



HOUSE BILL No. 4850

May 16, 1995, Introduced by Reps. Gernaat, London and Pitoniak and referred to the Committee on Transportation.

A bill to amend sections 719 and 720 of Act No. 300 of the Public Acts of 1949, entitled as amended "Michigan vehicle code," section 719 as amended by Act No. 127 of the Public Acts of 1992 and section 720 as amended by Act No. 50 of the Public Acts of 1994, being sections 257.719 and 257.720 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 719 and 720 of Act No. 300 of the
2 Public Acts of 1949, section 719 as amended by Act No. 127 of the
3 Public Acts of 1992 and section 720 as amended by Act No. 50 of
4 the Public Acts of 1994, being sections 257.719 and 257.720 of
5 the Michigan Compiled Laws, are amended to read as follows:

6 Sec. 719. (1) Except as provided in subsection (2), a
7 vehicle unloaded or with load shall not exceed a height of 13

1 feet 6 inches. The owner of a vehicle which collides with a
2 lawfully established bridge or viaduct shall be liable for all
3 damage and injury resulting from a collision caused by the height
4 of the vehicle, whether the clearance of the bridge or viaduct is
5 posted or not.

6 (2) A truck, truck tractor, semitrailer, or trailer manufac-
7 tured on or after July 27, 1978, shall not be used to transport
8 flammable liquids, in bulk, having a flash point at or below 70
9 degrees Fahrenheit, if the truck, truck tractor, semitrailer, or
10 trailer exceeds 11 feet 8-1/2 inches in height. However, safety
11 equipment and those appurtenances which are required by state
12 law, when added to a vehicle, may cause the vehicle height to
13 exceed 11 feet 8-1/2 inches, but shall not cause the vehicle
14 height to exceed 13 feet 6 inches. A person who violates this
15 subsection is guilty of a misdemeanor.

16 (3) A vehicle, except a truck tractor, trailer, or semi-
17 trailer, including load, or articulated buses operated by a local
18 public transit system funded by Act No. 51 of the Public Acts of
19 1951, being sections 247.651 to 247.675 of the Michigan Compiled
20 Laws, shall not exceed a total length of 40 feet. The total
21 length of a semitrailer operating in a truck tractor and semi-
22 trailer combination shall not exceed 53 feet, including load.
23 All semitrailers longer than 50 feet shall have a wheelbase of
24 40.5 feet plus or minus 0.5 feet, measured from the kingpin cou-
25 pling to the center of the rear axles or to the center of the
26 tandem axle assembly if equipped with 2 axles. Articulated buses
27 operated by a local public transit system funded by Act No. 51 of

1 the Public Acts of 1951 may operate with a maximum length of 65
2 feet. A combination of truck tractor, semitrailer, and trailer,
3 or truck and semitrailer or trailer, or a combination of truck
4 tractor and 2 semitrailers, including load, shall not exceed a
5 total overall length of 59 feet except as provided for on routes
6 designated and approved by the state transportation department
7 and by local authorities with respect to highways under their
8 jurisdiction on which a person may operate a combination of a
9 truck tractor, semitrailer, and trailer or a truck tractor and 2
10 semitrailers with no limit on the overall combination length, if
11 the length of each semitrailer or trailer including load does not
12 exceed 28-1/2 feet or the overall length of the semitrailer and
13 trailer or 2 semitrailers as measured from the front of the first
14 towed unit to the rear of the second towed unit while the units
15 are coupled together does not exceed an overall length of 58
16 feet, including load. The state transportation department and
17 local authorities with respect to highways under their jurisdic-
18 tion may designate highways where the overall length of a truck
19 and trailer or semitrailer shall not exceed 65 feet. A truck
20 tractor and semitrailer combination with a semitrailer length
21 longer than 50 feet shall not be allowed to operate with more
22 than 2 axles on the semitrailer. All truck tractor and semi-
23 trailer combinations with a semitrailer length longer than
24 50 feet shall travel exclusively on highways designated by the
25 appropriate road authority. City, village, or county authorities
26 shall have the option of prohibiting stops within their
27 jurisdictions unless the stop occurs along appropriately

