

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 4423**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 627 (MCL 257.627), as amended by 2012 PA 252;
and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 627. (1) A person operating a vehicle on a highway shall
2 operate that vehicle at a careful and prudent speed not greater
3 than nor less than is reasonable and proper, having due regard to
4 the traffic, surface, and width of the highway and of any other
5 condition ~~then~~-existing **AT THE TIME**. A person shall not operate a
6 vehicle upon a highway at a speed greater than that which will
7 permit a stop within the assured, clear distance ahead. **A VIOLATION**
8 **OF THIS SUBSECTION SHALL BE KNOWN AND MAY BE REFERRED TO AS A**
9 **VIOLATION OF THE BASIC SPEED LAW OR "VBSL".**

1 (2) ~~Except in those instances where a lower speed is specified~~
2 ~~in this chapter or the speed is unsafe under~~ **EXCEPT AS PROVIDED IN**
3 subsection (1), it is ~~prima facie~~ lawful for the operator of a
4 vehicle to operate that vehicle **ON A HIGHWAY** at a speed not
5 exceeding the following: ~~, except when this speed would be unsafe.~~

6 **(A) 15 MILES PER HOUR ON A HIGHWAY SEGMENT WITHIN THE**
7 **BOUNDARIES OF A MOBILE HOME PARK, AS THAT TERM IS DEFINED IN**
8 **SECTION 2 OF THE MOBILE HOME COMMISSION ACT, 1987 PA 96, MCL**
9 **125.2302.**

10 **(B) ~~(a)~~ 25 miles per hour on all highways in** **A HIGHWAY SEGMENT**
11 **WITHIN** a business district.

12 **(C) ~~(b)~~ 25 miles per hour in** **ON A HIGHWAY SEGMENT WITHIN THE**
13 **BOUNDARIES OF A** public parks ~~unless a different speed is fixed and~~
14 ~~duly posted.~~ **PARK. A LOCAL AUTHORITY MAY DECREASE THE SPEED LIMIT TO**
15 **NOT LESS THAN 15 MILES PER HOUR IN A PUBLIC PARK UNDER ITS**
16 **JURISDICTION.**

17 **(D) ~~(c)~~ 25 miles per hour on all highways or parts of highways**
18 ~~within the boundaries of land platted under the land division act,~~
19 ~~1967 PA 288, MCL 560.101 to 560.293, or the condominium act, 1978~~
20 ~~PA 59, MCL 559.101 to 559.276, unless a different speed is fixed~~
21 ~~and posted.~~ **A HIGHWAY SEGMENT WITHIN THE BOUNDARIES OF A RESIDENTIAL**
22 **SUBDIVISION, INCLUDING A CONDOMINIUM SUBDIVISION, CONSISTING OF A**
23 **SYSTEM OF INTERCONNECTED HIGHWAYS WITH NO THROUGH HIGHWAYS AND A**
24 **LIMITED NUMBER OF DEDICATED HIGHWAYS THAT SERVE AS ENTRANCES TO AND**
25 **EXITS FROM THE SUBDIVISION.**

26 **(E) ~~(d)~~ 25 miles per hour on a highway segment with 60 or more**
27 **vehicular access points within 1/2 mile.**

1 (F) 30 MILES PER HOUR ON A HIGHWAY SEGMENT WITH NOT LESS THAN
2 50 VEHICULAR ACCESS POINTS BUT NO MORE THAN 59 VEHICULAR ACCESS
3 POINTS WITHIN 1/2 MILE.

4 (G) ~~(e)~~ 35 miles per hour on a highway segment with not less
5 than 45 vehicular access points but no more than ~~59~~ 49 vehicular
6 access points within 1/2 mile.

7 (H) 40 MILES PER HOUR ON A HIGHWAY SEGMENT WITH NOT LESS THAN
8 40 VEHICULAR ACCESS POINTS BUT NO MORE THAN 44 VEHICULAR ACCESS
9 POINTS WITHIN 1/2 MILE.

