

SUBSTITUTE FOR
HOUSE BILL NO. 4424

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 627a and 633 (MCL 257.627a and 257.633),
section 627a as amended by 2005 PA 88.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 627a. (1) As used in this section: ~~and section 629.~~

2 (a) "Regularly scheduled school session" means that part of a
3 day ~~of student instruction that is followed by a break for lunch or~~
4 ~~by a~~ **SCHEDULED FOR STUDENT INSTRUCTION UNTIL** final dismissal of the
5 student body for that day.

6 (b) "School" means an educational institution operated by a
7 local school district or by a private, denominational, or parochial
8 organization. School does not include ~~an~~ **EITHER OF THE FOLLOWING:**

9 (i) **AN** educational institution that the department of
10 education determines has its entire student population in residence

1 at the institution.

2 (ii) AN EDUCATIONAL INSTITUTION TO WHICH ALL STUDENTS ARE
3 TRANSPORTED IN MOTOR VEHICLES.

4 (c) "School zone" means school property on which a school
5 building is located and the ~~area adjacent to the school property.~~
6 ~~that is designated by the signs required under subsection (2).~~

7 ~~Except as otherwise provided in subsection (5), the school zone~~
8 ~~extends not more than 1,000 feet from the property line of the~~
9 ~~school in each direction.~~ A SCHOOL ZONE EXTENDS NOT MORE THAN 1,000
10 FEET FROM THE SCHOOL PROPERTY LINE IN ANY DIRECTION. IF 2 OR MORE
11 SCHOOLS OCCUPY THE SAME PROPERTY OR ADJACENT PROPERTIES, 1 OF THE
12 FOLLOWING APPLIES, AS APPLICABLE:

13 (i) IF THE HOURS OF INSTRUCTION AT THE SCHOOLS ARE THE SAME,
14 THEN A SINGLE COMBINED SCHOOL ZONE SHALL BE ESTABLISHED.

15 (ii) IF THE HOURS OF INSTRUCTION AT THE SCHOOLS ARE DIFFERENT,
16 OVERLAPPING SCHOOL ZONES SHALL BE ESTABLISHED.

17 (2) ~~Except as provided in subsection (4), the prima facie~~
18 ~~speed limit~~ A SCHOOL ZONE SPEED LIMIT ON A HIGHWAY SEGMENT in a
19 school zone, which, EXCEPT AS OTHERWISE PROVIDED IN THIS
20 SUBSECTION, shall be in force not ~~less~~ MORE than 30 minutes ~~but not~~
21 ~~more than 1 hour~~ before the first regularly scheduled school
22 session, ROUNDED TO THE NEAREST MULTIPLE OF 5 MINUTES, until school
23 commences, and from dismissal until not ~~less~~ MORE than 30 minutes
24 ~~but not more than 1 hour~~ after the last regularly scheduled school
25 session, and ~~during a lunch period when students are permitted to~~
26 ~~leave the school,~~ ROUNDED TO THE NEAREST MULTIPLE OF 5 MINUTES, MAY
27 BE DECREASED BY NOT MORE THAN 20 MILES PER HOUR LESS THAN THE SPEED

1 **LIMIT NORMALLY POSTED BUT** shall be **NOT LESS THAN** 25 miles an ~~an~~**-PER**
 2 hour. ~~, if permanent signs designating the school zone and the~~
 3 ~~speed limit in the school zone are posted at the request of the~~
 4 ~~school superintendent. The signs shall conform to the Michigan~~
 5 ~~manual of uniform traffic control devices.~~ **A SCHOOL SUPERINTENDENT**
 6 **MAY BEGIN THE 30-MINUTE PERIOD BEFORE THE FIRST REGULARLY SCHEDULED**
 7 **SCHOOL SESSION DESCRIBED IN THIS SUBSECTION AT A TIME THAT IS LESS**
 8 **THAN 30 MINUTES BEFORE THE FIRST REGULARLY SCHEDULED SCHOOL SESSION**
 9 **AND THAT EXTENDS BEYOND THE TIME SCHOOL COMMENCES, MAY BEGIN THE**
 10 **30-MINUTE PERIOD AFTER DISMISSAL AT A TIME OTHER THAN DISMISSAL,**
 11 **AND, IF A SCHOOL HAS AN OFF-CAMPUS LUNCH PERIOD, MAY DESIGNATE THE**
 12 **PERIOD PROVIDED FOR OFF-CAMPUS LUNCH AS A PERIOD DURING WHICH THE**
 13 **SCHOOL ZONE SPEED LIMIT DESCRIBED IN THIS SUBSECTION APPLIES.**

