



**House
Legislative
Analysis
Section**

Washington Square Building Suite 1025
Lansing, Michigan 48909
Phone: 517/373-6466

THE APPARENT PROBLEM:

The existing tie-down requirements in the Michigan Vehicle Code for timber haulers are antiquated and conflict with practices currently considered necessary to safely tie down a truckload of wood products. Therefore, timber haulers must secure wood loads to meet the requirements of the law while at the same time take additional precautions to make the loads safe, such as using extra chain and cable. Thus, outdated tie-down requirements force timber haulers to waste their time performing outmoded safety measures.

THE CONTENT OF THE BILL:

The Michigan Vehicle Code provides requirements for persons hauling timber. The bill would establish additional requirements for timber haulers and it would define several terms used in conjunction with hauling timber. Under the bill a person could not operate a motor vehicle carrying logs or tubular products on a highway unless the following conditions were met:

1) If the vehicle was a truck or trailer with a loading surface of more than 33 feet in length and the vehicle was carrying logs that were loaded crosswise or at right angles to the side of the vehicle, the vehicle would have to be equipped with a center partition located approximately 1/2 of the distance from the front to the rear of the loading surface of the vehicle. The center partition would have to be either a center mounted hydraulic loader or a center set of stakes and would have to be pinned, bolted, or otherwise securely fastened to the frame. The load would have to be secured as required by the code and, in addition, the two lengthwise tie-downs would have to be attached or threaded through the center partition at a level of at least one foot below the load height;

2) If the logs were loaded length-wise of the vehicle, obliquely or parallel to the sides, with metal stakes and pockets, the load of logs or tubular products would have to be secured: a) with two tie-downs from frame to frame for every tier, b) so that not more than 1/2 the diameter of the top log or tubular product extended higher than the stake tops, c) with two cross chains per tier if the load extended more than five feet above the loading surface, and d) so that every ten linear feet, and any remaining fraction thereof, would have at least one tie-down from frame to frame;

3) If the logs or tubular products were loaded lengthwise of the vehicle, obliquely or parallel to the side, with permanent metal gusseted bunks, the load of logs or tubular products would have to be secured: a) with two tie-downs from frame to frame for every tier, b) so that not more than 1/2 the diameter of the top log extended higher than the stake tops, and c) so that every ten linear feet, and remaining fraction thereof, would have at least one tie-down from frame to frame;

4) The tie-downs, cross chains, stakes, and other materials used to secure loads of logs or tubular products as required under the code would have to meet the following minimum requirements: a) chain would have to be made of steel which would have a strength of at

REQUIREMENTS FOR TIMBER HAULERS

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House Bill 4389 with committee amendments
First Analysis (4-2-87)

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Sponsor: Rep. Sidney Ouwinga
Committee: Transportation

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least 5/16 inches in diameter (grade 70), and would be embossed with a grade stamp representative of grade 70, or at least 3/8 inch in diameter (grade 40) which is embossed with a grade stamp representative of grade 40. (If the chain was of high test grade, it would have to be 5/16 in diameter). Chain could not be repaired by welding, wire, or cold shuts; b) wire rope would have to be of improved plow steel and at least 3/8 inch in diameter; c) webbing strap would have to be at least three inches in width and would have a minimum breaking strength of 14,000 pounds; d) metal stakes would have to be of sufficient strength to hold and contain the load; and e) connecting links and hooks would have to be at least as strong as the tie-down material used.

The bill would define "cross chain" as a chain which extended through the load of logs or tubular products and would be connected at each end to a side stake. The term "logs" would refer to sawlogs, pulpwood or tree-length poles. The bill would define the term "tie-down" as a high strength material which could be used to secure the load of logs or tubular products to the frame or the bed of the vehicle, and "tier" as a vertical pile or stack of logs or tubular products (MCL 257.720).

FISCAL IMPLICATIONS:

Fiscal information is not available at this time.

ARGUMENTS:

For:

Extra chain requirements for outmoded safety precautions create unnecessary expense for many timber haulers. In addition, timber haulers must spend approximately one and a half hours per day meeting the outdated requirements, thus, forcing them to spend their time inefficiently while not even addressing the issue of safety. The bill would bring the law up to date and allow timber haulers to use contemporary safety measures such as cross-chains in the center of a load of logs to ensure stability, and center partitions for any trailer with a loading surface longer than 33 feet in order to prevent loads from shifting. The bill would provide viable alternatives to the outdated requirements.

For:

Presently, some of Michigan's transportation laws are in conflict with federal laws and the Michigan Motor Carrier Safety Rules, which are patterned after federal legislation. The bill would update old provisions of the law bringing them into closer agreement with current safety rules and federal law.

POSITIONS:

The Motor Carrier Division of the Department of State Police supports the bill (4-1-87).

The Michigan Association of Timbermen supports the bill (4-1-87).

A representative of the Michigan Trucking Association testified in support of the bill (4-1-87).

H.B. 4389 (4-2-87)