10 (I) ~~(f)~~ 45 miles per hour on a highway segment with not less
11 than 30 vehicular access points but no more than ~~44~~ 39 vehicular
12 access points within 1/2 mile.

13 ~~(3) It is prima facie unlawful for a person to exceed the~~
14 ~~speed limits prescribed in subsection (2), except as provided in~~
15 ~~section 629.~~

16 ~~(4) A person operating a vehicle in a mobile home park as~~
17 ~~defined in section 2 of the mobile home commission act, 1987 PA 96,~~
18 ~~MCL 125.2302, shall operate that vehicle at a careful and prudent~~
19 ~~speed, not greater than a speed that is reasonable and proper,~~
20 ~~having due regard for the traffic, surface, width of the roadway,~~
21 ~~and all other conditions existing, and not greater than a speed~~
22 ~~that permits a stop within the assured clear distance ahead. It is~~
23 ~~prima facie unlawful for the operator of a vehicle to operate that~~
24 ~~vehicle at a speed exceeding 15 miles an hour in a mobile home park~~
25 ~~as defined in section 2 of the mobile home commission act, 1987 PA~~
26 ~~96, MCL 125.2302.~~

27 ~~(5) A person operating a passenger vehicle drawing another~~

1 ~~vehicle or trailer shall not exceed the posted speed limit.~~

2 (3) ~~(6) Except as otherwise provided in this subsection, a~~
3 person operating a truck with a gross weight of 10,000 pounds or
4 more, a truck-tractor, a truck-tractor with a semi-trailer or
5 trailer, or a combination of these vehicles ~~shall not exceed a~~
6 ~~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~~

10 (4) **WHERE THE POSTED SPEED LIMIT IS GREATER THAN 65 MILES PER**
11 **hour, A** person operating a school bus, a truck **WITH A GROSS WEIGHT**
12 **OF 10,000 POUNDS OR MORE**, a truck-tractor, or a truck-tractor with
13 a semi-trailer or trailer ~~described in this subsection~~ **OR A**
14 **COMBINATION OF THESE VEHICLES** shall not exceed a speed of ~~60~~ **65**
15 miles per hour on a **LIMITED ACCESS** freeway ~~if the maximum speed~~
16 ~~limit on that freeway is 70 miles per hour. A person operating a~~
17 ~~modified agriculture vehicle shall not exceed a speed of 45 miles~~
18 ~~per hour.~~ **OR A STATE TRUNK LINE HIGHWAY.**

19 ~~—— (7) Except as otherwise provided in subsection (6), a person~~
20 ~~operating a school bus shall not exceed the speed of 55 miles per~~
21 ~~hour.~~

22 ~~—— (8) The maximum rates of speeds allowed under this section are~~
23 ~~subject to the maximum rate established under section 629b.~~

24 (5) **ALL OF THE FOLLOWING APPLY TO THE SPEED LIMITS DESCRIBED**
25 **IN SUBSECTION (2) :**

26 (A) **A HIGHWAY SEGMENT ADJACENT TO OR LYING BETWEEN 2 OR MORE**
27 **AREAS DESCRIBED IN SUBSECTION (2) (A), (B), (C), OR (D) SHALL NOT BE**

1 CONSIDERED TO BE WITHIN THE BOUNDARIES OF THOSE AREAS.

2 (B) A HIGHWAY SEGMENT OF MORE THAN 1/2 MILE IN LENGTH WITH A
3 CONSISTENT DENSITY OF VEHICULAR ACCESS POINTS EQUAL TO THE NUMBER
4 OF VEHICULAR ACCESS POINTS DESCRIBED IN SUBSECTION (2) (E), (F),
5 (G), (H), OR (I) SHALL BE POSTED AT THE SPEED LIMIT SPECIFIED IN
6 THE ADJOINING SEGMENT. A SEPARATE DETERMINATION SHALL BE MADE FOR
7 EACH ADJOINING HIGHWAY SEGMENT WHERE VEHICULAR ACCESS POINT DENSITY
8 IS DIFFERENT.

