



**House
Legislative
Analysis
Section**

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**TRANSPORT OF LOGS, SAND/DIRT,
AND MOBILE HOMES**

**House Bill 4850 as enrolled
Public Act 136 of 1996
Second Analysis (8-22-96)**

**Sponsor: Rep. John Gernaat
House Committee: Transportation
Senate Committee: Agriculture & Forestry**

THE APPARENT PROBLEM:

The Michigan Vehicle Code currently allows semitrailers up to 53 feet long, including the load, on tractor-semitrailer combinations to be operated on designated Michigan roadways. The act also allows a truck and semitrailer or trailer combination up to 70 feet in length, with load, to haul certain wood products. However, some haulers have attempted to haul both longer and shorter saw logs and tree length poles simultaneously using the tractor-semitrailer combination where the load is arranged with shorter logs on the bottom and longer ones stacked on top. This "staggered" stacking process helps to stabilize the load but sometimes results in a portion of the logs overhanging the semitrailer more than the allowable length for this vehicle combination (i.e., 53 feet). Truckers arrange logs in this manner apparently because it enables them to carry a wider range of log lengths at less cost, but have been ticketed by state police for exceeding the size limit for the tractor-semitrailer combination. To accommodate these haulers, legislation has been drafted by the Motor Carrier Division of the Department of State Police that would allow up to six feet of overhang on a fifty-foot semitrailer when such wood products were hauled.

In a related issue, if a vehicle is carrying a load that is not completely enclosed, the load must either be covered with a firmly secured canvas or other cover, or be securely fastened to the body or frame of the vehicle with binders sufficient to prevent dropping or shifting. Someone operating a vehicle to transport agricultural commodities in the normal operation of a farm is exempt from these requirements. Some farmers reportedly have been stopped while transporting uncovered sand, gravel, or dirt even though the substances were being moved for purposes strictly related to farming operations and not for commercial purposes. It has been suggested that farm trucks be allowed to haul sand, gravel, or dirt uncovered as long as this were done in the normal operation of a farm.

And finally, Michigan permits the transport of mobile homes up to 16 feet wide, including eaves, and up to 95 feet long, including the length of the towing vehicle, throughout the state with a special permit. In addition, the driver of a towing vehicle is required to transport the mobile home only on the far-right lane of a roadway and in such a way that the eave portion of the home extends over the road's shoulder. Representatives of the mobile home industry, however, contend that these provisions pose problems when a special type of larger mobile home, known as a "double-wide," is transported. Because of its size, manufacturers assemble a double wide in two separate pieces so it can be safely and legally moved to its destination. Unfortunately, the assembly process used by manufacturers places the hitch on the two separate sections of the mobile home so that when they are towed seriatim, the eave (if there is one) protrudes from both sides of the vehicle as it is moved down the road. This requirement essentially prevents double-wides from being moved legally in the state, resulting in frustrating delays for persons living in Michigan who have already purchased one. It has also been pointed out that Michigan's width restrictions are more restrictive than those prescribed by Indiana, which permits the towing of mobile homes up to 16 feet wide *plus* an additional six inches on either side for normal appurtances or eaves. And finally, the current total length maximum of 95 feet apparently limits the types of truck tractors that can be used to tow the longest mobile homes manufactured (usually, not more than 80 feet). Amendments have been requested to address these concerns.

THE CONTENT OF THE BILL:

The Michigan Vehicle Code currently restricts the total length of a semitrailer operating in a truck tractor and semitrailer combination to no more than 53 feet, including the load. The bill would authorize a person to operate a vehicle combination of this type that was designed to haul saw logs, pulpwood, and tree-length

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wooden poles with a load overhang to the rear of the semitrailer not exceeding six feet as long as the semitrailer did not exceed 50 feet in length. (In other words, the vehicle and its load could not exceed 56 feet in length.) The bill also would delete language that exempts a person operating a vehicle carrying logs or tubular products from a provision requiring him or her to ensure the vehicle was loaded in such a way to prevent the contents from escaping the vehicle.