1 designated routes, or is necessary for emergency purposes or to
2 reach shippers, receivers, warehouses, and terminals along desig-
3 nated routes. A truck tractor shall not haul more than 1 trailer
4 and 1 semitrailer or more than 2 semitrailers in combination at
5 any 1 time, except that a farm tractor may haul 2 wagons or
6 trailers, or garbage and refuse haulers may, during daylight
7 hours, haul up to 4 trailers for garbage and refuse collection
8 purposes, not exceeding in any combination a total length of 55
9 feet at a speed of not to exceed 15 miles per hour. In determin-
10 ing the length of a vehicle or a vehicle combination under this
11 subsection, the length shall not be considered to include safety
12 and energy conservation devices including, but not be limited to,
13 impact absorbing bumpers, rear view mirrors, turn signals lamps,
14 marker lamps, steps and hand holds for entry and egress, flexible
15 fender extensions, mud flaps, or splash and spray suppressant
16 devices; load induced tire bulge; refrigeration or heating units;
17 or air compressors. A device shall be excluded from a determina-
18 tion of length only if it is not designed or used for the carry-
19 ing of cargo. Semitrailers and trailers shall be measured from
20 the front vertical plane of the foremost transverse load support-
21 ing structure to the rearmost transverse load supporting
22 structure.

23 (4) If a combination of 2 semitrailers is pulled by a truck
24 tractor, a fifth wheel connecting assembly which conforms with
25 motor carrier safety rules promulgated by the department of state
26 police pursuant to the motor carrier safety act of 1963, Act
27 No. 181 of the Public Acts of 1963, as amended, being sections

1 480.11 to 480.21 of the Michigan Compiled Laws, shall be used on
2 each semitrailer.

3 (5) A train of vehicles or a vehicle operated alone shall
4 not carry a load extending more than 3 feet beyond the front of
5 the train of vehicles or vehicle.

6 (6) A truck tractor and semitrailer combination with a semi-
7 trailer length longer than 50 feet shall not be operated on the
8 highways of this state at the times specified in section 684
9 unless equipped with all of the following lamps and reflectors,
10 in addition to any other lamps and reflectors required under this
11 act:

12 (a) Two side marker lamps which display an amber light, 1 on
13 each side of the semitrailer, located at 1/2 the distance from
14 the front to the rear of the semitrailer.

15 (b) Two reflectors which reflect an amber light, 1 on each
16 side of the semitrailer, located at 1/2 the distance from the
17 front to the rear of the semitrailer.

18 (c) Two clearance lamps, 1 on each side of the semitrailer,
19 located at 1/2 the distance from the front to the rear and as
20 near to the top of the semitrailer as practicable.

21 (7) A lamp required under subsection (6) shall be lighted at
22 the times specified in section 684 and shall be visible when
23 lighted at a distance of 500 feet from the side of the semi-
24 trailer on which it is mounted. A reflector required under sub-
25 section (6) shall be visible at the times specified in section
26 684 from all distances from 50 to 500 feet from the semitrailer
27 when directly in front of lawful upper beams of headlamps.

1 (8) Notwithstanding any other provisions of this section, a
2 person may operate a combination of truck tractor, semitrailer,
3 and trailer, or truck tractor and semitrailer or trailer designed
4 and used exclusively to transport assembled motor vehicles or
5 bodies, recreational vehicles, or boats, which does not exceed a
6 total length of 65 feet. Stinger-steered combinations of truck
7 tractor and semitrailer shall not exceed a total length of
8 75 feet. The load on the combination of vehicles may extend an
9 additional 3 feet beyond the front and 4 feet beyond the rear of
10 the combination of vehicles. Retractable extensions used to sup-
11 port and secure the load that do not extend beyond the allowable
12 overhang for the front and rear shall not be included in deter-
13 mining the length of a loaded vehicle or combination of
14 vehicles. As used in this subsection, "stinger-steered" means a
15 semitrailer combination in which the fifth wheel is located on a
16 drop frame located behind and below the rearmost axle of the
17 power unit.

18 (9) A combination of vehicles shall not have more than 11
19 axles.

20 (10) Notwithstanding any other provisions of this section, a
21 number of motor vehicles, wholly or partially assembled, may be
22 transported over the highways of this state in combination, uti-
23 lizing 1 tow bar or 3 saddle mounts with full mount mechanisms
24 and utilizing the motive power of 1 of the vehicles in
25 combination. The combination shall not exceed the maximum length
26 of 65 feet for the transportation of assembled motor vehicles,
27 and the vehicles in the combination shall be adequately and

1 securely fastened together in compliance with regulations of the
2 state and of any federal agency having jurisdiction over the
3 transportation. If motor vehicles are towed by means of triple
4 saddle mounts, the towed vehicles shall have brakes acting on all
5 wheels which are in contact with the roadway. A combination
6 exceeding 55 feet in length may be operated only on highways and
7 routes approved and designated for that operation by the state
8 transportation department and by local authorities with respect
9 to highways under their jurisdiction.

