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House Bill 4014 (Substitute H-1 as passed by the House)
Sponsor: Representative Bradley Slagh
House Committee: Transportation
Senate Committee: Transportation and Infrastructure

Date Completed: 10-5-21

CONTENT

The bill would amend the Michigan Vehicle Code to do the following:

- **Modify the analysis required to determine a modified minimum or maximum speed limit.**
- **Require a modified speed limit to be set below the 85th-percentile speed if an engineering and safety study demonstrated a situation with hazards to public safety that were not reflected by the 85th-percentile speed.**
- **Modify the definitions of "county road commission" and "design speed".**

The Code prescribes the process for determining modified speed limits on local highways, county highways, limited access freeways, and trunk line highways. The Code specifies that modified speed limits established under the Code must be determined by an engineering and safety study and by the 85th-percentile speed of free-flowing traffic under ideal conditions of a section of highway rounded to the nearest multiple of five miles per hour. In addition, the speed limit may not be posted at less than the 50th-percentile speed of free-flowing traffic under optimal conditions on the fastest portion of the highway segment for which the speed limit is being posted.

Instead, under the bill, a modified speed limit established under the Code would have to be determined in accordance with traffic engineering practices that provided an objective analysis of the characteristics of the highway and by the 85th-percentile speed of free-flowing traffic under ideal conditions on the fastest portion of the highway segment for which the speed limit was being posted. The speed limit would have to be in multiples of five miles per hour and rounded to a multiple that was within five miles per hour of the 85th-percentile speed. The speed limit would have to be set below the 85th-percentile speed if an engineering and safety study demonstrated a situation with hazards to public safety that were not reflected by the 85th-percentile speed, but it could not be set below the 50th-percentile speed.

Under the Code, the county road commission, the township board, and the Department of State Police may determine unanimously, based on an engineering and traffic investigation, that the speed of vehicular traffic on a county highway is greater or less than is reasonable or safe and may establish a reasonable and safe maximum or minimum speed limit on that highway. "County road commission", as used above, means the board of county road commissioners elected or appointed under Section 6 of the county road law. In addition, in the case of a charter county with a population of 2.0 million or more with an elected county executive that does not have a board of county commissioners, the term means the county

executive. The bill would modify the required minimum population from 2.0 million to 1.5 million.

(Section 6 of the county road law prescribes the process of election or appointment and the powers and duties of a board of county road commissioners.)

The Code defines "design speed" as that term as used and determined under "A Policy on Geometric Design of Highways and Streets", sixth edition, 2011, or a subsequent edition, issued by the American Association of State Highway and Transportation Officials (AASHTO). Under the bill, "design speed" would mean that term as used and determined under "A Policy on Geometric Design of Highways and Streets", seventh edition, 2018, issued by the AASHTO.

MCL 257.628

Legislative Analyst: Tyler VanHuysse

FISCAL IMPACT

The bill would have an indeterminate fiscal impact State and local government. Currently, the Code prescribes a modified speed limit at the 85th-percentile speed of free-flowing traffic under optimal conditions on the fastest portion of the highway for which the speed is posted. The bill would allow for lower modified speed limits at highway segments when roadway hazards are not accounted for by the 85th-percentile speed. Any costs or savings related to these proposed changes are indeterminate.

Fiscal Analyst: Michael Siracuse

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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.