

**SFA**

BILL ANALYSIS

Senate Fiscal Agency

Lansing, Michigan 48909

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House Bill 5161 (Substitute H-1 as reported with amendment)

Sponsor: Representative Bart Stupak

House Committee: Transportation

Senate Committee: State Affairs, Tourism, and Transportation

Date Completed: 5-1-90

**RATIONALE**

The Federal Land Transportation Act of 1982 specifies that states may not impose overall lengths for truck tractor-trailer or semitrailer combinations (three-vehicle combinations) traveling on Federal highways. Further, it provides that a state may not prohibit the use of trailers or semitrailers that were in actual and lawful use in the state on December 1, 1982, or that are built like those that were in use on that date. On October 11, 1989, Michigan was notified that it is not in compliance with the Federal statutes: Michigan is imposing a 65-foot overall length limit on combinations of vehicles that were in use on December 1, 1982, and is prohibiting the use of vehicles built like them. (In other words, if a trucker owns a combination of a truck tractor and two trailers that was in use before December 1, 1982, he or she may operate them on Federal highways under State jurisdiction if the overall length of the combination does not exceed 65 feet. The trucker, however, may not replace one of the vehicles with a newer vehicle regardless of whether the new vehicle was built exactly like the old one.) The 65-foot length limit was adopted in 1984; prior to that Michigan had no specific length limits for semitrailers and trailers used in combinations. It has been determined that 65-foot truck tractor, semitrailer, and trailer combinations, that included a seven-foot truck tractor could have operated legally on Michigan highways in 1982. Since there is no prohibition against states measuring the overall length of the trailers in vehicle combinations (rather than a combination itself), it has been suggested that adopting an overall length limit of 58 feet for just the trailers in truck tractor-trailer combinations (assuming they would be connected to a seven-foot truck, giving an overall combination length of 65 feet) would bring Michigan into compliance with Federal

statute. All trailer combinations in operation in 1982, and any built like them, could then be used, and the overall length for vehicle combinations would be replaced with an overall length restriction just for the trailers.

In a related matter, it has been suggested that truck-trailer combinations used to haul forest products such as logs and tree length poles on State and local roads be allowed to exceed the 65-foot maximum length limit provided for in the Michigan Vehicle Code. Apparently, many truckers who haul these products would like to purchase trucks with cabs longer than those used in the 65-foot combinations because they believe the newer, longer cabs are safer, more stable, and more technologically advanced than the older, shorter cabs.

Other vehicle combinations that some state should not be subject to the 65-foot length limit are "stinger-steered" semitrailer combinations, which are a particular type of vehicle combination used to carry motor vehicles, recreational vehicles and boats. Federal law specifies that the states cannot impose an overall limit of less than 75 feet on such combinations. Under the Vehicle Code, however, these vehicle combinations are included in the general category of vehicles that transport cars, boats, and recreational vehicles, and as such, are subject to the 65-foot maximum length limit. Adoption of a 75-foot length limit specifically for "stinger-steered" semitrailer combinations would bring Michigan into compliance with Federal law.

Finally, the Federal Land Transportation Act was amended recently to add language that specifies procedures to ensure uniformity in the way trucks are measured. Currently, not all states measure trucks in the same way, and

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Michigan statutes do not contain procedures for measuring trailers. It has been suggested that Michigan adopt the Federal language so that the methods of measurement will be consistent.

## CONTENT

The bill would amend the Michigan Vehicle Code to:

- Allow a person on certain designated Federal routes under State jurisdiction to operate a combination of a truck tractor, semitrailer, and trailer or a truck tractor and two semitrailers with no overall combination length limit if the overall length of the semitrailer and trailer or two semitrailers as measured from the front of the first towed unit to the rear of the second towed unit while the units were coupled together did not exceed 58 feet, including load.
- Prohibit "stinger-steered" combinations of truck tractor and semitrailer from exceeding a total length of 75 feet. "Stinger-steered" would mean a semitrailer combination in which the fifth wheel is located on a door frame located behind and below the rearmost axle of the power unit.
- Permit the operation of a truck and semitrailer or trailer that had a maximum overall length of 70 feet and was designed and used to transport saw logs, pulpwood, and tree length poles, but only on highways designated by the State Transportation Department or local authorities.
- Delete a provision that allows trailers and semitrailers in actual and lawful use in Michigan on December 1, 1982, to be operated for the life of the vehicle in combination with other vehicles in actual and lawful use on that date if the combination was of legal length (i.e., 65 feet) immediately preceding January 24, 1984.
- Prohibit only truck tractors from hauling more than one trailer and one semitrailer or two semitrailers in combination at any one time. The prohibition currently applies to "other motor vehicles" as well as truck tractors.
- Specify that semitrailers and trailers would have to be measured from the front vertical plane of the foremost

transverse load supporting structure to the rearmost transverse load supporting structure.

MCL 257.719

## SENATE COMMITTEE ACTION

The Senate Committee adopted an amendment to delete the words "vehicles or" from the sentence, "These vehicles or combinations of vehicles shall only be operated upon highways designated by the state transportation department or local authorities with respect to highways under their jurisdiction." The sentence applies to vehicle combinations used to haul forest products that would be allowed a longer overall length by the bill.

## FISCAL IMPACT

The provisions of the bill that put Michigan law into compliance with Federal rules would assure that Federal Highway Funds would not be withheld from the State.

## ARGUMENTS

### Supporting Argument

Michigan currently receives in excess of \$300 million from the Federal Highway Fund. The Federal Highway Administration has stated that if the State does not comply with Federal rules and regulations regarding truck length limits, 5% of the \$300 million would be withheld during the first year of penalization, and the percentage would increase each year. The State cannot afford to lose any amount of Federal help, and the bill would help ensure that it would continue to receive the maximum amount of Federal money for which it is eligible.

### Supporting Argument

The bill would resolve problems faced by Michigan's timber industry by allowing truckers to drive trucks with cabs that are longer and, many feel, potentially safer than those used in 65-foot combinations.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.