

SENATE BILL No. 1224

April 20, 2006, Introduced by Senators McMANUS, KUIPERS, BIRKHOLZ, GEORGE, GARCIA, ALLEN and LELAND and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 612 and 660 (MCL 257.612 and 257.660), section 612 as amended by 1990 PA 33 and section 660 as amended by 2002 PA 494, and by adding sections 660a, 660b, 660c, and 660d.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 612. (1) When traffic is controlled by traffic control
2 signals, not ~~less~~ **FEWER** than 1 signal shall be located over the
3 traveled portion of the roadway so as to give ~~drivers~~ **VEHICLE**
4 **OPERATORS** a clear indication of the ~~right-of-way~~ **RIGHT-OF-WAY**
5 assignment from their normal positions approaching the
6 intersection. The vehicle signals shall exhibit different colored
7 lights successively, 1 at a time, or with arrows. Red arrow and
8 yellow arrow indications have the same meaning as the corresponding
9 circular indications, except that they apply only to ~~drivers of~~

1 ~~vehicles~~ **VEHICLE OPERATORS** intending to make the movement
2 indicated by the arrow. The following colors shall be used, and the
3 terms and lights shall indicate and ~~shall~~ apply to ~~drivers of~~
4 ~~vehicles~~ **VEHICLE OPERATORS** as follows:

5 (a) If the signal exhibits a green indication, vehicular
6 traffic facing the signal ~~, except when prohibited under section~~
7 ~~664,~~ may proceed straight through or turn right or left unless a
8 sign at that place prohibits either turn. Vehicular traffic,
9 including vehicles turning right or left, shall yield the ~~right of~~
10 ~~way~~ **RIGHT-OF-WAY** to other vehicles and to pedestrians **AND**
11 **BICYCLISTS** lawfully within the intersection or an adjacent
12 crosswalk at the time the signal is exhibited.

13 (b) If the signal exhibits a steady yellow indication,
14 vehicular traffic facing the signal shall stop before entering the
15 nearest crosswalk at the intersection or at a limit line when
16 marked, but if the stop cannot be made in safety, a vehicle may be
17 driven cautiously through the intersection.

18 (c) If the signal exhibits a steady red indication, the
19 following ~~shall~~ apply:

20 (i) Vehicular traffic facing a steady red signal alone shall
21 stop before entering the crosswalk on the near side of the
22 intersection or at a limit line when marked or, if there is no
23 crosswalk or limit line, before entering the intersection ~~,~~ and
24 shall remain standing until a green indication is shown, except as
25 provided in subparagraph (ii).

26 (ii) Vehicular traffic facing a steady red signal, after
27 stopping before entering the crosswalk on the near side of the

1 intersection or at a limit line when marked or, if there is no
2 crosswalk or limit line, before entering the intersection, may make
3 a right turn from a 1-way or 2-way street into a 2-way street or
4 into a 1-way street carrying traffic in the direction of the right
5 turn ~~—~~ or **MAY MAKE** a left turn from a 1-way or 2-way street into
6 a 1-way roadway carrying traffic in the direction of the left turn,
7 unless prohibited by sign, signal, marking, light, or other traffic
8 control device. The vehicular traffic shall yield the right of way
9 to pedestrians **AND BICYCLISTS** lawfully within an adjacent crosswalk
10 and to other traffic lawfully using the intersection.

11 (d) If the signal exhibits a steady green arrow indication,
12 vehicular traffic facing the green arrow signal, shown alone or in
13 combination with another indication, may cautiously enter the
14 intersection only to make the movement indicated by the arrow ~~—~~
15 or other movement permitted by other indications shown at the same
16 time. The vehicular traffic shall yield the ~~right of way~~ **RIGHT-**
17 **OF-WAY** to pedestrians **AND BICYCLISTS** lawfully within an adjacent
18 crosswalk and to other traffic lawfully using the intersection.

19 (2) If a traffic control signal is erected and maintained at a
20 place other than an intersection, the provisions of this section
21 ~~shall be applicable~~ **APPLY** except ~~as to~~ **FOR** those provisions
22 ~~which~~ **THAT** by their nature cannot ~~have application~~ **APPLY**. Any
23 stop required shall be made at a sign or marking on the pavement
24 indicating where the stop shall be made, but ~~—~~ in the absence of
25 a sign or marking, the stop shall be made at the signal.

26 (3) A person who violates subsection (1) or (2) is responsible
27 for a civil infraction.

1 (4) A ~~driver of a~~ vehicle **OPERATOR** who approaches a person
2 using a wheelchair or a device to aid the person to walk at a
3 crosswalk or any other pedestrian crossing shall take ~~such~~
4 **NECESSARY** precautions ~~as may be necessary~~ to avoid accident or
5 injury to the person using the wheelchair or device. A person who
6 violates this subsection is guilty of a misdemeanor.