9 (C) A SPEED LIMIT MAY BE POSTED ON HIGHWAYS LESS THAN 1/2 MILE
10 IN LENGTH BY PRORATING IN 1/10 MILE SEGMENTS THE VEHICULAR ACCESS
11 POINT DENSITY DESCRIBED IN SUBSECTION (2) (E), (F), (G), (H), OR
12 (I).

13 (6) ~~(9)~~—A person operating a vehicle on a highway, when
14 entering and passing through a work zone described in section
15 79d(a) where a normal lane or part of the lane of traffic has been
16 closed due to highway construction, maintenance, or surveying
17 activities, shall not exceed a speed of 45 miles per hour unless a
18 different speed limit is determined for that work zone by the state
19 transportation department, a county road commission, or a local
20 authority, based on accepted engineering practice. The state
21 transportation department, a county road commission, or a local
22 authority shall post speed limit signs in each work zone described
23 in section 79d(a) that indicate the speed limit in that work zone
24 and shall identify that work zone with any other traffic control
25 devices necessary to conform to the Michigan manual of uniform
26 traffic control devices. A person shall not exceed a speed limit
27 established under this section or a speed limit established under

1 section 628. ~~or 629.~~

2 (7) THE STATE TRANSPORTATION DEPARTMENT, A COUNTY ROAD
3 COMMISSION, OR A LOCAL AUTHORITY SHALL DECREASE THE SPEED LIMIT IN
4 A HOSPITAL HIGHWAY ZONE BY UP TO 10 MILES PER HOUR UPON REQUEST OF
5 A HOSPITAL LOCATED WITHIN THAT HOSPITAL HIGHWAY ZONE. THE STATE
6 TRANSPORTATION DEPARTMENT, COUNTY ROAD COMMISSION, OR LOCAL
7 AUTHORITY MAY DECREASE THE SPEED LIMIT IN A HOSPITAL HIGHWAY ZONE
8 BY MORE THAN 10 MILES PER HOUR IF THE DECREASE IS SUPPORTED BY AN
9 ENGINEERING AND SAFETY STUDY. THE STATE TRANSPORTATION DEPARTMENT,
10 COUNTY ROAD COMMISSION, OR LOCAL AUTHORITY SHALL POST SPEED LIMIT
11 SIGNS IN A HOSPITAL HIGHWAY ZONE THAT INDICATE THE SPEED LIMIT IN
12 THAT HOSPITAL HIGHWAY ZONE AND SHALL IDENTIFY THAT HOSPITAL HIGHWAY
13 ZONE WITH ANY OTHER TRAFFIC CONTROL DEVICES NECESSARY TO CONFORM TO
14 THE MICHIGAN MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES. IF A CHANGE
15 IN A SIGN, SIGNAL, OR DEVICE, IS NECESSITATED BY A SPEED LIMIT
16 DECREASE DESCRIBED IN THIS SUBSECTION, THE HOSPITAL REQUESTING THE
17 DECREASE SHALL PAY THE COST OF DOING SO. AS USED IN THIS
18 SUBSECTION, "HOSPITAL HIGHWAY ZONE" MEANS A PORTION OF STATE TRUNK
19 LINE HIGHWAY MAINTAINED BY THE STATE TRANSPORTATION DEPARTMENT THAT
20 HAS A POSTED SPEED LIMIT OF AT LEAST 50 MILES PER HOUR AND HAS 2 OR
21 FEWER LANES FOR TRAVEL IN THE SAME DIRECTION, TRAVERSES ALONG
22 PROPERTY OWNED BY A HOSPITAL, CONTAINS AN INGRESS AND EGRESS POINT
23 FROM HOSPITAL PROPERTY, AND EXTENDS NOT MORE THAN 1,000 FEET BEYOND
24 THE BOUNDARY LINES OF HOSPITAL PROPERTY IN BOTH DIRECTIONS IN A
25 MUNICIPALITY.

