

# Legislative Analysis

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## **SPEED LIMITS ON DIRT & GRAVEL ROADS**

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**Senate Bill 117 as passed by the Senate**  
**Sponsor: Sen. Nancy Cassis**  
**House Committee: Transportation**  
**Senate Committee: Transportation**

**Complete to 7-16-07**

## **A SUMMARY OF SENATE BILL 117 AS REPORTED BY HOUSE COMMITTEE**

The bill would amend the Michigan Vehicle Code to address speed limits on certain dirt and gravel roads in a county with a population of more than 900,000 but fewer than 1.5 million individuals (i.e., Oakland County).

Under the bill, beginning on the bill's effective date, a speed limit that had been posted as of November 9, 2006, in a residence district on a dirt or gravel road located in a city, village, or township in the specified county would be effective unless the speed limit was re-established following procedures provided in the Vehicle Code.

A "residence district" would be territory contiguous to a highway not constituting a business district when the frontage on that highway for a distance of 300 feet or more is mainly occupied by dwellings, or by dwellings and buildings in use for business.

[November 9, 2006, was the effective date of Public Act 85 of 2006, which established a uniform statewide method for determining speed limits based in part on the number of access points or driveways on a segment of highway. This bill, then, would provide an exception to the 2006 act for certain dirt and gravel roads, allowing the prior speed limits to remain in place.]

The bill would not apply after December 1, 2012, or upon completion of a traffic and engineering study of all the dirt and gravel roads addressed under the bill, whichever occurred first. The Department of State Police would have to notify the Legal Division of the Legislative Service Bureau when all the traffic and engineering studies were completed.

## **HOUSE COMMITTEE ACTION:**

The House Committee on Transportation did not amend the Senate-passed version of the bill.

## **FISCAL IMPACT:**

The bill has no apparent fiscal impact.

## **BACKGROUND INFORMATION:**

Problem Being Addressed. As mentioned earlier Public Act 85 of 2006 established a uniform statewide method for determining speed limits based in part on the number of access

points or driveways on a segment of highway. These were referred to as "prima facie" speed limits. For example, on a highway segment with no more than 44 vehicular access points within one-half mile, the prima facie speed limit would be 45 miles per hour; if there were 60 or more access points, 25 miles per hour. However, the act allows for the setting of a different speed limit if a designated process is followed. Typically, the process requires unanimous agreement among the officials involved and requires an engineering and traffic investigation.

The problem being addressed by the bill is that, according to local officials there, northern Oakland County contains a considerable amount of residential building on gravel roads; it is said to be unique in this respect. These roads are typically posted at 25 miles per hour. The roads, local officials say, do not have sufficient access points under the new law to justify that speed limit, even though it is considered the appropriate limit locally. These are "country roads with city traffic," according to one local official, in growing residential areas. The new law could require increases up to 45 or even 55 miles per hour based on access points, according to committee testimony by local officials.

The bill would provide a temporary exception (no later than December 1, 2012) from the new act for these roads (gravel roads in Oakland County) to allow traffic and engineering studies to be carried out.

Public Act 85 of 2006 (House Bill 5240). The Michigan Vehicle Code designates 55 miles per hour as the "general speed limit"—that is, the maximum speed limit on all highways or parts of highways for which the code does not otherwise set a maximum speed limit. Public Act 85 of 2006 established the following "prima facie" speed limits:

- \*\* 45 mph on a highway segment with 30 to 44 vehicular access points within a half mile.
- \*\* 35 mph on a highway segment with 45 to 59 vehicular access points within a half-mile.
- \*\* 25 mph on a highway segment with 60 or more vehicular access points within a half-mile.
- \*\* 25 mph on all highways in a business district.
- \*\* 25 mph in public parks or land platted under the Land Division Act or the Condominium Act, unless a different speed is fixed and duly posted.

The Vehicle Code provides processes to allow the establishment of alternative speed limits.

## **POSITIONS:**

Representatives of Milford Township, Highland Charter Township, and the Michigan Townships Association indicated support to the committee. (5-28-07)

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.