

Act No. 136
Public Acts of 1996
Approved by the Governor
March 21, 1996
Filed with the Secretary of State
March 21, 1996

**STATE OF MICHIGAN
88TH LEGISLATURE
REGULAR SESSION OF 1996**

Introduced by Reps. Gernaat, London and Pitoniak
Rep. Gnodtke named co-sponsor

ENROLLED HOUSE BILL No. 4850

AN ACT to amend sections 719, 719a, and 720 of Act No. 300 of the Public Acts of 1949, entitled as amended "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," section 719 as amended by Act No. 248 of the Public Acts of 1995, section 719a as amended by Act No. 243 of the Public Acts of 1993, and section 720 as amended by Act No. 50 of the Public Acts of 1994, being sections 257.719, 257.719a, and 257.720 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Sections 719, 719a, and 720 of Act No. 300 of the Public Acts of 1949, section 719 as amended by Act No. 248 of the Public Acts of 1995, section 719a as amended by Act No. 243 of the Public Acts of 1993, and section 720 as amended by Act No. 50 of the Public Acts of 1994, being sections 257.719, 257.719a, and 257.720 of the Michigan Compiled Laws, are amended to read as follows:

Sec. 719. (1) A vehicle unloaded or with load shall not exceed a height of 13 feet 6 inches. The owner of a vehicle that collides with a lawfully established bridge or viaduct is liable for all damage and injury resulting from a collision caused by the height of the vehicle, whether the clearance of the bridge or viaduct is posted or not.

(2) This subsection shall be known as the normal length maximum. Except as provided in subsection (3), the following vehicles and combinations of vehicles shall not be operated on a highway in this state in excess of these lengths:

- (a) Any single vehicle: 40 feet.
- (b) Articulated buses: 65 feet.

(c) Notwithstanding any other provision of this section, a combination of a truck and semitrailer or trailer, or a truck tractor, semitrailer, and trailer, or truck tractor and semitrailer or trailer, designed and used exclusively to transport assembled motor vehicles or bodies, recreational vehicles, or boats, which does not exceed a length of 65 feet. Stinger-

steered combinations shall not exceed a length of 75 feet. The load on the combinations of vehicles described in this subdivision may extend an additional 3 feet beyond the front and 4 feet beyond the rear of the combinations of vehicles. Retractable extensions used to support and secure the load that do not extend beyond the allowable overhang for the front and rear shall not be included in determining length of a loaded vehicle or vehicle combination.

(d) Truck tractor and semitrailer combinations: no overall length, if the semitrailer does not exceed 50 feet.

(e) Truck and semitrailer or trailer: 59 feet.

(f) Truck tractor, semitrailer, and trailer, or truck tractor and 2 semitrailers: 59 feet.

(g) More than 1 motor vehicle, wholly or partially assembled, in combination, utilizing 1 tow bar or 3 saddle mounts with full mount mechanisms and utilizing the motive power of 1 of the vehicles in combination, not to exceed 55 feet.

(3) Notwithstanding subsection (2), the following vehicles and combinations of vehicles shall not be operated on a designated highway of this state in excess of these lengths:

(a) Truck tractor and semitrailer combinations: No overall length limit, if the semitrailer does not exceed 53 feet. All semitrailers longer than 50 feet shall have a wheelbase of 40.5 feet plus or minus 0.5 feet, measured from the kingpin coupling to the center of the rear axle or the center of the tandem axle assembly if equipped with 2 axles. A semitrailer with a length longer than 50 feet shall not operate with more than 2 axles on the semitrailer. City, village, or county authorities may prohibit stops of vehicles with a semitrailer longer than 50 feet within their jurisdiction unless the stop occurs along appropriately designated routes, or is necessary for emergency purposes or to reach shippers, receivers, warehouses, and terminals along designated routes.

(b) Truck and semitrailer or trailer combinations: 65 feet, except that a person may operate a truck and semitrailer or trailer designed and used to transport saw logs, pulpwood, and tree length poles that does not exceed an overall length of 70 feet. A person may operate a truck tractor and semitrailer designed and used to transport saw logs, pulpwood, and tree length wooden poles with a load overhang to the rear of the semitrailer which does not exceed 6 feet if the semitrailer does not exceed 50 feet in length.

(c) Truck tractor and 2 semitrailers, or truck tractor, semitrailer, and trailer combinations: no overall length limit, if the length of each semitrailer or trailer does not exceed 28-1/2 feet each, or the overall length of the semitrailer and trailer, or 2 semitrailers as measured from the front of the first towed unit to the rear of the second towed unit while the units are coupled together does not exceed 58 feet.

(d) More than 1 motor vehicle, wholly or partially assembled, in combination, utilizing 1 tow bar or 3 saddle mounts with full mount mechanisms and utilizing the motive power of 1 of the vehicles in combination, not to exceed 65 feet.

