

HOUSE BILL NO. 4126

February 22, 2023, Introduced by Reps. Snyder, Slagh, Tsernoglou, McFall, Rheingans, Liberati, Tyrone Carter, Wilson, Steckloff, Outman, Hood, Byrnes and Martus and referred to the Committee on Transportation, Mobility and Infrastructure.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 627 (MCL 257.627), as amended by 2022 PA 52.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 627. (1) An individual operating a vehicle on a highway
2 shall operate that vehicle at a careful and prudent speed not
3 greater than nor less than is reasonable and proper, having due
4 regard to the traffic, surface, and width of the highway and of any
5 other condition existing at the time. An individual shall not

1 operate a vehicle ~~upon~~**on** a highway at a speed greater than that
2 which will permit a stop within the assured, clear distance ahead.
3 A violation of this subsection shall be known and may be referred
4 to as a violation of the basic speed law or "VBSL".

5 (2) Except as provided in subsection (1), it is lawful for the
6 operator of a vehicle to operate that vehicle on a highway at a
7 speed not exceeding the following:

8 (a) ~~15~~**Fifteen** miles per hour on a highway segment within the
9 boundaries of a mobile home park, as that term is defined in
10 section 2 of the mobile home commission act, 1987 PA 96, MCL
11 125.2302.

12 (b) ~~25~~**Twenty-five** miles per hour on a highway segment within
13 a business district.

14 (c) ~~25~~**Twenty-five** miles per hour on a highway segment within
15 the boundaries of a public park. A local authority may decrease the
16 speed limit to not less than 15 miles per hour in a public park
17 under its jurisdiction.

18 (d) ~~25~~**Twenty-five** miles per hour on a highway segment within
19 the boundaries of a residential subdivision, including a
20 condominium subdivision, consisting of a system of interconnected
21 highways with no through highways and a limited number of dedicated
22 highways that serve as entrances to and exits from the subdivision.

23 (e) ~~Until January 1, 2024,~~ ~~25~~**Twenty-five** miles per hour on a
24 highway segment that is part of the local street system as
25 designated by a local jurisdiction and approved by the state
26 transportation commission under 1951 PA 51, MCL 247.651 to 247.675,
27 and that is within land that is zoned for residential use by the
28 governing body of an incorporated city or village under the
29 Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to

1 125.3702, unless another speed is fixed and posted. ~~The department~~
 2 ~~of state police shall perform a speed study on a random sample of~~
 3 ~~local streets set under this subdivision. No later than January 1,~~
 4 ~~2023, the department of state police shall submit a report on the~~
 5 ~~speed study required under this subdivision to the senate majority~~
 6 ~~leader, the speaker of the house of representatives, and the~~
 7 ~~governor.~~

8 (f) ~~25~~ **Twenty-five** miles per hour on a highway segment with 60
 9 or more vehicular access points within 1/2 mile.

10 (g) ~~30~~ **Thirty** miles per hour on a highway segment with not
 11 less than 50 vehicular access points but no more than 59 vehicular
 12 access points within 1/2 mile.

13 (h) ~~35~~ **Thirty-five** miles per hour on a highway segment with
 14 not less than 45 vehicular access points but no more than 49
 15 vehicular access points within 1/2 mile.

16 (i) ~~40~~ **Forty** miles per hour on a highway segment with not less
 17 than 40 vehicular access points but no more than 44 vehicular
 18 access points within 1/2 mile.

19 (j) ~~45~~ **Forty-five** miles per hour on a highway segment with not
 20 less than 30 vehicular access points but no more than 39 vehicular
 21 access points within 1/2 mile.

22 (3) An individual operating a truck with a gross weight of
 23 10,000 pounds or more, a truck-tractor, a truck-tractor with a
 24 semi-trailer or trailer, or a combination of these vehicles shall
 25 not exceed a speed of 35 miles per hour during the period when
 26 reduced loadings are being enforced in accordance with this
 27 chapter.

28 (4) Where the posted speed limit is greater than 65 miles per
 29 hour, an individual operating a school bus, a truck with a gross

1 weight of 10,000 pounds or more, a truck-tractor, or a truck-
2 tractor with a semi-trailer or trailer or a combination of these
3 vehicles shall not exceed a speed of 65 miles per hour on a limited
4 access freeway or a state trunk line highway.

5 (5) All of the following apply to the speed limits described
6 in subsection (2):

7 (a) A highway segment adjacent to or lying between 2 or more
8 areas described in subsection (2)(a), (b), (c), or (d) is not
9 considered to be within the boundaries of those areas.

