

HOUSE BILL No. 4982

September 15, 2011, Introduced by Rep. Franz and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 682 and 688 (MCL 257.682 and 257.688), section 682 as amended by 1990 PA 188 and section 688 as amended by 2006 PA 14, and by adding section 45b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 45B. "PUBLIC TRANSIT BUS" MEANS A BUS USED TO TRANSPORT**
2 **PASSENGERS THAT IS OPERATED BY A PUBLIC TRANSIT AGENCY OPERATING**
3 **UNDER ANY OF THE FOLLOWING:**

4 **(A) A COUNTY, CITY, TOWNSHIP, OR VILLAGE AS PROVIDED BY LAW OR**
5 **OTHER AUTHORITY INCORPORATED UNDER 1963 PA 55, MCL 124.351 TO**
6 **124.359.**

7 **(B) AN AUTHORITY INCORPORATED UNDER THE METROPOLITAN**
8 **TRANSPORTATION AUTHORITIES ACT OF 1967, 1967 PA 204, MCL 124.401 TO**
9 **124.426, OR THAT OPERATES A TRANSPORTATION SERVICE ACCORDING TO AN**
10 **INTERLOCAL AGREEMENT UNDER THE URBAN COOPERATION ACT OF 1967, 1967**

1 (EX SESS) PA 7, MCL 124.501 TO 124.512.

2 (C) A CONTRACT ENTERED INTO UNDER 1967 (EX SESS) PA 8, MCL
3 124.531 TO 124.536, OR 1951 PA 35, MCL 124.1 TO 124.13.

4 (D) AN AUTHORITY INCORPORATED UNDER THE PUBLIC TRANSPORTATION
5 AUTHORITY ACT, 1986 PA 196, MCL 124.451 TO 124.479, OR A NONPROFIT
6 CORPORATION ORGANIZED UNDER THE NONPROFIT CORPORATION ACT, 1982 PA
7 162, MCL 450.2101 TO 450.3192, THAT PROVIDES TRANSPORTATION
8 SERVICES.

9 (E) AN AUTHORITY FINANCING PUBLIC IMPROVEMENTS TO
10 TRANSPORTATION SYSTEMS UNDER THE REVENUE BOND ACT OF 1933, 1933 PA
11 94, MCL 141.101 TO 141.140.

12 Sec. 682. (1) The driver of a vehicle overtaking or meeting a
13 school bus **OR PUBLIC TRANSIT BUS EQUIPPED UNDER SECTION 688(4)**
14 ~~which~~**THAT** has stopped and is displaying 2 alternately flashing red
15 lights located at the same level shall bring the vehicle to a full
16 stop not less than 20 feet from the school bus **OR PUBLIC TRANSIT**
17 **BUS** and shall not proceed until the school bus **OR PUBLIC TRANSIT**
18 **BUS** resumes motion or the visual signals are no longer actuated. At
19 an intersection where traffic is controlled by an officer or a
20 traffic stop-and-go signal a vehicle need not be brought to a full
21 stop before passing a stopped school bus **OR PUBLIC TRANSIT BUS**
22 **EQUIPPED UNDER SECTION 688(4)**, but may proceed past the school bus
23 **OR PUBLIC TRANSIT BUS** at a speed not greater than is reasonable and
24 proper but not greater than 10 miles an hour and with due caution
25 for the safety of passengers being received or discharged from the
26 school bus **OR PUBLIC TRANSIT BUS**. The driver of a vehicle who fails
27 to stop for a school bus **OR PUBLIC TRANSIT BUS EQUIPPED UNDER**

1 **SECTION 688(4)** as required by this subsection, who passes a school
2 bus **OR PUBLIC TRANSIT BUS EQUIPPED UNDER SECTION 688(4)** in
3 violation of this subsection, or who fails to stop for a school bus
4 **OR PUBLIC TRANSIT BUS EQUIPPED UNDER SECTION 688(4)** in violation of
5 an ordinance that complies with this subsection, is responsible for
6 a civil infraction.

7 (2) The driver of a vehicle upon a highway which has been
8 divided into 2 roadways by leaving an intervening space, or by a
9 physical barrier, or clearly indicated dividing sections so
10 constructed as to impede vehicular traffic, need not stop upon
11 meeting a school bus **OR PUBLIC TRANSIT BUS EQUIPPED UNDER SECTION**
12 **688(4)** ~~which~~ **THAT** has stopped across the dividing space, barrier,
13 or section.

14 (3) In a proceeding for a violation of subsection (1), proof
15 that the ~~particular~~ vehicle described in the citation was in
16 violation of subsection (1) ~~, together with proof~~ **AND** that the
17 defendant named in the citation was, at the time of the violation,
18 the registered owner of the vehicle, ~~shall constitute~~ **CREATES A**
19 **PRESUMPTION** in evidence ~~a presumption~~ that the registered owner of
20 the vehicle was the driver of the vehicle at the time of the
21 violation.

