

HOUSE BILL No. 5104

August 24, 2005, Introduced by Rep. Caswell and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled
 "Michigan vehicle code,"
 by amending section 627 (MCL 257.627), as amended by 2004 PA 62.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 627. (1) A person ~~driving~~ **OPERATING** a vehicle on a
 2 highway shall ~~drive~~ **OPERATE THAT VEHICLE** at a careful and prudent
 3 speed not greater than nor less than is reasonable and proper,
 4 having due regard to the traffic, surface, and width of the highway
 5 and of any other condition then existing. A person shall not ~~drive~~
 6 **OPERATE** a vehicle upon a highway at a speed greater than that which
 7 will permit a stop within the assured, clear distance ahead.

8 (2) Subject to subsection (1) and except in those instances
 9 where a lower speed is specified in this chapter, it is prima facie

1 lawful for the ~~driver~~ **OPERATOR** of a vehicle to ~~drive~~ **OPERATE**
2 **THAT VEHICLE** at a speed not exceeding the following, except when
3 this speed would be unsafe:

4 (a) 25 miles an hour on all highways in a business or
5 residence district as defined in this act.

6 (b) 25 miles an hour in public parks unless a different speed
7 is fixed and duly posted.

8 (3) It is prima facie unlawful for a person to exceed the
9 speed limits prescribed in subsection (2), except as provided in
10 section 629.

11 (4) ~~The driver of~~ **A PERSON OPERATING** a vehicle in a mobile
12 home park as defined in section 2 of the mobile home commission
13 act, 1987 PA 96, MCL 125.2302, shall ~~drive~~ **OPERATE THAT VEHICLE**
14 at a careful and prudent speed, not greater than a speed ~~which~~
15 **THAT** is reasonable and proper, having due regard for the traffic,
16 surface, width of the roadway, and all other conditions existing,
17 and not greater than a speed ~~which will permit~~ **THAT PERMITS** a
18 stop within the assured clear distance ahead. It is prima facie
19 unlawful for the ~~driver~~ **OPERATOR** of a vehicle to ~~drive~~ **OPERATE**
20 **THAT VEHICLE** at a speed exceeding 15 miles an hour in a mobile home
21 park as defined in section 2 of the mobile home commission act,
22 1987 PA 96, MCL 125.2302.

23 (5) A person ~~driving~~ **OPERATING** a passenger vehicle drawing
24 another vehicle or trailer shall not exceed a speed of 55 miles per
25 hour, unless the vehicle or trailer has 2 wheels or less and does
26 not exceed the combined weight of 750 pounds for the vehicle or
27 trailer and load, or a trailer coach of not more than 26 feet in

1 length with brakes on each wheel and attached to the passenger
2 vehicle with an equalizing or stabilizing coupling unit.

3 (6) ~~A~~ **EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, A**
4 truck with a gross weight of 10,000 pounds or more, a truck-tractor
5 with a trailer, or a combination of these vehicles shall not exceed
6 a speed of 55 miles per hour on highways, streets, or freeways and
7 shall not exceed a speed of 35 miles per hour during the period
8 when reduced loadings are being enforced in accordance with this
9 chapter. **HOWEVER, A TRUCK OR TRUCK-TRACTOR DESCRIBED IN THIS**
10 **SUBSECTION SHALL NOT EXCEED A SPEED OF 60 MILES PER HOUR ON A**
11 **FREEWAY IF THE MAXIMUM SPEED LIMIT ON THAT FREEWAY IS 70 MILES PER**
12 **HOUR.**

13 (7) A person ~~driving~~ **OPERATING** a school bus shall not exceed
14 the speed of 50 miles per hour.

15 (8) The maximum rates of speeds allowed ~~pursuant to~~ **UNDER**
16 this section are subject to the maximum rate established ~~pursuant~~
17 ~~to~~ **UNDER** section 629b.

18 (9) A person operating a vehicle on a highway, when entering
19 and passing through a work zone described ~~in section 79e(a), or,~~
20 ~~beginning April 8, 2004, described~~ in section 79d(a) ~~—~~ where a
21 normal lane or part of the lane of traffic has been closed due to
22 highway construction, maintenance, or surveying activities, shall
23 not exceed a speed of 45 miles per hour unless a different speed
24 limit is determined for that work zone by the state transportation
25 department, a county road commission, or a local authority. The
26 state transportation department, a county road commission, or a
27 local authority shall post speed limit signs in each work zone

1 ~~described in section 79e(a), or, beginning April 8, 2004,~~
2 ~~described~~ in section 79d(a) — that indicate the speed limit in
3 that work zone and shall identify that work zone with any other
4 traffic control devices necessary to conform to the Michigan manual
5 of uniform traffic control devices. A person shall not exceed a
6 speed limit established under this section or a speed limit
7 established under section 628 or 629.

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