26 (8) SUBJECT TO SUBSECTION (17), THE MAXIMUM SPEED LIMIT ON ALL
27 LIMITED ACCESS FREEWAYS UPON WHICH A SPEED LIMIT IS NOT OTHERWISE

1 FIXED UNDER THIS ACT IS 70 MILES PER HOUR, WHICH SHALL BE KNOWN AS
2 THE "LIMITED ACCESS FREEWAY GENERAL SPEED LIMIT". THE MINIMUM SPEED
3 LIMIT ON ALL LIMITED ACCESS FREEWAYS UPON WHICH A MINIMUM SPEED
4 LIMIT IS NOT OTHERWISE FIXED UNDER THIS ACT IS 55 MILES PER HOUR.

5 (9) SUBJECT TO SUBSECTION (17), THE SPEED LIMIT ON ALL TRUNK
6 LINE HIGHWAYS AND ALL COUNTY HIGHWAYS UPON WHICH A SPEED LIMIT IS
7 NOT OTHERWISE FIXED UNDER THIS ACT IS 55 MILES PER HOUR, WHICH
8 SHALL BE KNOWN AS THE "GENERAL SPEED LIMIT".

9 (10) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE
10 SPEED LIMIT ON ALL COUNTY HIGHWAYS WITH A GRAVEL OR UNIMPROVED
11 SURFACE UPON WHICH A SPEED LIMIT IS NOT OTHERWISE FIXED UNDER THIS
12 ACT IS 55 MILES PER HOUR, WHICH SHALL BE KNOWN AS THE "GENERAL
13 GRAVEL ROAD SPEED LIMIT". EXCEPT AS OTHERWISE PROVIDED IN THIS
14 SUBSECTION, THE SPEED LIMIT ON A COUNTY HIGHWAY WITH A GRAVEL OR
15 UNIMPROVED SURFACE IN A COUNTY WITH A POPULATION OF 1,000,000 OR
16 MORE IS 45 MILES PER HOUR. UPON REQUEST OF A MUNICIPALITY LOCATED
17 WITHIN A COUNTY WITH A POPULATION OF 1,000,000 OR MORE, THE COUNTY
18 ROAD COMMISSION IN CONJUNCTION WITH THE DEPARTMENT OF STATE POLICE
19 AND THE REQUESTING MUNICIPALITY MAY CONDUCT A SPEED STUDY ON THE
20 FASTEST PORTION OF THE ROAD SEGMENT IN QUESTION. A SPEED STUDY
21 CONDUCTED UNDER THIS SUBSECTION SHALL BE COMPLETED BETWEEN 3 AND 14
22 DAYS AFTER A FULL GRAVEL ROAD MAINTENANCE PROTOCOL HAS BEEN
23 PERFORMED ON THE ROAD SEGMENT WHILE THE ROAD SURFACE FOR THAT
24 SEGMENT IS IN OPTIMAL CONDITION FOR VEHICULAR TRAVEL. A FULL GRAVEL
25 ROAD MAINTENANCE PROTOCOL DESCRIBED IN THIS SUBSECTION SHALL
26 INCLUDE ROAD GRADING, THE APPLICATION OF A DUST ABATEMENT CHEMICAL
27 TREATMENT, AND ANY OTHER NECESSARY MEASURES. FOLLOWING A SPEED

1 STUDY CONDUCTED UNDER THIS SUBSECTION, THE SPEED LIMIT FOR THE ROAD
2 SEGMENT SHALL BE ESTABLISHED AT THE NEAREST MULTIPLE OF 5 MILES PER
3 HOUR TO THE EIGHTY-FIFTH PERCENTILE OF SPEED. THE REQUESTING
4 MUNICIPALITY SHALL PAY THE COST OF CONDUCTING THE SPEED STUDY, AND
5 IF A SIGN, SIGNAL, OR DEVICE IS ERECTED OR MAINTAINED, TAKEN DOWN,
6 OR REGULATED AS A RESULT OF A REQUEST BY A MUNICIPALITY UNDER THIS
7 SUBSECTION, THE MUNICIPALITY SHALL PAY THE COSTS OF DOING SO.