10 (b) A highway segment of more than 1/2 mile in length with a
11 consistent density of vehicular access points equal to the number
12 of vehicular access points described in subsection (2)(f), (g),
13 (h), (i), or (j) must be posted at the speed limit specified in the
14 adjoining segment. A separate determination must be made for each
15 adjoining highway segment where vehicular access point density is
16 different.

17 (c) A speed limit may be posted on highways less than 1/2 mile
18 in length by prorating in 1/10 mile segments the vehicular access
19 point density described in subsection (2)(f), (g), (h), (i), or
20 (j).

21 (6) An individual operating a vehicle on a highway, when
22 entering and passing through a work zone described in section
23 79d(a) where a normal lane or part of the lane of traffic has been
24 closed due to highway construction, maintenance, or surveying
25 activities, shall not exceed a speed of 45 miles per hour unless a
26 different speed limit is determined for that work zone by the state
27 transportation department, a county road commission, or a local
28 authority, based on accepted engineering practice. The state
29 transportation department, a county road commission, or a local

1 authority shall post speed limit signs in each work zone described
2 in section 79d(a) that indicate the speed limit in that work zone
3 and shall identify that work zone with any other traffic control
4 devices necessary to conform to the Michigan manual on uniform
5 traffic control devices. An individual operating a vehicle shall
6 not exceed a speed limit established under this section or a speed
7 limit established under section 628. For a work zone that has a
8 speed limit in effect only where workers are present, the state
9 transportation department, a county road commission, or a local
10 authority is authorized to include 1 or more flashing lights and an
11 illuminated changeable digital message displaying the speed limit
12 on the speed limit sign required under this subsection. As used in
13 this subsection:

14 (a) "Illuminated changeable digital message" means an
15 electronic message that displays the speed limit in a numerical
16 format.

17 (b) "Present" means located in proximity to a roadway that is
18 not protected by a guardrail or barrier.

19 (c) "Speed limit sign" includes, but is not limited to, a sign
20 that displays illuminated changeable digital messages.

21 (7) The state transportation department, a county road
22 commission, or a local authority shall decrease the speed limit in
23 a hospital highway zone by up to 10 miles per hour upon request of
24 a hospital located within that hospital highway zone. The state
25 transportation department, county road commission, or local
26 authority may decrease the speed limit in a hospital highway zone
27 by more than 10 miles per hour if the decrease is supported by an
28 engineering and safety study. The state transportation department,
29 county road commission, or local authority shall post speed limit

1 signs in a hospital highway zone that indicate the speed limit in
2 that hospital highway zone and shall identify that hospital highway
3 zone with any other traffic control devices necessary to conform to
4 the Michigan manual on uniform traffic control devices. If a change
5 in a sign, signal, or device, is necessitated by a speed limit
6 decrease described in this subsection, the hospital requesting the
7 decrease shall pay the cost of doing so. As used in this
8 subsection, "hospital highway zone" means a portion of state trunk
9 line highway maintained by the state transportation department that
10 has a posted speed limit of at least 50 miles per hour and has 2 or
11 fewer lanes for travel in the same direction, traverses along
12 property owned by a hospital, contains an ingress and egress point
13 from hospital property, and extends not more than 1,000 feet beyond
14 the boundary lines of hospital property in both directions in a
15 municipality.

16 (8) Subject to subsection (17), the maximum speed limit on all
17 limited access freeways upon which a speed limit is not otherwise
18 fixed under this act is 70 miles per hour, which shall be known as
19 the "limited access freeway general speed limit". The minimum speed
20 limit on all limited access freeways upon which a minimum speed
21 limit is not otherwise fixed under this act is 55 miles per hour.

22 (9) Subject to subsection (17), the speed limit on all trunk
23 line highways and all county highways upon which a speed limit is
24 not otherwise fixed under this act is 55 miles per hour, which
25 shall be known as the "general speed limit".

26 (10) Except as otherwise provided in this subsection, the
27 speed limit on all county highways with a gravel or unimproved
28 surface upon which a speed limit is not otherwise fixed under this
29 act is 55 miles per hour, which shall be known as the "general

