

**SUBSTITUTE FOR  
HOUSE BILL NO. 5549**

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
(MCL 257.1 to 257.923) by adding section 653a.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

**1** SEC. 653A. (1) UPON APPROACHING AND PASSING A STATIONARY  
**2** AUTHORIZED EMERGENCY VEHICLE THAT IS GIVING A VISUAL SIGNAL BY  
**3** MEANS OF FLASHING, ROTATING, OR OSCILLATING RED, BLUE, OR WHITE  
**4** LIGHTS AS PERMITTED BY SECTION 698, THE DRIVER OF AN APPROACHING  
**5** VEHICLE SHALL EXHIBIT DUE CARE AND CAUTION, AS REQUIRED UNDER THE  
**6** FOLLOWING:

**7** (A) ON ANY PUBLIC ROADWAY WITH AT LEAST 2 ADJACENT LANES  
**8** PROCEEDING IN THE SAME DIRECTION OF THE STATIONARY AUTHORIZED  
**9** EMERGENCY VEHICLE, THE DRIVER OF THE APPROACHING VEHICLE SHALL  
**10** PROCEED WITH CAUTION AND YIELD THE RIGHT-OF-WAY BY MOVING INTO A  
**11** LANE AT LEAST 1 MOVING LANE OR 2 VEHICLE WIDTHS APART FROM THE

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1 STATIONARY AUTHORIZED EMERGENCY VEHICLE, UNLESS DIRECTED  
2 OTHERWISE BY A POLICE OFFICER. IF MOVEMENT TO AN ADJACENT LANE  
3 OR 2 VEHICLE WIDTHS APART IS NOT POSSIBLE DUE TO WEATHER, ROAD  
4 CONDITIONS, OR THE IMMEDIATE PRESENCE OF VEHICULAR OR PEDESTRIAN  
5 TRAFFIC IN PARALLEL MOVING LANES, THE DRIVER OF THE APPROACHING  
6 VEHICLE SHALL PROCEED AS REQUIRED IN SUBDIVISION (B).

7 (B) ON ANY PUBLIC ROADWAY THAT DOES NOT HAVE AT LEAST 2  
8 ADJACENT LANES PROCEEDING IN THE SAME DIRECTION AS THE STATIONARY  
9 AUTHORIZED EMERGENCY VEHICLE, OR IF THE MOVEMENT BY THE DRIVER OF  
10 THE VEHICLE INTO AN ADJACENT LANE OR 2 VEHICLE WIDTHS APART IS  
11 NOT POSSIBLE AS DESCRIBED IN SUBDIVISION (A), THE APPROACHING  
12 VEHICLE SHALL REDUCE AND MAINTAIN A SAFE SPEED FOR WEATHER, ROAD  
13 CONDITIONS, AND VEHICULAR OR PEDESTRIAN TRAFFIC AND PROCEED WITH  
14 DUE CARE AND CAUTION, OR AS DIRECTED BY A POLICE OFFICER.

15 (2) A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A  
16 MISDEMEANOR.

17 (3) A PERSON WHO VIOLATES THIS SECTION AND CAUSES INJURY TO  
18 A POLICE OFFICER, FIREFIGHTER, OR OTHER EMERGENCY RESPONSE PER-  
19 SONNEL IN THE IMMEDIATE AREA OF THE STATIONARY AUTHORIZED EMER-  
20 GENCY VEHICLE IS GUILTY OF A FELONY PUNISHABLE BY A FINE OF NOT  
21 MORE THAN \$1,000.00 OR IMPRISONMENT FOR NOT MORE THAN 2 YEARS, OR  
22 BOTH.

23 (4) A PERSON WHO VIOLATES THIS SECTION AND CAUSES DEATH TO A  
24 POLICE OFFICER, FIREFIGHTER, OR OTHER EMERGENCY RESPONSE PERSON-  
25 NEL IN THE IMMEDIATE AREA OF THE STATIONARY AUTHORIZED EMERGENCY  
26 VEHICLE IS GUILTY OF A FELONY PUNISHABLE BY A FINE OF NOT MORE  
27 THAN \$7,500.00 OR BY IMPRISONMENT FOR NOT MORE THAN 15 YEARS, OR

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1 BOTH. A PERSON WHO VIOLATES THIS SECTION AND CAUSES DEATH TO A  
2 POLICE OFFICER IN THE IMMEDIATE AREA OF THE STATIONARY AUTHORIZED  
3 EMERGENCY VEHICLE AND WHO WAS AT THE TIME OF THE VIOLATION UNDER  
4 THE INFLUENCE OF, OR IMPAIRED BY, INTOXICATING LIQUOR OR A CON-  
5 TROLLED SUBSTANCE IS PUNISHABLE BY IMPRISONMENT FOR LIFE OR ANY  
6 TERM OF YEARS.