

**SENATE 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 the
15 boundaries of a residential subdivision, including a condominium
16 subdivision, consisting of a system of interconnected highways with
17 no through highways and a limited number of dedicated highways that
18 serve as entrances to and exits from the subdivision.

19 **(E) UNTIL JANUARY 1, 2023, 25 MILES PER HOUR ON A HIGHWAY**
20 **SEGMENT THAT IS PART OF THE LOCAL STREET SYSTEM AS DESIGNATED BY A**
21 **LOCAL JURISDICTION AND APPROVED BY THE STATE TRANSPORTATION**
22 **COMMISSION UNDER 1951 PA 51, MCL 247.651 TO 247.675, AND THAT IS**
23 **WITHIN LAND THAT IS ZONED FOR RESIDENTIAL USE BY THE GOVERNING BODY**
24 **OF AN INCORPORATED CITY OR VILLAGE UNDER THE MICHIGAN ZONING**
25 **ENABLING ACT, 2006 PA 110, MCL 125.3101 TO 125.3702, UNLESS ANOTHER**
26 **SPEED IS FIXED AND POSTED. THE DEPARTMENT OF STATE POLICE SHALL**
27 **PERFORM A SPEED STUDY ON A RANDOM SAMPLE OF LOCAL STREETS DESCRIBED**

1 IN THIS SUBDIVISION. NO LATER THAN JANUARY 1, 2022, THE DEPARTMENT
2 OF STATE POLICE SHALL SUBMIT A REPORT ON THE SPEED STUDY REQUIRED
3 UNDER THIS SUBDIVISION TO THE SENATE MAJORITY LEADER, THE SPEAKER
4 OF THE HOUSE OF REPRESENTATIVES, AND THE GOVERNOR.

5 (F) ~~(e)~~—25 miles per hour on a highway segment with 60 or more
6 vehicular access points within 1/2 mile.

7 (G) ~~(f)~~—30 miles per hour on a highway segment with not less
8 than 50 vehicular access points but no more than 59 vehicular
9 access points within 1/2 mile.

10 (H) ~~(g)~~—35 miles per hour on a highway segment with not less
11 than 45 vehicular access points but no more than 49 vehicular
12 access points within 1/2 mile.

13 (I) ~~(h)~~—40 miles per hour on a highway segment with not less
14 than 40 vehicular access points but no more than 44 vehicular
15 access points within 1/2 mile.

16 (J) ~~(i)~~—45 miles per hour on a highway segment with not less
17 than 30 vehicular access points but no more than 39 vehicular
18 access points within 1/2 mile.

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

24 (4) Where the posted speed limit is greater than 65 miles per
25 hour, a person operating a school bus, a truck with a gross weight
26 of 10,000 pounds or more, a truck-tractor, or a truck-tractor with
27 a semi-trailer or trailer or a combination of these vehicles shall

1 not exceed a speed of 65 miles per hour on a limited access freeway
2 or a state trunk line highway.

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

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

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

15 (c) A speed limit may be posted on highways less than 1/2 mile
16 in length by prorating in 1/10 mile segments the vehicular access
17 point density described in subsection ~~(2)(e), (f), (2)(F)~~, (g),
18 (h), ~~or (i)~~, **OR (J)**.

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

1 post speed limit signs in each work zone described in section
2 79d(a) that indicate the speed limit in that work zone and shall
3 identify that work zone with any other traffic control devices
4 necessary to conform to the Michigan manual of uniform traffic
5 control devices. A person shall not exceed a speed limit
6 established under this section or a speed limit established under
7 section 628.

8 ~~—— (7) The state transportation department, a county road~~
9 ~~commission, or a local authority shall decrease the speed limit in~~
10 ~~a hospital highway zone by up to 10 miles per hour upon request of~~
11 ~~a hospital located within that hospital highway zone. The state~~
12 ~~transportation department, county road commission, or local~~
13 ~~authority may decrease the speed limit in a hospital highway zone~~
14 ~~by more than 10 miles per hour if the decrease is supported by an~~
15 ~~engineering and safety study. The state transportation department,~~
16 ~~county road commission, or local authority shall post speed limit~~
17 ~~signs in a hospital highway zone that indicate the speed limit in~~
18 ~~that hospital highway zone and shall identify that hospital highway~~
19 ~~zone with any other traffic control devices necessary to conform to~~
20 ~~the Michigan manual of uniform traffic control devices. If a change~~
21 ~~in a sign, signal, or device, is necessitated by a speed limit~~
22 ~~decrease described in this subsection, the hospital requesting the~~
23 ~~decrease shall pay the cost of doing so. As used in this~~
24 ~~subsection, "hospital highway zone" means a portion of state trunk~~
25 ~~line highway maintained by the state transportation department that~~
26 ~~has a posted speed limit of at least 50 miles per hour and has 2 or~~
27 ~~fewer lanes for travel in the same direction, traverses along~~

1 ~~property owned by a hospital, contains an ingress and egress point~~
2 ~~from hospital property, and extends not more than 1,000 feet beyond~~
3 ~~the boundary lines of hospital property in both directions in a~~
4 ~~municipality.~~

5 (7) ~~(8)~~ Subject to ~~subsection~~ **SUBSECTIONS (16) AND** (17), the
6 maximum speed limit on all limited access freeways upon which a
7 speed limit is not otherwise fixed under this act is 70 miles per
8 hour, which shall be known as the "limited access freeway general
9 speed limit". The minimum speed limit on all limited access
10 freeways upon which a minimum speed limit is not otherwise fixed
11 under this act is 55 miles per hour.