(4) The following combinations and movements are prohibited:

(a) A truck shall not haul more than 1 trailer or semitrailer, and a truck tractor shall not haul more than 2 semitrailers or 1 semitrailer and 1 trailer in combination at any 1 time, except that a farm tractor may haul 2 wagons or trailers, or garbage and refuse haulers may, during daylight hours, haul up to 4 trailers for garbage and refuse collection purposes, not exceeding in any combination a total length of 55 feet and at a speed limit not to exceed 15 miles per hour.

(b) A combination of vehicles or a vehicle shall not have more than 11 axles, except when operating under a valid permit issued by the state transportation department or a local authority with respect to a highway under its jurisdiction.

(c) Any combination of vehicles not specifically authorized under this section is prohibited.

(d) A combination of 2 semitrailers pulled by a truck tractor, unless each semitrailer uses a fifth wheel connecting assembly which conforms to the requirements of the motor carrier safety act, Act No. 181 of the Public Acts of 1963, being sections 480.11 to 480.21 of the Michigan Compiled Laws.

(e) A vehicle or a combination of vehicles shall not carry a load extending more than 3 feet beyond the front of the lead vehicle.

(f) A vehicle described in subsections (2)(e) and (3)(d) employing triple saddle mounts unless all wheels which are in contact with the roadway have operating brakes.

(5) All combinations of vehicles under this section shall employ connecting assemblies and lighting devices that are in compliance with Act No. 181 of the Public Acts of 1963 and this act.

(6) The total gross weight of a truck tractor, semitrailer, and trailer combination or a truck tractor and 2 semitrailers combination which exceeds 59 feet in length shall not exceed a ratio of 400 pounds per engine net horsepower delivered to clutch or its equivalent specified in the handbook published by the society of automotive engineers, inc. (SAE), 1977 edition.

(7) A person who violates this section is responsible for a civil infraction. The owner of the vehicle may be charged with a violation of this section.

(8) As used in this section:

(a) "Articulated buses" means articulated buses operated by a local public transit system funded by Act No. 51 of the Public Acts of 1951, being sections 247.651 to 247.675 of the Michigan Compiled Laws.

(b) "Designated highway" means a highway approved by the state transportation department or a local authority with respect to a highway under its jurisdiction.

(c) "Length" means the total length of a vehicle, or combination of vehicles, including any load the vehicle is carrying. Length shall not include safety and energy conservation devices including, but not limited to, impact absorbing bumpers, rear view mirrors, turn signal lamps, marker lamps, steps and hand holds for entry and egress, flexible fender extensions, mud flaps, or splash and spray suppressant devices; load induced tire bulge; refrigeration or heating units; or air compressors attached to the vehicle. A safety or energy conservation device shall be excluded from a determination of length only if it is not designed or used for the carrying of cargo, freight, or equipment. Semitrailers and trailers shall be measured from the front vertical plane of the foremost transverse load supporting structure to the rearmost transverse load supporting structure.

(d) "Stinger-steered combinations" means a truck tractor and semitrailer combination in which the fifth wheel is located on a drop frame located behind and below the rearmost axle of the power unit.

Sec. 719a. (1) Notwithstanding any other provisions of this act, a person shall not operate on the highways of this state a towing vehicle to which a mobile home is attached, if that mobile home is more than 45 feet in length or more than 60 feet in length when combined with the towing vehicle, is more than 12-1/2 feet in height, and has an actual body width of more than 102 inches at base rail, unless that person possesses either of the following:

(a) A permit issued by the jurisdictional authority pursuant to this section.

(b) A special permit issued by the jurisdictional authority pursuant to section 725.

(2) The jurisdictional authority may issue to a mobile home transport company, a mobile home manufacturer, or a mobile home dealer an annual permit to move over a highway, in the ordinary course of that company's, manufacturer's, or dealer's business, a mobile home that conforms to each of the following:

(a) The mobile home is not more than 12 feet wide.

(b) The actual body length of the mobile home is not more than 80 feet and the combined length of the mobile home and towing vehicle is not more than 105 feet or the total length of a combination of mobile homes is not more than 80 feet and the total length of a combination of mobile homes and towing vehicle is not more than 105 feet.

(3) A jurisdictional authority may, in accordance with section 725, issue a special permit for the movement of a mobile home over a highway within its jurisdiction if the width of that mobile home conforms to both of the following:

(a) The mobile home is not more than 16 feet wide plus normal appurtenances or eaves that extend not more than 6 inches from any side of the mobile home.

(b) The length of the mobile home complies with subsection (2)(b).

