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## TOWNSHIP TRAFFIC ORDERS

**House Bill 5879**

**Sponsor: Rep. Gerald Law**

**Committee: Transportation**

**Complete to 5-21-98**

### **A SUMMARY OF HOUSE BILL 5879 AS INTRODUCED 5-20-98**

House Bill 5879 would amend the Michigan Vehicle Code to require that a township be given the opportunity to have a hearing before the state transportation commission about a traffic order, in a manner prescribed by the Administrative Procedures Act.

Under current law, the state transportation commission with respect to state trunk line highways and the board of county road commissioners with respect to county roads, acting jointly with the director of the Department of State Police, may place signs prohibiting or restricting the stopping, standing, or parking of vehicles on a highway where in the opinion of the officials as determined by an engineering survey, the stopping, standing, or parking is dangerous to those using the highway or where it would unduly interfere with the free movement of traffic on the highway or street. The signs can be installed only after a proper traffic order is filed with the county clerk. A home rule city affected by an order has the opportunity for a hearing before the state transportation commission. House Bill 5879 would extend the same opportunity for a hearing to a township.

In addition, under current law, traffic control orders, so long as they affect parking upon a state trunk line highway within the corporate limits of a home rule city, are considered "rules" within the meaning of the Administrative Procedures Act, and upon application for a hearing by a home rule city, the proceedings before the state transportation commission are considered a "contested case." House Bill 5879 would extend this meaning of "rules" and of "contested case" from a state trunk line highway within the corporate limits of a home rule city to include parking traffic control orders affecting a county road within the limits of a township.

MCL 257.675

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