7 (5) A sign prohibiting a turn on a red signal as provided in
8 subsection (1)(c)(ii) shall be located above or adjacent to the
9 traffic control signal or as close as possible to the point where
10 the turn is made, or at both locations, so that 1 or more of the
11 signs are visible to a ~~driver~~ **VEHICLE OPERATOR** intending to turn,
12 at the point where the turn is made. An additional sign may be used
13 at the far side of the intersection in the direct line of vision of
14 the turning ~~driver~~ **VEHICLE OPERATOR**.

15 Sec. 660. (1) A person operating ~~a bicycle,~~ **AN** electric
16 personal assistive mobility device, low-speed vehicle, or moped
17 upon a roadway shall ride as near to the right side of the roadway
18 as practicable, exercising due care when passing a standing vehicle
19 or one proceeding in the same direction. A motorcycle is entitled
20 to full use of a lane, and a motor vehicle shall not be driven in
21 such a manner as to deprive a motorcycle of the full use of a lane.
22 This subsection ~~shall~~ **DOES** not apply to motorcycles operated 2
23 abreast in a single lane.

24 (2) A person riding ~~a bicycle,~~ **AN** electric personal
25 assistive mobility device, motorcycle, or moped upon a roadway
26 shall not ride more than 2 abreast except on a path or part of a
27 roadway set aside for the exclusive use of those vehicles.

1 (3) Where a usable and designated path for bicycles is
2 provided adjacent to a ~~roadway, a bicycle rider or~~ **HIGHWAY OR**
3 **STREET**, an electric personal assistive mobility device operator
4 may, by local ordinance, be required to use that path. ~~Where a~~
5 ~~usable and designated path for bicycles is provided adjacent to a~~
6 ~~roadway, a bicycle rider who is less than 16 years of age shall use~~
7 ~~that path unless accompanied by an adult.~~

8 (4) A person operating a motorcycle, moped, low-speed vehicle,
9 **OR** electric personal assistive mobility device ~~, or bicycle~~ shall
10 not pass between lines of traffic, but may pass on the left of
11 traffic moving in his or her direction in the case of a 2-way
12 street ~~, or~~ on the left or right of traffic in the case of a 1-
13 way street, in an unoccupied lane.

14 (5) A person operating ~~a bicycle or~~ an electric personal
15 assistive mobility device on a sidewalk constructed for the use of
16 pedestrians shall yield the ~~right of way~~ **RIGHT-OF-WAY** to a
17 pedestrian and shall give an audible signal before overtaking and
18 passing the pedestrian.

19 (6) A moped or low-speed vehicle shall not be operated on a
20 sidewalk constructed for the use of pedestrians.

21 (7) A low-speed vehicle shall be operated at a speed of not to
22 exceed 25 miles per hour and shall not be operated on a highway ~~, or~~
23 ~~road,~~ or street with a speed limit of more than 35 miles per hour
24 except for the purpose of crossing that highway ~~, road,~~ or
25 street. The state transportation department may prohibit the
26 operation of a low-speed vehicle on any highway **OR STREET** under its
27 jurisdiction if it determines that the prohibition is necessary in

1 the interest of public safety.

2 (8) This section ~~shall~~ **DOES** not apply to a police officer in
3 the performance of his or her official duties.

4 (9) An electric personal assistive mobility device shall be
5 operated at a speed not to exceed 15 miles per hour and shall not
6 be operated on a ~~roadway~~ **HIGHWAY OR STREET** with a speed limit of
7 more than 25 miles per hour except to cross that ~~roadway~~ **HIGHWAY**
8 **OR STREET**.

9 (10) The governing body of a county, **A** city, **A** village, an
10 entity created under the urban cooperation act of 1967, 1967 (Ex
11 Sess) PA 7, MCL 124.501 to 124.512, or **A** township may, by
12 ordinance, which is based on the health, safety, and welfare of the
13 citizens, regulate the operation of electric personal assistive
14 mobility devices on sidewalks, ~~roadways~~ **HIGHWAYS OR STREETS**, or
15 crosswalks. Except as otherwise provided in this subsection, a
16 governing body of a county, city, village, ~~an~~ entity created
17 under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL
18 124.501 to 124.512, or township may prohibit the operation of
19 electric personal assistive mobility devices in an area open to
20 pedestrian traffic adjacent to a waterfront or on a trail under
21 their jurisdiction or in a downtown or central business district.
22 Signs indicating the regulation shall be conspicuously posted in
23 the area where the use of an electric personal assistive mobility
24 device is regulated.

25 (11) Operation of an electric personal assistive mobility
26 device is prohibited in a special charter city and a state park
27 under the jurisdiction of the Mackinac Island state park

1 commission.

2 (12) Operation of an electric personal assistive mobility
3 device may be prohibited in a historic district.

4 (13) The department of natural resources may by order regulate
5 the use of electric personal assistive mobility devices on all
6 lands under its control.

