

Act No. 446
Public Acts of 2016
Approved by the Governor
January 4, 2017
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**STATE OF MICHIGAN
98TH LEGISLATURE
REGULAR SESSION OF 2016**

Introduced by Rep. Jacobsen

ENROLLED HOUSE BILL No. 4424

AN ACT to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 627a and 633 (MCL 257.627a and 257.633), section 627a as amended by 2005 PA 88.

The People of the State of Michigan enact:

Sec. 627a. (1) As used in this section:

(a) “Regularly scheduled school session” means that part of a day scheduled for student instruction until final dismissal of the student body for that day.

(b) “School” means an educational institution operated by a local school district or by a private, denominational, or parochial organization. School does not include either of the following:

(i) An educational institution that the department of education determines has its entire student population in residence at the institution.

(ii) An educational institution to which all students are transported in motor vehicles.

(c) “School zone” means school property on which a school building is located and the adjacent property. A school zone extends not more than 1,000 feet from the school property line in any direction. If 2 or more schools occupy the same property or adjacent properties, 1 of the following applies, as applicable:

(i) If the hours of instruction at the schools are the same, then a single combined school zone shall be established.

(ii) If the hours of instruction at the schools are different, overlapping school zones shall be established.

(2) A school zone speed limit on a highway segment in a school zone, which, except as otherwise provided in this subsection, shall be in force not more than 30 minutes before the first regularly scheduled school session, rounded to the nearest multiple of 5 minutes, until school commences, and from dismissal until not more than 30 minutes after the last regularly scheduled school session, rounded to the nearest multiple of 5 minutes, may be decreased by not more than 20 miles per hour less than the speed limit normally posted but shall be not less than 25 miles per hour. A school superintendent may begin the 30-minute period before the first regularly scheduled school session described in this subsection at a time that is less than 30 minutes before the first regularly scheduled school session and that extends beyond the time school commences, may begin the 30-minute period after dismissal at a time other than dismissal, and, if a school has an off-campus lunch period, may designate the period provided for off-campus lunch as a period during which the school zone speed limit described in this subsection applies.

(3) School zone speed limits shall not apply to a limited access highway or a highway segment over which a pedestrian overhead walkway is erected, if the walkway is adjacent to school property.

(4) Notwithstanding the requirements for a school zone as defined in subsection (1)(c), if a school is located in an area that requires school children to cross a state trunk line highway or county highway that has a speed limit of 35 miles per hour or more to attend that school, the school superintendent may submit a request to the state transportation commission, county road commission, or local authority having jurisdiction over the roadway, as applicable, for a school crossing as permitted under section 613a. If, based on the traffic engineering studies, the road authority determines the need for a lower speed limit, the road authority may designate the crossing as a school zone. Before submitting a request, the school superintendent shall have completed a school route plan as prescribed by section 7A-1 of the Michigan manual of uniform traffic control devices.

(5) If a school is in session year-round, a sign reading "All Year School" shall be posted on the same signpost as and immediately below the school zone sign.

(6) Louvered signs, digital message signs, and flashing lights may be installed to supplement or replace permanent signs required under this section. Signs erected and maintained as required under this section shall conform to the Michigan manual on uniform traffic control devices.

(7) A person who violates a speed limit established under this section is responsible for a civil infraction.

Sec. 633. (1) In every charge of a violation of a speed limit in this chapter, the complaint or citation and the summons or notice to appear shall specify the speed at which the respondent is alleged to have driven and the speed limit applicable at the location.

(2) The provisions of this chapter establishing speed limits shall not be construed to relieve the plaintiff in a civil action from the burden of proving negligence on the part of the defendant as the proximate cause of a traffic crash.

Enacting section 1. This amendatory act does not take effect unless all of the following bills of the 98th Legislature are enacted into law:

- (a) House Bill No. 4423.
- (b) House Bill No. 4425.
- (c) House Bill No. 4426.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor