

SUBSTITUTE FOR  
HOUSE BILL NO. 5240

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending sections 5, 320a, 627, 628, 629, and 629c (MCL 257.5,  
257.320a, 257.627, 257.628, 257.629, and 257.629c), section 320a  
as amended by 2004 PA 495, section 627 as amended by 2004 PA 62,  
section 628 as amended by 2003 PA 65, section 629 as amended by  
1988 PA 368, and section 629c as amended by 1996 PA 320; and to  
repeal acts and parts of acts.

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

1       Sec. 5. **(1)** "Business district" means ~~the territory~~ **AN**  
2 **AREA** contiguous to a highway ~~when 50 per cent~~ **WHERE THE TOTAL**  
3 **WIDTHS OF THE ADJACENT BUILDINGS IN USE FOR COMMERCIAL BUSINESS**  
4 **OPEN TO THE GENERAL PUBLIC ON BOTH SIDES OCCUPY 50% or more of**

the **TOTAL** frontage ~~thereon~~ **ON BOTH SIDES** for a distance of ~~300~~  
~~600~~ feet or more. ~~is occupied by buildings in use for business.~~

(2) AS USED IN THIS SECTION, "COMMERCIAL BUSINESS" DOES NOT  
 INCLUDE A HOME-BASED BUSINESS CONDUCTED FROM A RESIDENCE OR  
 DOMICILE, BUT DOES INCLUDE A MULTI-USE BUILDING IN WHICH A  
 COMMERCIAL BUSINESS OPEN TO THE GENERAL PUBLIC IS OPERATED ON THE  
 GROUND FLOOR AND RESIDENTIAL APARTMENTS EXIST ON UPPER FLOORS.

Sec. 320a. (1) ~~Until October 1, 2005, within 10 days after~~  
~~the receipt of a properly prepared abstract from this state or~~  
~~another state, or, beginning October 1, 2005, within~~ **WITHIN 5**  
 days after the receipt of a properly prepared abstract from this  
 state or another state, the secretary of state shall record the  
 date of conviction, civil infraction determination, or probate  
 court disposition, and the number of points for each, based on  
 the following formula, except as otherwise provided in this  
 section and section 629c:

(a) Manslaughter, negligent homicide, or a felony  
 resulting from the operation of a motor vehicle, ORV, or  
 snowmobile ..... 6 points

(b) A violation of section 601b(2) or (3), 601c(1) or  
 (2), or 653a(3) or (4) ..... 6 points

(c) A violation of section 625(1), (4), (5), (7),  
 or (8), section 81134 or 82127(1) of the natural resources  
 and environmental protection act, 1994 PA 451,  
 MCL 324.81134 and 324.82127, or a law or ordinance  
 substantially corresponding to section 625(1), (4), (5),  
 (7), or (8) or section 81134 or 82127(1) of the natural

1 resources and environmental protection act, 1994 PA 451,  
 2 MCL 324.81134 and 324.82127 ..... 6 points  
 3 (d) Failing to stop and disclose identity at the  
 4 scene of an accident when required by law ..... 6 points  
 5 (e) Operating a motor vehicle in violation of  
 6 section 626 ..... 6 points  
 7 (f) Fleeing or eluding an officer ..... 6 points  
 8 (g) A violation of section ~~627(9)~~ **627(8)**  
 9 pertaining to speed in a work zone described in that section  
 10 by exceeding the lawful maximum by more than 15 miles  
 11 per hour ..... 5 points  
 12 (h) A violation of any law other than the law  
 13 described in subdivision (g) or ordinance pertaining to  
 14 speed by exceeding the lawful maximum by more than 15 miles  
 15 per hour ..... 4 points  
 16 (i) A violation of section 625(3) or (6), section  
 17 81135 or 82127(3) of the natural resources and environmental  
 18 protection act, 1994 PA 451, MCL 324.81135 and 324.82127,  
 19 or a law or ordinance substantially corresponding to  
 20 section 625(3) or (6) or section 81135 or 82127(3) of the  
 21 natural resources and environmental protection act, 1994  
 22 PA 451, MCL 324.81135 and 324.82127 ..... 4 points  
 23 (j) A violation of section 626a or a law or  
 24 ordinance substantially corresponding to section 626a . 4 points  
 25 (k) A violation of section 653a(2) ..... 4 points  
 26 (l) A violation of section ~~627(9)~~ **627(8)**  
 27 pertaining to speed in a work zone described in that section