(4) A person operating a towing vehicle under subsection (3) shall transport a mobile home only on the lane farthest to the right of that person. A person shall not move a mobile home that is 14 or more feet in width including an eave of 2 feet when the wind velocity exceeds 25 miles per hour.

(5) A jurisdictional authority shall not issue a permit described in subsection (2) or (3) for the transport of a mobile home on a Saturday, Sunday, legal holiday, from the noon before until the noon after a holiday, or during the hours between sunset and sunrise.

(6) A jurisdictional authority shall provide and a person operating a towing vehicle shall comply with all of the following in a permit issued under this section:

(a) The date, day, and time period during which a mobile home subject to the permit may be moved on a highway.

(b) Notice that the permit is conditioned upon its holder's compliance with the permit's terms and with the law.

(c) Notice that the operator of a towing vehicle transporting the mobile home shall operate the towing vehicle on a highway as follows:

(i) At a safe speed and in a safe manner that will not impede motor traffic.

(ii) Only when the surface condition of the highway is not slippery.

(iii) In accordance with seasonal load restrictions.

(d) For a mobile home and towing vehicle that, when combined, are more than 80 feet in length or more than 12 feet wide, all of the following:

(i) Notice that the mobile home shall be equipped with 2 flashing amber lights on the rear of the mobile home and 1 flashing amber light on the top of the towing vehicle.

(ii) Notice that the mobile home shall be equipped with stop lights and directional lights on the rear of the mobile home.

(iii) Notice that signs with the words "oversize load" shall be displayed on the front bumper of the towing vehicle and the back of the mobile home or, in the case of mobile homes that are 16 feet wide, notice that signs with the words "16-ft wide load" shall be displayed on the front bumper of the towing vehicle and the back of the mobile home.

(iv) Notice that the signs identified in subparagraph (iii) shall be of durable material, in good condition, with black lettering on interstate yellow background, and that each letter shall be of block lettering not less than 12 inches high at the front and not less than 16 inches high at the rear of the unit.

(v) Notice that a vehicle escort is required on those roads where the state police consider escort vehicles necessary for highway safety.

(7) Signs and other special identification for escort vehicles shall conform to state transportation department requirements for all escort vehicles for oversized loads.

(8) For a mobile home being moved pursuant to this section or section 725, the distance between mobile home axle centers shall not be less than 34 inches. The axles and tires shall meet standards established by the state transportation department.

(9) This section does not grant or give authority to the state transportation department that did not exist on May 1, 1982, in accordance with section 127 of title 23 of the United States Code, 23 U.S.C. 127.

(10) A person who violates this section is responsible for a civil infraction and may be assessed a civil fine of not more than \$500.00. The owner of the towing vehicle may be charged with a violation of this section.

(11) The state transportation commission may order the state transportation department to immediately cease issuing all special permits to move on the highways of the lower peninsula of this state a mobile home that is more than 14-1/3 feet wide plus normal appurtenances that extend no more than 6 inches, and an eave that extends no more than 2 feet from the width of that mobile home upon a state transportation commission determination that those permits create an unreasonable safety hazard or hazards. The state transportation commission shall notify all other jurisdictional authorities of the determination made under this subsection. The order shall not prohibit the issuance of a special permit for the movement of a mobile home if a binding contract for the movement of that mobile home was executed before the commission determination of an unreasonable safety hazard or hazards.

(12) As used in this section:

(a) "Jurisdictional authority" means the state transportation department, a county road commission, or a local authority having jurisdiction over a highway upon which a mobile home is proposed to be moved.

(b) "Mobile home" means any of the following:

(i) A prebuilt housing module.

(ii) That term as defined in section 2 of the mobile home commission act, Act No. 96 of the Public Acts of 1987, being section 125.2302 of the Michigan Compiled Laws.

(iii) A section of a mobile home as that term is defined in subparagraph (ii).

Sec. 720. (1) A person shall not drive or move a vehicle on a highway unless the vehicle is so constructed or loaded as to prevent its contents from dropping, sifting, leaking, blowing off, or otherwise escaping from the vehicle. This requirement does not apply to a vehicle transporting agricultural or horticultural products when hay, straw, silage, or residue from a product, but not including the product itself, or when materials such as water used to preserve and handle agricultural or horticultural products while in transportation, escape from the vehicle in an amount that does not interfere with other traffic on the highway. The tailgate, faucets, and taps on a vehicle shall be securely closed to prevent spillage during transportation whether the vehicle is loaded or empty, and the vehicle shall not have any holes or cracks through which material can escape. Any highway maintenance vehicle engaged in either ice or snow removal shall be exempt from this section.

(2) Actual spillage of material on the highway or proof of that spillage is not necessary to prove a violation of this section.

