CLOSING ROADS UNDER CONSTRUCTION OR REPAIR

Act 165 of 1917

AN ACT to authorize highway officials to close roads under construction, improvement or repair, or any portion of a highway whereon a bridge is being constructed or repaired; to require such officials to place in good repair and to mark by proper signs suitable detours around roads, or portions of roads, which are closed hereunder; to provide suitable barriers, and lights shall be maintained at the end of such roads or portions of roads which are thus closed and at the intersections thereof with other roads; to require the removal of signs and barriers located and placed hereunder; and to provide a penalty for a violation of the provisions hereof.

History: 1917, Act 165, Eff. Aug. 10, 1917

The People of the State of Michigan enact:

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247.291 Closing highways or bridges for construction or repair; barriers.

Sec. 1.

Subject to section 1a, the officials in charge of constructing, improving, or repairing highways may close any highway or portion of highway that is under process of construction, improvement, or repair or upon which is located any bridge that is being constructed or repaired. A highway or portion of highway must not be closed under this act until after suitable barriers have been erected at the ends of the closed highway or portion of highway, and also at the point of intersection of the closed highway or portion of highway with other highways.

History: 1917, Act 165, Eff. Aug. 10, 1917 ;-- CL 1929, 4626 ;-- CL 1948, 247.291 ;-- Am. 1966, Act 176, Imd. Eff. July 1, 1966 ;-- Am. 2023, Act 164, Imd. Eff. Oct. 19, 2023

247.291a Barrier requirements; closure of freeways or bridges; exception.

Sec. 1a.

(1) Except as otherwise provided in subsections (2) and (3), if the state transportation department closes any freeway or portion of freeway under its jurisdiction for construction, improvement, or repair of that freeway, a portion of freeway, or a bridge located upon that freeway or portion of freeway, both of the following apply:

(a) If the freeway is closed completely to traffic, it must be closed using concrete barriers or equivalent crashworthy temporary traffic barriers. Ramp access to the freeway may be closed with barricades, concrete barriers, or other equivalent crashworthy temporary traffic barriers to maintain access for construction traffic and emergency services.

(b) If the freeway is not closed completely to traffic and a portion of the freeway is closed at any time between a half hour after sunset to a half hour before sunrise for work scheduled to be done at that time in a contract between a contractor and the state transportation department, concrete barriers or equivalent crashworthy temporary traffic barriers must separate any road workers who are performing work from traffic.

(2) This section does not apply if the freeway or portion of freeway described in subsection (1) is closed for not more than 3 days for an emergency repair, utility crossing, maintenance, or other short-duration operation.

(3) The state transportation department may exercise its engineering judgment in designing and placing concrete barriers or equivalent crashworthy temporary traffic barriers and associated traffic control devices for each closure of a freeway or portion of freeway to account for site-specific conditions, including, but not limited to, roadway grade, equipment malfunctions, emergency service, law enforcement needs, crash history, or work duration. If the engineering judgment determines that the use of concrete barriers would cause additional risks for road users, additional safety measures to protect road workers must be included in the contract between the contractor and the state transportation department.

History: Add. 2023, Act 164, Imd. Eff. Oct. 19, 2023

247.291b Definitions.

Sec. 1b.

As used in this act:

(a) "Crashworthy" means that term as defined in the Michigan manual on uniform traffic control devices.

(b) "Freeway" means that term as defined in section 18a of the Michigan vehicle code, 1949 PA 300, MCL 257.18a.

(c) "Highway" includes roads and streets.

(d) "Michigan manual on uniform traffic control devices" means the manual on uniform traffic control devices adopted under section 608 of the Michigan vehicle code, 1949 PA 300, MCL 257.608.

(e) "Suitable barrier" means a barrier that conforms to the Michigan manual on uniform traffic control devices.

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History: Add. 2023, Act 164, Imd. Eff. Oct. 19, 2023

247.292 Closing of highways or bridges for construction or repair; detours, notices, removal of barriers on completion of work.

Sec. 2.

No highway shall be closed under the provisions of this act until suitable detours around the same, or the closed portion thereof, are provided and are placed in reasonably safe and passable condition for traffic. Notices in the form of plainly legible signs shall be placed by the highway officials having such work in charge at either end of the closed highway or portion of highway and at such intermediate points along the detour, or detours, as may be necessary to plainly mark the same. Upon the completion of the work of construction, improvement or repair and as soon as the highway or bridge constructed, improved or repaired shall be in suitable condition for public travel, all barriers, marks and signs whatsoever erected under the provisions hereof shall be at once removed by the officials erecting or placing the same.

History: 1917, Act 165, Eff. Aug. 10, 1917 ;-- CL 1929, 4627 ;-- CL 1948, 247.292 ;-- Am. 1966, Act 176, Imd. Eff. July 1, 1966

247.293 Refusal to provide barriers; penalty.

Sec. 3.

Any highway official who shall neglect or refuse to provide suitable barriers and suitable detours or to remove barriers and signs as herein provided, or any person who wilfully enters upon the closed portion of any highway or removes the barriers therefrom, or who removes, obliterates or defaces any sign or mark, or who extinguishes or removes any light placed or maintained hereunder, except by permission of the highway officials in charge, is guilty of a misdemeanor.

History: 1917, Act 165, Eff. Aug. 10, 1917 ;-- CL 1929, 4628 ;-- CL 1948, 247.293 ;-- Am. 1966, Act 176, Imd. Eff. July 1, 1966

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