1 by exceeding the lawful maximum by more than 10 but not more  
 2 than 15 miles per hour ..... 4 points

3 (m) A violation of any law other than the law  
 4 described in subdivision (l) or ordinance pertaining to  
 5 speed by exceeding the lawful maximum by more than 10 but  
 6 not more than 15 miles per hour or careless driving in  
 7 violation of section 626b or a law or ordinance  
 8 substantially corresponding to section 626b ..... 3 points

9 (n) A violation of section ~~627(9)~~ **627(8)**  
 10 pertaining to speed in a work zone described in that section  
 11 by exceeding the lawful maximum by 10 miles per hour  
 12 or less ..... 3 points

13 (o) A violation of any law other than the law  
 14 described in subdivision (n) or ordinance pertaining to  
 15 speed by exceeding the lawful maximum by 10 miles per hour  
 16 or less ..... 2 points

17 (p) Disobeying a traffic signal or stop sign, or  
 18 improper passing ..... 3 points

19 (q) A violation of section 624a, 624b, or a law or  
 20 ordinance substantially corresponding to section 624a  
 21 or 624b ..... 2 points

22 (r) A violation of section 310e(4) or (6) or a law  
 23 or ordinance substantially corresponding to section 310e(4)  
 24 or (6) ..... 2 points

25 (s) All other moving violations pertaining to the  
 26 operation of motor vehicles reported under this section 2 points

27 (t) A refusal by a person less than 21 years of

age to submit to a preliminary breath test required by a  
peace officer under section 625a ..... 2 points

(2) Points shall not be entered for a violation of section  
310e(14), 311, 625m, 658, 717, 719, 719a, or 723.

(3) Points shall not be entered for bond forfeitures.

(4) Points shall not be entered for overweight loads or for  
defective equipment.

(5) If more than 1 conviction, civil infraction  
determination, or probate court disposition results from the same  
incident, points shall be entered only for the violation that  
receives the highest number of points under this section.

(6) If a person has accumulated 9 points as provided in this  
section, the secretary of state may call the person in for an  
interview as to the person's driving ability and record after due  
notice as to time and place of the interview. If the person fails  
to appear as provided in this subsection, the secretary of state  
shall add 3 points to the person's record.

(7) If a person violates a speed restriction established by  
an executive order issued during a state of energy emergency as  
provided by 1982 PA 191, MCL 10.81 to 10.89, the secretary of  
state shall enter points for the violation pursuant to subsection  
(1).

(8) The secretary of state shall enter 6 points upon the  
record of a person whose license is suspended or denied pursuant  
to section 625f. However, if a conviction, civil infraction  
determination, or probate court disposition results from the same  
incident, additional points for that offense shall not be

1 entered.

2 (9) If a Michigan driver commits a violation in another  
3 state that would be a civil infraction if committed in Michigan,  
4 and a conviction results solely because of the failure of the  
5 Michigan driver to appear in that state to contest the violation,  
6 upon receipt of the abstract of conviction by the secretary of  
7 state, the violation shall be noted on the driver's record, but  
8 no points shall be assessed against his or her driver's license.

9 Sec. 627. (1) A person driving a vehicle on a highway shall  
10 drive at a careful and prudent speed not greater than nor less  
11 than is reasonable and proper, having due regard to the traffic,  
12 surface, and width of the highway and of any other condition then  
13 existing. A person shall not drive a vehicle upon a highway at a  
14 speed greater than that which will permit a stop within the  
15 assured, clear distance ahead.

16 (2) ~~Subject to subsection (1) and except~~ **EXCEPT** in those  
17 instances where a lower speed is specified in this chapter **OR THE**  
18 **SPEED WOULD BE UNSAFE PURSUANT TO SUBSECTION (1)**, it is prima  
19 facie ~~lawful~~ **UNLAWFUL** for the driver of a vehicle to drive at a  
20 speed ~~not~~ exceeding the following: ~~—, except when this speed~~  
21 ~~would be unsafe:~~

22 (a) ~~25~~ **30** miles ~~an~~ **PER** hour on all highways in a  
23 business ~~or residence~~ district as **THAT TERM IS** defined in ~~this~~  
24 ~~act~~ **SECTION 5**.

25 (b) 25 miles ~~an~~ **PER** hour in public parks unless a  
26 different speed is fixed and duly posted.