8 (11) A PUBLIC RECORD OF ALL TRAFFIC CONTROL ORDERS
9 ESTABLISHING STATUTORY SPEED LIMITS AUTHORIZED UNDER THIS SECTION
10 SHALL BE FILED WITH THE OFFICE OF THE CLERK OF THE COUNTY IN WHICH
11 THE COUNTY HIGHWAY IS LOCATED OR AT THE OFFICE OF THE CITY OR
12 VILLAGE CLERK OR ADMINISTRATIVE OFFICE OF THE AIRPORT, COLLEGE, OR
13 UNIVERSITY IN WHICH THE LOCAL HIGHWAY IS LOCATED, AND A CERTIFIED
14 COPY OF THE TRAFFIC CONTROL ORDER SHALL BE EVIDENCE IN EVERY COURT
15 OF THIS STATE OF THE AUTHORITY FOR THE ISSUANCE OF THAT TRAFFIC
16 CONTROL ORDER. THE PUBLIC RECORD FILED WITH THE COUNTY, CITY, OR
17 VILLAGE CLERK OR ADMINISTRATIVE OFFICE OF THE AIRPORT, COLLEGE, OR
18 UNIVERSITY SHALL NOT BE REQUIRED AS EVIDENCE OF AUTHORITY FOR
19 ISSUING A TRAFFIC CONTROL ORDER IN THE CASE OF SIGNS TEMPORARILY
20 ERECTED OR PLACED AT POINTS WHERE CONSTRUCTION, MAINTENANCE, OR
21 SURVEYING ACTIVITIES IS IN PROGRESS. A TRAFFIC AND ENGINEERING
22 INVESTIGATION IS NOT REQUIRED FOR A TRAFFIC CONTROL ORDER FOR A
23 SPEED LIMIT ESTABLISHED UNDER SUBSECTION (2). A TRAFFIC CONTROL
24 ORDER SHALL, AT A MINIMUM, CONTAIN ALL OF THE FOLLOWING
25 INFORMATION:

26 (A) THE NAME OF THE ROAD.

27 (B) THE BOUNDARIES OF THE SEGMENT OF THE ROAD ON WHICH THE

1 SPEED LIMIT IS IN EFFECT.

2 (C) THE BASIS UPON WHICH THE SPEED LIMIT IS IN EFFECT.

3 (D) THE SECTION OF LAW, INCLUDING A REFERENCE TO THE
4 SUBSECTION, UNDER WHICH THE SPEED LIMIT IS ESTABLISHED.

5 (12) ~~(10) Subject to subsections (1) and (2) (c),~~ EXCEPT FOR
6 SPEED LIMITS DESCRIBED IN SUBSECTIONS (1), (2) (D), AND (9), speed
7 limits established under this section are not valid unless properly
8 posted. In the absence of a properly posted sign, the speed limit
9 in effect shall be ~~IS~~ the general ~~BASIC~~ speed limit under section
10 ~~628(1)~~. LAW DESCRIBED IN SUBSECTION (1). SPEED LIMITS ESTABLISHED
11 UNDER SUBSECTION (2) (B), (E), (F), (G), (H), AND (I) ARE NOT VALID
12 UNLESS A TRAFFIC CONTROL ORDER IS FILED AS DESCRIBED IN SUBSECTION
13 (11).

14 (13) ~~(11)~~ Nothing in this section prevents the establishment
15 of an ~~absolute~~ A MODIFIED speed limit under ~~AFTER A SPEED STUDY AS~~
16 DESCRIBED IN section 628. ~~Subject to subsection (1),~~ an ~~absolute~~ A
17 MODIFIED speed limit established under section 628 supersedes a
18 ~~prima facie~~ speed limit established under this section.

