

**SUBSTITUTE FOR
HOUSE BILL NO. 5385**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 627 (MCL 257.627), as amended by 2016 PA 445.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 627. (1) A person operating a vehicle on a highway shall
2 operate that vehicle at a careful and prudent speed not greater
3 than nor less than is reasonable and proper, having due regard to
4 the traffic, surface, and width of the highway and of any other
5 condition existing at the time. A person shall not operate a
6 vehicle upon a highway at a speed greater than that which will
7 permit a stop within the assured, clear distance ahead. A violation
8 of this subsection shall be known and may be referred to as a
9 violation of the basic speed law or "VBSL".

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

4 (a) 15 miles per hour on a highway segment within the
5 boundaries of a mobile home park, as that term is defined in
6 section 2 of the mobile home commission act, 1987 PA 96, MCL
7 125.2302.

8 (b) 25 miles per hour on a highway segment within a business
9 district.

10 (c) 25 miles per hour on a highway segment within the
11 boundaries of a public park. A local authority may decrease the
12 speed limit to not less than 15 miles per hour in a public park
13 under its jurisdiction.

14 (d) 25 miles per hour on a highway segment within **OR**
15 **IMMEDIATELY ADJACENT TO** the boundaries of ~~a residential~~
16 ~~subdivision, including a condominium subdivision, consisting of a~~
17 ~~system of interconnected highways with no through highways and a~~
18 ~~limited number of dedicated highways that serve as entrances to and~~
19 ~~exits from~~ **LAND THAT IS ZONED FOR RESIDENTIAL USE BY** the
20 ~~subdivision.~~ **GOVERNING BODY OF THE LOCAL JURISDICTION WITHIN WHICH**
21 **THE LAND IS LOCATED UNDER THE MICHIGAN ZONING ENABLING ACT, 2006 PA**
22 **110, MCL 125.3101 TO 125.3702, UNLESS A DIFFERENT SPEED IS FIXED**
23 **AND POSTED. THIS SUBDIVISION DOES NOT APPLY TO A HIGHWAY SEGMENT**
24 **THAT IS PART OF THE MAJOR STREET SYSTEM AS DESIGNATED BY A LOCAL**
25 **JURISDICTION AND APPROVED BY THE STATE TRANSPORTATION COMMISSION**
26 **UNDER 1951 PA 51, MCL 247.651 TO 247.675.**

27 (e) 25 miles per hour on a highway segment with 60 or more

1 vehicular access points within 1/2 mile.

2 (f) 30 miles per hour on a highway segment with not less than
3 50 vehicular access points but no more than 59 vehicular access
4 points within 1/2 mile.

5 (g) 35 miles per hour on a highway segment with not less than
6 45 vehicular access points but no more than 49 vehicular access
7 points within 1/2 mile.

8 (h) 40 miles per hour on a highway segment with not less than
9 40 vehicular access points but no more than 44 vehicular access
10 points within 1/2 mile.

11 (i) 45 miles per hour on a highway segment with not less than
12 30 vehicular access points but no more than 39 vehicular access
13 points within 1/2 mile.

14 (3) A person operating a truck with a gross weight of 10,000
15 pounds or more, a truck-tractor, a truck-tractor with a semi-
16 trailer or trailer, or a combination of these vehicles shall not
17 exceed a speed of 35 miles per hour during the period when reduced
18 loadings are being enforced in accordance with this chapter.

19 (4) Where the posted speed limit is greater than 65 miles per
20 hour, a person operating a school bus, a truck with a gross weight
21 of 10,000 pounds or more, a truck-tractor, or a truck-tractor with
22 a semi-trailer or trailer or a combination of these vehicles shall
23 not exceed a speed of 65 miles per hour on a limited access freeway
24 or a state trunk line highway.

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

27 (a) A highway segment adjacent to or lying between 2 or more

1 areas described in subsection (2) (a), (b), **OR** (c) ~~, or (d)~~ shall
2 not be considered to be within the boundaries of those areas.

3 (b) A highway segment of more than 1/2 mile in length with a
4 consistent density of vehicular access points equal to the number
5 of vehicular access points described in subsection (2) (e), (f),
6 (g), (h), or (i) shall be posted at the speed limit specified in
7 the adjoining segment. A separate determination shall be made for
8 each adjoining highway segment where vehicular access point density
9 is different.

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

14 (6) A person operating a vehicle on a highway, when entering
15 and passing through a work zone described in section 79d(a) where a
16 normal lane or part of the lane of traffic has been closed due to
17 highway construction, maintenance, or surveying activities, shall
18 not exceed a speed of 45 miles per hour unless a different speed
19 limit is determined for that work zone by the state transportation
20 department, a county road commission, or a local authority, based
21 on accepted engineering practice. The state transportation
22 department, a county road commission, or a local authority shall
23 post speed limit signs in each work zone described in section
24 79d(a) that indicate the speed limit in that work zone and shall
25 identify that work zone with any other traffic control devices
26 necessary to conform to the Michigan manual of uniform traffic
27 control devices. A person shall not exceed a speed limit

1 established under this section or a speed limit established under
2 section 628.

