

HOUSE BILL No. 4154

February 5, 2003, Introduced by Reps. Casperson, Julian, LaJoy, Adamini, Stahl, Shackleton, Brown, Walker, Caswell, Newell, Emmons, Hoogendyk, Pastor, Palsrok, Robertson, Hummel, Richardville, Amos, Brandenburg, Moolenaar, Nitz and Shaffer and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 719 and 720 (MCL 257.719 and 257.720),
section 719 as amended by 2002 PA 453 and section 720 as amended
by 2002 PA 535.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

7 (2) Lengths described in this subsection shall be known as
8 the normal length maximum. Except as provided in subsection (3),
9 the following vehicles and combinations of vehicles shall not be

1 operated on a highway in this state in excess of these lengths:

2 (a) ~~Any~~ **Subject to subsection (9), any** single vehicle: 40
3 feet; **a crib vehicle on which logs or tubular products are loaded**
4 **lengthwise of the vehicle: 42.5 feet;** any single bus or motor
5 home: 45 feet.

6 (b) Articulated buses: 65 feet.

7 (c) Notwithstanding any other provision of this section, a
8 combination of a truck and semitrailer or trailer, or a truck
9 tractor, semitrailer, and trailer, or truck tractor and
10 semitrailer or trailer, designed and used exclusively to
11 transport assembled motor vehicles or bodies, recreational
12 vehicles, or boats, that does not exceed a length of 65 feet.
13 Stinger-steered combinations shall not exceed a length of 75
14 feet. The load on the combinations of vehicles described in this
15 subdivision may extend an additional 3 feet beyond the front and
16 4 feet beyond the rear of the combinations of vehicles.
17 Retractable extensions used to support and secure the load that
18 do not extend beyond the allowable overhang for the front and
19 rear shall not be included in determining length of a loaded
20 vehicle or vehicle combination.

21 (d) Truck tractor and semitrailer combinations: no overall
22 length, the semitrailer not to exceed 50 feet.

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

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

26 (g) More than 1 motor vehicle, wholly or partially assembled,
27 in combination, utilizing 1 tow bar or 3 saddle mounts with full

1 mount mechanisms and utilizing the motive power of 1 of the
2 vehicles in combination, not to exceed 55 feet.

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

6 (a) Truck tractor and semitrailer combinations: no overall
7 length limit, the semitrailer not to exceed 53 feet. All
8 semitrailers longer than 50 feet shall have a wheelbase of 37.5
9 to 40.5 feet plus or minus 0.5 feet, measured from the kingpin
10 coupling to the center of the rear axle or the center of the rear
11 axle assembly. Before April 1, 2003, a semitrailer with a length
12 longer than 50 feet shall not operate with more than 2 axles on
13 the semitrailer. After March 31, 2003, a semitrailer with a
14 length longer than 50 feet shall not operate with more than 3
15 axles on the semitrailer. City, village, or county authorities
16 may prohibit stops of vehicles with a semitrailer longer than 50
17 feet within their jurisdiction unless the stop occurs along
18 appropriately designated routes, or is necessary for emergency
19 purposes or to reach shippers, receivers, warehouses, and
20 terminals along designated routes.

21 (b) Truck and semitrailer or trailer combinations: 65 feet,
22 except that a person may operate a truck and semitrailer or
23 trailer designed and used to transport saw logs, pulpwood, and
24 tree length poles that does not exceed an overall length of 70
25 feet **or a crib vehicle and semitrailer or trailer designed and**
26 **used to transport saw logs or tubular products that does not**
27 **exceed an overall length of 75 feet.** A person may operate a

1 truck tractor and semitrailer designed and used to transport saw
2 logs, pulpwood, and tree length wooden poles with a load overhang
3 to the rear of the semitrailer which does not exceed 6 feet if
4 the semitrailer does not exceed 50 feet in length.

5 (c) Truck tractor and 2 semitrailers, or truck tractor,
6 semitrailer, and trailer combinations: no overall length limit,
7 if the length of each semitrailer or trailer does not exceed
8 28-1/2 feet each, or the overall length of the semitrailer and
9 trailer, or 2 semitrailers as measured from the front of the
10 first towed unit to the rear of the second towed unit while the
11 units are coupled together does not exceed 58 feet.

12 (d) More than 1 motor vehicle, wholly or partially assembled,
13 in combination, utilizing 1 tow bar or 3 saddle mounts with full
14 mount mechanisms and utilizing the motive power of 1 of the
15 vehicles in combination, not to exceed 75 feet.

16 (4) The following combinations and movements are prohibited:

17 (a) A truck shall not haul more than 1 trailer or
18 semitrailer, and a truck tractor shall not haul more than 2
19 semitrailers or 1 semitrailer and 1 trailer in combination at any
20 1 time, except that a farm tractor may haul 2 wagons or trailers,
21 or garbage and refuse haulers may, during daylight hours, haul up
22 to 4 trailers for garbage and refuse collection purposes, not
23 exceeding in any combination a total length of 55 feet and at a
24 speed limit not to exceed 15 miles per hour.

25 (b) A combination of vehicles or a vehicle shall not have
26 more than 11 axles, except when operating under a valid permit
27 issued by the state transportation department or a local

1 authority with respect to a highway under its jurisdiction.

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

4 (d) A combination of 2 semitrailers pulled by a truck
5 tractor, unless each semitrailer uses a fifth wheel connecting
6 assembly which conforms to the requirements of the motor carrier
7 safety act of 1963, 1963 PA 181, MCL 480.11 to 480.22.

