

DETERMINING MODIFIED SPEED LIMITS

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House Bill 4137 as introduced
Sponsor: Rep. Bradley Slagh
Committee: Transportation and Infrastructure
Complete to 4-14-25

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

SUMMARY:

House Bill 4137 would amend the Michigan Vehicle Code to change procedures for setting certain speed limits on Michigan highways.¹

Section 627 of the code establishes Michigan's "Basic Speed Law," which generally requires that drivers keep to a speed that will allow their vehicle to stop safely under current road conditions. Section 627 also provides general speed limits for various types of roads and in the state—gravel roads, for example, or roads that are in a business district or mobile home park. These constitute a kind of default setting or standard for establishing the speed limit for any given stretch of road. For a driver, they are the speed limits that apply when there is no speed limit posted (as long as the Basic Speed Law is obeyed).

Section 628 of the code provides procedures under which those general speed limits can be modified to account for local circumstances. These are the provisions the bill would amend.

Currently, a modified speed limit under section 628 must be determined in accordance with traffic engineering practices that provide an objective analysis of the characteristics of the highway as well as by the eighty-fifth percentile speed of free-flowing traffic under ideal conditions on the fastest portion of the highway segment the speed limit is being posted for.² The eighty-fifth percentile speed is the speed that 85% of the drivers on a given section of roadway currently drive at or below. The modified speed limit must be rounded to a multiple of five miles an hour that is within five miles an hour of the eighty-fifth percentile speed. It can be set below the eighty-fifth percentile speed if an engineering and safety study demonstrates a situation with hazards to public safety that are not reflected by the eighty-fifth percentile speed. The speed limit cannot be set below the fiftieth percentile speed (the speed that half the drivers currently drive at or below).

The bill would amend the above provisions to allow a modified speed limit to be set below the eighty-fifth percentile speed by up to five miles an hour without an engineering and safety study. A speed limit could not be set more than five miles an hour below the eighty-fifth percentile speed unless such a study demonstrates a situation with hazards to public safety that are not reflected by the eighty-fifth percentile speed. As under current law, a speed limit could not be set below the fiftieth percentile speed.

MCL 257.628

¹ See <https://www.michigan.gov/msp/-/media/Project/Websites/msp/sod/Establishing-Realistic-Speed-Limits.pdf>

² <https://www.michigan.gov/mdot/travel/safety/road-users/speed-limits>

FISCAL IMPACT:

The bill would amend section 628 of the Michigan Vehicle Code, which prescribes procedures for establishing speed limits on public highways, provides general standards, and provides for exceptions to those general standards. Specifically, as described above, the bill would provide additional standards for the establishment of speed limits lower than the general eighty-fifth percentile standard in specified circumstances. The bill does not appear to establish new procedures that would materially affect the cost of traffic and speed studies and thus would have no direct fiscal impact on the state or local units of government.

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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.