

HOUSE BILL No. 5637

February 7, 2006, Introduced by Reps. Kooiman, Garfield, Vander Veen, Proos, Booher, Taub, Sheltroun, Huizenga, Jones, Sak, Newell, Hansen, Sheen, Farhat, Stahl, Steil, Caul, Elsenheimer, Hoogendyk, Ball, Gosselin and Emmons and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 722 (MCL 257.722), as amended by 2002 PA 41.

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

1 13,000 pounds for high pressure pneumatic or balloon tires.

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

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

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

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

25 (4) Notwithstanding subsection (3), on a combination of
26 truck tractor and semitrailer having not more than 5 axles, 2
27 consecutive sets of tandem axles may carry a gross permissible

1 weight of not to exceed 17,000 pounds on any axle of the tandem
2 axles if there is no other axle within 9 feet of any axle of the
3 tandem axles and if the first and last axles of the consecutive
4 sets of tandem axles are not less than 36 feet apart and the
5 gross vehicle weight does not exceed 80,000 pounds to pick up and
6 deliver agricultural commodities between the national truck
7 network or special designated highways and any other highway.
8 This subsection is not subject to the maximum axle loads of
9 subsections (1), (2), and (3). For purposes of this subsection, a
10 "tandem axle" means 2 axles spaced more than 40 inches but not
11 more than 96 inches apart or 2 axles spaced more than 3-1/2 feet
12 but less than 9 feet apart. This subsection does not apply during
13 that period when reduced maximum loads are in effect pursuant to
14 subsection (7). This subsection does not apply after December 31,
15 2006.

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

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

2 (b) The date and time period requested by the person who
3 picks up or delivers the agricultural commodities or the public
4 utility during which the load may be delivered or picked up.

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

6 (d) Any other specific conditions agreed to between the
7 parties.

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

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

26 (8) The state transportation department for roads under its
27 jurisdiction and a county road commission for roads under its

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

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

22 (10) For the purpose of enforcement of this act, the gross
23 vehicle weight of a single vehicle and load or a combination of
24 vehicles and loads, shall be determined by weighing individual
25 axles or groups of axles, and the total weight on all the axles
26 shall be the gross vehicle weight. In addition, the gross axle
27 weight shall be determined by weighing individual axles or by

1 weighing a group of axles and dividing the gross weight of the
 2 group of axles by the number of axles in the group. Pursuant to
 3 subsection (11), the overall gross weight on a group of 2 or more
 4 axles shall be determined by weighing individual axles or several
 5 axles, and the total weight of all the axles in the group shall
 6 be the overall gross weight of the group.

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

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

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

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

$$20 \quad W = 500 \frac{LN}{N-1} + 12 N + 36 \frac{L}{N}$$

22 where W = overall gross weight on a group of 2 or more
 23 consecutive axles to the nearest 500 pounds, L = distance in feet
 24 between the extreme of a group of 2 or more consecutive axles,
 25 and N = number of axles in the group under consideration; except
 26 that 2 consecutive sets of tandem axles may carry a gross load of

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

18 (12) As used in this section, "agricultural commodities"
19 means those plants and animals useful to human beings produced by
20 agriculture and includes, but is not limited to, forages and sod
21 crops, grains and feed crops, field crops, dairy and dairy
22 products, poultry and poultry products, cervidae, livestock,
23 including breeding and grazing, equine, fish, and other
24 aquacultural products, bees and bee products, berries, herbs,
25 fruits, vegetables, flowers, seeds, grasses, nursery stock,
26 mushrooms, fertilizer, livestock bedding, farming equipment, and
27 fuel for agricultural use. The term "agricultural commodities"

1 shall not include trees and lumber.