

# SENATE BILL No. 779

September 27, 2005, Introduced by Senators GILBERT, BROWN, JELINEK, VAN WOERKOM, GOSCHKA, BIRKHOLZ and KUIPERS 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  
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). ~~This subsection does not apply after December~~  
14 ~~31, 2006.~~

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

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

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

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

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

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

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

25 (8) The state transportation department for roads under its  
26 jurisdiction and a county road commission for roads under its  
27 jurisdiction may grant exemptions from seasonal weight

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

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

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

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~~ **AGRICULTURAL COMMODITIES DO** not include trees ~~and~~ **OR**  
2 lumber.