27 (C) **30 MILES PER HOUR ON A HIGHWAY SEGMENT WITH 60 OR MORE**

1 VEHICULAR ACCESS POINTS WITHIN 1/2 MILE.

2 (D) 35 MILES PER HOUR ON A HIGHWAY SEGMENT WITH NOT LESS  
3 THAN 45 VEHICULAR ACCESS POINTS BUT NO MORE THAN 59 VEHICULAR  
4 ACCESS POINTS WITHIN 1/2 MILE.

5 (E) 45 MILES PER HOUR ON A HIGHWAY SEGMENT WITH NOT LESS  
6 THAN 30 VEHICULAR ACCESS POINTS BUT NO MORE THAN 44 VEHICULAR  
7 ACCESS POINTS WITHIN 1/2 MILE.

8 (3) It is prima facie unlawful for a person to exceed the  
9 speed limits prescribed in subsection (2), except as provided in  
10 section 629.

11 (4) The driver of a vehicle in a mobile home park as defined  
12 in section 2 of the mobile home commission act, 1987 PA 96, MCL  
13 125.2302, shall drive at a careful and prudent speed, not greater  
14 than a speed ~~which~~ **THAT** is reasonable and proper, having due  
15 regard for the traffic, surface, width of the roadway, and all  
16 other conditions existing, and not greater than a speed ~~which~~  
17 **THAT** will permit a stop within the assured clear distance ahead.  
18 It is prima facie unlawful for the driver of a vehicle to drive  
19 at a speed exceeding 15 miles ~~an~~ **PER** hour in a mobile home park  
20 as defined in section 2 of the mobile home commission act, 1987  
21 PA 96, MCL 125.2302.

22 (5) A person ~~driving a passenger~~ **OPERATING A SCHOOL BUS, A**  
23 vehicle drawing another vehicle or trailer, **OR A TRUCK OR TRUCK-**  
24 **TRACTOR WITH A GROSS WEIGHT OF 10,000 POUNDS OR MORE,** shall not  
25 exceed a speed of 55 miles per hour. ~~—, unless the vehicle or~~  
26 ~~trailer has 2 wheels or less and does not exceed the combined~~  
27 ~~weight of 750 pounds for the vehicle or trailer and load, or a~~

~~trailer coach of not more than 26 feet in length with brakes on each wheel and attached to the passenger vehicle with an equalizing or stabilizing coupling unit.~~

(6) A **PERSON OPERATING A** truck with a gross weight of 10,000 pounds or more, a truck-tractor with a trailer, or a combination of these vehicles ~~shall not exceed a speed of 55 miles per hour on highways, streets, or freeways and~~ shall not exceed a speed of 35 miles per hour during the period when reduced loadings are being enforced in accordance with this chapter.

~~—— (7) A person driving a school bus shall not exceed the speed of 50 miles per hour.~~

(7) ~~—(8)—~~ The maximum rates of speeds allowed ~~pursuant to~~ **UNDER** this section are subject to the maximum rate established ~~pursuant to~~ **UNDER** section 629b.

(8) ~~—(9)—~~ A person operating a vehicle on a highway, when entering and passing through a work zone ~~described in section 79e(a), or, beginning April 8, 2004,~~ described in section 79d(a) ~~—~~ where a normal lane or part of the lane of traffic has been closed due to highway construction, maintenance, or surveying activities, shall not exceed a speed of 45 miles per hour unless a different speed limit is determined for that work zone by the state transportation department, a county road commission, or a local authority, **BASED ON ACCEPTED ENGINEERING PRACTICE**. The state transportation department, a county road commission, or a local authority shall post speed limit signs in each work zone ~~described in section 79e(a), or, beginning April 8, 2004,~~ described in section 79d(a) ~~—~~ that indicate the speed limit in



1 that work zone and shall identify that work zone with any other  
2 traffic control devices necessary to conform to the Michigan  
3 manual of uniform traffic control devices. A person shall not  
4 exceed a speed limit established under this section or a speed  
5 limit established under section 628 or 629.

6 (9) NOTWITHSTANDING SUBSECTION (1), SPEED LIMITS ESTABLISHED  
7 PURSUANT TO THIS SECTION ARE NOT VALID UNLESS PROPERLY POSTED. A  
8 SIGN INDICATING "PRIMA FACIE" SHALL BE ATTACHED DIRECTLY BELOW A  
9 SIGN INDICATING A SPEED LIMIT POSTED PURSUANT TO THIS SECTION. IN  
10 THE ABSENCE OF A PROPERLY POSTED SIGN, THE SPEED LIMIT IN EFFECT  
11 SHALL BE THE GENERAL SPEED LIMIT PURSUANT TO SECTION 628(1).

12 (10) NOTHING IN THIS SECTION PREVENTS THE ESTABLISHMENT OF  
13 AN ABSOLUTE SPEED LIMIT PURSUANT TO SECTION 628. NOTWITHSTANDING  
14 SUBSECTION (1), AN ABSOLUTE SPEED LIMIT ESTABLISHED PURSUANT TO  
15 SECTION 628 SUPERSEDES A PRIMA FACIE SPEED LIMIT ESTABLISHED  
16 PURSUANT TO THIS SECTION.

17 (11) NOTHING IN THIS SECTION SHALL BE CONSTRUED AS  
18 JUSTIFICATION TO DENY A TRAFFIC AND ENGINEERING INVESTIGATION.

19 (12) AS USED IN THIS SECTION, "VEHICULAR ACCESS POINT" MEANS  
20 A DRIVEWAY OR INTERSECTING ROADWAY, INCLUDING, BUT NOT LIMITED  
21 TO, THOSE DEPICTED ON THE FINAL PLAT OF A SUBDIVISION UNDER THE  
22 LAND DIVISION ACT, 1967 PA 288, MCL 566.101 TO 566.293.

23 (13) ~~-(10)-~~ A person who violates this section is  
24 responsible for a civil infraction.

25 Sec. 628. (1) If the state transportation ~~commission~~  
26 DEPARTMENT and the ~~director of the~~ department of state police  
27 jointly determine upon the basis of an engineering and traffic

1 investigation that the speed of vehicular traffic on a state  
2 trunk line highway is greater or less than is reasonable or safe  
3 under the conditions found to exist at an intersection or other  
4 place or upon a part of the highway, the ~~officials~~ **DEPARTMENTS**  
5 acting jointly may determine and declare a reasonable and safe  
6 maximum or minimum speed limit on that state trunk line highway  
7 or intersection that shall be effective at the times determined  
8 when appropriate signs giving notice of the speed limit are  
9 erected at the intersection or other place or part of the  
10 highway. **THE MAXIMUM SPEED LIMIT ON ALL HIGHWAYS OR PARTS OF**  
11 **HIGHWAYS UPON WHICH A MAXIMUM SPEED LIMIT IS NOT OTHERWISE FIXED**  
12 **UNDER THIS ACT IS 55 MILES PER HOUR, WHICH SHALL BE KNOWN AND MAY**  
13 **BE REFERRED TO AS THE "GENERAL SPEED LIMIT".**

14 (2) If the county road commission, the township board, and  
15 the ~~director of the~~ department of state police unanimously  
16 determine upon the basis of an engineering and traffic  
17 investigation that the speed of vehicular traffic on a county  
18 highway is greater or less than is reasonable or safe under the  
19 conditions found to exist ~~at an intersection or other place or~~  
20 upon ~~a~~ **ANY** part of the highway, ~~the officials~~ **THEN** acting  
21 unanimously **THEY** may establish a reasonable and safe maximum or  
22 minimum speed limit ~~at that intersection or~~ on that county  
23 highway that ~~shall be~~ **IS** effective at the times determined when  
24 appropriate signs giving notice of the speed limit are erected  
25 ~~at the intersection or other place or part of~~ **ON** the highway. A  
26 township board that does not wish to continue as part of the  
27 process provided by this subsection shall notify in writing the

1 county road commission. As used in this subsection, "county road  
2 commission" means the **PERSON DESIGNATED BY EITHER THE** board of  
3 county road commissioners elected or appointed ~~pursuant to~~  
4 **UNDER** section 6 of chapter IV of 1909 PA 283, MCL 224.6, or, in  
5 the case of a charter county with a population of 2,000,000 or  
6 more with an elected county executive that does not have a board  
7 of county road commissioners, the county executive.

