

SENATE BILL No. 805

October 25, 2001, Introduced by Senator BULLARD and referred to the Committee on Transportation and Tourism.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 628 (MCL 257.628), as amended by 2000 PA 167.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

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1 county highway, or intersection 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 NONPAVED ROADS OR
13 PARTS OF NONPAVED ROADS WHICH CONSIST OF CRUSHED STONE, SHALE,
14 SLAG, SAND, GRAVEL, OR OTHER AGGREGATE UPON WHICH A MAXIMUM SPEED
15 LIMIT IS NOT OTHERWISE FIXED UNDER THIS ACT SHALL BE 45 MILES PER
16 HOUR. The maximum speed limit on all highways or parts of high-
17 ways upon which a maximum speed limit is not otherwise fixed
18 under this act shall be 55 miles per hour.

19 (2) In the case of a county highway of not less than 1 mile
20 with residential lots with road frontage of 300 feet or less
21 along either side of the highway for the length of that part of
22 the highway that is under review for a proposed change in the
23 speed limit, the township board may petition the county road com-
24 mission or in charter counties where there is no road commission,
25 but there is a county board of commissioners, the township board
26 may petition the county board of commissioners for a proposed
27 change in the speed limit. The county road commission or in

1 charter counties where there is no road commission, but there is
2 a county board of commissioners, the township board may petition
3 the county board of commissioners to approve the proposed change
4 in the speed limit without the necessity of an engineering and
5 traffic investigation.

6 (3) The speed limit on a county highway or an interconnected
7 group of county highways of not more than 1 mile in total length
8 that connect with the county road system by a single entrance and
9 exit shall be 25 miles per hour unless a different speed limit is
10 fixed and posted.

11 (4) If upon investigation the state transportation
12 ~~commission~~ DEPARTMENT or county road commission and the direc-
13 tor of the department of state police find it in the interest of
14 public safety, they may order the township board, or city or vil-
15 lage officials to erect and maintain, take down, or regulate the
16 speed control signs, signals, or devices as directed, and in
17 default of an order the state transportation ~~commission~~
18 DEPARTMENT or county road commission may cause the designated
19 signs, signals, and devices to be erected and maintained, taken
20 down, regulated, or controlled, in the manner previously
21 directed, and pay for the erecting and maintenance, removal, reg-
22 ulation, or control of the sign, signal, or device out of the
23 highway fund designated.

24 (5) A public record of all speed control signs, signals, or
25 devices authorized under this section shall be filed in the
26 office of the county clerk of the county in which the highway is
27 located, and a certified copy shall be prima facie evidence in

1 all courts of the issuance of the authorization. The public
2 record with the county clerk shall not be required as prima facie
3 evidence of authorization in the case of signs erected or placed
4 temporarily for the control of speed or direction of traffic at
5 points where construction, repairs, or maintenance of highways is
6 in progress, or along a temporary alternate route established to
7 avoid the construction, repair, or maintenance of a highway, if
8 the signs are of uniform design approved by the state transporta-
9 tion ~~commission~~ DEPARTMENT and the director of the department
10 of state police and clearly indicate a special control, when
11 proved in court that the temporary traffic-control sign was
12 placed by the state transportation ~~commission~~ DEPARTMENT or on
13 the authority of the state transportation ~~commission~~ DEPARTMENT
14 and the director of the department of state police or by the
15 county road commission or on the authority of the county road
16 commission, at a specified location.

17 (6) A person who fails to observe an authorized speed or
18 traffic control sign, signal, or device is responsible for a
19 civil infraction.

20 (7) Except as otherwise provided in this section, the maxi-
21 mum speed limit on all freeways shall be 65 miles per hour except
22 that the state transportation department may designate not more
23 than 170 miles of freeway in this state on which the speed limit
24 may be less than 65 miles per hour. The director of the state
25 transportation department, in consultation with the department of
26 state police, beginning July 31, 1996, shall establish five areas
27 of freeway miles as test zones on which the speed limit may be

1 increased to 70 miles per hour in order to conduct a study to
2 determine whether any of those miles of freeway on which the
3 speed limit is 65 miles per hour on June 25, 1996 may be
4 increased to 70 miles per hour. Tests shall be conducted from
5 August 1, 1996 through October 31, 1996. The study shall be com-
6 pleted by December 15, 1996 and shall be based on traffic conges-
7 tion and other traffic safety issues as determined by the direc-
8 tor of the department of state police or his or her designee and
9 on engineering criteria as determined by the director of the
10 state transportation department or his or her designee. If the
11 study indicates that certain miles of freeway are eligible for
12 increase, the speed limit on those miles of freeway may be
13 increased to 70 miles per hour. The minimum speed limit on all
14 freeways shall be 45 miles per hour except if reduced speed is
15 necessary for safe operation or in compliance with law or in com-
16 pliance with a special permit issued by an appropriate
17 authority.

18 (8) The maximum rates of speed allowed pursuant to this sec-
19 tion are subject to the maximum rates established under section
20 629b, section 627(5) to (7) for certain vehicles and vehicle com-
21 binations, and section 629(4).

22 (9) A citation or civil infraction determination for exceed-
23 ing a lawful maximum speed limit of 55 miles per hour by driving
24 65 miles per hour or less shall not be considered by any person
25 in establishing automobile insurance eligibility or automobile
26 insurance rates.