(3) A vehicle carrying a load, other than logs or tubular products, which is not completely enclosed shall meet either of the following requirements:

(a) Have the load covered with firmly secured canvas or a similar type of covering. A device used to comply with the requirement of this subdivision shall not exceed a width of 108 inches nor by design or use have the capability to carry cargo by itself.

(b) Have the load securely fastened to the body or the frame of the vehicle with binders of adequate number and of adequate breaking strength to prevent the dropping off or shifting of the load.

(4) A company or individual who loads or unloads a vehicle or causes it to be loaded or unloaded, with knowledge that it is to be driven on a public highway, in a manner so as to cause a violation of subsection (1) shall be prima facie liable for a violation of this section.

(5) A person shall not operate a motor vehicle carrying logs or tubular products on a highway unless the following conditions are met:

(a) If the logs or tubular products are loaded crosswise or at right angles to the side of the vehicle, the load of logs or tubular products shall be securely fastened to the body or frame of the vehicle with not less than 2 binders which are secured to the frame at each end of the load and pass over the load so that the frame and binders completely encircle the load.

(b) If the vehicle is a truck or trailer carrying logs which has a loading surface more than 33 feet in length and the logs are loaded crosswise or at right angles to the side of the vehicle, the vehicle shall be equipped with a center partition located approximately 1/2 the distance from the front to the rear of the loading surface of the truck or trailer. The center partition shall be either a center mounted hydraulic loader or a center set of stakes and shall be pinned, bolted, or otherwise securely fastened to the frame. The load shall be secured as required by subdivision (a) and, in addition, the 2 lengthwise tie downs shall be attached or threaded through the center partition at a level not less than 1 foot below the load height.

(c) If the logs or tubular products are loaded lengthwise of the vehicle, obliquely or parallel to the sides, with metal stakes and pockets, the load of logs or tubular products shall be secured as follows:

(i) With 2 tie downs from frame to frame for every tier.

(ii) So that not more than 1/2 the diameter of the top log or tubular product extends higher than the stake tops.

(iii) With 2 cross chains per tier if the load extends more than 5 feet above the loading surface.

(iv) So that every 10 linear feet has not less than 1 tie down from frame to frame.

(d) If the logs or tubular products are loaded lengthwise of the vehicle, obliquely or parallel to the sides, with permanent metal gusseted bunks, the load of logs or tubular products shall be secured as follows:

(i) With 2 tie downs from frame to frame for every tier.

(ii) So that not more than 1/2 the diameter of the top log extends higher than the stake tops.

(iii) So that every 10 linear feet has not less than 1 tie down from frame to frame.

(e) The tie downs, cross chains, stakes, and other materials used to secure loads of logs or tubular products as required under subdivisions (a) to (d) shall meet the following minimum requirements:

(i) Chain shall be of steel and shall be of a strength not less than 5/16 inch in diameter "transport", which is embossed with a grade stamp representative of grade 70, or not less than 3/8 inch in diameter "high test", which is embossed with a grade stamp representative of grade 40. Chain shall not be repaired by welding, wire, or cold shuts.

(ii) Wire rope shall be of improved plow steel and not less than 3/8 inch in diameter.

(iii) Webbing strap shall be not less than 3 inches in width and shall have a minimum breaking strength of 14,000 pounds.

(iv) Metal stakes shall be of sufficient strength to hold and contain the load.

(v) Connecting links and hooks shall be at least as strong as the tie down material used.

(6) Subsection (3) shall not apply to a person operating a vehicle to transport agricultural commodities or to a person operating a farm truck or implement of husbandry transporting sand, gravel, and dirt necessary in the normal operation of a farm. However, a person operating a vehicle to transport agricultural commodities or sand, gravel, and dirt in the normal operation of the farm who violates subsection (1) or (4) is guilty of a misdemeanor and shall be subject to the penalties prescribed in subsection (9).

(7) Subsection (3)(a) shall not apply to a motor vehicle transporting items of a load which because of their weight will not fall off the moving vehicle and which have their centers of gravity located at least 6 inches below the top of the enclosure nor to a motor vehicle carrying metal which because of its weight and density is so loaded as to prevent it from dropping or falling off the moving vehicle.

(8) Subsection (3)(a) shall not apply to motor vehicles and other equipment engaged in work upon the surface of a highway or street in a designated work area.

(9) A person who violates this section is guilty of a misdemeanor punishable by a fine of not more than \$500.00 or imprisonment for not more than 90 days, or both.

(10) As used in this section:

(a) "Cross chain" means a chain which extends through the load of logs or tubular products and is connected at each end to a side stake.

(b) "Logs" means sawlogs, pulpwood, or tree length poles.

(c) "Tie down" means a high strength material which is used to secure the load of logs or tubular products to the frame or the bed of the vehicle.

(d) "Tier" means a vertical pile or stack of logs or tubular products.

This act is ordered to take immediate effect.

Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.

