

REPRINT

SUBSTITUTE FOR

HOUSE BILL NO. 4206

(As passed the House, June 1, 1999)

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 628 (MCL 257.628), as amended by 1996 PA
320.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 628. (1) If the state transportation commission or
2 county road commission, with respect to highways under its juris-
3 diction, and the director of the department of state police
4 jointly determine upon the basis of an engineering and traffic
5 investigation that the speed of vehicular traffic on a state
6 trunk line or county highway is greater or less than is reason-
7 able or safe under the conditions found to exist at an intersec-
8 tion or other place or upon a part of the highway, the officials
9 acting jointly may determine and declare a reasonable and safe
10 maximum or minimum speed limit on that state trunk line, county

HB 4206, As Passed Senate, May 30, 2000

House Bill No. 4206 as amended May 23, 2000

2

1 highway, or intersection ~~which~~ THAT shall be effective at the
2 times determined when appropriate signs giving notice of the
3 speed limit are erected at the intersection or other place or
4 part of the highway. If a superintendent of a school district
5 determines that the speed of vehicular traffic on a state trunk
6 line or county highway, which is within 1,000 feet of a school in
7 the school district of which that person is the superintendent,
8 is greater or less than is reasonable or safe, the officials
9 shall include the superintendent of the school district affected
10 in acting jointly in determining and declaring a reasonable and
11 safe maximum or minimum speed limit on that state trunk line or
12 county highway. The maximum speed limit on all highways or parts
13 of highways upon which a maximum speed limit is not otherwise
14 fixed ~~pursuant to~~ UNDER this act shall be 55 miles per hour.

15 (2) IN THE CASE OF A COUNTY HIGHWAY OF NOT LESS THAN 1 MILE
16 WITH RESIDENTIAL LOTS WITH ROAD FRONTAGE OF 300 FEET OR LESS
17 ALONG EITHER SIDE OF THE HIGHWAY FOR THE LENGTH OF THAT PART OF
18 THE HIGHWAY THAT IS UNDER REVIEW FOR A PROPOSED CHANGE IN THE
19 SPEED LIMIT, THE TOWNSHIP BOARD MAY PETITION THE COUNTY ROAD COM-
20 MISSION OR IN CHARTER COUNTIES WHERE THERE IS NO ROAD COMMISSION,
21 BUT THERE IS A COUNTY BOARD OF COMMISSIONERS, THE TOWNSHIP BOARD
22 MAY PETITION THE COUNTY BOARD OF COMMISSIONERS FOR A PROPOSED
23 CHANGE IN THE SPEED LIMIT. THE COUNTY ROAD COMMISSION OR IN
24 CHARTER COUNTIES WHERE THERE IS NO ROAD COMMISSION, BUT THERE IS
25 A COUNTY BOARD OF COMMISSIONERS, THE TOWNSHIP BOARD MAY PETITION
26 THE COUNTY BOARD OF COMMISSIONERS TO APPROVE THE PROPOSED CHANGE

HB 4206, As Passed Senate, May 30, 2000

House Bill No. 4206

3

1 IN THE SPEED LIMIT WITHOUT THE NECESSITY OF AN ENGINEERING AND
2 TRAFFIC INVESTIGATION.

3 (3) THE SPEED LIMIT ON A COUNTY HIGHWAY OR AN INTERCONNECTED
4 GROUP OF COUNTY HIGHWAYS OF NOT MORE THAN 1 MILE IN TOTAL LENGTH
5 THAT CONNECT WITH THE COUNTY ROAD SYSTEM BY A SINGLE ENTRANCE AND
6 EXIT SHALL BE 25 MILES PER HOUR UNLESS A DIFFERENT SPEED LIMIT IS
7 FIXED AND POSTED.

8 (4) ~~-(2)-~~ If upon investigation the state transportation
9 commission or county road commission and the director of the
10 department of state police find it in the interest of public
11 safety, they may order the township board, or city or village
12 officials to erect and maintain, take down, or regulate the speed
13 control signs, signals, or devices as directed, and in default of
14 an order the state transportation commission or county road com-
15 mission may cause the designated signs, signals, and devices to
16 be erected and maintained, taken down, regulated, or controlled,
17 in the manner previously directed, and pay for the erecting and
18 maintenance, removal, regulation, or control of the sign, signal,
19 or device out of the highway fund designated.

20 (5) ~~-(3)-~~ A public record of all speed control signs, sig-
21 nals, or devices authorized under this section shall be filed in
22 the office of the county clerk of the county in which the highway
23 is located, and a certified copy shall be prima facie evidence in
24 all courts of the issuance of the authorization. The public
25 record with the county clerk shall not be required as prima facie
26 evidence of authorization in the case of signs erected or placed
27 temporarily for the control of speed or direction of traffic at

HB 4206, As Passed Senate, May 30, 2000

House Bill No. 4206

4

1 points where construction, repairs, or maintenance of highways is
2 in progress, or along a temporary alternate route established to
3 avoid the construction, repair, or maintenance of a highway, if
4 the signs are of uniform design approved by the state transporta-
5 tion commission and the director of the department of state
6 police and clearly indicate a special control, when proved in
7 court that the temporary traffic-control sign was placed by the
8 state transportation commission or on the authority of the state
9 transportation commission and the director of the department of
10 state police or by the county road commission or on the authority
11 of the county road commission, at a specified location.

12 (6) ~~-(4)-~~ A person who fails to observe an authorized speed
13 or traffic control sign, signal, or device is responsible for a
14 civil infraction.

15 (7) ~~-(5)-~~ Except as otherwise provided in this section, the
16 maximum speed limit on all freeways shall be 65 miles per hour
17 except that the state transportation department may designate not
18 more than 170 miles of freeway in this state on which the speed
19 limit may be less than 65 miles per hour. The director of the
20 state transportation department, in consultation with the depart-
21 ment of state police, beginning July 31, 1996, shall establish
22 five areas of freeway miles as test zones on which the speed
23 limit may be increased to 70 miles per hour in order to conduct a
24 study to determine whether any of those miles of freeway on which
25 the speed limit is 65 miles per hour on ~~the effective date of~~
26 ~~the 1996 amendatory act that amended this section~~ JUNE 25, 1996
27 may be increased to 70 miles per hour. Tests shall be conducted

HB 4206, As Passed Senate, May 30, 2000

House Bill No. 4206

5

1 from August 1, 1996 through October 31, 1996. The study shall be
2 completed by December 15, 1996 and shall be based on traffic con-
3 gestion and other traffic safety issues as determined by the
4 director of the department of state police or his or her designee
5 and on engineering criteria as determined by the director of the
6 state transportation department or his or her designee. If the
7 study indicates that certain miles of freeway are eligible for
8 increase, the speed limit on those miles of freeway may be
9 increased to 70 miles per hour. The minimum speed limit on all
10 freeways shall be 45 miles per hour except if reduced speed is
11 necessary for safe operation or in compliance with law or in com-
12 pliance with a special permit issued by an appropriate
13 authority.

14 (8) ~~-(6)-~~ The maximum rates of speed allowed pursuant to
15 this section are subject to the maximum rates established
16 ~~pursuant to~~ UNDER section 629b, section 627(5) to (7) for cer-
17 tain vehicles and vehicle combinations, and section 629(4).

18 (9) ~~-(7)-~~ A citation or civil infraction determination for
19 exceeding a lawful maximum speed limit of 55 miles per hour by
20 driving 65 miles per hour or less shall not be considered by any
21 person in establishing automobile insurance eligibility or auto-
22 mobile insurance rates.