10 (11) Notwithstanding any other provisions of this section, a
11 person may operate a truck and semitrailer or trailer OR A TRUCK
12 TRACTOR AND SEMITRAILER OR TRAILER designed and used to transport
13 saw logs, pulpwood, and tree length poles that does not exceed an
14 overall length of 70 feet including load. These combinations of
15 vehicles shall only be operated upon highways designated by the
16 state transportation department or local authorities with respect
17 to highways under their jurisdiction.

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

24 (13) Except as provided in subsection (2), a person who vio-
25 lates this section is responsible for a civil infraction. The
26 owner of the vehicle may be charged with a violation of this
27 section.

1 Sec. 720. (1) A person shall not drive or move a vehicle,
2 except a vehicle carrying logs or tubular products, on a highway
3 unless the vehicle is so constructed or loaded as to prevent its
4 contents from dropping, sifting, leaking, blowing off, or other-
5 wise escaping from the vehicle. This requirement does not apply
6 to a vehicle transporting agricultural or horticultural products
7 when hay, straw, silage, or residue from a product, but not
8 including the product itself, or when materials such as water
9 used to preserve and handle agricultural or horticultural prod-
10 ucts while in transportation, escape from the vehicle in an
11 amount that does not interfere with other traffic on the
12 highway. The tailgate, faucets, and taps on a vehicle shall be
13 securely closed to prevent spillage during transportation whether
14 the vehicle is loaded or empty, and the vehicle shall not have
15 any holes or cracks through which material can escape. Any high-
16 way maintenance vehicle engaged in either ice or snow removal
17 shall be exempt from this section.

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

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

24 (a) Have the load covered with firmly secured canvas or a
25 similar type of covering. A device used to comply with the
26 requirement of this subdivision shall not exceed a width of 108

1 inches nor by design or use have the capability to carry cargo by
2 itself.

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

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

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

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

21 (b) If the vehicle is a truck or trailer carrying logs which
22 has a loading surface more than 33 feet in length and the logs
23 are loaded crosswise or at right angles to the side of the vehi-
24 cle, the vehicle shall be equipped with a center partition
25 located approximately 1/2 the distance from the front to the rear
26 of the loading surface of the truck or trailer. The center
27 partition shall be either a center mounted hydraulic loader or a

1 center set of stakes and shall be pinned, bolted, or otherwise
2 securely fastened to the frame. The load shall be secured as
3 required by subdivision (a) and, in addition, the 2 lengthwise
4 tie downs shall be attached or threaded through the center parti-
5 tion at a level not less than 1 foot below the load height.

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

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

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

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

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

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

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

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

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

26 (e) The tie downs, cross chains, stakes, and other materials
27 used to secure loads of logs or tubular products as required

1 under subdivisions (a) to (d) shall meet the following minimum
2 requirements:

3 (i) Chain shall be of steel and shall be of a strength not
4 less than 5/16 inch in diameter "transport", which is embossed
5 with a grade stamp representative of grade 70, or not less than
6 3/8 inch in diameter "high test", which is embossed with a grade
7 stamp representative of grade 40. Chain shall not be repaired by
8 welding, wire, or cold shuts.

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

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

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

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

17 (6) Subsection (3) shall not apply to a person operating a
18 vehicle to transport agricultural commodities OR OTHER MATERIALS
19 NECESSARY in the normal operation of a farm. However, a person
20 operating a vehicle to transport agricultural commodities OR
21 OTHER MATERIALS NECESSARY in the normal operation of the farm who
22 violates subsection (1) or (4) is guilty of a misdemeanor and
23 shall be subject to the penalties prescribed in subsection (9).

24 (7) Subsection (3)(a) shall not apply to a motor vehicle
25 transporting items of a load which because of their weight will
26 not fall off the moving vehicle and which have their centers of
27 gravity located at least 6 inches below the top of the enclosure

1 nor to a motor vehicle carrying metal which because of its weight
2 and density is so loaded as to prevent it from dropping or fall-
3 ing off the moving vehicle.

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

7 (9) A person who violates this section is guilty of a misde-
8 meanor punishable by a fine of not more than \$500.00 or imprison-
9 ment for not more than 90 days, or both.

10 (10) As used in this section:

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

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

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

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