

# HOUSE BILL No. 5848

September 11, 2012, Introduced by Reps. Shirkey, Olson, Somerville, Walsh and Hooker and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending section 611 (MCL 257.611).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 611. (1) The driver of a vehicle or operator of a  
2 streetcar shall not disobey the instructions of a traffic control  
3 device placed in accordance with this chapter unless at the time  
4 otherwise directed by a police officer, **OR AS PROVIDED IN**  
5 **SUBSECTION (3).**

6           (2) The driver of a vehicle shall not, for the purpose of  
7 avoiding obedience to a traffic control device placed in accordance  
8 with this chapter, drive upon or through private property, or upon  
9 or through public property ~~which~~**THAT** is not a street or highway.

10           (3) **THE DRIVER OF A BICYCLE, MOTORCYCLE, MOPED, OR 3-WHEELED**

1 VEHICLE MAY PROCEED THROUGH THE STOP SIGNAL OF AN AUTOMATED  
2 STOPLIGHT IF, AFTER 1 FULL CYCLE OF THE AUTOMATED STOPLIGHT AFTER  
3 MAKING THE STOP, OR AFTER 60 SECONDS IF THE AUTOMATED STOPLIGHT IS  
4 NOT CYCLING OR THE DRIVER IS UNABLE TO DETERMINE WHETHER THE  
5 AUTOMATED STOPLIGHT IS CYCLING, THE AUTOMATED STOPLIGHT FAILS TO  
6 DETECT THE PRESENCE OF THE BICYCLE, MOTORCYCLE, MOPED, OR 3-WHEELED  
7 VEHICLE FOR THE PURPOSES OF MAKING A SIGNAL CHANGE. THE DRIVER OF A  
8 BICYCLE, MOTORCYCLE, MOPED, OR 3-WHEELED VEHICLE PROCEEDING THROUGH  
9 A STOP SIGNAL IN COMPLIANCE WITH THIS SECTION SHALL NEVERTHELESS  
10 YIELD THE RIGHT-OF-WAY TO OTHER BICYCLES OR VEHICLES IN THE MANNER  
11 REQUIRED BY THE STOP SIGNAL. AS USED IN THIS SUBSECTION, "AUTOMATED  
12 STOPLIGHT" MEANS A STOPLIGHT THAT USES INDUCTIVE LOOP SENSORS OR  
13 OTHER AUTOMATED TECHNOLOGY TO DETECT THE PRESENCE OF VEHICLES FOR  
14 PURPOSES OF REGULATING TRAFFIC FLOW.

15 (4) IN A PROCEEDING FOR A VIOLATION OF THIS SECTION, THERE IS  
16 A PRESUMPTION THAT AN AUTOMATED STOPLIGHT HAS FAILED TO DETECT A  
17 BICYCLE, MOTORCYCLE, MOPED, OR 3-WHEELED VEHICLE THAT PROCEEDS  
18 THROUGH A STOP SIGNAL AT AN AUTOMATED STOPLIGHT. A PRESUMPTION  
19 UNDER THIS SUBSECTION MAY BE REBUTTED BY TESTIMONY OF A LAW  
20 ENFORCEMENT OFFICER THAT HE OR SHE WITNESSED THE BICYCLE,  
21 MOTORCYCLE, MOPED, OR 3-WHEELED VEHICLE PROCEED THROUGH THE STOP  
22 SIGNAL BEFORE COMPLETION OF 1 FULL CYCLE OF THE AUTOMATED STOPLIGHT  
23 OR 60 SECONDS AFTER MAKING ITS STOP.

24 (5) ~~(3)~~—A person who violates this section is responsible for  
25 a civil infraction.