

CHAPTER 420  
Commercial and Heavy Vehicles

420.01 Weight limits.

420.99 Penalty.

CROSS REFERENCES

Authority of Village re motor vehicles - see CHTR. Ch. II, §2(10), (11)  
Recovery of costs for hazardous materials incidents - see ADM. 244.01  
Interference with motor vehicles by signs and outdoor display structures -  
see B. & H. 1474.03

**420.01 WEIGHT LIMITS.**

(a) Maximum Axle Load Defined. As used in this chapter, "maximum axle load" means the gross weight over the axle which includes vehicles and load.

(b) Maximum Loads.

(1) The maximum axle load shall not exceed the number of pounds designated in the following provisions, which prescribe the distance between axles:

- A. When the axle spacing is nine feet or more between axles, the maximum axle load shall be 18,000 pounds for vehicles equipped with high-pressure pneumatic or balloon tires.
- B. When the axle spacing is less than nine feet between two axles, but more than three and one-half feet, the maximum axle load shall be 13,000 pounds for high-pressure pneumatic or balloon tires.
- C. When two axles are spaced less than three and one-half feet apart, the maximum axle load shall not exceed 9,000 pounds per axle.

Paragraphs (b)(1)A. to C. above shall be known as the normal loading maximum.

(2) When normal loading is in effect, Council, with respect to highways under the Village's jurisdiction, may designate certain highways or sections thereof, where bridges and road surfaces are adequate, for heavier loading, which designation may be revised as needed and on which the maximum tandem axle assembly loading shall not exceed 16,000 pounds for any axle of the assembly, if there is no other axle within nine feet of any axle of the assembly.

- (3) Except as provided in paragraph (b)(8) hereof, on a legal combination of vehicles, only one tandem axle assembly shall be permitted on the designated highways at the gross permissible weight of 16,000 pounds per axle, if there is no other axle within nine feet of any axle of the assembly, and if no other tandem axle assembly in the combination of vehicles exceeds a gross weight of 13,000 pounds per axle. When the maximum gross weight of a combination of vehicles with load does not exceed 73,280 pounds, two tandem axle assemblies shall be permitted on the designated highways at a gross permissible weight of 16,000 pounds per axle, if there is no other axle within nine feet of any axle of the assembly.
- (4) The normal size of tires shall be the rated size as published by the manufactures, and the maximum wheel load permissible for any wheel shall not exceed 700 pounds per inch of width of tire.
- (5) During the months of March, April and May in each year, the maximum axle load allowable on concrete pavements, or pavements with a concrete base, shall be reduced by twenty-five percent from the maximum axle load as specified in this section, and the maximum axle loads allowable on all other types of roads during these months shall be reduced by thirty-five percent from the maximum axle loads specified. The maximum wheel load shall not exceed 525 pounds per inch of tire width on concrete and concrete base or 450 pounds per inch of tire width on all other roads during the period the seasonal road restrictions are in effect.
- (6) The Road Administrator, or the Village President, in his or her absence or disability, may, with respect to highways under the Village's jurisdiction, suspend the restrictions imposed by this section when and where, in his or her discretion, conditions of the highways or the public health, safety and welfare so warrant, and may impose the restricted loading requirements of this section on designated highways at any other time that the conditions of the highway may require, or he or she may prohibit the operation of trucks or other commercial vehicles on designated roads, provided, however, that such prohibitions shall be designated by appropriate signs placed on such streets.
- (7) For the purpose of enforcement of this section, the gross vehicle weight of a single vehicle and load, or a combination of vehicles and loads, shall be determined by weighing individual axles or groups of axles, and the total weight on all the axles shall be the gross vehicle weight. In addition, the gross axle weight shall be determined by weighing individual axles or by weighing a group of axles and dividing the gross weight of the group of axles by the number of axles in the group.

Pursuant to paragraph (b)(8) hereof, the overall gross weight on a group of two or more axles shall be determined by weighing individual axles or several axles, and the total weight of all the axles in the group shall be the overall weight of the group.

- (8) The Road Administrator, or the Village President, in his or her absence or disability, may, with respect to highways under the Village's jurisdiction, designate a highway, or a section of a highway, for the operation of vehicles having a gross vehicle weight of not more than 80,000 pounds which are subject to the following load maximums:
- A. Twenty thousand pounds on any one axle, including all enforcement tolerances.
  - B. A tandem axle weight of 34,000 pounds, including all enforcement tolerances.
  - C. An overall gross weight on a group of two or more consecutive axles equaling:

$$W = 500(LN/(N-1)) \div 12N + 36)$$

Where W = overall gross weight on a group of two or more consecutive axles to the nearest 500 pounds; L = distance in feet between the extreme of a group of two or more consecutive axles; and N = number of axles in the group under consideration, except that two consecutive sets of tandem axles may carry a gross load of 34,000 pounds each if the first and last axles of the consecutive sets of tandem axles are not less than thirty-six feet apart. The gross vehicle weight shall not exceed 80,000 pounds, including all enforcement tolerances. Except for five axle truck tractors, semitrailer combinations having two consecutive sets of tandem axles, vehicles having a gross weight in excess of 80,000 pounds or in excess of the vehicle gross weight determined by application of the formula in this paragraph shall be subject to the maximum axle loads of paragraphs (b)(1) to (3) hereof. As used in this paragraph, "tandem axle weight" means the total weight transmitted to the road by two or more consecutive axles, the centers of which may be included between parallel transverse vertical planes spaced more than forty inches, but not more than ninety-six inches, apart, extending across the full width of the vehicle.

(c) Information on Vehicles.