7 SEC. 660A. A PERSON OPERATING A BICYCLE UPON A HIGHWAY OR
8 STREET AT LESS THAN THE EXISTING SPEED OF TRAFFIC SHALL RIDE AS
9 CLOSE AS PRACTICABLE TO THE RIGHT-HAND CURB OR EDGE OF THE ROADWAY
10 EXCEPT AS FOLLOWS:

11 (A) WHEN OVERTAKING AND PASSING ANOTHER BICYCLE OR ANY OTHER
12 VEHICLE PROCEEDING IN THE SAME DIRECTION.

13 (B) WHEN PREPARING TO TURN LEFT AT AN INTERSECTION OR ONTO A
14 PRIVATE ROAD OR DRIVEWAY.

15 (C) WHEN REASONABLY NECESSARY TO AVOID CONDITIONS, INCLUDING,
16 BUT NOT LIMITED TO, FIXED OR MOVING OBJECTS, PARKED OR MOVING
17 VEHICLES, BICYCLES, PEDESTRIANS, ANIMALS, SURFACE HAZARDS, OR
18 SUBSTANDARD WIDTH LANES, THAT MAKE IT UNSAFE TO CONTINUE ALONG THE
19 RIGHT-HAND CURB OR EDGE. FOR PURPOSES OF THIS SUBDIVISION,
20 "SUBSTANDARD WIDTH LANE" MEANS A LANE THAT IS TOO NARROW FOR A
21 BICYCLE AND A VEHICLE TO TRAVEL SAFELY SIDE BY SIDE WITHIN THE
22 LANE.

23 (D) WHEN OPERATING A BICYCLE IN A LANE IN WHICH THE TRAFFIC
24 IMMEDIATELY IN FRONT OF THE INDIVIDUAL IS TURNING RIGHT BUT THE
25 INDIVIDUAL INTENDS TO GO STRAIGHT THROUGH THE INTERSECTION.

26 (E) WHEN OPERATING A BICYCLE UPON A 1-WAY HIGHWAY OR STREET
27 THAT HAS 2 OR MORE MARKED TRAFFIC LANES, IN WHICH CASE THE

1 INDIVIDUAL MAY RIDE AS NEAR THE LEFT-HAND CURB OR EDGE OF THAT
2 ROADWAY AS PRACTICABLE.

3 SEC. 660B. TWO OR MORE INDIVIDUALS OPERATING BICYCLES UPON A
4 HIGHWAY OR STREET SHALL NOT RIDE MORE THAN 2 ABREAST EXCEPT UPON A
5 PATH OR PORTION OF THE HIGHWAY OR STREET SET ASIDE FOR THE USE OF
6 BICYCLES.

7 SEC. 660C. (1) AN INDIVIDUAL OPERATING A BICYCLE UPON A
8 SIDEWALK OR A PEDESTRIAN CROSSWALK SHALL YIELD THE RIGHT-OF-WAY TO
9 PEDESTRIANS AND SHALL GIVE AN AUDIBLE SIGNAL BEFORE OVERTAKING AND
10 PASSING A PEDESTRIAN.

11 (2) AN INDIVIDUAL SHALL NOT OPERATE A BICYCLE UPON A SIDEWALK
12 OR A PEDESTRIAN CROSSWALK IF THAT OPERATION IS PROHIBITED BY AN
13 OFFICIAL TRAFFIC CONTROL DEVICE.

14 (3) AN INDIVIDUAL LAWFULLY OPERATING A BICYCLE UPON A SIDEWALK
15 OR A PEDESTRIAN CROSSWALK HAS ALL OF THE RIGHTS AND
16 RESPONSIBILITIES APPLICABLE TO A PEDESTRIAN USING THAT SIDEWALK OR
17 CROSSWALK.

18 SEC. 660D. (1) AN INDIVIDUAL MAY PARK A BICYCLE ON A SIDEWALK
19 EXCEPT AS PROHIBITED BY AN OFFICIAL TRAFFIC CONTROL DEVICE.

20 (2) AN INDIVIDUAL SHALL NOT PARK A BICYCLE ON A SIDEWALK IN
21 SUCH A MANNER THAT THE BICYCLE IMPEDES THE LAWFUL MOVEMENT OF
22 PEDESTRIANS OR OTHER TRAFFIC.

23 (3) AN INDIVIDUAL MAY PARK A BICYCLE ON A HIGHWAY OR STREET AT
24 ANY LOCATION WHERE PARKING IS ALLOWED FOR MOTOR VEHICLES, MAY PARK
25 AT ANY ANGLE TO THE CURB OR THE EDGE OF THE HIGHWAY, AND MAY PARK
26 ABREAST OF ANOTHER BICYCLE.

27 (4) AN INDIVIDUAL SHALL NOT PARK A BICYCLE ON A HIGHWAY OR

1 STREET IN SUCH A MANNER AS TO OBSTRUCT THE MOVEMENT OF A LEGALLY
2 PARKED MOTOR VEHICLE.

3 (5) EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION, AN
4 INDIVIDUAL PARKING A BICYCLE ON A HIGHWAY OR STREET SHALL DO SO IN
5 COMPLIANCE WITH THIS ACT AND ANY LOCAL ORDINANCE.