



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 5123 (as enrolled)
Sponsor: Representative Carl F. Gnodtke
House Committee: Transportation
Senate Committee: Transportation and Tourism

PUBLIC ACT 320 of 1996

Date Completed: 9-9-96

CONTENT

The bill amended the Michigan Vehicle Code to require the maximum speed limit on all freeways to be 65 miles per hour (mph) but allow the State Transportation Department to designate up to 170 miles of freeway on which the speed limit may be less than 65 mph. The bill also doubles the fine for moving violations in construction and school zones.

Highway Speed Limit

The Code provides that the speed limit on all highways or parts of highways upon which a maximum speed is not otherwise fixed pursuant to the Code must be 55 miles per hour. The bill deleted a previous provision under which the maximum speed limit was 65 miles per hour on all highways or parts of highways upon which a maximum speed limit of 65 miles per hour was permitted by Federal law.

The bill specifies that, except as otherwise provided, the maximum speed limit on all freeways must be 65 mph except that the State Transportation Department may designate up to 170 miles of freeway in the State on which the speed limit may be less than 65 miles per hour.

Beginning July 31, 1996, the Director of the Transportation Department, in consultation with the Department of State Police, must establish five areas of freeway miles as test zones on which the speed limit may be increased to 70 mph in order to conduct a study to determine whether any of those freeway miles on which the speed limit was 65 mph on the bill's effective date may be increased to 70 mph. Tests will have to be conducted from August 1, 1996, through October 31, 1996. The study must be completed by December 15, 1996, and must be based on traffic congestion and other traffic safety issues as determined by the State Police Director or his or her designee and on engineering criteria as determined by the Director of the Transportation Department or his or her designee. If the study indicates that certain miles of freeway are eligible for increase, the speed limit on those freeway miles may be increased to 70 mph.

The bill also revised the schedule for assessing points and fines for speeding violations over 55 mph to reflect the number of miles per hour that a vehicle exceeded the applicable speed limit at the time of the violation, instead of the speed of the vehicle at the time of the violation.

Construction, School Zone Violations

Notwithstanding any other provision of the Code, a person responsible for a moving violation in a construction zone, at an emergency scene, or in a school zone during the period beginning 30 minutes before school in the morning and through 30 minutes after school in the afternoon, is subject to a fine that is double the fine otherwise prescribed for that moving violation. ("Emergency scene" means a traffic accident, a serious incident caused by weather conditions, or another occurrence along a highway or street for which a police officer, firefighter, or emergency medical personnel are summoned to aid an injured victim. "Moving violation" means an act or omission prohibited under the Code or a local ordinance substantially corresponding to the Code that occurs while a person is operating a motor vehicle, and for which the person is subject to a fine.)

Whenever practical, signs designed in compliance with the Uniform Manual of Traffic Control Devices must be placed appropriately at the construction zone by the State Transportation Department or road authority having jurisdiction over the construction zone. The signs must notify vehicle operators that for the protection and safety of construction workers, the fine for a moving violation in this work area is double the fine otherwise prescribed for that moving violation.

MCL 257.601b et al.

Legislative Analyst: L. Arasim

FISCAL IMPACT

One hundred fifty 65 mph signs and 400 70 mph signs were installed at a cost of \$170,000. This amount includes fabrication and installation.

Revenue generated from doubling fines for moving violations in construction zones will depend on the level of enforcement. The Michigan Department of State Police issued 1,427 moving violation tickets in construction zones in 1994. These data do not include tickets issued by local law enforcement officers. There were 5,992 crashes in construction zones Statewide in 1994. Costs for signs notifying motorists that fines for moving violations in construction zones are double will depend on the size of sign required. The cost of movable signs currently used in construction areas is approximately \$80 per sign.

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.