14 (3) ~~This section does~~ **SCHOOL ZONE SPEED LIMITS SHALL** not apply
 15 to a limited access highway ~~or to that portion of a street or~~
 16 ~~highway~~ **OR A HIGHWAY SEGMENT** over which a pedestrian overhead
 17 walkway is erected, if the walkway is adjacent to school property.
 18 ~~and is designed and located so as to be used, and is being used, as~~
 19 ~~the principal means by which students of a school that has property~~
 20 ~~adjacent to the walkway travel to and from the school.~~

21 ~~—— (4) Local authorities may increase or decrease the prima facie~~
 22 ~~speed limit within a school zone under their jurisdiction pursuant~~
 23 ~~to section 629.~~

24 **(4)** ~~(5)~~ Notwithstanding the requirements for a school zone as
 25 defined in subsection (1)(c), if a school is located in an area
 26 that requires school children to cross a state trunk line highway
 27 or county highway that has a speed limit of 35 miles per hour or

1 more to attend that school, the school superintendent may submit a
2 request to the state transportation commission, county road
3 commission, or local authority having jurisdiction over the
4 roadway, as applicable, for a school crossing as permitted under
5 section 613a. If, based on the traffic engineering studies, the
6 road authority determines the need for a lower speed limit, the
7 road authority may designate the crossing as a school zone. Before
8 submitting a request, the school superintendent shall have
9 completed a school route plan as prescribed by section 7A-1 of the
10 Michigan manual of uniform traffic control devices.

11 ~~—— (6) Notwithstanding the 25 mile per hour prima facie speed~~
12 ~~limit established by subsection (2), the prima facie speed limit~~
13 ~~for any street in a school zone that has sidewalks along at least 1~~
14 ~~side of the street, which shall be in force during the same periods~~
15 ~~that a 25 mile per hour speed limit provided by subsection (2)~~
16 ~~would otherwise be effective, shall be set at the limit requested~~
17 ~~by the superintendent of schools with jurisdiction over the school~~
18 ~~within the school zone, but this limit shall neither be more than~~
19 ~~15 miles per hour below the regularly posted speed limit for that~~
20 ~~street nor less than 25 miles per hour. Permanent signs designating~~
21 ~~the school zone and the speed limit in the school zone shall be~~
22 ~~posted. These signs shall conform to the Michigan manual of uniform~~
23 ~~traffic control devices.~~

24 (5) ~~(7) If appropriate, the school superintendent may request~~
25 ~~that a sign be erected in the school zone indicating that IF a~~
26 ~~school is in session year-round, -A-A sign erected under this~~
27 ~~subsection-READING "ALL YEAR SCHOOL" shall be posted on the same~~

1 signpost as ~~the school zone sign~~ and immediately below the school
 2 zone sign. ~~The sign shall read "Year Round School" and shall~~
 3 ~~conform to the Michigan manual of uniform traffic control devices.~~

4 (6) LOUVERED SIGNS, DIGITAL MESSAGE SIGNS, AND FLASHING LIGHTS
 5 MAY BE INSTALLED TO SUPPLEMENT PERMANENT SIGNS REQUIRED UNDER THIS
 6 SECTION. SIGNS ERECTED AND MAINTAINED AS REQUIRED UNDER THIS
 7 SECTION SHALL CONFORM TO THE MICHIGAN MANUAL ON UNIFORM TRAFFIC
 8 CONTROL DEVICES.

9 (7) A PERSON WHO VIOLATES A SPEED LIMIT ESTABLISHED UNDER THIS
 10 SECTION IS RESPONSIBLE FOR A CIVIL INFRACTION.

11 Sec. 633. (1) In every charge of a violation of a speed
 12 ~~regulation~~**LIMIT** in this chapter, the complaint or citation and the
 13 summons or notice to appear ~~shall~~ specify the speed at which the
 14 ~~defendant~~**RESPONDENT** is alleged to have driven and the speed **LIMIT**
 15 applicable ~~within the district or~~ at the location.

16 (2) The ~~provision~~**PROVISIONS** of this chapter ~~declaring~~
 17 **ESTABLISHING** speed ~~limitations~~**LIMITS** shall not be construed to
 18 relieve the plaintiff in a civil action from the burden of proving
 19 negligence on the part of the defendant as the proximate cause of
 20 ~~an accident.~~**A TRAFFIC CRASH.**

21 Enacting section 1. This amendatory act does not take effect
 22 unless all of the following bills of the 98th Legislature are
 23 enacted into law:

24 (a) House Bill No. 4423.

25 (b) House Bill No. 4425.

26 (c) House Bill No. 4426.