



HOUSE BILL No. 4104

January 17, 1995, Introduced by Rep. Porreca and referred to the Committee on Transportation.

A bill to amend section 722 of Act No. 300 of the Public Acts of 1949, entitled as amended "Michigan vehicle code," as amended by Act No. 22 of the Public Acts of 1993, being section 257.722 of the Michigan Compiled Laws; and to add sections 49a and 60a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 722 of Act No. 300 of the Public Acts of
2 1949, as amended by Act No. 22 of the Public Acts of 1993, being
3 section 257.722 of the Michigan Compiled Laws, is amended and
4 sections 49a and 60a are added to read as follows:

5 SEC. 49A. "RECYCLABLE MATERIALS" MEANS THAT TERM AS DEFINED
6 IN SECTION 6(1) OF THE SOLID WASTE MANAGEMENT ACT, ACT NO. 641 OF
7 THE PUBLIC ACTS OF 1978, BEING SECTION 299.406 OF THE MICHIGAN
8 COMPILED LAWS.

1 SEC. 60A. "SOLID WASTE" MEANS THAT TERM AS DEFINED IN
2 SECTION 7(1) OF THE SOLID WASTE MANAGEMENT ACT, ACT NO. 641 OF
3 THE PUBLIC ACTS OF 1978, BEING SECTION 299.407 OF THE MICHIGAN
4 COMPILED LAWS.

5 Sec. 722. (1) The maximum axle load shall not exceed the
6 number of pounds designated in the following provisions which
7 prescribe the distance between axles:

8 (a) When the axle spacing is 9 feet or more between axles,
9 the maximum axle load shall not exceed 18,000 pounds for vehicles
10 equipped with high pressure pneumatic or balloon tires.

11 (b) When the axle spacing is less than 9 feet between 2
12 axles but more than 3-1/2 feet, the maximum axle load shall not
13 exceed 13,000 pounds for high pressure pneumatic or balloon
14 tires.

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

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

19 (2) When normal loading is in effect, the state transporta-
20 tion department and local authorities with respect to highways
21 under their jurisdiction may designate certain highways, or sec-
22 tions of those highways, where bridges and road surfaces are ade-
23 quate for heavier loading, which designation may be revised as
24 needed, on which the maximum tandem axle assembly loading shall
25 not exceed 16,000 pounds for any axle of the assembly, if there
26 is no other axle within 9 feet of any axle of the assembly.

1 (3) Except as provided in subsection (8), on a legal
2 combination of vehicles, only 1 tandem axle assembly shall be
3 permitted on the designated highways at the gross permissible
4 weight of 16,000 pounds per axle, if there is no other axle
5 within 9 feet of any axle of the assembly, and if no other tandem
6 axle assembly in the combination of vehicles exceeds a gross
7 weight of 13,000 pounds per axle. When the maximum gross weight
8 of a combination of vehicles with load does not exceed 73,280
9 pounds, 2 tandem axle assemblies shall be permitted on the desig-
10 nated highways at a gross permissible weight of 16,000 pounds per
11 axle, if there is no other axle within 9 feet of any axle of the
12 assembly.

13 (4) The normal size of tires shall be the rated size as pub-
14 lished by the manufacturers, and the maximum wheel load permissi-
15 ble for any wheel shall not exceed 700 pounds per inch of width
16 of tire.

17 (5) During the months of March, April, and May in each year,
18 the maximum axle load allowable on concrete pavements, or pave-
19 ments with a concrete base, shall be reduced by 25% from the max-
20 imum axle load as specified in this chapter, and the maximum axle
21 loads allowable on all other types of roads during these months
22 shall be reduced by 35% from the maximum axle loads as
23 specified. The maximum wheel load shall not exceed 525 pounds
24 per inch of tire width on concrete and concrete base or 450
25 pounds per inch of tire width on all other roads during the
26 period the seasonal road restrictions are in effect. Upon
27 receipt of a written application and good cause being shown, the

1 state transportation department, for roads under their
2 jurisdiction, and county road commissions, for roads under their
3 jurisdiction, may permit exemptions from seasonal weight restric-
4 tions for milk on specified routes when requested. Approval or
5 denial of a request for an exemption shall be given by written
6 notice to the applicant within 30 days after the date of submis-
7 sion of the application. If a request is denied, the written
8 notice shall state the reason for denial and alternate routes for
9 which the permit may be issued. The applicant shall have the
10 right to appeal to the state transportation commission or the
11 county road commission. These exemptions shall not apply on
12 county roads in counties which have negotiated agreements with
13 milk haulers, or haulers of other commodities, during periods of
14 seasonal load limits in years ~~prior to the effective date of~~
15 ~~this 1993 amendatory act~~ BEFORE APRIL 14, 1993. ~~This 1993~~
16 ~~amendatory act shall not limit the ability of these counties to~~
17 A COUNTY MAY continue to negotiate such agreements ON OR AFTER
18 APRIL 14, 1993. THE REDUCTION IN MAXIMUM AXLE LOAD REQUIRED BY
19 THIS SUBSECTION DOES NOT APPLY TO A VEHICLE TRANSPORTING SOLID
20 WASTE OR RECYCLABLE MATERIALS UNDER A PERMIT ISSUED PURSUANT TO
21 SECTION 725.