1 gravel road speed limit". Upon request of a municipality located
2 within a county with a population of 1,000,000 or more, the county
3 road commission, in conjunction with the requesting municipality,
4 may lower the speed limit to 45 miles per hour on the requested
5 road segment and if a sign, signal, or device is erected or
6 maintained, taken down, or regulated as a result of a request by a
7 municipality for a speed limit of 45 miles per hour, the
8 municipality shall pay the costs of doing so. If a municipality
9 located within a county with a population of 1,000,000 or more
10 requests a speed different than the speed described in this
11 subsection, the county road commission, in conjunction with the
12 department of state police and the requesting municipality, may
13 conduct a speed study of free-flow traffic on the fastest portion
14 of the road segment in question for the purpose of establishing a
15 modified speed limit. A speed study conducted under this subsection
16 must be completed between 3 and 14 days after a full gravel road
17 maintenance protocol has been performed on the road segment. A full
18 gravel road maintenance protocol described in this subsection must
19 include road grading and the application of a dust abatement
20 chemical treatment. Following a speed study conducted under this
21 subsection, the speed limit for the road segment must be
22 established at the nearest multiple of 5 miles per hour to the
23 eighty-fifth percentile of speed of free-flow traffic under ideal
24 conditions for vehicular traffic, and must not be set below the
25 fiftieth percentile speed of free-flow traffic under ideal
26 conditions for vehicular traffic. A speed study conducted under
27 this subsection is the responsibility of the department of state
28 police, and if a sign, signal, or device is erected or maintained,
29 taken down, or regulated as a result of a request by a municipality

1 under this subsection, the municipality shall pay the costs of
2 doing so.

3 (11) A public record of all traffic control orders
4 establishing statutory speed limits authorized under this section
5 must be filed with the office of the clerk of the county in which
6 the county highway is located or at the office of the city or
7 village clerk or administrative office of the airport, college, or
8 university in which the local highway is located, and a certified
9 copy of the traffic control order is evidence in every court of
10 this state of the authority for the issuance of that traffic
11 control order. The public record filed with the county, city, or
12 village clerk or administrative office of the airport, college, or
13 university must not be required as evidence of authority for
14 issuing a traffic control order in the case of signs temporarily
15 erected or placed at points where construction, maintenance, or
16 surveying activities is in progress. A traffic and engineering
17 investigation is not required for a traffic control order for a
18 speed limit established under subsection (2). A traffic control
19 order must, at a minimum, contain all of the following information:

20 (a) The name of the road.

21 (b) The boundaries of the segment of the road on which the
22 speed limit is in effect.

23 (c) The basis ~~upon~~ on which the speed limit is in effect.

24 (d) The section of law, including a reference to the
25 subsection, under which the speed limit is established.

26 (12) Except for speed limits described in subsections (1),
27 (2) (d), (2) (e), and (9), speed limits established under this
28 section are not valid unless properly posted. In the absence of a
29 properly posted sign, the speed limit in effect is the basic speed

1 law described in subsection (1). Speed limits established under
2 subsection (2)(b), (f), (g), (h), (i), and (j) are not valid unless
3 a traffic control order is filed as described in subsection (11).

4 (13) Nothing in this section prevents the establishment of a
5 modified speed limit after a speed study as described in section
6 628. A modified speed limit established under section 628
7 supersedes a speed limit established under this section.

8 (14) All signs erected or placed under this section must
9 conform to the Michigan manual on uniform traffic control devices.

10 (15) If upon investigation the state transportation department
11 or county road commission and the department of state police
12 determine that it is in the interest of public safety, they may
13 order city, village, airport, college, university, and township
14 officials to erect and maintain, take down, or regulate speed limit
15 signs, signals, and devices as directed. In default of an order,
16 the state transportation department or county road commission may
17 cause designated signs, signals, and devices to be erected and
18 maintained, removed, or regulated in the manner previously directed
19 and pay the costs for doing so out of the designated highway fund.
20 An investigation, including a speed study, conducted under this
21 subsection is the responsibility of the department of state police.

22 (16) An individual who violates a speed limit established
23 under this section is responsible for a civil infraction.

24 (17) No later than January 5, 2018, the state transportation
25 department and the department of state police shall increase the
26 speed limits on at least 600 miles of limited access freeway to 75
27 miles per hour if an engineering and safety study and the eighty-
28 fifth percentile speed of free-flowing traffic under ideal
29 conditions of that section contain findings that the speed limit

1 may be raised to that speed, and the department shall increase the
2 speed limit of 900 miles of trunk line highway to 65 miles per hour
3 if an engineering and safety study and the eighty-fifth percentile
4 speed of free-flowing traffic under ideal conditions of that
5 section contain findings that the speed limit may be raised to that
6 speed.

7 (18) As used in this section:

8 (a) "Traffic control order" means a document filed with the
9 proper authority that establishes the legal and enforceable speed
10 limit for the highway segment described in the document.

11 (b) "Vehicular access point" means a driveway or intersecting
12 roadway.