Under the bill, someone who operated a farm-licensed truck or implement of husbandry that transported sand, gravel, and dirt necessary in the normal operation of a farm would be exempt from the requirement to cover/tie-down such loads while in transport. However, the driver would have to ensure these substances were loaded so that they could not escape from a vehicle during transport. Someone who violated this provision would be guilty of a misdemeanor punishable by up to a \$500 fine, 90 days in jail, or both.

The act currently specifies that a mobile home transported over the state's roadways by permit may not exceed a total length (including the towing vehicle) of 95 feet, nor may it exceed a width of 16 feet, including eaves. The bill would raise the maximum length limit of a mobile home and towing vehicle to 105 feet, and would revise the width requirement to allow up to a 16-foot-wide mobile home, plus normal appurtenances or eaves that extend not more than six inches from any side of the mobile home, to be transported legally. In addition, the bill would delete the requirement that someone operating a vehicle that was towing a mobile home must do so in a way that places the eave portion of the mobile home over the shoulder of the highway on which it was being moved.

MCL 257.719, 257.719a, and 257.720

FISCAL IMPLICATIONS:

The House Fiscal Agency says the bill would not affect state or local budget expenditures. (8-23-96)

ARGUMENTS:

For:

Because of the increased frequency of harvesting and hauling tree-length logs, loads of logs are often arranged in a staggered pattern to give the load a lower profile and more stability. Apparently, however, this method of loading tree-length logs sometimes results in loads that exceed the current maximum overhang of three feet, which has led to some haulers being ticketed. The bill would allow an extra three feet of overhang and give relief to the log haulers. And since the act already permits some types of properly-marked loads on certain

vehicles to hang over the end of the vehicles by more than six feet, the bill should pose no threat to highway safety. In addition, the bill includes a technical amendment that would delete language which appears to exempt log haulers from the requirement that they tie down their loads. This language reportedly was cited by a court in the Upper Peninsula as permitting truckers to allow logs to fall off their truck beds while in transport.

For:

Farmers often transport dirt, sand, or gravel over roadways in the normal course of their work but are technically required by the vehicle code to cover a truck hauling these substances over the road. As these substances are routinely moved by farmers during any given day, they must continually cover and uncover their trucks even though they drive in areas less frequented by other traffic and at speeds too slow to cause these substances to escape. The bill would allow them to haul these substances without having to cover their trucks, but would still hold them responsible for ensuring no dirt, sand, or gravel escaped from their vehicle during transport.

For:

Several provisions were added to the bill in the Senate that deal with the transportation of mobile homes known as "double-wides." These are larger mobile homes that are assembled at the factory in two separate sections and then hitched together for hauling to a specified site for reassembly. However, manufacturers have developed an assembly process in which the hitches for each section are attached so that when they are towed, an eave or other type of appurtenance that may be part of the home extends to both the left and right sides of the vehicle. Rather than expect manufacturers (most of which are headquartered in other states) to spend perhaps millions of dollars to redesign their assembly lines, or deny Michigan citizens the opportunity to own a double wide simply because it cannot be legally delivered to them, representatives of the mobile home industry have requested that Michigan's law be amended to delete the requirement that these vehicles be towed so that the eave portion hangs over the road's right-side shoulder. The bill also would adjust a provision governing the maximum width requirement for mobile homes to reflect what other states--particularly Indiana, where most mobile homes owned by Michigan citizens are built--currently allow. And finally, the bill would increase the total allowable length of a mobile home and towing vehicle from 95 feet to 105 feet, which apparently would enable those who transport the longest mobile homes to use longer and more powerful truck tractors as towing vehicles. Moreover, according to a spokesman with the Department of State Police Motor

Carrier Division, 105 feet is the longest allowable length for similar types of vehicle combinations.

Response:

In the past, when legislative changes relating to the transport of wider mobile homes have been proposed, the legislature has usually required some kind of study to be performed to determine whether any such changes would pose a threat to roadway safety. The bill proposes to increase the total width of mobile homes that may be legally moved, while simultaneously eliminating the requirement that any eave portion must only hang over the right-side shoulder of the road during transport. Both of these changes would seem to increase the potential safety hazard these large vehicles present to other drivers on the road.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.