



HOUSE BILL No. 4773

May 2, 1995, Introduced by Reps. Rhead, Gustafson, Gnodtke, Hill and Green and referred to the Committee on Transportation.

A bill to amend section 705 of Act No. 300 of the Public Acts of 1949, entitled as amended

"Michigan vehicle code,"

as amended by Act No. 357 of the Public Acts of 1988, being section 257.705 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 705 of Act No. 300 of the Public Acts of
2 1949, as amended by Act No. 357 of the Public Acts of 1988, being
3 section 257.705 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 705. (1) Brake equipment shall be required as
6 follows:

7 (a) A motor vehicle, other than a motorcycle or moped, when
8 operated upon a highway shall be equipped with brakes adequate to
9 control the movement of and to stop and hold the vehicle,

1 including 2 separate means of applying the brakes, each of which
2 means shall be effective to apply the brakes to at least 2
3 wheels. If these 2 separate means of applying the brakes are
4 connected in any way, they shall be constructed in a way that
5 failure of 1 part of the operating mechanism shall not leave the
6 motor vehicle without brakes on at least 2 wheels.

7 (b) A motorcycle or moped when operated upon a highway shall
8 be equipped with at least 2 brakes, 1 on the front wheel and 1 on
9 the rear wheel, which may be operated by hand or foot.

10 (c) A trailer or semitrailer of a gross weight of 5,500
11 pounds or more when operated upon a highway shall be equipped
12 with brakes operating on all wheels and designed to be applied by
13 the driver of the towing motor vehicle from its cab.

14 (d) A new motor vehicle, trailer, or semitrailer sold in
15 this state and operated upon the highways shall be equipped with
16 brakes on all wheels, except a motorcycle or moped, and except
17 that a semitrailer, pole trailer, or trailer of less than 3,000
18 pounds gross weight need not be equipped with brakes if the gross
19 weight of a trailer or pole trailer, no part of the load of which
20 rests upon the towing vehicle, does not exceed 40% of the gross
21 weight of the towing vehicle, and if the gross weight of the
22 towing vehicle and the gross weight of a semitrailer or pole
23 trailer, part of the load of which rests upon the towing vehicle,
24 does not exceed 40% of the gross weight of the towing vehicle
25 when connected to the semitrailer or pole trailer. This subdivi-
26 sion shall not apply to a trailer or semitrailer owned by a

1 farmer and used exclusively in connection with the farming
2 operations of the farmer and not used for hire.

3 (e) Every bus, school bus, truck, or truck tractor shall be
4 equipped with brakes operating on all wheels, except that a truck
5 or truck tractor which has 3 or more axles need not have brakes
6 on the front wheels if the vehicle was manufactured before
7 July 25, 1980.

8 (f) In any combination of motor driven vehicles, means shall
9 be provided for applying the rearmost trailer brakes, for a
10 trailer equipped with brakes, in approximate synchronism with the
11 brakes on the towing vehicle and developing the required braking
12 effort on the rearmost wheels at the fastest rate; or means shall
13 be provided for applying braking effort first on the rearmost
14 trailer equipped with brakes; or both of the above means capable
15 of being used alternatively may be employed.

16 (g) A motor vehicle and combination of vehicles, except pole
17 trailers, motorcycles, and mopeds, shall be equipped with parking
18 brakes adequate to hold the vehicle on any grade on which it is
19 operated, under all conditions of loading on a surface free from
20 snow, ice, or loose material. The parking brakes shall be
21 capable of being applied in conformance with the foregoing
22 requirements by the driver's muscular effort or by spring action
23 or by equivalent means. Their operation may be assisted by the
24 service brakes or other source of power if failure of the service
25 brake actuation system or other power assisting mechanism will
26 not prevent the parking brakes from being applied in conformance
27 with the foregoing requirements. The parking brakes shall be

1 designed in a manner that when once applied they shall remain
 2 applied with the required effectiveness despite exhaustion of any
 3 source of energy or leakage of any kind. The same brake drums,
 4 brake shoes, and lining assemblies, brake shoe anchors, and
 5 mechanical brake shoe actuation mechanism normally associated
 6 with the wheel brake assemblies may be used for both the service
 7 brakes and the parking brakes. If the means of applying the
 8 parking brakes and the service brakes are connected in any way,
 9 they shall be constructed in a manner that failure of 1 part
 10 shall not leave the vehicle without operative brakes.

11 (h) The brake shoes operating within or upon the drums of
 12 the vehicle wheels of a motor vehicle may be used for both serv-
 13 ice and hand operation.

14 (2) A motor vehicle or combination of motor-drawn vehicles
 15 shall be capable at all times and under all conditions of load-
 16 ing, of being stopped on a dry, smooth, level road free from
 17 loose material within the distances specified below, or shall be
 18 capable of being decelerated at a sustained rate corresponding to
 19 these distances upon initial application of the service (foot)
 20 brake.

21	Feet to stop from 20 miles per hour	Deceleration in feet per second per second
25 Vehicles or combination of 26 vehicles having brakes on all 27 wheels.....	30	14
28 Vehicles or combination of 29 vehicles not having brakes 30 on all wheels.....	40	10.7

31 (3) SUBSECTION (2) DOES NOT APPLY TO A COMBINATION OF
 32 MOTOR-DRAWN VEHICLES UNDER ALL OF THE FOLLOWING CIRCUMSTANCES:

1 (A) THE DRAWN VEHICLE IS AN IMPLEMENT OF HUSBANDRY AS
2 DEFINED IN SECTION 21.

3 (B) THE MOTOR VEHICLE HAULING THE IMPLEMENT OF HUSBANDRY
4 DOES NOT EXCEED A MAXIMUM SPEED OF 25 MILES PER HOUR IF THE
5 IMPLEMENT OF HUSBANDRY BEING DRAWN IS NOT EQUIPPED WITH BRAKES
6 THAT MEET THE STANDARDS SET FORTH IN 49 C.F.R. 393.40 AND THIS
7 ACT.

8 (C) IF THE IMPLEMENT OF HUSBANDRY BEING DRAWN DOES NOT
9 EXCEED ANY OTHER IMPLEMENT OR COMPONENT DESIGN MAXIMUM SPEED LIM-
10 ITATION, THE COMBINATION OF VEHICLES SHALL NOT EXCEED THAT MAXI-
11 MUM SPEED LIMITATION.

12 (4) ~~(3)~~ All brakes shall be maintained in good working
13 order and shall be adjusted in a manner as to operate as equally
14 as practicable with respect to the wheels on the opposite side of
15 the vehicle.