

HOUSE BILL No. 4265

February 14, 2013, Introduced by Reps. Shirkey, Pagel, Foster, Heise, LaVoy, Geiss and Franz and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 611 (MCL 257.611).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 611. (1) The driver of a vehicle or operator of a
2 streetcar shall not disobey the instructions of a traffic control
3 device placed in accordance with this chapter unless ~~at the time~~
4 otherwise directed by a police officer, **OR AS PROVIDED IN**
5 **SUBSECTION (3).**

6 (2) The driver of a vehicle shall not, for the purpose of
7 avoiding obedience to a traffic control device placed in accordance
8 with this chapter, drive upon or through private property, or upon
9 or through public property ~~which~~ **THAT** is not a street or highway.

10 (3) **THE DRIVER OF A BICYCLE, MOTORCYCLE, MOPED, OR 3-WHEELED**
11 **VEHICLE MAY PROCEED THROUGH THE STOP SIGNAL OF AN AUTOMATED**

1 STOPLIGHT IF, AFTER 1 FULL CYCLE OF THE AUTOMATED STOPLIGHT AFTER
2 THE DRIVER MAKES HIS OR HER STOP, OR AFTER 60 SECONDS IF THE
3 AUTOMATED STOPLIGHT IS NOT CYCLING OR THE DRIVER IS UNABLE TO
4 DETERMINE WHETHER THE AUTOMATED STOPLIGHT IS CYCLING, THE AUTOMATED
5 STOPLIGHT FAILS TO DETECT THE PRESENCE OF THE BICYCLE, MOTORCYCLE,
6 MOPED, OR 3-WHEELED VEHICLE FOR THE PURPOSE OF MAKING A SIGNAL
7 CHANGE. THE DRIVER OF A BICYCLE, MOTORCYCLE, MOPED, OR 3-WHEELED
8 VEHICLE PROCEEDING THROUGH A STOP SIGNAL IN COMPLIANCE WITH THIS
9 SECTION SHALL NEVERTHELESS YIELD THE RIGHT-OF-WAY TO OTHER BICYCLES
10 OR VEHICLES IN THE MANNER REQUIRED BY THE STOP SIGNAL. AS USED IN
11 THIS SECTION, "AUTOMATED STOPLIGHT" MEANS A STOPLIGHT THAT USES
12 INDUCTIVE LOOP SENSORS OR OTHER AUTOMATED TECHNOLOGY TO DETECT THE
13 PRESENCE OF VEHICLES FOR THE PURPOSE OF REGULATING TRAFFIC FLOW.

14 (4) IN A PROCEEDING FOR A VIOLATION OF THIS SECTION, THERE IS
15 A PRESUMPTION THAT AN AUTOMATED STOPLIGHT HAS FAILED TO DETECT A
16 BICYCLE, MOTORCYCLE, MOPED, OR 3-WHEELED VEHICLE THAT PROCEEDS
17 THROUGH A STOP SIGNAL AT AN AUTOMATED STOPLIGHT. A PRESUMPTION
18 UNDER THIS SUBSECTION MAY BE REBUTTED BY TESTIMONY OF A LAW
19 ENFORCEMENT OFFICER THAT HE OR SHE WITNESSED THE BICYCLE,
20 MOTORCYCLE, MOPED, OR 3-WHEELED VEHICLE PROCEED THROUGH THE STOP
21 SIGNAL BEFORE COMPLETION OF 1 FULL CYCLE OF THE AUTOMATED STOPLIGHT
22 OR LESS THAN 60 SECONDS AFTER MAKING ITS STOP.

23 (5) ~~(3)~~—A person who violates this section is responsible for
24 a civil infraction.