



# HOUSE BILL No. 5549

April 11, 2000, Introduced by Reps. Garcia, Mans, Kowall, Mortimer, Faunce, DeVuyst, Howell, Bisbee, Neumann, Gielegem, Sheltroun, Wojno, O'Neil, Spade, Tesanovich, Brater, Vear, Hager, Richardville, Bob Brown, Tabor, DeRossett, DeWeese, Basham, Lockwood, Voorhees, Sanborn, Rick Johnson, Schauer, Bovin, Rivet, Pestka, Reeves, Stamas, Jansen, Shulman, Frank, Hale, Hart, Raczkowski and Lemmons and referred to the Committee on Transportation.

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 MOVE INTO A LANE AT LEAST 1 MOVING LANE OR 2 VEHICLE WIDTHS APART  
11 FROM THE STATIONARY AUTHORIZED EMERGENCY VEHICLE, UNLESS DIRECTED

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

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

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

16 (3) A PERSON WHO VIOLATES THIS SECTION AND CAUSES INJURY TO  
17 A POLICE OFFICER IN THE IMMEDIATE AREA OF THE STATIONARY AUTHO-  
18 RIZED EMERGENCY VEHICLE IS GUILTY OF A FELONY PUNISHABLE BY A  
19 FINE OF NOT MORE THAN \$1,000.00 OR IMPRISONMENT FOR NOT MORE THAN  
20 2 YEARS, OR BOTH.

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

1 VIOLATION UNDER THE INFLUENCE OF, OR IMPAIRED BY, INTOXICATING  
2 LIQUOR OR A CONTROLLED SUBSTANCE IS PUNISHABLE BY IMPRISONMENT  
3 FOR LIFE OR ANY TERM OF YEARS.