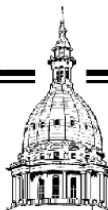




Senate Fiscal Agency
P. O. Box 30036
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BILL ANALYSIS



Telephone: (517) 373-5383
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House Bill 4850 (Substitute S-2 as reported)
 Sponsor: Representative John Gernaat
 House Committee: Transportation
 Senate Committee: Agriculture and Forestry

Date Completed: 2-26-96

RATIONALE

The Michigan Vehicle Code contains a number of provisions that specify maximum vehicle and trailer length, dependent upon the types of vehicles and trailers, combinations, the type of load, and/or the time of day. The Code allows a truck and semitrailer or trailer, designed and used to transport saw logs, pulpwood, and tree length poles, that does not exceed 70 feet in length including the load. With a few exceptions, however, a *truck tractor* and semitrailer combination cannot haul a trailer that exceeds 50 feet, with a three-foot overhang. This means, then, that a truck tractor cannot haul a load of logs or poles that exceeds a total trailer length of 53 feet. Reportedly, because of new methods used in the harvesting of logs, more tree-length logs are hauled now than before. Apparently, in order to haul logs efficiently some haulers using truck tractors and 50-foot trailers stagger their loads; that is, since tree-length logs tend to have a greater diameter at the bottom of the tree than at the top, the logs are loaded with some fat ends toward the front of the trailer and some fat ends toward the rear. Reportedly, this gives the load greater stability and allows the load to lie closer to the bed of the trailer, since not all of the fat ends are stacked one on top of the other. It has been pointed out, however, that the staggering of the loads sometimes results in logs that overhang the end of the trailer in excess of three feet. It has been suggested that the Code be amended to allow an additional three feet of overhang on a 50-foot trailer hauling certain wood products.

Further, 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. A person operating a

vehicle to transport agricultural commodities in the normal operation of a farm is exempt from the requirements. Reportedly, some farmers have been stopped recently for transporting uncovered sand or dirt, though the materials were being moved short distances by farm vehicles for purposes related to farming, and not for commercial purposes. It has been suggested that farm trucks be allowed to haul sand, gravel, or dirt uncovered if done so in the normal operation of the farm.

CONTENT

The bill would amend the Michigan Vehicle Code to allow the transport of logs and poles that hang over the rear of a semitrailer under certain conditions; exempt a truck carrying sand, gravel, or dirt necessary for the normal operation of a farm from current requirements that loads be covered or securely fastened; and remove language in the Code that exempts a vehicle carrying logs or tubular products from certain construction or loading requirements.

Currently, a person may operate a truck and semitrailer or trailer designed and used to transport saw logs, pulpwood, and tree length poles that does not exceed 70 feet in length, including the load. The bill provides that, in addition, a person could operate a *truck tractor* and semitrailer designed and used to transport such a load with the load overhanging the rear of the semitrailer by up to six feet (rather than three feet), if the semitrailer did not exceed 50 feet. (The total length hauled, then, could not exceed 56 feet.)

The bill specifies that a person operating a farm truck or implement of husbandry transporting sand, gravel, or dirt in the normal operation of a farm would be exempt from the cover and/or secure requirements of the Code. The person would be guilty of a misdemeanor for driving on a highway unless the vehicle were constructed or loaded in a way that prevented its contents from dropping, leaking, or blowing off.

The bill would delete language that exempts a person operating a vehicle carrying logs or tubular products from a requirement that the vehicle be loaded in such a way to prevent the contents from escaping the vehicle.

MCL 257.719 & 257.720

SENATE COMMITTEE ACTION

The Senate Agriculture and Forestry Committee adopted a substitute (S-2) to the bill to specify that a farm truck or implement, rather than a farm "licensed" truck or implement, would be exempt from the Code's cover and/or secure requirements when hauling sand or dirt in the normal operation of a farm.

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Because of the increased frequency of harvesting and hauling tree-length logs, loads of logs are more frequently arranged in a staggered pattern to give the load a lower profile and greater stability. Apparently, however, this method of loading tree-length logs sometimes results in loads that exceed the current maximum overhang of three feet, and has caused some haulers to be ticketed as a result. The bill would allow an extra three feet of overhang and give relief to the log haulers. The bill should not present any dangers, as the Code allows some types of properly marked loads on specified vehicles to hang over the end of the vehicles by a distance much greater than six feet.

Supporting Argument

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 load. As the sand and dirt are routinely moved by farmers during any given day, they must continually cover and uncover their trucks even though they drive in areas with little other traffic and at speeds too slow to cause the substances to escape. The bill would allow farmers to haul these substances without having to cover their trucks, but would still hold them responsible for ensuring that no dirt, sand, or gravel escaped from their vehicle during transport.

Legislative Analyst: G. Towne

FISCAL IMPACT

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

Fiscal Analyst: B. Bowerman

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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.