



Senate Fiscal Agency  
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## BILL ANALYSIS



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Senate Bill 521 (Substitute S-1 as passed by the Senate)  
Sponsor: Senator Rick Jones  
Committee: Transportation

Date Completed: 12-20-17

### **RATIONALE**

Apparently, there is some confusion among motorists about how to proceed at an intersection where the traffic light is not working. Although the Michigan Vehicle Code does not specifically address this situation, the Code does prescribe rules for yielding at intersections. In particular, the Code requires the driver of a vehicle approaching an intersection to yield the right of way to a vehicle that has entered the intersection from a different highway. When two vehicles enter an intersection from different highways at approximately the same time, the driver of the vehicle on the left must yield the right of way to the vehicle on the right.

Evidently, some people are taught to approach an intersection with a malfunctioning traffic control signal as if it were a four-way stop, where each vehicle must come to a stop, instead of yielding as described above. In order to make these situations safer, and to prevent confusion, it has been suggested that the State codify the practice of treating an intersection with a malfunctioning signal as a four-way stop.

### **CONTENT**

**The bill would amend the Michigan Vehicle Code to establish requirements for the driver of a vehicle approaching an intersection controlled by a traffic control signal that was malfunctioning.**

Specifically, the bill would require the driver of a vehicle approaching an intersection that was controlled by a traffic control signal to do all of the following, if the signal facing the driver exhibited no colored lights or colored lighted arrows, exhibited a combination of colored lights or colored lighted arrows that failed to clearly indicate the assignment of right of way, or were otherwise malfunctioning:

- Stop at a clearly marked stop line, or, if there were no clearly marked stop line, stop before entering the crosswalk on the near side of the intersection, or, if there were no crosswalk, stop before entering the intersection.
- Yield the right of way to all vehicles in the intersection or approaching on an intersecting road, if those vehicles would constitute an immediate hazard during the time the driver was moving across or within the intersection.
- Exercise ordinary care while proceeding through the intersection.

The bill's provisions would not apply to either of the following:

- An intersection that was controlled by a traffic control signal that was flashing yellow unless certain events occurred, including activation by an emergency vehicle.
- A traffic control signal that was located in a school zone and was flashing yellow only during prescribed periods of time.

The bill would take effect 90 days after it was enacted.

MCL 257.649

## **ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

### **Supporting Argument**

In the event of a malfunctioning traffic signal, the current requirement to yield as described in the Code is confusing, particularly because many people were taught to approach an intersection with a malfunctioning signal as a four-way stop. Yielding under these circumstances is not as safe as coming to a full stop before continuing. The bill would codify a common driving practice that is safer than what current law requires.

**Response:** The bill is not necessary, as there is nothing ambiguous about current law. Further, the bill would cause additional confusion for people who already operate their vehicles in compliance with current law.

Legislative Analyst: Drew Krogulecki

## **FISCAL IMPACT**

The bill would have no fiscal impact on the State and could have a minor positive fiscal impact on local government. A violation of the bill would be a civil infraction. Any increase in civil infraction fine revenue would increase funding for public libraries.

Fiscal Analyst: Ryan Bergan

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.