8 (3) If a superintendent of a school district determines that  
9 the speed of vehicular traffic on a state trunk line or county  
10 highway, which is within 1,000 feet of a school in the school  
11 district of which that person is the superintendent, is greater  
12 or less than is reasonable or safe, the officials identified in  
13 subsection (1) or (2), as appropriate, shall include the  
14 superintendent of the school district affected in acting jointly  
15 in determining and declaring a reasonable and safe maximum or  
16 minimum speed limit on that state trunk line or county highway.  
17 ~~The maximum speed limit on all highways or parts of highways upon~~  
18 ~~which a maximum speed limit is not otherwise fixed under this act~~  
19 ~~shall be 55 miles per hour.~~

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

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

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

12 (5) ~~—(6)—~~ If upon investigation the state transportation  
13 ~~commission~~ **DEPARTMENT** or county road commission and the  
14 ~~director of the~~ department of state police find it in the  
15 interest of public safety, they may order the township board, or  
16 city or village officials to erect and maintain, take down, or  
17 regulate the speed control signs, signals, or devices as  
18 directed, and in default of an order the state transportation  
19 ~~commission~~ **DEPARTMENT** or county road commission may cause the  
20 designated signs, signals, and devices to be erected and  
21 maintained, taken down, regulated, or controlled, in the manner  
22 previously directed, and pay for the erecting and maintenance,  
23 removal, regulation, or control of the sign, signal, or device  
24 out of the highway fund designated.

25 (6) ~~—(7)—~~ A public record of all speed control signs,  
26 signals, or devices authorized under this section shall be filed  
27 in the office of the county clerk of the county in which the

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

19       (7) ~~—(8)—~~ A person who fails to observe an authorized speed  
 20 or traffic control sign, signal, or device is responsible for a  
 21 civil infraction.

22       (8) ~~—(9)—~~ Except as otherwise provided in this section, the  
 23 maximum speed limit on all freeways shall be 70 miles per hour  
 24 except ~~that the state transportation department may designate~~  
 25 ~~not more than 170 miles of freeway in this state on which the~~  
 26 ~~speed limit may be less than 70 miles per hour~~ **THAT IF THE STATE**  
 27 **TRANSPORTATION DEPARTMENT AND THE DEPARTMENT OF STATE POLICE**

1 JOINTLY DETERMINE UPON THE BASIS OF AN ENGINEERING AND TRAFFIC  
 2 INVESTIGATION THAT THE SPEED OF VEHICULAR TRAFFIC ON A FREEWAY IS  
 3 GREATER OR LESS THAN IS REASONABLE OR SAFE UNDER THE CONDITIONS  
 4 FOUND TO EXIST UPON A PART OF THE FREEWAY, THE DEPARTMENTS ACTING  
 5 JOINTLY MAY DETERMINE AND DECLARE A REASONABLE AND SAFE MAXIMUM  
 6 OR MINIMUM SPEED LIMIT ON THAT FREEWAY THAT SHALL BE EFFECTIVE AT  
 7 THE TIMES DETERMINED WHEN APPROPRIATE SIGNS GIVING NOTICE OF THE  
 8 SPEED LIMIT ARE ERECTED. The minimum speed limit on all freeways  
 9 shall be ~~45~~ 55 miles per hour except if reduced speed is  
 10 necessary for safe operation or in compliance with law or in  
 11 compliance with a special permit issued by an appropriate  
 12 authority.

13 (9) ~~(10)~~ The maximum rates of speed allowed ~~pursuant to~~  
 14 UNDER this section are subject to the maximum rates established  
 15 under section 629b, section 627(5) ~~to (7)~~ AND (6) for certain  
 16 vehicles and vehicle combinations, and section 629(4).  
 17 ~~—— (11) A citation or civil infraction determination for~~  
 18 ~~exceeding a lawful maximum speed limit of 55 miles per hour by~~  
 19 ~~driving 65 miles per hour or less shall not be considered by any~~  
 20 ~~person in establishing automobile insurance eligibility or~~  
 21 ~~automobile insurance rates.~~

22 (10) EXCEPT FOR THE GENERAL SPEED LIMIT DESCRIBED IN  
 23 SUBSECTION (1), SPEED LIMITS ESTABLISHED PURSUANT TO THIS SECTION  
 24 SHALL BE KNOWN AS ABSOLUTE SPEED LIMITS.

25 Sec. 629. (1) Local authorities may establish or increase  
 26 the prima facie speed limits on highways under their jurisdiction  
 27 subject to the following limitations:

(a) A highway within a business ~~or residential~~ district on which the prima facie speed limit is increased shall be designated a through highway at the entrance to which vehicles shall be required to stop before entering, except that where 2 of these through highways intersect, local authorities may require traffic on only 1 highway to stop before entering the intersection.

