

HOUSE BILL No. 5094

September 25, 2001, Introduced by Reps. Richner, Scranton, Drolet and Birkholz and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 653a (MCL 257.653a), as added by 2000 PA
458.

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

1 lane at least 1 moving lane or 2 vehicle widths apart from the
2 stationary authorized emergency vehicle, unless directed other-
3 wise by a police officer. If movement to an adjacent lane or 2
4 vehicle widths apart is not possible due to weather, road condi-
5 tions, or the immediate presence of vehicular or pedestrian traf-
6 fic in parallel moving lanes, the driver of the approaching vehi-
7 cle shall proceed as required in subdivision (b).

8 (b) On any public roadway that does not have at least 2
9 adjacent lanes proceeding in the same direction as the stationary
10 authorized emergency vehicle, or if the movement by the driver of
11 the vehicle into an adjacent lane or 2 vehicle widths apart is
12 not possible as described in subdivision (a), the approaching
13 vehicle shall reduce and maintain a safe speed for weather, road
14 conditions, and vehicular or pedestrian traffic and proceed with
15 due care and caution, or as directed by a police officer.

16 (2) Except as provided in subsections (3) and (4), a person
17 who violates this section is ~~guilty of a misdemeanor punishable~~
18 ~~by a fine of not more than \$500.00 or imprisonment for not more~~
19 ~~than 90 days, or both~~ RESPONSIBLE FOR A CIVIL INFRACTION.

20 (3) A person who violates this section and causes injury to
21 a police officer, firefighter, or other emergency response per-
22 sonnel in the immediate area of the stationary authorized emer-
23 gency vehicle is guilty of a felony punishable by a fine of not
24 more than \$1,000.00 or imprisonment for not more than 2 years, or
25 both.

26 (4) A person who violates this section and causes death to a
27 police officer, firefighter, or other emergency response

1 personnel in the immediate area of the stationary authorized
2 emergency vehicle is guilty of a felony punishable by a fine of
3 not more than \$7,500.00 or by imprisonment for not more than
4 15 years, or both.