

## Chapter 94 - Axle Load Ordinance

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1. No person shall drive or move nor shall the owner or lessee to cause or permit to be driven or moved on any highway any vehicle or vehicles of a size or weight exceeding the limitations stated in this chapter, or otherwise in violation of this chapter. The provisions of this chapter governing the weight and load shall not apply to fire apparatus, or to implements of husbandry incidentally moved upon the highway, or to a vehicle operated under the terms of a special permit issued as herein provided.

(Rev. 03-18-1971)

- 9.122. A vehicle shall be deemed every device in, upon or by which any person or property is or may be transported or drawn upon a street or highway, except devices moved by human power, or used exclusively upon stationary rails or tracks.

Streets and Highways - a street or highway shall be deemed to mean the entire width between property lines of every way or place open to the use of the public as a matter of right for foot or vehicular travel.

- 9.123. In no case, shall the maximum axle load of any vehicle exceed the number of pounds designated in the following provisions which prescribe the distance between axles:

- (a) When the axle spacing is nine (9) feet between two axles, the maximum axle load shall not exceed 18,000 pounds for vehicles equipped with high-pressure, pneumatic or balloon tires.
- (b) When the axle spacing is less than nine (9) feet between two axles, but more than three and one-half (3-1/2) feet, the maximum axle load shall not exceed 13,000 pounds for high-pressure, pneumatic or balloon tires.
- (c) When two axles are spaced less than three and one-half (3-1/2) feet apart, the combined weight thereof shall not exceed the maximum weight, as specified for a single axle, when spaced nine feet or more apart.
- (d) The foregoing shall be known as the normal loading maximum.

- 9.124. When such normal loading is in effect, the Director of Public Works may permit heavier loads on designated streets or sections thereof, where bridges and road surfaces are adequate for heavier loads, which designation may be revised as needed, on which the maximum tandem axle assemble loading shall not exceed 16,000 pounds for any axle of such assemble.

- 9.125. On any legal combination of vehicles, only one tandem axle assemble shall be permitted, on such designated highways at the gross permissible weight of 16,000 pounds for any such axle, and no other tandem axle assembly in such combination of vehicles shall exceed a gross weight of 13,000 pounds for any such axle.

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- 9.126. The normal size of tires shall be the rated size as published by the manufacturers, and, in no case shall the maximum wheel load, permissible for any wheel, exceed 700 pounds per inch of width of tire.
- 9.127. During the months of March, April and May in each year, the maximum axle load allowable on concrete pavements or pavement with a concrete base shall be reduced by twenty-five per cent (25%) from the maximum axle loads as specified heretofore in this Ordinance, and the maximum axle loads allowable on all other types of roads during these months shall be reduced by thirty-five per cent (35%) from the maximum axle loads as herein 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 mentioned herein are in effect.
- 9.128. The Director of Public Works, with respect to streets under the jurisdiction of the City of Troy, may suspend the restrictions imposed by this Section when and where, in his discretion, conditions of the streets so warrant, and he may impose the restricted loading requirements of this Section on designated streets at any other time at which the conditions of the street may require.
- 9.129. A special permit may be issued by the Director of Public Works, or his authorized representative, to operate or move a vehicle or combination thereof of a size or weight exceeding the maximum specified in this Ordinance, provided the applicant shows, to the satisfaction of said director, that such weight or size may be exceeded, or that such operation may be permitted without endangering the public safety, and without injury to the surface of the streets and highways. Such special permit shall be in writing, and it shall specify the time, method, amount of excess weight, or length permitted, the destination, purpose and route to be followed for such operation. A special permit may also be issued for building contractors, or others, for a limited period of time to exceed the size limits provided in this Ordinance, provided that the person applying for such permit shall furnish a satisfactory cash bond to the City conditioned upon his saving the City harmless from any damage or defects to the public streets or highways of the City, including sidewalks, pavement, street surfaces, drainage, or any other damage caused by such use.
- 9.130. Any police officer, or any duly authorized agent of the City of Troy, having reason to believe that the driver, operator, or, occupant or a motor vehicle is violating any provision of this Ordinance, is authorized to require, the driver, occupant, or operator to stop and submit to a weighing of said vehicle by any means available, and may require that such vehicle be driven to the nearest weighing station for the purpose of allowing such officer or agent of said City to determine whether such vehicle is loaded in conformity with the provisions of this Ordinance.
11. Any driver or owner of any vehicle who fails to stop when requested or order to do so by any police officer, or any duly authorized agent of the State Highway Department, or an authorized representative or agent of the Oakland County Road Commission or a representative or agent of the City of Troy authorized to require

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the driver to stop and submit to a weighing of his vehicle and load is guilty of a misdemeanor.

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Penalty: Any driver or owner violating this section upon conviction, shall be punished by a fine of not more than Five Hundred (\$500.00) Dollars and costs of prosecution or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

12. Fines for Excess Weight. Any owner of any vehicle, or any lessee of the vehicle of an owner-operator, who causes or allows a vehicle to be loaded and driven or moved on any highway when the weight of that vehicle violates one or more of the provisions of Sections 9.123, 9.124, 9.125, 9.126, or 9.127 of Chapter 94, upon conviction thereof shall be assessed a fine in an amount equal to;

- (a) Two (2¢) cents per pound for each pound of excess load over 1,000 pounds, when the excess is 2,000 pounds or less;
- (b) Four (4¢) cents per pound for each pound of excess load when the excess is over 2,000 pounds, but not over 3,000 pounds;
- (c) Six (6¢) cents per pound for each pound of excess load when the excess is over 3,000 pounds, but not over 4,000 pounds;

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- (d) Eight (8¢) cents per pound for each pound of excess load when the excess is over 4,000 pounds, but not over 5,000 pounds;
- (e) Ten (10¢) cents for each pound of excess load when the excess is over 5,000 pounds.

However, the Court shall have discretionary power as to the amount of the fine within the aforementioned schedule, and may impose the fine or jail sentence provided by law where, at the time of the violation, either the motor vehicle, motor vehicle and semi-trailer, or trailer did not exceed the total weight which would be lawful for each such unit by a proper distribution of the load upon the various axles supporting each such unit.