22 (4) In addition to the civil fine and costs provided for a
23 civil infraction under section 907, the judge, district court
24 referee, or district court magistrate may order ~~a person~~ **AN**
25 **INDIVIDUAL** who violates this section to perform not to exceed 100
26 hours of community service at a school.

27 Sec. 688. (1) In addition to other equipment required in this

1 chapter, the following vehicles shall be equipped as provided in
2 this section under the conditions stated in section 687:

3 (a) On every bus or truck, whatever its size, ~~there shall be~~
4 on the rear, 2 red reflectors, 1 on each side, and 1 red or amber
5 stop light.

6 (b) On every bus or truck 80 inches or more in overall width,
7 in addition to the requirements in subdivision (a), the following:

8 (i) On the front, 2 clearance lamps, 1 at each side.

9 (ii) On the rear, 2 clearance lamps, 1 at each side.

10 (iii) On each side, 2 side marker lamps, 1 at or near the front
11 and 1 at or near the rear.

12 (iv) On each side, 2 reflectors, 1 at or near the front and 1
13 at or near the rear.

14 (v) Three identification lamps, mounted on the vertical
15 centerline of the vehicle or the vertical centerline of the cab
16 where different from the centerline of the vehicle, except that,
17 where the cab is not more than 42 inches wide at the front
18 roofline, a single lamp at the center of the cab ~~shall be~~
19 ~~considered to comply~~ **COMPLIES** with the requirements for
20 identification lamps. The identification lamps or their mounts
21 shall not extend below the top of the vehicle windshield.

22 (c) On every truck tractor, the following:

23 (i) On the front, 2 clearance lamps, 1 at each side.

24 (ii) On the rear, 1 stop light.

25 (d) On every trailer, pickup camper, or semitrailer having a
26 gross weight in excess of 3,000 pounds, the following:

27 (i) On the front, 2 clearance lamps, 1 at each side.

1 (ii) On each side, 2 side marker lamps, 1 at or near the front
2 and 1 at or near the rear.

3 (iii) On each side, 2 reflectors, 1 at or near the front and 1
4 at or near the rear.

5 (iv) On the rear, 2 clearance lamps, 1 at each side, also 2
6 reflectors, 1 at each side, and 1 stop light.

7 (e) On every poletrailer, the following:

8 (i) On each side, 1 side marker lamp and 1 clearance lamp,
9 which may be in combination, to show to the front, side, or rear.

10 (ii) On the rear of the poletrailer or load, 2 reflectors, 1 on
11 each side.

12 (f) On every trailer, pickup camper, or semitrailer weighing
13 3,000 pounds gross or less, on the rear, 2 reflectors, 1 on each
14 side. ~~if~~ **IF** any trailer or semitrailer is so loaded or is of such
15 dimensions as to obscure the stop light on the towing vehicle, then
16 ~~such vehicle~~ **THE TRAILER OR SEMITRAILER** shall also be equipped with
17 1 stop light.

18 (g) Subject to subsection (3), when operated on the highway,
19 **ON** every vehicle ~~which~~ **THAT** has a maximum potential speed of 25
20 miles an hour, implement of husbandry, farm tractor, or special
21 mobile equipment, ~~shall be identified with a~~ reflective device as
22 follows:

23 (i) An equilateral triangle in shape, at least 16 inches wide
24 at the base and at least 14 inches in height, ~~with~~ a dark red
25 border ~~at~~ at least 1-3/4 inches wide of highly reflective beaded
26 material.

27 (ii) A center triangle, at least 12-1/4 inches on each side, of

1 yellow-orange fluorescent material.

2 (2) ~~The~~ **A** device described in ~~subdivision (g)~~ **SUBSECTION**
3 **(1) (G)** shall be mounted on the rear of the vehicle, broad base
4 down, not less than 3 feet nor more than 5 feet above the ground
5 and as near the center of the vehicle as possible. The use of this
6 reflective device is restricted to ~~use on~~ slow moving vehicles
7 specified in this section, and use of such reflective device on any
8 other type of vehicle or stationary object on the highway is
9 prohibited. On the rear, at each side, red reflectors or
10 reflectorized material **SHALL BE** visible from all distances within
11 500 to 50 feet to the rear when directly in front of lawful upper
12 beams of headlamps.

13 (3) An implement of husbandry manufactured on or after January
14 1, 2007 shall comply with section 684a.

15 (4) **A PUBLIC TRANSIT BUS MAY, BUT IS NOT REQUIRED TO, BE**
16 **EQUIPPED WITH SIGNAL LIGHTS THAT SATISFY THE REQUIREMENTS OF**
17 **SECTION 19 OF THE PUPIL TRANSPORTATION ACT, 1990 PA 187, MCL**
18 **257.1819, AND A STOP SIGNAL ARM AND OTHER SAFETY IMPLEMENTS AS**
19 **REQUIRED FOR SCHOOL BUSES BY 49 CFR PART 571.**