.710).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 710. (1) ~~(a) A~~ **EXCEPT AS OTHERWISE PROVIDED IN THIS**
2 **SECTION, A** person shall not operate on a public highway of this
3 state a vehicle or special mobile equipment ~~which~~ **THAT** has metal
4 or plastic track or a tire ~~which is~~ equipped with metal that
5 comes in contact with the surface of the road or ~~which~~ **THAT** has a
6 partial contact of metal or plastic with the surface of the road.
7 ~~, except as provided in subsections (c), (d), and (e).~~

8 (2) ~~(b) A~~ **EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, A**
9 person shall not operate on a highway a vehicle ~~which~~ **THAT** has a

1 tire that has on its periphery a block, stud, flange, cleat,
2 spike, or other protuberance of a material other than rubber
3 ~~which~~**THAT** projects beyond the tread of the traction surface of
4 the tire. ~~, except as provided in subsections (c), (d), and (e).~~
5 A person may, however, use farm machinery with a tire having a
6 protuberance ~~which~~**THAT** will not injure a highway. A person may
7 also use a tire chain of reasonable proportion upon a vehicle
8 when required for safety because of snow, ice, or other condition
9 tending to cause a vehicle to skid.

10 (3) ~~(e)~~A person may operate on a highway a vehicle ~~which~~
11 **THAT** has a pneumatic tire in which wire of .075 inches in
12 diameter or less is embedded if the tire is constructed so that
13 the percent of metal in contact with the highway does not exceed
14 5% of the total tire area in contact with the roadway, except
15 that during the first 1,000 miles of use or operation of the tire
16 the metal in contact with the highway shall not exceed 20% of the
17 area.

18 (4) ~~(d)~~The department of ~~state highways and~~ transportation
19 shall promulgate rules establishing acceptable standards to
20 permit the use of a tire with studs or other traction devices to
21 be used on a street or highway. ~~after April 1, 1975.~~The rules
22 shall make separate provision for the extreme winter snow and ice
23 conditions of the Upper Peninsula and the northern Lower
24 Peninsula. The rules shall include a restriction on the amount
25 and dimension of protrusions that may be allowed on a tire, the
26 type of material that may be used in a stud, traction device, or
27 tire, and the amount of road wear that a tire with studs or other

1 traction devices may cause on a street or highway.

2 (5) ~~(e)~~—A person may operate on a highway a vehicle ~~which~~
3 **THAT** has a pneumatic tire in which are inserted ice grips or tire
4 studs if the person is a law enforcement officer operating a
5 vehicle owned by a law enforcement agency, **FIRE DEPARTMENT**
6 **PERSONNEL OPERATING A VEHICLE OWNED BY A FIRE DEPARTMENT**, a
7 person operating an ambulance, or a United States postal service
8 rural carrier ~~driving~~**OPERATING** a vehicle the rural carrier owns
9 and maintains as a prerequisite to employment in the postal
10 service.

11 (6) ~~(f)~~—**A EXCEPT AS PROVIDED IN SUBSECTION (10),** A person
12 shall not operate a vehicle on a highway when a tire in use on
13 that vehicle is unsafe as provided in subsection ~~(h)~~**(8)**.

14 (7) ~~(g)~~—A person in the business of selling tires shall not
15 sell or offer for sale for highway use a tire ~~which~~**THAT** is
16 unsafe as provided in subsection ~~(h)~~**(8)**.

17 (8) ~~(h)~~—A tire is unsafe if it is in any of the following
18 conditions:

19 (A) ~~(i)~~—Has a part of the belting material, tire cords, or
20 plys exposed.

21 (B) ~~(ii)~~—Has evidence of cord or tread separations.

22 (C) ~~(iii)~~—Is worn to or below the minimum tread level in 2 or
23 more adjacent major grooves at 3 or more locations spaced around
24 the circumference of the tire. Minimum allowable tread levels are
25 as follows:

26 motorcycles and moped.....1/32 inch front and rear

1 passenger cars and vehicles
 2 weighing less than 10,000
 3 pounds.....2/32 inch front and rear
 4 vehicles weighing 10,000 pounds
 5 or more.....4/32 inch front and 2/32 rear

6 ~~Measurements shall not be made at locations of tread wear~~
 7 ~~indicators or tie bars. A motor vehicle licensed as an historic~~
 8 ~~vehicle under section 803a is exempt from the tread depth~~
 9 ~~requirements of this subsection.~~

10 (D) ~~(iv)~~ Has a marking "not for highway use", "for racing
 11 purposes only", "for farm use only", or "unsafe for highway use".

12 (E) ~~(v)~~ Has been regrooved or recut below the original tread
 13 design depth except in the case of special purpose designed tires
 14 having extra undertread rubber provided for this purpose and
 15 identified as those tires.

16 (9) MEASUREMENTS UNDER SUBSECTION (8) (C) SHALL NOT BE MADE
 17 AT LOCATIONS OF TREAD WEAR INDICATORS OR TIE BARS.

18 (10) A MOTOR VEHICLE LICENSED AS A HISTORIC VEHICLE UNDER
 19 SECTION 803A IS EXEMPT FROM THE TREAD WEAR REQUIREMENTS OF
 20 SUBSECTION (8).