19 ~~(12) Nothing in this section shall be construed as~~
20 ~~justification to deny a traffic and engineering investigation.~~

21 ~~(13) As used in this section, "vehicular access point" means a~~
22 ~~driveway or intersecting roadway.~~

23 (14) ALL SIGNS ERECTED OR PLACED UNDER THIS SECTION SHALL
24 CONFORM TO THE MICHIGAN MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.

25 (15) IF UPON INVESTIGATION THE STATE TRANSPORTATION DEPARTMENT
26 OR COUNTY ROAD COMMISSION AND THE DEPARTMENT OF STATE POLICE
27 DETERMINE THAT IT IS IN THE INTEREST OF PUBLIC SAFETY, THEY MAY

1 ORDER CITY, VILLAGE, AIRPORT, COLLEGE, UNIVERSITY, AND TOWNSHIP
2 OFFICIALS TO ERECT AND MAINTAIN, TAKE DOWN, OR REGULATE SPEED LIMIT
3 SIGNS, SIGNALS, AND DEVICES AS DIRECTED. IN DEFAULT OF AN ORDER,
4 THE STATE TRANSPORTATION DEPARTMENT OR COUNTY ROAD COMMISSION MAY
5 CAUSE DESIGNATED SIGNS, SIGNALS, AND DEVICES TO BE ERECTED AND
6 MAINTAINED, REMOVED, OR REGULATED IN THE MANNER PREVIOUSLY DIRECTED
7 AND PAY THE COSTS FOR DOING SO OUT OF THE DESIGNATED HIGHWAY FUND.

8 (16) ~~(14)~~—A person who violates A SPEED LIMIT ESTABLISHED
9 UNDER this section is responsible for a civil infraction.

10 (17) NO LATER THAN 1 YEAR AFTER THE EFFECTIVE DATE OF THE
11 AMENDATORY ACT THAT ADDED THIS SUBSECTION, THE STATE TRANSPORTATION
12 DEPARTMENT AND THE DEPARTMENT OF STATE POLICE SHALL INCREASE THE
13 SPEED LIMITS ON AT LEAST 600 MILES OF LIMITED ACCESS FREEWAY TO 75
14 MILES PER HOUR IF AN ENGINEERING AND SAFETY STUDY AND THE EIGHTY-
15 FIFTH PERCENTILE SPEED OF FREE-FLOWING TRAFFIC UNDER IDEAL
16 CONDITIONS OF THAT SECTION CONTAIN FINDINGS THAT THE SPEED LIMIT
17 MAY BE RAISED TO THAT SPEED, AND THE DEPARTMENT SHALL INCREASE THE
18 SPEED LIMIT OF 900 MILES OF TRUNK LINE HIGHWAY TO 65 MILES PER HOUR
19 IF AN ENGINEERING AND SAFETY STUDY AND THE EIGHTY-FIFTH PERCENTILE
20 SPEED OF FREE-FLOWING TRAFFIC UNDER IDEAL CONDITIONS OF THAT
21 SECTION CONTAIN FINDINGS THAT THE SPEED LIMIT MAY BE RAISED TO THAT
22 SPEED.

23 (18) AS USED IN THIS SECTION:

24 (A) "TRAFFIC CONTROL ORDER" MEANS A DOCUMENT FILED WITH THE
25 PROPER AUTHORITY THAT ESTABLISHES THE LEGAL AND ENFORCEABLE SPEED
26 LIMIT FOR THE HIGHWAY SEGMENT DESCRIBED IN THE DOCUMENT.

27 (B) "VEHICULAR ACCESS POINT" MEANS A DRIVEWAY OR INTERSECTING

1 **ROADWAY.**

2 Enacting section 1. Section 629 of the Michigan vehicle code,
3 1949 PA 300, MCL 257.629, is repealed.

4 Enacting section 2. This amendatory act does not take effect
5 unless all of the following bills of the 98th Legislature are
6 enacted into law:

7 (a) House Bill No. 4424.

8 (b) House Bill No. 4425.

9 (c) House Bill No. 4426.