

Legislative Analysis



PASSING IN CENTER LANE OR LEFT-TURN LANE

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4997 as reported from committee
Sponsor: Rep. Tim Sneller

Analysis available at
<http://www.legislature.mi.gov>

House Bill 4998 as reported from committee
Sponsor: Rep. Jack O'Malley

Committee: Transportation
Complete to 10-11-21

SUMMARY:

House Bills 4997 and 4998 would amend the Michigan Vehicle Code to prohibit driving in a two-way left-turn lane unless making an immediate left turn and to remove provisions that now govern using the center lane of a three-lane highway to pass another vehicle.

House Bill 4997 would add a new section 638a to the act to prohibit a driver from driving in *a two-way left-turn lane* for the purpose of overtaking and passing another vehicle or for the purpose of traveling unless making an immediate left turn.

Two-way left-turn lane would mean a lane that meets both of the following:

- It can be used by traffic traveling in either direction as part of a left-turn maneuver.
- It is marked on each side by a normal broken yellow line and a normal solid yellow line to delineate its edges.¹

An individual violating these provisions would be responsible for a civil infraction.

Proposed MCL 257.638a

House Bill 4998 would amend section 638 of the act, which currently prohibits passing another vehicle to the left of the center of a two-lane highway or in the center lane of a three-lane highway unless there is enough distance free of oncoming traffic to do so safely.

The bill would remove the references to driving in the center lane of a three-lane highway to pass another vehicle.

An individual violating these provisions is responsible for a civil infraction.

MCL 257.638

The bills are tie-barred to one another, which means that neither could take effect unless both were enacted.

¹ See Figure 3B-7 on page 357 of the Michigan Manual on Uniform Traffic Control Devices:
https://mdotcf.state.mi.us/public/tands/Details_Web/mmutcdcompleteinteractive.pdf

FISCAL IMPACT:

The bills would have an indeterminate fiscal impact on the state and on local units of government. The number of individuals who would be responsible for civil infractions under provisions of the bills is not known. Under section 909(1) of the Michigan Vehicle Code, civil fine revenue would be applied to the support of public and county law libraries. In addition, under section 907(13) of the Michigan Vehicle Code, for any civil fines ordered to be paid, the judge or district court magistrate is required to order the defendant to pay a justice system assessment of \$40 for each civil infraction determination, except for parking violations. Revenue deposited into the state's Justice System Fund supports various justice-related endeavors in the judicial branch; the Departments of State Police, Corrections, Health and Human Services, and Treasury; and the Legislative Retirement System. There is not a practical way to determine the number of violations that would occur under provisions of the bills, so there is not a way to estimate the amount of additional revenue that would be collected. The fiscal impact on local court systems would depend on how provisions of the bills affected court caseloads and related administrative costs.

POSITIONS:

A representative of the Michigan State Police testified in support of the bills. (9-21-21)

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.