

## MICHIGAN VEHICLE CODE (EXCERPT)

### Act 300 of 1949

#### RIGHT-OF-WAY

##### **257.649 Right-of-way; rules; violation as civil infraction.**

Sec. 649. (1) The driver of a vehicle approaching an intersection shall yield the right of way to a vehicle which has entered the intersection from a different highway.

(2) When 2 vehicles enter an intersection from different highways at approximately the same time, the driver of the vehicle on the left shall yield the right of way to the vehicle on the right.

(3) The right of way rules declared in subsections (1) and (2) are modified at through highways and otherwise as stated in this chapter.

(4) The driver of a vehicle approaching a yield sign, in obedience to the sign, shall slow down to a speed reasonable for the existing conditions and shall yield the right of way to a vehicle in the intersection or approaching on another highway so closely as to constitute an immediate hazard during the time the driver would be moving across or within the intersection. However, if required for safety to stop, the driver shall stop before entering the crosswalk on the near side of the intersection or, if there is not a crosswalk, at a clearly marked stop line; but if there is not a crosswalk or a clearly marked stop line, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway.

(5) The driver of a vehicle traveling at an unlawful speed shall forfeit a right of way which the driver might otherwise have under this section.

(6) Except when directed to proceed by a police officer, the driver of a vehicle approaching a stop intersection indicated by a stop sign shall stop before entering the crosswalk on the near side of the intersection, or if there is not a crosswalk shall stop at a clearly marked stop line; or if there is not a crosswalk or a clearly marked stop line, then at the point nearest the intersecting roadway where the driver has a view of approaching traffic on the intersecting roadway. After having stopped, the driver shall yield the right of way to a vehicle which has entered the intersection from another highway or which is approaching so closely on the highway as to constitute an immediate hazard during the time when the driver would be moving across or within the intersection.

(7) When a vehicle approaches the intersection of a highway from an intersecting highway or street which is intended to be, and is constructed as, a merging highway or street, and is plainly marked at the intersection with appropriate merge signs, the vehicle shall yield right of way to a vehicle so close as to constitute an immediate hazard on the highway about to be entered and shall adjust its speed so as to enable it to merge safely with the through traffic.

(8) A person who violates this section is responsible for a civil infraction.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1955, Act 165, Imd. Eff. June 13, 1955;—Am. 1959, Act 234, Eff. Mar. 19, 1960;—Am. 1966, Act 237, Eff. Mar. 10, 1967;—Am. 1978, Act 510, Eff. Aug. 1, 1979.

##### **257.650 Right-of-way; turning left at intersection; violation as civil infraction.**

Sec. 650. (1) The driver of a vehicle within an intersection intending to turn to the left shall yield the right of way to a vehicle approaching from the opposite direction which is within the intersection or so close to the intersection as to constitute an immediate hazard; but the driver, having so yielded and having given a signal when and as required by this chapter, may make the left turn and the drivers of all other vehicles approaching the intersection from the opposite direction shall yield the right of way to the vehicle making the left turn. At an intersection at which a traffic signal is located, a driver intending to make a left turn shall permit vehicles bound straight through in the opposite direction which are waiting a go signal to pass through the intersection before making the turn.

(2) A person who violates this section is responsible for a civil infraction.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1978, Act 510, Eff. Aug. 1, 1979.

##### **257.651 State trunk line highways; preference at intersections; stop, yield or merge signs.**

Sec. 651. (a) Except where approved traffic signals are used to control traffic, the state highway commissioner shall erect stop, yield or merge signs at every entrance to a state trunk line highway from intersecting highways or streets. However, after a traffic engineering investigation the state highway commission acting jointly with the commissioner of the Michigan state police may give preference to a city street or a county road over a state trunk line highway, and shall erect appropriate signs.

(b) Where 2 or more state trunk line highways intersect or cross, the state highway commissioner and the commissioner of the Michigan state police, acting jointly, shall determine which traffic, if any, shall be given

preference and appropriate stop, yield or merge signs shall be erected.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1959, Act 151, Imd. Eff. July 16, 1959;—Am. 1966, Act 237, Eff. Mar. 10, 1967.

**257.652 Stopping before entering or crossing highway from alley, private road, or driveway; violation as civil infraction.**

Sec. 652. (1) The driver of a vehicle about to enter or cross a highway from an alley, private road, or driveway shall come to a full stop before entering the highway and shall yield right of way to vehicles approaching on the highway.

(2) A person who violates this section is responsible for a civil infraction.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1959, Act 234, Eff. Mar. 19, 1960;—Am. 1978, Act 510, Eff. Aug. 1, 1979.

**257.653 Immediate approach of authorized emergency vehicle; duty of driver of another vehicle; duty of streetcar operator; violation as civil infraction.**

Sec. 653. (1) Upon the immediate approach of an authorized emergency vehicle equipped with not less than 1 lighted flashing, rotating, or oscillating lamp exhibiting a red or blue light visible under normal atmospheric condition from a distance of 500 feet to the front of the vehicle and when the driver is giving audible signal by siren, exhaust whistle, or bell:

(a) The driver of another vehicle shall yield the right of way and shall immediately drive to a position parallel to and as close as possible to the right-hand edge or curb of the roadway, clear of an intersection, and shall stop and remain in that position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

(b) The operator of a streetcar shall immediately stop the car, clear of an intersection, and shall keep it in that position until the authorized emergency vehicle has passed, except when otherwise directed by a police officer.

(2) This section does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of persons using the highway.

(3) A person who violates this section is responsible for a civil infraction.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1951, Act 270, Eff. Sept. 28, 1951;—Am. 1964, Act 7, Imd. Eff. Mar. 20, 1964;—Am. 1978, Act 510, Eff. Aug. 1, 1979.

