

**SUBSTITUTE FOR
HOUSE BILL NO. 5152**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 62 and 705 (MCL 257.62 and 257.705), section
62 as amended by 1992 PA 119 and section 705 as amended by 2011
PA 151.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 62. "Special mobile equipment" means every vehicle not
2 designed or used primarily for the transportation of persons or
3 property and incidentally operated or moved over the highways,
4 including farm tractors, road construction or maintenance
5 machinery, **GENERATOR TRAILERS USED EXCLUSIVELY TO GENERATE POWER,**
6 **PORTABLE CONVEYORS,** mobile office trailers, mobile tool shed
7 trailers, mobile trailer units used for housing stationary
8 construction equipment, ditch-digging apparatus, and well-boring

1 and well-servicing apparatus. The foregoing enumeration shall be
2 considered partial and shall not operate to exclude other
3 vehicles which are within the general terms of this definition.
4 Although not within the general terms of this definition, the
5 combination of a mobile car crusher trailer permanently attached
6 to a truck tractor or road tractor shall be considered special
7 mobile equipment for purposes of this act.

8 Sec. 705. (1) Brake equipment shall be required as follows:

9 (a) A motor vehicle, other than a motorcycle or moped, and a
10 low-speed vehicle when operated upon a highway shall be equipped
11 with brakes adequate to control the movement of and to stop and
12 hold the vehicle, including 2 separate means of applying the
13 brakes, each of which means shall be effective to apply the
14 brakes to at least 2 wheels. If these 2 separate means of
15 applying the brakes are connected in any way, they shall be
16 constructed in a way that failure of 1 part of the operating
17 mechanism shall not leave the motor vehicle without brakes on at
18 least 2 wheels.

19 (b) A motorcycle or moped when operated upon a highway shall
20 be equipped with at least 2 brakes, 1 on the front wheel and 1 on
21 the rear wheel, that may be operated by hand or foot.

22 (c) A trailer or semitrailer of a gross weight of 15,001
23 pounds or more when operated upon a highway shall be equipped
24 with brakes operating on all wheels and designed to be applied by
25 the driver of the towing motor vehicle from its cab.

26 (d) A new motor vehicle, trailer, or semitrailer sold in
27 this state and operated upon the highways shall be equipped with

1 brakes on all wheels, except a motorcycle or moped, and except
2 that a semitrailer, pole trailer, or trailer of less than 3,000
3 pounds gross weight need not be equipped with brakes if the gross
4 weight of a trailer or pole trailer, no part of the load of which
5 rests upon the towing vehicle, does not exceed 40% of the gross
6 weight of the towing vehicle, and if the gross weight of the
7 towing vehicle and the gross weight of a semitrailer or pole
8 trailer, part of the load of which rests upon the towing vehicle,
9 does not exceed 40% of the gross weight of the towing vehicle
10 when connected to the semitrailer or pole trailer. This
11 subdivision does not apply to a trailer or semitrailer owned by a
12 farmer and used exclusively in connection with the farming
13 operations of the farmer and not used for hire.

14 (e) Every bus, school bus, truck, or truck tractor shall be
15 equipped with brakes operating on all wheels, except that a truck
16 or truck tractor that has 3 or more axles need not have brakes on
17 the front wheels if the vehicle was manufactured before July 25,
18 1980.

19 (f) In any combination of motor driven vehicles, means shall
20 be provided for applying the rearmost trailer brakes, for a
21 trailer equipped with brakes, in approximate synchronism with the
22 brakes on the towing vehicle and developing the required braking
23 effort on the rearmost wheels at the fastest rate; or means shall
24 be provided for applying braking effort first on the rearmost
25 trailer equipped with brakes; or both of the above means capable
26 of being used alternatively may be employed.

27 (g) A motor vehicle and combination of vehicles, except pole

1 trailers, motorcycles, and mopeds, shall be equipped with parking
2 brakes adequate to hold the vehicle on any grade on which it is
3 operated, under all conditions of loading on a surface free from
4 snow, ice, or loose material. The parking brakes shall be capable
5 of being applied in conformance with the foregoing requirements
6 by the driver's muscular effort or by spring action or by
7 equivalent means. Their operation may be assisted by the service
8 brakes or other source of power if failure of the service brake
9 actuation system or other power assisting mechanism will not
10 prevent the parking brakes from being applied in conformance with
11 the foregoing requirements. The parking brakes shall be designed
12 in a manner that when once applied they shall remain applied with
13 the required effectiveness despite exhaustion of any source of
14 energy or leakage of any kind. The same brake drums, brake shoes,
15 and lining assemblies, brake shoe anchors, and mechanical brake
16 shoe actuation mechanism normally associated with the wheel brake
17 assemblies may be used for both the service brakes and the
18 parking brakes. If the means of applying the parking brakes and
19 the service brakes are connected in any way, they shall be
20 constructed in a manner that failure of 1 part shall not leave
21 the vehicle without operative brakes.

22 (h) The brake shoes operating within or upon the drums of
23 the vehicle wheels of a motor vehicle may be used for both
24 service and hand operation.

25 (2) A motor vehicle or combination of motor-drawn vehicles
26 shall be capable at all times and under all conditions of
27 loading, of being stopped on a dry, smooth, level road free from

1 loose material within the distances specified in this subsection,
2 or shall be capable of being decelerated at a sustained rate
3 corresponding to these distances upon initial application of the
4 service (foot) brake.

	Feet to stop from 20 miles per hour	Deceleration in feet per second
5 Vehicles or combination		
6 of vehicles having brakes on		
7 all wheels	30	14
8 Vehicles or combination		
9 of vehicles not having brakes		
10 on all wheels	40	10.7

14 (3) Subsection (2) does not apply to a combination of motor-
15 drawn vehicles under all of the following circumstances:

16 (a) The drawn vehicle is an implement of husbandry.

17 (b) The motor vehicle hauling the implement of husbandry
18 does not exceed a maximum speed of 25 miles per hour if the
19 implement of husbandry being drawn is not equipped with brakes
20 that meet the standards set forth in 49 CFR 393.40 and this act.

21 (c) If the implement of husbandry being drawn does not
22 exceed any other implement or component design maximum speed
23 limitation, the combination of vehicles shall not exceed that
24 maximum speed limitation.

25 (4) Nothing in this act or rules promulgated under this act
26 requires a slasher saw table **OR A PORTABLE CONVEYOR OF LAWFUL**
27 **AXLE WEIGHT UNDER SECTION 722** to be equipped with brakes.

1 (5) All brakes shall be maintained in good working order and
2 shall be adjusted in a manner as to operate as equally as
3 practicable with respect to the wheels on the opposite side of
4 the vehicle.