

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"**.

10 (2) ~~Except in those instances where a lower speed is specified~~

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

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

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

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

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

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

27 **(F) 30 MILES PER HOUR ON A HIGHWAY SEGMENT WITH NOT LESS THAN**

1 50 VEHICULAR ACCESS POINTS BUT NO MORE THAN 59 VEHICULAR ACCESS
2 POINTS WITHIN 1/2 MILE.

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

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

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

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

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

26 ~~—— (5) A person operating a passenger vehicle drawing another~~
27 ~~vehicle or trailer shall not exceed the posted speed limit.~~

1 (3) ~~(6) Except as otherwise provided in this subsection, a~~ **A**
 2 person operating a truck with a gross weight of 10,000 pounds or
 3 more, a truck-tractor, a truck-tractor with a semi-trailer or
 4 trailer, or a combination of these vehicles ~~shall not exceed a~~
 5 ~~speed of 55 miles per hour on highways, streets, or freeways and~~
 6 shall not exceed a speed of 35 miles per hour during the period
 7 when reduced loadings are being enforced in accordance with this
 8 chapter. ~~However, a~~

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

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

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

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

25 (A) **A HIGHWAY SEGMENT ADJACENT TO OR LYING BETWEEN 2 OR MORE**
 26 **AREAS DESCRIBED IN SUBSECTION (2) (A), (B), (C), OR (D) SHALL NOT BE**
 27 **CONSIDERED TO BE WITHIN THE BOUNDARIES OF THOSE AREAS.**

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

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

12 (6) ~~(9)~~—A person operating a vehicle on a highway, when
13 entering and passing through a work zone described in section
14 79d(a) where a normal lane or part of the lane of traffic has been
15 closed due to highway construction, maintenance, or surveying
16 activities, shall not exceed a speed of 45 miles per hour unless a
17 different speed limit is determined for that work zone by the state
18 transportation department, a county road commission, or a local
19 authority, based on accepted engineering practice. The state
20 transportation department, a county road commission, or a local
21 authority shall post speed limit signs in each work zone described
22 in section 79d(a) that indicate the speed limit in that work zone
23 and shall identify that work zone with any other traffic control
24 devices necessary to conform to the Michigan manual of uniform
25 traffic control devices. A person shall not exceed a speed limit
26 established under this section or a speed limit established under
27 section 628. ~~or 629.~~

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

25 (8) SUBJECT TO SUBSECTION (17), THE MAXIMUM SPEED LIMIT ON ALL
26 LIMITED ACCESS FREEWAYS UPON WHICH A SPEED LIMIT IS NOT OTHERWISE
27 FIXED UNDER THIS ACT IS 70 MILES PER HOUR, WHICH SHALL BE KNOWN AS

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

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

8 (10) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, THE
9 SPEED LIMIT ON ALL COUNTY HIGHWAYS WITH A GRAVEL OR UNIMPROVED
10 SURFACE UPON WHICH A SPEED LIMIT IS NOT OTHERWISE FIXED UNDER THIS
11 ACT IS 55 MILES PER HOUR, WHICH SHALL BE KNOWN AS THE "GENERAL
12 GRAVEL ROAD SPEED LIMIT". UPON REQUEST OF A MUNICIPALITY LOCATED
13 WITHIN A COUNTY WITH A POPULATION OF 1,000,000 OR MORE, THE COUNTY
14 ROAD COMMISSION IN CONJUNCTION WITH THE REQUESTING MUNICIPALITY MAY
15 LOWER THE SPEED LIMIT TO 45 MILES PER HOUR ON THE REQUESTED ROAD
16 SEGMENT AND IF A SIGN, SIGNAL, OR DEVICE IS ERECTED OR MAINTAINED,
17 TAKEN DOWN, OR REGULATED AS A RESULT OF A REQUEST BY A MUNICIPALITY
18 FOR A SPEED LIMIT OF 45 MILES PER HOUR, THE MUNICIPALITY SHALL PAY
19 THE COSTS OF DOING SO. IF A MUNICIPALITY LOCATED WITHIN A COUNTY
20 WITH A POPULATION OF 1,000,000 OR MORE REQUESTS A SPEED DIFFERENT
21 THAN THE SPEED DESCRIBED IN THIS SUBSECTION, THE COUNTY ROAD
22 COMMISSION IN CONJUNCTION WITH THE DEPARTMENT OF STATE POLICE AND
23 THE REQUESTING MUNICIPALITY MAY CONDUCT A SPEED STUDY OF FREE-FLOW
24 TRAFFIC ON THE FASTEST PORTION OF THE ROAD SEGMENT IN QUESTION FOR
25 THE PURPOSE OF ESTABLISHING A MODIFIED SPEED LIMIT. A SPEED STUDY
26 CONDUCTED UNDER THIS SUBSECTION SHALL BE COMPLETED BETWEEN 3 AND 14
27 DAYS AFTER A FULL GRAVEL ROAD MAINTENANCE PROTOCOL HAS BEEN

