

HOUSE BILL No. 5964

November 13, 2014, Introduced by Rep. Jacobsen and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 627 (MCL 257.627), as amended by 2012 PA 252; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 627. (1) A person operating a vehicle on a highway shall
 2 operate that vehicle at a careful and prudent speed not greater
 3 than nor less than is reasonable and proper, having due regard to
 4 the traffic, surface, and width of the highway and of any other
 5 condition ~~then-existing~~ **AT THE TIME**. A person shall not operate a
 6 vehicle upon a highway at a speed greater than that which will
 7 permit a stop within the assured, clear distance ahead. **A VIOLATION**
 8 **OF THIS SUBSECTION SHALL BE KNOWN AND MAY BE REFERRED TO AS A**
 9 **VIOLATION OF THE BASIC SPEED LAW OR "VBSL".**

10 (2) ~~Except in those instances where a lower speed is specified~~

1 ~~in this chapter or the speed is unsafe under~~ **EXCEPT AS PROVIDED IN**
2 subsection (1), it is ~~prima facie~~ lawful for the operator of a
3 vehicle to operate that vehicle **ON A HIGHWAY** at a speed not
4 exceeding the following: ~~, except when this speed would be unsafe:~~

5 **(A) 15 MILES PER HOUR ON A HIGHWAY SEGMENT WITHIN THE**
6 **BOUNDARIES OF A MOBILE HOME PARK, AS THAT TERM IS DEFINED IN**
7 **SECTION 2 OF THE MOBILE HOME COMMISSION ACT, 1987 PA 96, MCL**
8 **125.2302.**

9 **(B) ~~(a)~~ 25 miles per hour on all highways in** **A HIGHWAY SEGMENT**
10 **WITHIN** a business district.

11 **(C) ~~(b)~~ 25 miles per hour in** **ON A HIGHWAY SEGMENT WITHIN THE**
12 **BOUNDARIES OF A public parks unless a different speed is fixed and**
13 **duly posted.** **PARK. A LOCAL AUTHORITY MAY DECREASE THE SPEED LIMIT TO**
14 **NOT LESS THAN 15 MILES PER HOUR IN A PUBLIC PARK UNDER ITS**
15 **JURISDICTION.**

16 **(D) ~~(c)~~ 25 miles per hour on all highways or parts of highways**
17 **within the boundaries of land platted under the land division act,**
18 **1967 PA 288, MCL 560.101 to 560.293, or the condominium act, 1978**
19 **PA 59, MCL 559.101 to 559.276, unless a different speed is fixed**
20 **and posted.** **A HIGHWAY SEGMENT WITHIN THE BOUNDARIES OF A RESIDENTIAL**
21 **SUBDIVISION, INCLUDING A CONDOMINIUM SUBDIVISION, CONSISTING OF A**
22 **SYSTEM OF INTERCONNECTED HIGHWAYS WITH NO THROUGH HIGHWAYS AND A**
23 **LIMITED NUMBER OF DEDICATED HIGHWAYS THAT SERVE AS ENTRANCES TO AND**
24 **EXITS FROM THE SUBDIVISION.**

25 **(E) ~~(d)~~ 25 miles per hour on a highway segment with 60 or more**
26 **vehicular access points within 1/2 mile.**

27 **(F) 30 MILES PER HOUR ON A HIGHWAY SEGMENT WITH NOT LESS THAN**

1 50 VEHICULAR ACCESS POINTS BUT NO MORE THAN 59 VEHICULAR ACCESS
2 POINTS WITHIN 1/2 MILE.

3 (G) ~~(e)~~—35 miles per hour on a highway segment with not less
4 than 45 vehicular access points but no more than ~~59~~49 vehicular
5 access points within 1/2 mile.

6 (H) 40 MILES PER HOUR ON A HIGHWAY SEGMENT WITH NOT LESS THAN
7 40 VEHICULAR ACCESS POINTS BUT NO MORE THAN 44 VEHICULAR ACCESS
8 POINTS WITHIN 1/2 MILE.

9 (I) ~~(f)~~—45 miles per hour on a highway segment with not less
10 than 30 vehicular access points but no more than ~~44~~39 vehicular
11 access points within 1/2 mile.

