



**House
Legislative
Analysis
Section**

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TRUCK SAFETY PACKAGE

House Bill 4402 (Substitute H-2)
Sponsor: Rep. Michael J. Bennane

House Bill 5682 with committee amendments
Sponsor: Rep. Jerry C. Bartnik

RECEIVED

Committee: Transportation
First Analysis (6-16-88)

AUG 04 1988

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H.B. 4402 et al (6-16-88)

THE APPARENT PROBLEM:

Truck accidents have increased tremendously within the past decade. There have been several changes within the industry and within the economic environment that can be cited as contributing factors to the increase in truck accidents. Deregulation of the truck industry, the recent downsizing of cars, and an increase in the number of trucks traveling the state's highways are factors which have all contributed to the increase in the rate of truck accidents and violations. The House Standing Committee on Transportation and the House Subcommittee on Truck Safety have taken testimony from interested parties in order to identify areas of major concern relating to truck safety. The following bills are part of a comprehensive truck safety package formulated to address truck safety issues.

THE CONTENT OF THE BILLS:

The Michigan Vehicle Code prohibits operation of motor vehicles, trailers and semitrailers with frames or bodies that are more than 42 inches above a roadway and extend more than 36 inches beyond the rear of the rear axle unless the vehicle is equipped with a fender or bumper. House Bill 5682 would require bumpers and fenders on vehicles that were more than 30 inches above a roadway. After January 1, 1992, bumpers on new motor vehicles, trailers or semitrailers would have to be of substantial construction and extend downward from the rear of the frame or body of the vehicle to within 22 inches of the roadway. The act prohibits operation of a truck tractor and semitrailer combination with a semitrailer longer than 50 feet whose frames or bodies were 42 inches above the roadway and extended more than 36 inches beyond the rear axle unless the frames or bodies of the semitrailers were equipped with underride guards on the rear of the frames or bodies of the vehicles. The bill would decrease the allowable frame height to 30 inches.

MCL 257.719

House Bill 4402 would amend the Michigan Vehicle Code to specify that the driver of a truck with a gross weight of more than 10,000 pounds, a truck tractor, or a combination of a vehicle and trailer or semitrailer, could only drive in the two lanes farthest to the right on roads with three or more lanes for travel in one direction. However, the bill would allow an exemption to this provision for traveling in a left-hand lane for a reasonable distance before making a left turn, or where a special hazard existed that required the use of an alternative lane for safety reasons. Further, the bill would delete language which allows any vehicle to drive in any lane on a freeway with three or more lanes.

MCL 257.634

FISCAL IMPLICATIONS:

According to the Department of State Police, neither bill would have fiscal implications to the state. (6-15-88)

ARGUMENTS:

For:

It is common knowledge that trucks are much harder to stop than cars traveling at the same speed. Since the recent increase in the speed limit on Michigan's interstate highways, the concern has been raised that trucks traveling at higher speeds will increase the wear and tear on the state's roads and that roads will be more hazardous with trucks traveling at higher speeds on all lanes of the roadways. House Bill 4402 will address this concern by requiring trucks to remain in the two lanes farthest to the right on roads with three or more lanes.

Response: Travel on roads leading through suburbs to major cities during periods of congestion (such as rush hour and before and after major entertainment and sports events) can be very difficult for truck drivers because people are apt to exit quickly and weave in and out of lanes. It may be unsafe to require the heaviest vehicles on the road to remain in the right-hand lane during periods of congestion when other are drivers are rapidly moving in and out of the right-hand lane. Many truckers find it easier to avoid dangerous travel situations if they can move to the left of a roadway when it is obvious that many people will be exiting a roadway soon or if entrances and exits are spaced fairly close together on a roadway.

Against:

Although the intent of House Bill 4402 was to require trucks to travel in the two lanes farthest to the right on roadways with three lanes or more, amendments to the bill succeed in restricting all non-truck traffic to the right lane on roads having two or more lanes for travel in one direction.

For:

Current law requires certain vehicles to be equipped with bumpers and underride guards to stop smaller vehicles from sliding underneath larger vehicles. Most motor vehicles are required to have bumpers which extend downward from the rear of the car frame or body within 30 inches of the roadway. House Bill 5682 will strengthen this safety provision by decreasing the allowable bumper height of certain motor vehicles, trailers, and semitrailers.

Against:

The 22 inch bumper provision would be unfeasible in certain cases because it could cause bumpers to be placed lower than a vehicle's bed. In addition, some trucks are constructed to allow products to roll off of the beds easily, the bumper requirement may hamper this capability.

OVER

POSITIONS:

The County Road Association of Michigan supports both bills. (6-14-88)

The Michigan Trucking Association supports both bills. (6-14-88)

The Department of State Police supports House Bill 4402. (6-14-88)

The Michigan Chapter of the Automobile Association of America supports House Bill 5682. (6-15-88)

The Michigan Chapter of the Institute of Scrap Recycling Industries supports the concept of House Bill 5682. (6-14-88)