

Act No. 88
Public Acts of 2005
Approved by the Governor
July 20, 2005
Filed with the Secretary of State
July 20, 2005
EFFECTIVE DATE: July 20, 2005

**STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2005**

Introduced by Reps. Stakoe, McConico, Kooiman, Meyer, Brown, Tobocman, Bieda, Taub, Gleason, Ward, Sak, Stahl, Farhat, Moolenaar, Palsrok, Gillard, Dillon, Byrnes, Clemente, Espinoza, Gonzales, Gosselin, Kehrl, David Law, Lemmons, III, Lemmons, Jr., Marleau, McDowell, Mortimer, Polidori, Sheltrown and Spade

ENROLLED HOUSE BILL No. 4607

AN ACT to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 627a (MCL 257.627a), as amended by 2000 PA 110.

The People of the State of Michigan enact:

Sec. 627a. (1) As used in this section and section 629:

(a) "Regularly scheduled school session" means that part of a day of student instruction that is followed by a break for lunch or by a final dismissal of the student body for that day.

(b) "School" means an educational institution operated by a local school district or by a private, denominational, or parochial organization. School does not include an educational institution that the department of education determines has its entire student population in residence at the institution.

(c) "School zone" means school property on which a school building is located and the area adjacent to the school property that is designated by the signs required under subsection (2). Except as otherwise provided in subsection (5), the school zone extends not more than 1,000 feet from the property line of the school in each direction.

(2) Except as provided in subsection (4), the prima facie speed limit in a school zone, which shall be in force not less than 30 minutes but not more than 1 hour before the first regularly scheduled school session until school commences and from dismissal until not less than 30 minutes but not more than 1 hour after the last regularly scheduled school session, and during a lunch period when students are permitted to leave the school, shall be 25 miles an hour, if permanent signs designating the school zone and the speed limit in the school zone are posted at the request of the school superintendent. The signs shall conform to the Michigan manual of uniform traffic control devices.

(3) This section does not apply to a limited access highway or to that portion of a street or highway over which a pedestrian overhead walkway is erected, if the walkway is adjacent to school property and is designed and located so as to be used, and is being used, as the principal means by which students of a school that has property adjacent to the walkway travel to and from the school.

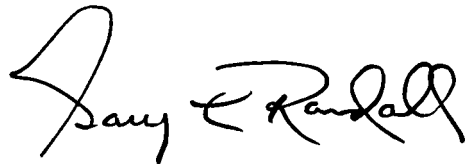
(4) Local authorities may increase or decrease the prima facie speed limit within a school zone under their jurisdiction pursuant to section 629.

(5) Notwithstanding the requirements for a school zone as defined in subsection (1)(c), if a school is located in an area that requires school children to cross a state trunk line highway or county highway that has a speed limit of 35 miles per hour or more to attend that school, the school superintendent may submit a request to the state transportation commission, county road commission, or local authority having jurisdiction over the roadway, as applicable, for a school crossing as permitted under section 613a. If, based on the traffic engineering studies, the road authority determines the need for a lower speed limit, the road authority may designate the crossing as a school zone. Before submitting a request, the school superintendent shall have completed a school route plan as prescribed by section 7A-1 of the Michigan manual of uniform traffic control devices.

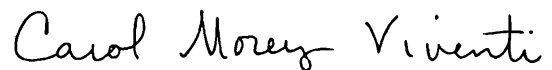
(6) Notwithstanding the 25-mile-per-hour prima facie speed limit established by subsection (2), the prima facie speed limit for any street in a school zone that has sidewalks along at least 1 side of the street, which shall be in force during the same periods that a 25-mile-per-hour speed limit provided by subsection (2) would otherwise be effective, shall be set at the limit requested by the superintendent of schools with jurisdiction over the school within the school zone, but this limit shall neither be more than 15 miles per hour below the regularly posted speed limit for that street nor less than 25 miles per hour. Permanent signs designating the school zone and the speed limit in the school zone shall be posted. These signs shall conform to the Michigan manual of uniform traffic control devices.

(7) If appropriate, the school superintendent may request that a sign be erected in the school zone indicating that a school is in session year-round. A sign erected under this subsection shall be posted on the same signpost as the school zone sign and immediately below the school zone sign. The sign shall read "Year-Round School" and shall conform to the Michigan manual of uniform traffic control devices.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor