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House Bill 5351 (Substitute H-1 as passed by the House)

Sponsor: Representative Pam Byrnes

House Committee: Transportation

Senate Committee: Transportation

Date Completed: 9-8-08

CONTENT

The bill would amend the Michigan Vehicle Code to allow an owner or employee of an entity performing construction, maintenance, surveying, or utility work within a work zone to direct traffic within that work zone, if the conditions described below were met.

The Department of Transportation, the local authority, or the county road commission, within its respective jurisdiction would have to authorize the owner or employee to direct traffic due to safety or work requirements. The authorization would have to be issued in the manner considered appropriate by the Department, the local authority, or the county road commission, and could be general or specific. It could establish the conditions under which the owner or employee could direct traffic, and could allow the owner or employee to direct traffic in disregard of an existing traffic control device.

In addition, the owner or employee would have to be properly trained, equipped, and attired in conformance with the Manual of Uniform Traffic Control Devices authorized under the Code.

The operator of a motor vehicle who failed to comply with the directions of an owner or employee directing traffic under the bill, including a direction made in disregard of an existing traffic control device, would be responsible for a civil infraction.

(The Code defines "work zone" as a portion of a street or highway that meets any of the following:

- Is between a "work zone begins" sign and an "end road work" sign.
- For construction, maintenance, or utility work activities conducted by a work crew and more than one moving vehicle, is between a "begin work convoy" sign and an "end work convoy" sign.
- For construction maintenance, surveying, or utility work activities conducted by a work crew and one moving or stationary vehicle exhibiting a rotating beacon or strobe light, is between specified points behind and in front of the vehicle or from which the beacon or strobe light is first visible on the street or highway behind and in front of the vehicle.)

Proposed MCL 257.611a

Legislative Analyst: Craig Laurie

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Debra Hollon

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