**257.653a Stationary emergency vehicle giving visual signal; duty of approaching vehicle to exhibit due care and caution; violation; penalty.**

Sec. 653a. (1) Upon approaching and passing a stationary authorized emergency vehicle that is giving a visual signal by means of flashing, rotating, or oscillating red, blue, or white lights as permitted by section 698, the driver of an approaching vehicle shall exhibit due care and caution, as required under the following:

(a) On any public roadway with at least 2 adjacent lanes proceeding in the same direction of the stationary authorized emergency vehicle, the driver of the approaching vehicle shall proceed with caution and yield the right-of-way by moving into a lane at least 1 moving lane or 2 vehicle widths apart from the stationary authorized emergency vehicle, unless directed otherwise by a police officer. If movement to an adjacent lane or 2 vehicle widths apart is not possible due to weather, road conditions, or the immediate presence of vehicular or pedestrian traffic in parallel moving lanes, the driver of the approaching vehicle shall proceed as required in subdivision (b).

(b) On any public roadway that does not have at least 2 adjacent lanes proceeding in the same direction as the stationary authorized emergency vehicle, or if the movement by the driver of the vehicle into an adjacent lane or 2 vehicle widths apart is not possible as described in subdivision (a), the approaching vehicle shall reduce and maintain a safe speed for weather, road conditions, and vehicular or pedestrian traffic and proceed with due care and caution, or as directed by a police officer.

(2) Except as provided in subsections (3) and (4), a person who violates this section is guilty of a misdemeanor punishable by a fine of not more than \$500.00 or imprisonment for not more than 90 days, or both.

(3) A person who violates this section and causes injury to a police officer, firefighter, or other emergency response personnel in the immediate area of the stationary authorized emergency vehicle is guilty of a felony punishable by a fine of not more than \$1,000.00 or imprisonment for not more than 2 years, or both.

(4) A person who violates this section and causes death to a police officer, firefighter, or other emergency response personnel in the immediate area of the stationary authorized emergency vehicle is guilty of a felony punishable by a fine of not more than \$7,500.00 or by imprisonment for not more than 15 years, or both.

**History:** Add. 2000, Act 458, Eff. Mar. 28, 2001.

**257.653b Approaching and passing stationary solid waste collection vehicle, utility service vehicle, or road maintenance vehicle; reduction and maintenance of safe speed; definitions.**

Sec. 653b. (1) Upon approaching and passing a stationary solid waste collection vehicle, a utility service vehicle, or a road maintenance vehicle that is giving a visual signal by means of flashing, rotating, or oscillating amber lights as permitted by section 698, the driver of an approaching vehicle shall reduce to and maintain a safe speed for weather, road conditions, and vehicular or pedestrian traffic and proceed with due care and caution.

(2) As used in this section:

(a) "Road maintenance authority" means any of the following:

(i) The state department of transportation.

(ii) A local authority.

(iii) An entity operating under contract with the state department of transportation or a local authority to provide road construction or road maintenance services.

(b) "Road maintenance vehicle" means a vehicle owned or operated by a road maintenance authority.

(c) "Solid waste" means that term as defined in section 11506 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11506.

(d) "Solid waste collection vehicle" means a solid waste transporting unit that is used for the curbside collection of municipal solid waste.

(e) "Solid waste hauler" means that term as defined in section 11506 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11506.

(f) "Solid waste transporting unit" means that term as defined in section 11506 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11506.

(g) "Utility provider" means an entity that does any of the following and that is regulated as a utility under the laws of this state or of the United States:

(i) Generates or distributes electrical power to the public.

(ii) Generates or distributes natural gas to the public.

(iii) Provides sewage collection services to the public.

(iv) Provides water distribution services to the public.

(v) Provides telephone services to the public.

(vi) Provides cable or video services to the public.

(h) "Utility service vehicle" means a vehicle owned or operated by a utility provider.

**History:** Add. 2008, Act 464, Imd. Eff. Jan. 9, 2009.

**257.654 Vehicles forming part of funeral procession; right-of-way; flags; passing through funeral procession with vehicle as civil infraction.**

Sec. 654. (1) A motor vehicle forming part of a funeral procession, when going to a place of burial, shall have the right of way over all other vehicles except fire apparatus, ambulances, and police patrol vehicles at a street or highway intersection within this state if the vehicle in the funeral procession displays a flag which shall be fluorescent orange in color, and upon which shall be printed, stamped, or stained a black cross, the star of David, or the crescent and star. The lead vehicle and the last vehicle in the funeral procession may carry an additional flag. The flags shall not contain a name embossed or printed on the flag, except the word "funeral".

(2) A person passing through a funeral procession of motor vehicles, designated pursuant to subsection (1), with a vehicle of any kind, is responsible for a civil infraction.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1952, Act 9, Eff. Sept. 18, 1952;—Am. 1960, Act 105, Eff. Aug. 17, 1960;—Am. 1975, Act 49, Imd. Eff. May 20, 1975;—Am. 1978, Act 510, Eff. Aug. 1, 1979;—Am. 1979, Act 148, Eff. Jan. 1, 1980.

**257.655 Pedestrians on highways; violation as civil infraction.**

Sec. 655. (1) Where sidewalks are provided, a pedestrian shall not walk upon the main traveled portion of the highway. Where sidewalks are not provided, pedestrians shall, when practicable, walk on the left side of the highway facing traffic which passes nearest.

(2) A person who violates this section is responsible for a civil infraction.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1978, Act 510, Eff. Aug. 1, 1979.