12 (8) ~~(9)~~ Subject to ~~subsection~~ **SUBSECTIONS (16) AND** (17), the
13 speed limit on all trunk line highways and all county highways upon
14 which a speed limit is not otherwise fixed under this act is 55
15 miles per hour, which shall be known as the "general speed limit".

16 (9) ~~(10)~~ Except as otherwise provided in this subsection, the
17 speed limit on all county highways with a gravel or unimproved
18 surface upon which a speed limit is not otherwise fixed under this
19 act is 55 miles per hour, which shall be known as the "general
20 gravel road speed limit". Upon request of a municipality located
21 within a county with a population of 1,000,000 or more, the county
22 road commission, in conjunction with the requesting municipality,
23 may lower the speed limit to 45 miles per hour on the requested
24 road segment and if a sign, signal, or device is erected or
25 maintained, taken down, or regulated as a result of a request by a
26 municipality for a speed limit of 45 miles per hour, the
27 municipality shall pay the costs of doing so. If a municipality

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

24 (10) ~~(11)~~—A public record of all traffic control orders
25 establishing statutory speed limits authorized under this section
26 shall be filed with the office of the clerk of the county in which
27 the county highway is located or at the office of the city or

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

15 (a) The name of the road.

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

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

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

21 **(11)** ~~(12)~~ Except for speed limits described in subsections
22 (1), (2)(d), **(2)(E)**, and ~~(9)~~, **(8)**, speed limits established under
23 this section are not valid unless properly posted. In the absence
24 of a properly posted sign, the speed limit in effect is the basic
25 speed law described in subsection (1). Speed limits established
26 under subsection (2)(b), ~~(e)~~, (f), (g), (h), and ~~(i)~~, **AND (J)** are
27 not valid unless a traffic control order is filed as described in

1 subsection ~~(11)~~-(10).

2 (12) ~~(13)~~ Nothing in this section prevents the establishment
3 of a modified speed limit after a speed study as described in
4 section 628. A modified speed limit established under section 628
5 supersedes a speed limit established under this section.

6 (13) ~~(14)~~ All signs erected or placed under this section shall
7 conform to the Michigan manual on uniform traffic control devices.

8 (14) ~~(15)~~ If upon investigation the state transportation
9 department or county road commission and the department of state
10 police determine that it is in the interest of public safety, they
11 may order city, village, airport, college, university, and township
12 officials to erect and maintain, take down, or regulate speed limit
13 signs, signals, and devices as directed. In default of an order,
14 the state transportation department or county road commission may
15 cause designated signs, signals, and devices to be erected and
16 maintained, removed, or regulated in the manner previously directed
17 and pay the costs for doing so out of the designated highway fund.
18 An investigation, including a speed study, conducted under this
19 subsection shall be the responsibility of the department of state
20 police.

21 (15) ~~(16)~~ A person who violates a speed limit established
22 under this section is responsible for a civil infraction.

23 (16) ~~(17) No later than 1 year after the effective date of the~~
24 ~~amendatory act that added this subsection, JANUARY 5, 2018, the~~
25 state transportation department and the department of state police
26 shall increase the speed limits on at least 600 miles of limited
27 access freeway to 75 miles per hour if an engineering and safety

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

9 (17) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, NO LATER
10 THAN SEPTEMBER 1, 2019, THE POSTED SPEED LIMIT ON ALL LIMITED
11 ACCESS FREEWAYS IN THIS STATE SHALL BE 75 MILES PER HOUR, AND THE
12 POSTED SPEED LIMIT ON ALL STATE TRUNK LINE HIGHWAYS THAT ARE NOT
13 LOCATED WITHIN THE BOUNDARIES OF AN INCORPORATED CITY OR VILLAGE
14 SHALL BE 65 MILES PER HOUR. IF THE DEPARTMENT OF STATE POLICE, IN
15 COOPERATION WITH THE STATE TRANSPORTATION DEPARTMENT, CONDUCTS AN
16 ENGINEERING AND SAFETY STUDY AS PROVIDED IN SECTION 628(5) AND
17 FILES A TRAFFIC CONTROL ORDER ON OR AFTER JANUARY 5, 2017, THE
18 POSTED SPEED LIMIT ON THE LIMITED ACCESS FREEWAY OR STATE TRUNK
19 LINE HIGHWAY SHALL BE SET AS PROVIDED IN SECTION 628(5).

20 (18) As used in this section:

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

24 (b) "Vehicular access point" means a driveway or intersecting
25 roadway.

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