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

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

14 (5) All combinations of vehicles under this section shall
15 employ connecting assemblies and lighting devices that are in
16 compliance with the motor carrier safety act of 1963, 1963 PA
17 181, MCL 480.11 to 480.22.

18 (6) The total gross weight of a truck tractor, semitrailer,
19 and trailer combination or a truck tractor and 2 semitrailers
20 combination that 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 handbook published by the
23 society of automotive engineers, inc. (SAE), 1977 edition.

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

27 **(8) The provision in subsection (2)(a) prescribing the length**

1 of a crib vehicle on which logs or tubular products are loaded
2 lengthwise does not apply if the U.S. department of
3 transportation, federal highway administration determines that
4 funding sanctions under 23 C.F.R. 657.19 apply, pursuant to the
5 longer combination vehicle freeze provisions of the intermodal
6 surface transportation efficiency act of 1991, 23 U.S.C. 127(d),
7 49 U.S.C. 31112 and 49 U.S.C. 31115.

8 (9) ~~-(8)-~~ As used in this section:

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

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

26 (c) "Stinger-steered combinations" means a truck tractor and
27 semitrailer combination in which the fifth wheel is located on a

1 drop frame located behind and below the rearmost axle of the
2 power unit.

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

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

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

25 (a) Have the load covered with firmly secured canvas or a
26 similar type of covering. A device used to comply with the
27 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 or
8 causes it to be loaded or unloaded, with knowledge that it is to
9 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
24 vehicle, 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
5 partition 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 or
12 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) Subject to subsection (12), if the vehicle is a crib**
27 **vehicle and the logs or tubular products are loaded lengthwise of**

1 the vehicle, the logs or tubular products shall be loaded and
2 secured as follows:

3 (i) The vehicle must have sides, sideboards, or stakes; a
4 front headboard, bulkhead, or frontgate; and a rear headboard,
5 bulkhead, or endgate, each of which are strong enough and high
6 enough to assure that the load will not shift upon or fall from
7 the vehicle.

8 (ii) The sides, sideboards, headboard, bulkhead, or front- or
9 rear-end gate that is in direct contact with the ends of the logs
10 shall not have an aperture large enough to permit logs to pass
11 through it.

12 (iii) There shall be a minimum of 2 stakes on each side of
13 the vehicle per tier of logs.

14 (iv) Vehicles with permanent steel gusseted bunks do not
15 require cross chains.

16 (v) Vehicles with steel stakes and pockets require cross
17 chains for each tier if the load extends more than 5 feet above
18 the loading surface.

19 (vi) Three additional lights are required on the upper rear
20 of the vehicle.

21 (vii) Vehicles over 102 inches wide shall have lights placed
22 at each stake along the longitudinal length of the vehicle.

23 (viii) Not more than 1/2 the diameter of the top logs shall
24 extend higher than the stake tops when loaded.

25 (ix) Tie downs are not required if the following loading
26 procedures are used:

27 (A) The distance between a tier of logs and a headboard,

1 bulkhead, front- or rear-end gate, or another tier of logs does
2 not allow a log to lose contact with a side stake if a log were
3 to shift forward or backward.

4 (B) Each tier of logs shall be loaded to the same height from
5 the stake tops to prevent movement.

6 (x) One tie down assembly that meets the requirements of this
7 act and federal regulations is required for each tier of logs
8 under the following conditions:

9 (A) There is a distance large enough between a tier of logs
10 and a headboard, bulkhead, front- or rear-end gate, or another
11 tier of logs to allow a log to lose contact with a side stake if
12 a log were to shift forward or backward.

13 (B) Each tier of logs is not loaded to the same height from
14 the stake tops to prevent movement.

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

19 (i) Chain shall be of steel and shall be of a strength not
20 less than 5/16 inch in diameter "transport", which is embossed
21 with a grade stamp representative of grade 70, or not less than
22 3/8 inch in diameter "high test", which is embossed with a grade
23 stamp representative of grade 40. Chain shall not be repaired by
24 welding, wire, or cold shuts.

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

27 (iii) Webbing strap shall be not less than 3 inches in width

1 and shall have a minimum breaking strength of 14,000 pounds.

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

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

6 (6) Subsection (3) ~~shall~~ **does** not apply to a person
7 operating a vehicle to transport agricultural commodities or to a
8 person operating a farm truck or implement of husbandry
9 transporting sand, gravel, and dirt necessary in the normal
10 operation of a farm. However, a person operating a vehicle to
11 transport agricultural commodities or sand, gravel, and dirt in
12 the normal operation of the farm who violates subsection (1) or
13 (4) is guilty of a misdemeanor and is subject to the penalties
14 prescribed in subsection (10).

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

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

25 (9) A person shall not drive or move on a highway a vehicle
26 equipped with a front end loading device with a tine protruding
27 parallel to the highway beyond the front bumper of the vehicle

1 unless the tine is carrying a load designed to be carried by the
2 front end loading device. This subsection does not apply to a
3 vehicle designed to be used or being used to transport
4 agricultural commodities, to a vehicle en route to a repair
5 facility, or to a vehicle engaged in construction activity. As
6 used in this subsection, "agricultural commodities" means that
7 term as defined in section 722.

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

11 (11) **Subsection (5)(e) does not apply if the U.S. department**
12 **of transportation, federal highway administration determines that**
13 **funding sanctions under 23 C.F.R. 657.19 apply, pursuant to the**
14 **longer combination vehicle freeze provisions of the intermodal**
15 **surface transportation efficiency act of 1991, 23 U.S.C. 127(d),**
16 **49 U.S.C. 31112 and 49 U.S.C. 31115.**

17 (12) ~~(11)~~ As used in this section:

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

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

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

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