

SFA

BILL ANALYSIS

Senate Fiscal Agency

Lansing, Michigan 48909

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House Bill 4389 (as reported without amendment)**Sponsor: Representative Sidney Ouwinga****House Committee: Transportation****Senate Committee: Agriculture and Forestry****Date Completed: 5-19-87**

JUL 05 1987

RATIONALE

It has been suggested that the existing tie-down requirements for timber haulers in the Michigan Vehicle Code need to be updated because they conflict with current practices considered necessary to tie down a truckload of wood products safely. Timber haulers must secure wood loads to meet the requirements of the law, while at the same time, take the proper precautions to make the loads safe. Some people feel the Code should be amended to reflect current safety standards and eliminate outmoded requirements.

CONTENT

The bill would amend the Michigan Vehicle Code to establish additional operating requirements for haulers of logs or tubular products to replace some existing requirements for securing a load, and to define terms used in conjunction with hauling timber. The bill would take effect of July 1, 1987.

Operating Requirements

A person could not operate a motor vehicle carrying logs or tubular products on a highway unless the following conditions were met:

- The vehicle was equipped with a center partition located approximately halfway between the front and the rear of the loading surface of the truck or trailer, if the vehicle were a truck or trailer that carried logs that had a loading surface more than 33 feet in length and the logs were loaded crosswise or at right angles to the side of the vehicle.
- The center partition was either a center mounted hydraulic loader or a center set of stakes and was pinned, bolted, or otherwise securely fastened to the frame. The load would have to be secured as already required in the Code, and the two lengthwise tie downs would have to be attached or threaded through the center partition at a level not less than one foot below the load height.

If the logs or tubular products were loaded lengthwise 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 as follows:

- With two tie downs from frame to frame for every tier.
- So that not more than one-half the diameter of the top log or tubular product extended higher than the stake tops.
- With two cross chains per tier if the load extended more than five feet above the loading surface.
- So that every 10 linear feet, and any remaining fraction, had at least one tie down from frame to frame.

If the logs or tubular products were loaded lengthwise of the vehicle, obliquely or parallel to the sides, with permanent metal gusseted bunks, the load of logs or tubular products would have to be secured as follows:

- With two tie downs from frame to frame for every tier.
- So that not more than one-half of the diameter of the top log extended higher than the stake tops.
- So that every 10 linear feet, and any remaining fraction, had at least one tie down from frame to frame.

Equipment Requirements

The tie downs, cross chains, stakes, and other materials used to secure loads of logs or tubular products, as required in the bill, would have to meet the following minimum requirements:

- Chain would have to be of steel and would have to be of a strength not less than five-sixteenths of an inch in diameter "transport", which was embossed with a grade stamp representative of grade 70, or not less than three-eighths of an inch in diameter "high test", which was embossed with a grade stamp representative of grade 40. Chain could not be repaired by welding, wire, or cold shuts.
- Wire rope would have to be of improved plow steel and not less than three-eighths of an inch in diameter.
- Webbing strap could not be less than three inches in width and would have to have a minimum breaking strength of 14,000 pounds.
- Metal stakes would have to be of sufficient strength to hold and contain the load.
- Connecting links and hooks would have to be at least as strong as the tie down material used.

Definitions

"Cross chain" would mean a chain that extended through the load of logs or tubular products and was connected at each end to a side stake.

"Logs" would mean sawlogs, pulpwood, or tree length poles.

"Tie down" would mean a high strength material that was used to secure the load of logs or tubular products to the frame of the bed of the vehicle.

"Tier" would mean a vertical pile or stack of logs or tubular products.

Deletions

The bill would delete the following conditions for operating a motor vehicle that carried logs or tubular products on highway:

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- If the logs or tubular products are loaded lengthwise of the vehicle, obliquely or parallel to the sides, the logs or tubular products are securely fastened to the body or frame of the vehicle with not less than two toggle binders that are secured to the frame at each end of the load and one wrapping binder that completely encircle the load.
- The toggle and wrapping binders are made of steel chain or a combination of steel chain and wire rope, which must be at least three-eighths of an inch in diameter and have a breaking strength of not less than 12,000 pounds.

MCL 257.720

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

ARGUMENTS

Supporting Argument

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, which forces them to spend their time inefficiently without 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.

Supporting Argument

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.

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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.