22 (6) The state transportation department, or a local author-
23 ity with respect to highways under its jurisdiction, may suspend
24 the restrictions imposed by this section when and where, in its
25 discretion, conditions of the highways or the public health,
26 safety, and welfare so warrant, and may impose the restricted

1 loading requirements of this section on designated highways at
2 any other time that the conditions of the highway may require.

3 (7) For the purpose of enforcement of this act, the gross
4 vehicle weight of a single vehicle and load or a combination of
5 vehicles and loads, shall be determined by weighing individual
6 axles or groups of axles, and the total weight on all the axles
7 shall be the gross vehicle weight. In addition, the gross axle
8 weight shall be determined by weighing individual axles or by
9 weighing a group of axles and dividing the gross weight of the
10 group of axles by the number of axles in the group. Pursuant to
11 subsection (8), the overall gross weight on a group of 2 or more
12 axles shall be determined by weighing individual axles or several
13 axles, and the total weight of all the axles in the group shall
14 be the overall gross weight of the group.

15 (8) The loading maximum in this subsection shall apply to
16 interstate highways, and the state transportation department, or
17 a local authority with respect to highways under its jurisdic-
18 tion, may designate a highway, or a section of a highway, for the
19 operation of vehicles having a gross vehicle weight of not more
20 than 80,000 pounds which are subject to the following load
21 maximums:

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

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

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

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

22 (9) COMMERCIAL MOTOR VEHICLE SINGLE-AXLE STRAIGHT TRUCKS
 23 WITH LARGER THAN 17 CUBIC YARDS CAPACITY OR SEMITRAILER OR
 24 TRAILER COMBINATIONS TRANSPORTING SOLID WASTE OR RECYCLABLE MATE-
 25 RIALS SHALL NOT BE SUBJECT TO THE AXLE LOAD LIMITATIONS OF THIS
 26 SECTION, BUT SHALL BE SUBJECT TO A TOTAL WEIGHT LIMITATION FOR
 27 THE UNIT, CALCULATED BY ADDING ALL OF THE MAXIMUM AXLE WEIGHTS

1 FOR THE UNIT. THIS SUBSECTION DOES NOT APPLY TO TRANSPORTATION
2 OVER THE DWIGHT D. EISENHOWER SYSTEM OF INTERSTATE AND DEFENSE
3 HIGHWAYS, AS DEFINED IN 23 U.S.C. 103(e).

4 (10) COMMERCIAL MOTOR VEHICLE MULTI-AXLE STRAIGHT TRUCKS OR
5 SINGLE-AXLE STRAIGHT TRUCKS WITH 17 CUBIC YARDS CAPACITY OR LESS
6 TRANSPORTING SOLID WASTE OR RECYCLABLE MATERIALS SHALL NOT BE
7 SUBJECT TO THE AXLE LOAD LIMITATIONS OF THIS SECTION BUT SHALL BE
8 SUBJECT TO A TOTAL WEIGHT LIMITATION FOR THE UNIT, CALCULATED BY
9 ADDING ALL OF THE MAXIMUM AXLE WEIGHTS FOR THE UNIT AND MULTIPLY--
10 ING THE SUM BY 120%. THIS SUBSECTION DOES NOT APPLY TO TRANSPOR--
11 TATION OVER THE DWIGHT D. EISENHOWER SYSTEM OF INTERSTATE AND
12 DEFENSE HIGHWAYS, AS DEFINED IN 23 U.S.C. 103(e).

13 (11) A PERSON MAY TRANSPORT SOLID WASTE OR RECYCLABLE MATE--
14 RIALS OF A GREATER AXLE WEIGHT THAN OTHERWISE AUTHORIZED OVER THE
15 HIGHWAYS OF THIS STATE IF THE PERSON OBTAINS A SPECIAL PERMIT
16 FROM THE STATE TRANSPORTATION DEPARTMENT. APPROVAL OF A REQUEST
17 FOR A SPECIAL PERMIT SHALL BE GIVEN BY WRITTEN NOTICE TO THE
18 APPLICANT WITHIN 30 DAYS AFTER THE DATE OF SUBMISSION OF THE
19 APPLICATION. THE FEE FOR THE PERMIT SHALL NOT EXCEED \$10.00 PER
20 POWER UNIT PER YEAR. THE PERMIT SHALL BE REGISTERED WITH EACH
21 COUNTY IN WHICH THE POWER UNIT OPERATES BY PAYMENT OF AN ANNUAL
22 FEE NOT TO EXCEED \$10.00 PER POWER UNIT TO THE COUNTY ROAD COM--
23 MISSION OF EACH SUCH COUNTY. A SPECIAL PERMIT DOES NOT AUTHORIZE
24 A TOTAL WEIGHT WHICH WOULD BE UNLAWFUL FOR EACH UNIT OF THE MOTOR
25 VEHICLE, MOTOR VEHICLE AND SEMITRAILER, OR TRAILER BY A PROPER
26 DISTRIBUTION OF THE LOAD UPON THE VARIOUS AXLES SUPPORTING EACH
27 UNIT.