- (1) All motor trucks or truck tractors, except as provided in paragraph (c)(3) hereof, of more than 5,000 pounds registered weight and all towing or platform bed wrecker road service vehicles in operation upon the public highways of the State shall have the name, city and state or the registered logo or emblem of the registered owner of the vehicle, and the lessee of the vehicle if the vehicle is being operated under lease, painted or permanently attached on each side of the cab on a motor truck or truck tractor in letters of not less than three inches in height, not lower than the bottom edge of the door, except that motor trucks with closed van bodies may place the information on each side of the van body not lower than the bottom edge of the cab door. This information shall be in sharp color contrast to the background.
- (2) Except for towing or platform bed wrecker road service vehicles, the identification requirements of paragraph (c)(1) hereof, may be met through the use of removable devices which meet the requirements of paragraph (c)(1) hereof. These devices shall be of durable construction and securely attached to each side of the motor truck or truck tractor. The removable devices shall be attached so that the identification is in a horizontal position.
- (3) This section shall not apply to trucks eligible for and equipped with farm license plates.

(d) Authority to Require Weighing of Vehicles.

- (1) Any public safety officer of the Village, having reason to believe that the weight of a vehicle and load is unlawful, may require the driver to stop and submit to a weighing of the vehicle by means of either portable or stationary scales approved and sealed by the Michigan Department of Agriculture as a legal weighing device, and may require that such vehicle be driven to the nearest weighing station of the State Department of Transportation or the Village for the purpose of allowing said officer to determine whether such conveyance is loaded in conformity with the provisions of this chapter.
- (2) Whenever the officer, upon weighing a vehicle and load, determines that the weight is unlawful, the officer may require the driver to stop the vehicle in a suitable place and remain standing until that portion of the load is shifted or removed as necessary to reduce the gross axle load weight of the vehicle to the limit permitted under this chapter. All material unloaded as provided under this subsection shall be cared for by the owner or operator of the vehicle at the risk of the owner or operator.

(e) Special Permits.

- (1) The Road Administrator may, in his or her discretion, upon application in writing and good cause being shown therefor, issue a special permit, in writing, authorizing the applicant to operate upon or remove from a highway maintained by the Village a vehicle or combination of vehicles of a size, weight or load exceeding the maximum specified in this chapter or which otherwise is not in conformity with this chapter.
- (2) The application for any special permit shall be on a form prescribed by the Road Administrator and shall specifically describe the vehicle or vehicles and load to be operated or moved and the particular highways upon which the special permit to operate is requested.
- (3) A special permit shall specify the trip(s) and date(s) for which it is valid and the special permit may restrict or prescribe conditions of operation of a vehicle or vehicles, if necessary, to protect the safety of the public or to ensure against undue damage to the road foundations, surfaces, structures or installations, and may require a reasonable inspection fee and other security as the Village determines necessary to compensate for damage caused by the movement. A special permit may be issued on an annual basis. Except as otherwise provided in this section, the fee charged by the Village for an intrastate or an out-of-state vehicle for a single trip shall be not more than fifty dollars (\$50.00) and, for multiple trips or on an annual basis, such fee shall be not more than one hundred dollars (\$100.00).
- (4) Every such permit shall be carried in the vehicle or combination of vehicles to which it refers and shall be open to inspection by any public safety officer or the Road Administrator, and no person shall violate any of the terms and conditions of such permit.

(f) Failure to Stop. A driver or owner of a vehicle who knowingly fails to stop and submit to a weighing of the vehicle or load when requested or ordered to do so by a public safety officer of the Village shall be guilty of a misdemeanor.  
(Ord. 99-94. Passed 11-15-99.)

**420.99 PENALTY.**

(a) An owner of a vehicle or a lessee of the vehicle of an owner-operator, or other person, who causes or allows a vehicle to be loaded and driven or moved on a highway, when the weight of that vehicle violates Section 420.01, is responsible for a civil infraction and shall pay a civil fine in an amount equal to three cents (3¢) per pound for each pound of excess load over 1,000 pounds when the excess is 2,000 pounds or less; six cents (6¢) per pound of excess load when the excess is over 2,000 pounds but not over 3,000 pounds; nine cents (9¢) per pound for each pound of excess load when the excess is over 3,000 pounds but not over 4,000 pounds; twelve cents (12¢) per pound for each pound of excess load when the excess is over 4,000 pounds but not over 5,000 pounds; fifteen cents (15¢) per pound for each pound of excess load when the excess is over 5,000 pounds but not over 10,000 pounds; and twenty cents (20¢) per pound when the excess is over 10,000 pounds. However, the court shall have discretionary power as to the amount of the civil fine within the schedule provided by this subsection and may impose the civil fine provided in Section 907(3) of the Michigan Vehicle Code, being M.C.L.A. 257.907(3), as amended, where, at the time of the violation, either the motor vehicle, motor vehicle and semitrailer or trailer did not exceed the total weight which would be lawful for each unit by a proper distribution of the load upon the various axles supporting each unit.

(b) An owner of a vehicle or a lessee of the vehicle of an owner-operator, or other person, who causes or allows a vehicle to be loaded and driven or moved on a highway in violation of subsection (c) hereof is responsible for a civil infraction and shall pay a civil fine.

(c) An owner of a vehicle or a lessee of the vehicle of an owner-operator, or other person, who violates Section 420.01(f) shall be deemed guilty of a misdemeanor and shall be subject to the penalty provided in Section 202.99 of these Codified Ordinances. (Ord. 99-94. Passed 11-15-99.)

**EDITOR'S NOTE: BECAUSE OF THE 2000 UPDATING AND REVISION OF THESE CODIFIED ORDINANCES, THE NEXT NUMBERED PAGE IS PAGE 35.**