1 PERFORMED ON THE ROAD SEGMENT. A FULL GRAVEL ROAD MAINTENANCE
2 PROTOCOL DESCRIBED IN THIS SUBSECTION SHALL INCLUDE ROAD GRADING
3 AND THE APPLICATION OF A DUST ABATEMENT CHEMICAL TREATMENT.
4 FOLLOWING A SPEED STUDY CONDUCTED UNDER THIS SUBSECTION, THE SPEED
5 LIMIT FOR THE ROAD SEGMENT SHALL BE ESTABLISHED AT THE NEAREST
6 MULTIPLE OF 5 MILES PER HOUR TO THE EIGHTY-FIFTH PERCENTILE OF
7 SPEED OF FREE-FLOW TRAFFIC UNDER IDEAL CONDITIONS FOR VEHICULAR
8 TRAFFIC, AND SHALL NOT BE SET BELOW THE FIFTIETH PERCENTILE SPEED
9 OF FREE-FLOW TRAFFIC UNDER IDEAL CONDITIONS FOR VEHICULAR TRAFFIC.
10 A SPEED STUDY CONDUCTED UNDER THIS SUBSECTION SHALL BE THE
11 RESPONSIBILITY OF THE DEPARTMENT OF STATE POLICE, AND IF A SIGN,
12 SIGNAL, OR DEVICE IS ERECTED OR MAINTAINED, TAKEN DOWN, OR
13 REGULATED AS A RESULT OF A REQUEST BY A MUNICIPALITY UNDER THIS
14 SUBSECTION, THE MUNICIPALITY SHALL PAY THE COSTS OF DOING SO.

15 (11) A PUBLIC RECORD OF ALL TRAFFIC CONTROL ORDERS
16 ESTABLISHING STATUTORY SPEED LIMITS AUTHORIZED UNDER THIS SECTION
17 SHALL BE FILED WITH THE OFFICE OF THE CLERK OF THE COUNTY IN WHICH
18 THE COUNTY HIGHWAY IS LOCATED OR AT THE OFFICE OF THE CITY OR
19 VILLAGE CLERK OR ADMINISTRATIVE OFFICE OF THE AIRPORT, COLLEGE, OR
20 UNIVERSITY IN WHICH THE LOCAL HIGHWAY IS LOCATED, AND A CERTIFIED
21 COPY OF THE TRAFFIC CONTROL ORDER SHALL BE EVIDENCE IN EVERY COURT
22 OF THIS STATE OF THE AUTHORITY FOR THE ISSUANCE OF THAT TRAFFIC
23 CONTROL ORDER. THE PUBLIC RECORD FILED WITH THE COUNTY, CITY, OR
24 VILLAGE CLERK OR ADMINISTRATIVE OFFICE OF THE AIRPORT, COLLEGE, OR
25 UNIVERSITY SHALL NOT BE REQUIRED AS EVIDENCE OF AUTHORITY FOR
26 ISSUING A TRAFFIC CONTROL ORDER IN THE CASE OF SIGNS TEMPORARILY
27 ERECTED OR PLACED AT POINTS WHERE CONSTRUCTION, MAINTENANCE, OR

1 SURVEYING ACTIVITIES IS IN PROGRESS. A TRAFFIC AND ENGINEERING
 2 INVESTIGATION IS NOT REQUIRED FOR A TRAFFIC CONTROL ORDER FOR A
 3 SPEED LIMIT ESTABLISHED UNDER SUBSECTION (2). A TRAFFIC CONTROL
 4 ORDER SHALL, AT A MINIMUM, CONTAIN ALL OF THE FOLLOWING
 5 INFORMATION:

6 (A) THE NAME OF THE ROAD.

7 (B) THE BOUNDARIES OF THE SEGMENT OF THE ROAD ON WHICH THE
 8 SPEED LIMIT IS IN EFFECT.