3 (7) The state transportation department, a county road
4 commission, or a local authority shall decrease the speed limit in
5 a hospital highway zone by up to 10 miles per hour upon request of
6 a hospital located within that hospital highway zone. The state
7 transportation department, county road commission, or local
8 authority may decrease the speed limit in a hospital highway zone
9 by more than 10 miles per hour if the decrease is supported by an
10 engineering and safety study. The state transportation department,
11 county road commission, or local authority shall post speed limit
12 signs in a hospital highway zone that indicate the speed limit in
13 that hospital highway zone and shall identify that hospital highway
14 zone with any other traffic control devices necessary to conform to
15 the Michigan manual of uniform traffic control devices. If a change
16 in a sign, signal, or device, is necessitated by a speed limit
17 decrease described in this subsection, the hospital requesting the
18 decrease shall pay the cost of doing so. As used in this
19 subsection, "hospital highway zone" means a portion of state trunk
20 line highway maintained by the state transportation department that
21 has a posted speed limit of at least 50 miles per hour and has 2 or
22 fewer lanes for travel in the same direction, traverses along
23 property owned by a hospital, contains an ingress and egress point
24 from hospital property, and extends not more than 1,000 feet beyond
25 the boundary lines of hospital property in both directions in a
26 municipality.

27 (8) Subject to subsection (17), the maximum speed limit on all

1 limited access freeways upon which a speed limit is not otherwise
2 fixed under this act is 70 miles per hour, which shall be known as
3 the "limited access freeway general speed limit". The minimum speed
4 limit on all limited access freeways upon which a minimum speed
5 limit is not otherwise fixed under this act is 55 miles per hour.

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

10 (10) Except as otherwise provided in this subsection, the
11 speed limit on all county highways with a gravel or unimproved
12 surface upon which a speed limit is not otherwise fixed under this
13 act is 55 miles per hour, which shall be known as the "general
14 gravel road speed limit". Upon request of a municipality located
15 within a county with a population of 1,000,000 or more, the county
16 road commission, in conjunction with the requesting municipality,
17 may lower the speed limit to 45 miles per hour on the requested
18 road segment and if a sign, signal, or device is erected or
19 maintained, taken down, or regulated as a result of a request by a
20 municipality for a speed limit of 45 miles per hour, the
21 municipality shall pay the costs of doing so. If a municipality
22 located within a county with a population of 1,000,000 or more
23 requests a speed different than the speed described in this
24 subsection, the county road commission, in conjunction with the
25 department of state police and the requesting municipality, may
26 conduct a speed study of free-flow traffic on the fastest portion
27 of the road segment in question for the purpose of establishing a

1 modified speed limit. A speed study conducted under this subsection
2 shall be completed between 3 and 14 days after a full gravel road
3 maintenance protocol has been performed on the road segment. A full
4 gravel road maintenance protocol described in this subsection shall
5 include road grading and the application of a dust abatement
6 chemical treatment. Following a speed study conducted under this
7 subsection, the speed limit for the road segment shall be
8 established at the nearest multiple of 5 miles per hour to the
9 eighty-fifth percentile of speed of free-flow traffic under ideal
10 conditions for vehicular traffic, and shall not be set below the
11 fiftieth percentile speed of free-flow traffic under ideal
12 conditions for vehicular traffic. A speed study conducted under
13 this subsection shall be the responsibility of the department of
14 state police, and if a sign, signal, or device is erected or
15 maintained, taken down, or regulated as a result of a request by a
16 municipality under this subsection, the municipality shall pay the
17 costs of doing so.

18 (11) A public record of all traffic control orders
19 establishing statutory speed limits authorized under this section
20 shall be filed with the office of the clerk of the county in which
21 the county highway is located or at the office of the city or
22 village clerk or administrative office of the airport, college, or
23 university in which the local highway is located, and a certified
24 copy of the traffic control order shall be evidence in every court
25 of this state of the authority for the issuance of that traffic
26 control order. The public record filed with the county, city, or
27 village clerk or administrative office of the airport, college, or

1 university shall not be required as evidence of authority for
2 issuing a traffic control order in the case of signs temporarily
3 erected or placed at points where construction, maintenance, or
4 surveying activities is in progress. A traffic and engineering
5 investigation is not required for a traffic control order for a
6 speed limit established under subsection (2). A traffic control
7 order shall, at a minimum, contain all of the following
8 information:

9 (a) The name of the road.

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

12 (c) The basis upon which the speed limit is in effect.

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

15 (12) Except for speed limits described in subsections (1),
16 (2)(d), and (9), speed limits established under this section are
17 not valid unless properly posted. In the absence of a properly
18 posted sign, the speed limit in effect is the basic speed law
19 described in subsection (1). Speed limits established under
20 subsection (2)(b), (e), (f), (g), (h), and (i) are not valid unless
21 a traffic control order is filed as described in subsection (11).

22 (13) Nothing in this section prevents the establishment of a
23 modified speed limit after a speed study as described in section
24 628. A modified speed limit established under section 628
25 supersedes a speed limit established under this section.

26 (14) All signs erected or placed under this section shall
27 conform to the Michigan manual on uniform traffic control devices.

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

14 (16) A person who violates a speed limit established under
15 this section is responsible for a civil infraction.

16 (17) No later than ~~1 year after the effective date of the~~
17 ~~amendatory act that added this subsection,~~ **JANUARY 5, 2018**, the
18 state transportation department and the department of state police
19 shall increase the speed limits on at least 600 miles of limited
20 access freeway to 75 miles per hour if an engineering and safety
21 study and the eighty-fifth percentile speed of free-flowing traffic
22 under ideal conditions of that section contain findings that the
23 speed limit may be raised to that speed, and the department shall
24 increase the speed limit of 900 miles of trunk line highway to 65
25 miles per hour if an engineering and safety study and the eighty-
26 fifth percentile speed of free-flowing traffic under ideal
27 conditions of that section contain findings that the speed limit

1 may be raised to that speed.

2 (18) As used in this section:

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

6 (b) "Vehicular access point" means a driveway or intersecting
7 roadway.

8 Enacting section 1. This amendatory act takes effect 90 days
9 after the date it is enacted into law.