12 ~~—— (3) It is prima facie unlawful for a person to exceed the~~
13 ~~speed limits prescribed in subsection (2), except as provided in~~
14 ~~section 629.~~

15 ~~—— (4) A person operating a vehicle in a mobile home park as~~
16 ~~defined in section 2 of the mobile home commission act, 1987 PA 96,~~
17 ~~MCL 125.2302, shall operate that vehicle at a careful and prudent~~
18 ~~speed, not greater than a speed that is reasonable and proper,~~
19 ~~having due regard for the traffic, surface, width of the roadway,~~
20 ~~and all other conditions existing, and not greater than a speed~~
21 ~~that permits a stop within the assured clear distance ahead. It is~~
22 ~~prima facie unlawful for the operator of a vehicle to operate that~~
23 ~~vehicle at a speed exceeding 15 miles an hour in a mobile home park~~
24 ~~as defined in section 2 of the mobile home commission act, 1987 PA~~
25 ~~96, MCL 125.2302.~~

26 ~~—— (5) A person operating a passenger vehicle drawing another~~
27 ~~vehicle or trailer shall not exceed the posted speed limit.~~

1 (3) ~~(6) Except as otherwise provided in this subsection, a~~ **A**
 2 person operating a truck with a gross weight of 10,000 pounds or
 3 more, a truck-tractor, a truck-tractor with a semi-trailer or
 4 trailer, or a combination of these vehicles ~~shall not exceed a~~
 5 ~~speed of 55 miles per hour on highways, streets, or freeways and~~
 6 shall not exceed a speed of 35 miles per hour during the period
 7 when reduced loadings are being enforced in accordance with this
 8 chapter. ~~However, a~~

9 (4) **A person operating a school bus, BUS, a truck WITH A GROSS**
 10 **WEIGHT OF 10,000 POUNDS OR MORE,** a truck-tractor, or a truck-
 11 tractor with a semi-trailer or trailer ~~described in this subsection~~
 12 **OR A COMBINATION OF THESE VEHICLES** shall not exceed a speed of ~~60~~
 13 **70 miles per hour on a LIMITED ACCESS freeway.** ~~if the maximum speed~~
 14 ~~limit on that freeway is 70 miles per hour. A person operating a~~
 15 ~~modified agriculture vehicle shall not exceed a speed of 45 miles~~
 16 ~~per hour.~~

17 ~~—— (7) Except as otherwise provided in subsection (6), a person~~
 18 ~~operating a school bus shall not exceed the speed of 55 miles per~~
 19 ~~hour.~~

20 ~~—— (8) The maximum rates of speeds allowed under this section are~~
 21 ~~subject to the maximum rate established under section 629b.~~

22 (5) **ALL OF THE FOLLOWING APPLY TO THE SPEED LIMITS DESCRIBED**
 23 **IN SUBSECTION (2):**

24 (A) **A HIGHWAY SEGMENT ADJACENT TO OR LYING BETWEEN 2 OR MORE**
 25 **AREAS DESCRIBED IN SUBSECTION (2) (A), (B), (C), OR (D) SHALL NOT BE**
 26 **CONSIDERED TO BE WITHIN THE BOUNDARIES OF THOSE AREAS.**

27 (B) **A HIGHWAY SEGMENT OF MORE THAN 1/2 MILE IN LENGTH WITH A**

1 CONSISTENT DENSITY OF VEHICULAR ACCESS POINTS EQUAL TO THE NUMBER
2 OF VEHICULAR ACCESS POINTS DESCRIBED IN SUBSECTION (2) (E), (F),
3 (G), (H), OR (I) SHALL BE POSTED AT THE SPEED LIMIT SPECIFIED IN
4 THE ADJOINING SEGMENT. A SEPARATE DETERMINATION SHALL BE MADE FOR
5 EACH ADJOINING HIGHWAY SEGMENT WHERE VEHICULAR ACCESS POINT DENSITY
6 IS DIFFERENT.

7 (C) A SPEED LIMIT MAY BE POSTED ON HIGHWAYS LESS THAN 1/2 MILE
8 IN LENGTH BY PRORATING IN 1/10 MILE SEGMENTS THE VEHICULAR ACCESS
9 POINT DENSITY DESCRIBED IN SUBSECTION (2) (E), (F), (G), (H), OR
10 (I).

11 (6) ~~(9) A person operating a vehicle on a highway, when~~
12 ~~entering and passing through a work zone described in section~~
13 ~~79d(a) THE SPEED LIMIT ON A HIGHWAY~~ where a normal lane or part of
14 the lane of traffic has been closed due to ~~highway~~ construction,
15 maintenance, or surveying activities, ~~shall not exceed a speed of~~
16 ~~45 miles per hour unless a different speed limit is determined for~~
17 ~~that work zone by the state transportation department, a county~~
18 ~~road commission, or a local authority, based on accepted~~
19 ~~engineering practice. The state transportation department, a county~~
20 ~~road commission, or a local authority shall post speed limit signs~~
21 ~~in each work zone described in section 79d(a) that indicate the~~
22 ~~speed limit in that work zone and shall identify that work zone~~
23 ~~with any other traffic control devices necessary to conform to the~~
24 ~~Michigan manual of uniform traffic control devices. A person shall~~
25 ~~not exceed a speed limit established under this section or a speed~~
26 ~~limit established under section 628 or 629. MAY BE DECREASED BY NOT~~
27 MORE THAN 10 MILES PER HOUR LESS THAN THE SPEED LIMIT NORMALLY

1 POSTED FOR THAT HIGHWAY SEGMENT, BUT SHALL NOT BE DECREASED TO LESS
2 THAN 30 MILES PER HOUR.

3 (7) THE SPEED LIMIT ON A LIMITED ACCESS FREEWAY WHERE A LANE
4 OR PART OF A LANE OF TRAFFIC HAS BEEN CLOSED DUE TO CONSTRUCTION,
5 MAINTENANCE, OR SURVEYING ACTIVITIES MAY BE DECREASED TO 60 MILES
6 PER HOUR IF ONLY A SINGLE LANE OF TRAFFIC REMAINS OPEN FOR HIGHWAY
7 TRAFFIC. IF ROAD CONSTRUCTION WORKERS MAY BE LOCATED IN CLOSE
8 PROXIMITY TO A BARREL LINE OR CONE LINE AND ARE NOT PROTECTED BY A
9 BARRIER WALL OR GUARDRAIL, THE SPEED LIMIT MAY BE DECREASED TO 45
10 MILES PER HOUR IF A SIGN IS POSTED NOTING THE PRESENCE OF WORKERS,
11 BUT THIS LOWER SPEED LIMIT ONLY APPLIES TO THE IMMEDIATE AREA WHERE
12 WORKERS ARE LOCATED WITHIN 1 VEHICLE WIDTH OF THE BARREL LINE OR
13 CONE LINE THAT SEPARATES THE WORK AREA FROM THE OPEN TRAVEL LANE
14 FOR VEHICULAR TRAFFIC.

15 (8) THE SPEED LIMIT ON ALL RURAL LIMITED ACCESS FREEWAYS UPON
16 WHICH A SPEED LIMIT IS NOT OTHERWISE FIXED UNDER THIS ACT IS 80
17 MILES PER HOUR, WHICH SHALL BE KNOWN AS THE "RURAL FREEWAY GENERAL
18 SPEED LIMIT". THE MINIMUM SPEED LIMIT ON ALL RURAL LIMITED ACCESS
19 FREEWAYS UPON WHICH A MINIMUM SPEED LIMIT IS NOT OTHERWISE FIXED
20 UNDER THIS ACT IS 55 MILES PER HOUR. NO LATER THAN 1 YEAR AFTER THE
21 EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION,
22 THE STATE TRANSPORTATION DEPARTMENT AND THE DEPARTMENT OF STATE
23 POLICE SHALL DESIGNATE ALL RURAL LIMITED ACCESS FREEWAYS WITHIN
24 THIS STATE. AS USED IN THIS SUBSECTION, "RURAL LIMITED ACCESS
25 FREEWAY" MEANS A FREEWAY SEGMENT THAT HAS BEEN DESIGNATED BY THE
26 STATE TRANSPORTATION DEPARTMENT AND THE DEPARTMENT OF STATE POLICE
27 TO BE RURAL IN NATURE.

1 (9) THE SPEED LIMIT ON ALL URBAN LIMITED ACCESS FREEWAYS UPON
2 WHICH A SPEED LIMIT IS NOT OTHERWISE FIXED UNDER THIS ACT IS 70
3 MILES PER HOUR, WHICH SHALL BE KNOWN AS THE "URBAN FREEWAY GENERAL
4 SPEED LIMIT". THE MINIMUM SPEED LIMIT ON ALL URBAN LIMITED ACCESS
5 FREEWAYS UPON WHICH A MINIMUM SPEED LIMIT IS NOT OTHERWISE FIXED
6 UNDER THIS ACT IS 55 MILES PER HOUR. NO LATER THAN 1 YEAR AFTER THE
7 EFFECTIVE DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION,
8 THE STATE TRANSPORTATION DEPARTMENT AND THE DEPARTMENT OF STATE
9 POLICE SHALL DESIGNATE ALL URBAN LIMITED ACCESS FREEWAYS WITHIN
10 THIS STATE. AS USED IN THIS SUBSECTION, "URBAN LIMITED ACCESS
11 FREEWAY" MEANS A FREEWAY SEGMENT THAT HAS BEEN DESIGNATED BY THE
12 STATE TRANSPORTATION DEPARTMENT AND THE DEPARTMENT OF STATE POLICE
13 TO BE URBAN IN NATURE.

14 (10) THE SPEED LIMIT ON ALL TRUNK LINE HIGHWAYS UPON WHICH A
15 SPEED LIMIT IS NOT OTHERWISE FIXED UNDER THIS ACT IS 65 MILES PER
16 HOUR, WHICH SHALL BE KNOWN AS THE "TRUNK LINE GENERAL SPEED LIMIT".

17 (11) THE SPEED LIMIT ON ALL COUNTY HIGHWAYS UPON WHICH A SPEED
18 LIMIT IS NOT OTHERWISE FIXED UNDER THIS ACT IS 60 MILES PER HOUR,
19 WHICH SHALL BE KNOWN AS THE "GENERAL SPEED LIMIT".

20 (12) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE
21 SPEED LIMIT ON ALL COUNTY HIGHWAYS WITH A GRAVEL OR UNIMPROVED
22 SURFACE UPON WHICH A SPEED LIMIT IS NOT OTHERWISE FIXED UNDER THIS
23 ACT IS 55 MILES PER HOUR, WHICH SHALL BE KNOWN AS THE "GENERAL
24 GRAVEL ROAD SPEED LIMIT". THE SPEED LIMIT ON A COUNTY HIGHWAY WITH
25 A GRAVEL OR UNIMPROVED SURFACE IN A COUNTY WITH A POPULATION OF
26 1,000,000 OR MORE IS 45 MILES PER HOUR.

27 (13) A PUBLIC RECORD OF ALL TRAFFIC CONTROL ORDERS

1 ESTABLISHING STATUTORY SPEED LIMITS AUTHORIZED UNDER THIS SECTION
 2 SHALL BE FILED WITH THE OFFICE OF THE CLERK OF THE COUNTY IN WHICH
 3 THE COUNTY HIGHWAY IS LOCATED OR AT THE OFFICE OF THE CITY OR
 4 VILLAGE CLERK OR ADMINISTRATIVE OFFICE OF THE AIRPORT, COLLEGE, OR
 5 UNIVERSITY IN WHICH THE LOCAL HIGHWAY IS LOCATED, AND A CERTIFIED
 6 COPY OF THE TRAFFIC CONTROL ORDER SHALL BE EVIDENCE IN EVERY COURT
 7 OF THIS STATE OF THE AUTHORITY FOR THE ISSUANCE OF THAT TRAFFIC
 8 CONTROL ORDER. THE PUBLIC RECORD FILED WITH THE COUNTY, CITY, OR
 9 VILLAGE CLERK OR ADMINISTRATIVE OFFICE OF THE AIRPORT, COLLEGE, OR
 10 UNIVERSITY SHALL NOT BE REQUIRED AS EVIDENCE OF AUTHORITY FOR
 11 ISSUING A TRAFFIC CONTROL ORDER IN THE CASE OF SIGNS TEMPORARILY
 12 ERECTED OR PLACED AT POINTS WHERE CONSTRUCTION, MAINTENANCE, OR
 13 SURVEYING ACTIVITIES IS IN PROGRESS.

14 (14) ~~(10) Subject to subsections (1) and (2) (c),~~ EXCEPT FOR
 15 SPEED LIMITS DESCRIBED IN SUBSECTIONS (1), (2) (D), (8), (9), (10),
 16 (11), (12), AND (13), speed limits established under this section
 17 are not valid unless properly posted. In the absence of a properly
 18 posted sign, the speed limit in effect shall be IS the general
 19 BASIC speed limit under section 628(1). LAW DESCRIBED IN SUBSECTION
 20 (1). SPEED LIMITS ESTABLISHED UNDER SUBSECTION (2) (B), (E), (F),
 21 (G), (H), AND (I) ARE NOT VALID UNLESS A TRAFFIC CONTROL ORDER IS
 22 FILED AS DESCRIBED IN SUBSECTION (13).

23 (15) ~~(11) Nothing in this section prevents the establishment~~
 24 of an absolute A MODIFIED speed limit under AFTER A SPEED STUDY AS
 25 DESCRIBED IN section 628. Subject to subsection (1), an absolute A
 26 MODIFIED speed limit established under section 628 supersedes a
 27 prima facie speed limit established under this section.

1 ~~———— (12) Nothing in this section shall be construed as~~
2 ~~justification to deny a traffic and engineering investigation.~~

3 ~~———— (13) As used in this section, "vehicular access point" means a~~
4 ~~driveway or intersecting roadway.~~

5 (16) ALL SIGNS ERECTED OR PLACED UNDER THIS SECTION SHALL
6 CONFORM TO THE MICHIGAN MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.

7 (17) IF UPON INVESTIGATION THE STATE TRANSPORTATION DEPARTMENT
8 OR COUNTY ROAD COMMISSION AND THE DEPARTMENT OF STATE POLICE
9 DETERMINE THAT IT IS IN THE INTEREST OF PUBLIC SAFETY, THEY MAY
10 ORDER CITY, VILLAGE, AIRPORT, COLLEGE, UNIVERSITY, AND TOWNSHIP
11 OFFICIALS TO ERECT AND MAINTAIN, TAKE DOWN, OR REGULATE SPEED LIMIT
12 SIGNS, SIGNALS, AND DEVICES AS DIRECTED. IN DEFAULT OF AN ORDER,
13 THE STATE TRANSPORTATION DEPARTMENT OR COUNTY ROAD COMMISSION MAY
14 CAUSE DESIGNATED SIGNS, SIGNALS, AND DEVICES TO BE ERECTED AND
15 MAINTAINED, REMOVED, OR REGULATED IN THE MANNER PREVIOUSLY DIRECTED
16 AND PAY THE COSTS FOR DOING SO OUT OF THE DESIGNATED HIGHWAY FUND.

17 (18) ~~(14)~~ A person who violates A SPEED LIMIT ESTABLISHED
18 UNDER this section is responsible for a civil infraction.

19 (19) AS USED IN THIS SECTION:

20 (A) "TRAFFIC CONTROL ORDER" MEANS A DOCUMENT FILED WITH THE
21 PROPER AUTHORITY THAT ESTABLISHES THE LEGAL AND ENFORCEABLE SPEED
22 LIMIT FOR THE HIGHWAY SEGMENT DESCRIBED IN THE DOCUMENT.

23 (B) "VEHICULAR ACCESS POINT" MEANS A DRIVEWAY OR INTERSECTING
24 ROADWAY.

25 Enacting section 1. Sections 629 and 629c of the Michigan
26 vehicle code, 1949 PA 300, MCL 257.629 and 257.629c, are repealed.

27 Enacting section 2. This amendatory act does not take effect

1 unless all of the following bills of the 97th Legislature are
2 enacted into law:

3 (a) Senate Bill No. ____ or House Bill No. 5965 (request no.
4 02873'13).

5 (b) Senate Bill No. ____ or House Bill No. 5966 (request no.
6 03527'13).

7 (c) Senate Bill No. ____ or House Bill No. 5962 (request no.
8 04480'13 *).

9 (d) Senate Bill No. ____ or House Bill No. 5963 (request no.
10 04595'13).