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

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

12 (12) ~~(10) Subject to subsections (1) and (2) (c),~~ EXCEPT FOR
 13 SPEED LIMITS DESCRIBED IN SUBSECTIONS (1), (2) (D), AND (9), speed
 14 limits established under this section are not valid unless properly
 15 posted. In the absence of a properly posted sign, the speed limit
 16 in effect shall be IS the general BASIC speed limit under section
 17 ~~628(1)~~ LAW DESCRIBED IN SUBSECTION (1). SPEED LIMITS ESTABLISHED
 18 UNDER SUBSECTION (2) (B), (E), (F), (G), (H), AND (I) ARE NOT VALID
 19 UNLESS A TRAFFIC CONTROL ORDER IS FILED AS DESCRIBED IN SUBSECTION
 20 (11).

21 (13) ~~(11)~~ Nothing in this section prevents the establishment
 22 of an absolute A MODIFIED speed limit under AFTER A SPEED STUDY AS
 23 DESCRIBED IN section 628. Subject to subsection (1), an absolute A
 24 MODIFIED speed limit established under section 628 supersedes a
 25 prima facie speed limit established under this section.

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

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

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

5 (15) IF UPON INVESTIGATION THE STATE TRANSPORTATION DEPARTMENT
6 OR COUNTY ROAD COMMISSION AND THE DEPARTMENT OF STATE POLICE
7 DETERMINE THAT IT IS IN THE INTEREST OF PUBLIC SAFETY, THEY MAY
8 ORDER CITY, VILLAGE, AIRPORT, COLLEGE, UNIVERSITY, AND TOWNSHIP
9 OFFICIALS TO ERECT AND MAINTAIN, TAKE DOWN, OR REGULATE SPEED LIMIT
10 SIGNS, SIGNALS, AND DEVICES AS DIRECTED. IN DEFAULT OF AN ORDER,
11 THE STATE TRANSPORTATION DEPARTMENT OR COUNTY ROAD COMMISSION MAY
12 CAUSE DESIGNATED SIGNS, SIGNALS, AND DEVICES TO BE ERECTED AND
13 MAINTAINED, REMOVED, OR REGULATED IN THE MANNER PREVIOUSLY DIRECTED
14 AND PAY THE COSTS FOR DOING SO OUT OF THE DESIGNATED HIGHWAY FUND.
15 AN INVESTIGATION, INCLUDING A SPEED STUDY, CONDUCTED UNDER THIS
16 SUBSECTION SHALL BE THE RESPONSIBILITY OF THE DEPARTMENT OF STATE
17 POLICE.

18 (16) ~~(14)~~A person who violates A SPEED LIMIT ESTABLISHED
19 UNDER this section is responsible for a civil infraction.

20 (17) NO LATER THAN 1 YEAR AFTER THE EFFECTIVE DATE OF THE
21 AMENDATORY ACT THAT ADDED THIS SUBSECTION, THE STATE TRANSPORTATION
22 DEPARTMENT AND THE DEPARTMENT OF STATE POLICE SHALL INCREASE THE
23 SPEED LIMITS ON AT LEAST 600 MILES OF LIMITED ACCESS FREEWAY TO 75
24 MILES PER HOUR IF AN ENGINEERING AND SAFETY STUDY AND THE EIGHTY-
25 FIFTH PERCENTILE SPEED OF FREE-FLOWING TRAFFIC UNDER IDEAL
26 CONDITIONS OF THAT SECTION CONTAIN FINDINGS THAT THE SPEED LIMIT
27 MAY BE RAISED TO THAT SPEED, AND THE DEPARTMENT SHALL INCREASE THE

1 SPEED LIMIT OF 900 MILES OF TRUNK LINE HIGHWAY TO 65 MILES PER HOUR
2 IF AN ENGINEERING AND SAFETY STUDY AND THE EIGHTY-FIFTH PERCENTILE
3 SPEED OF FREE-FLOWING TRAFFIC UNDER IDEAL CONDITIONS OF THAT
4 SECTION CONTAIN FINDINGS THAT THE SPEED LIMIT MAY BE RAISED TO THAT
5 SPEED.

6 (18) AS USED IN THIS SECTION:

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

10 (B) "VEHICULAR ACCESS POINT" MEANS A DRIVEWAY OR INTERSECTING
11 ROADWAY.

12 Enacting section 1. Section 629 of the Michigan vehicle code,
13 1949 PA 300, MCL 257.629, is repealed.

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

17 (a) House Bill No. 4424.

18 (b) House Bill No. 4425.

19 (c) House Bill No. 4426.