(b) The local authorities shall place and maintain, upon all through highways in which the permissible speed is increased, adequate signs giving notice of the special regulations and shall also place and maintain upon each highway intersecting a through highway, appropriate signs which shall be reflectorized or illuminated at night.

(c) Local authorities may establish prima facie lawful speed limits on highways outside of business ~~or residential~~ districts ~~which shall not be less than 25 miles per hour, except as provided in subsection (4).~~

~~—— (d) Before a local authority increases or decreases the prima facie speed limit on a state trunk line highway within a school zone, the local authority shall confer with the state transportation department, the department of state police, and the school board of the affected school district. THAT ARE CONSISTENT WITH THE LIMITS ESTABLISHED IN SECTION 627(2).~~

(2) The state transportation ~~commission may~~ **DEPARTMENT SHALL** establish the speed ~~which shall be prima facie lawful upon all trunk line highways outside of business districts and located within cities and villages and outside of school zones,~~

1 as follows:

2 (a) A written copy of the authorization or determination  
3 shall be filed in the office of the county clerk of the county or  
4 counties where the highway is located and a certified copy of the  
5 authorization or determination shall be prima facie evidence in  
6 all courts of the issuance of the authorization or determination.

7 (b) When the state transportation ~~commission~~ **DEPARTMENT**  
8 increases the speed upon a trunk line highway as provided in this  
9 act, subject to section 627a, the state transportation department  
10 shall place and maintain upon these highways adequate signs  
11 giving notice of the permissible speed fixed by the state  
12 transportation commission.

13 (3) Local authorities are authorized to decrease the prima  
14 facie speed limits **TO NOT LESS THAN 25 MILES PER HOUR** in public  
15 parks under their jurisdiction. A decrease in the prima facie  
16 speed limits ~~shall be~~ **IS** binding when adequate signs are duly  
17 posted giving notice of the reduced speeds.

18 (4) Local authorities are authorized to decrease the prima  
19 facie speed limits to not less than ~~15~~ **25** miles an hour on each  
20 street or highway under their jurisdiction ~~which~~ **THAT** is  
21 adjacent to a publicly owned park or playground. A decrease in  
22 the prima facie speed limits ~~shall be~~ **IS** binding when adequate  
23 signs are duly posted giving notice of the reduced speeds. As  
24 used in this subsection, "local authority" includes the county  
25 road commission with the concurrence of the township board of a  
26 township for a street or highway within the boundaries of the  
27 township.



(5) The maximum rates of speed allowed ~~pursuant to~~ **UNDER** this section are subject to the maximum rate established ~~pursuant to~~ **UNDER** section 629b.

(6) A person who exceeds a lawful speed limit established ~~pursuant to~~ **UNDER** this section is responsible for a civil infraction.

(7) As used in this section, "local authority" means the governing body of a city or village, except as provided in subsection (4).

Sec. 629c. (1) Notwithstanding sections 320a and 907, a person who is determined responsible or responsible "with explanation" for a civil infraction for violating the maximum speed limit on a limited access freeway or part of a limited access freeway upon which the maximum speed limit is 55 miles per hour or more shall be ordered by the court to pay a minimum fine and shall have points entered on his or her driving record by the secretary of state only according to the following schedule, except as otherwise provided in subsections (2) and (3):

Number of miles per hour  
that the vehicle exceeded the  
applicable speed limit at the

time of the violation

Points

Minimum

Fine

1 to 5

0

\$10.00

6 to 10

1

\$20.00

1	11 to 15	2	\$30.00
2	16 to 25	3	\$40.00
3	26 or over	4	\$50.00

4       (2) Subsection (1) does not apply to a person operating a  
5 vehicle or vehicle combination for which the maximum rate of  
6 speed is established pursuant to section 627(5) ~~to (7)~~ **AND (6)**.

7       (3) For a violation of a maximum speed limit on a limited  
8 access freeway by a person operating a vehicle or vehicle  
9 combination described in subsection (2), points shall be assessed  
10 under section 320a and fines shall be assessed under section 907.

11       Enacting section 1. Sections 51 and 627b of the Michigan  
12 vehicle code, 1949 PA 300, MCL 257.51 and 257.627b, are repealed.

13       Enacting section 2. This amendatory act does not take effect  
14 unless House Bill No. 5241 of the 93rd Legislature is enacted  
15 into law.