

SUBSTITUTE FOR
SENATE BILL NO. 521

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 649 (MCL 257.649).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 649. (1) The driver of a vehicle approaching an
2 intersection shall yield the right of way to a vehicle ~~which~~ **THAT**
3 has entered the intersection from a different highway.

4 (2) When 2 vehicles enter an intersection from different
5 highways at approximately the same time, the driver of the vehicle
6 on the left shall yield the right of way to the vehicle on the
7 right.

8 (3) The right of way rules ~~declared~~ in subsections (1) and (2)
9 are modified at through highways and otherwise as ~~stated~~ **PROVIDED**

1 IN SUBSECTION (4) AND in this chapter.

2 (4) THE DRIVER OF A VEHICLE APPROACHING AN INTERSECTION THAT
3 IS CONTROLLED BY A TRAFFIC CONTROL SIGNAL SHALL DO ALL OF THE
4 FOLLOWING, IF THE SIGNAL FACING THE DRIVER EXHIBITS NO COLORED
5 LIGHTS OR COLORED LIGHTED ARROWS, EXHIBITS A COMBINATION OF COLORED
6 LIGHTS OR COLORED LIGHTED ARROWS THAT FAILS TO CLEARLY INDICATE THE
7 ASSIGNMENT OF RIGHT OF WAY, OR THE SIGNALS ARE OTHERWISE
8 MALFUNCTIONING:

9 (A) STOP AT A CLEARLY MARKED STOP LINE, OR, IF THERE IS NO
10 CLEARLY MARKED STOP LINE, STOP BEFORE ENTERING THE CROSSWALK ON THE
11 NEAR SIDE OF THE INTERSECTION, OR, IF THERE IS NO CROSSWALK, STOP
12 BEFORE ENTERING THE INTERSECTION.

13 (B) YIELD THE RIGHT OF WAY TO ALL VEHICLES IN THE INTERSECTION
14 OR APPROACHING ON AN INTERSECTING ROAD, IF THOSE VEHICLES WILL
15 CONSTITUTE AN IMMEDIATE HAZARD DURING THE TIME THE DRIVER IS MOVING
16 ACROSS OR WITHIN THE INTERSECTION.

17 (C) EXERCISE ORDINARY CARE WHILE PROCEEDING THROUGH THE
18 INTERSECTION.

19 (5) SUBSECTION (4) DOES NOT APPLY TO EITHER OF THE FOLLOWING:

20 (A) AN INTERSECTION THAT IS CONTROLLED BY A TRAFFIC CONTROL
21 SIGNAL THAT IS FLASHING YELLOW UNLESS CERTAIN EVENTS OCCUR,
22 INCLUDING, BUT NOT LIMITED TO, ACTIVATION BY AN EMERGENCY VEHICLE.

23 (B) A TRAFFIC CONTROL SIGNAL THAT IS LOCATED IN A SCHOOL ZONE
24 AND IS FLASHING YELLOW ONLY DURING PRESCRIBED PERIODS OF TIME.

25 (6) ~~(4)~~—The driver of a vehicle approaching a yield sign, in
26 obedience to the sign, shall slow down to a speed reasonable for
27 the existing conditions and shall yield the right of way to a

1 vehicle in the intersection or approaching on another highway so
2 closely as to constitute an immediate hazard during the time the
3 driver would be moving across or within the intersection. However,
4 if required for safety to stop, the driver shall stop before
5 entering the crosswalk on the near side of the intersection or, if
6 there is not a crosswalk, at a clearly marked stop line; but if
7 there is not a crosswalk or a clearly marked stop line, then at the
8 point nearest the intersecting roadway where the driver has a view
9 of approaching traffic on the intersecting roadway.

10 (7) ~~(5)~~—The driver of a vehicle traveling at an unlawful speed
11 ~~shall forfeit~~ **FORFEITS** a right of way ~~which~~ **THAT** the driver might
12 otherwise have under this section.

13 (8) ~~(6)~~—Except when directed to proceed by a police officer,
14 the driver of a vehicle approaching a stop intersection indicated
15 by a stop sign shall stop before entering the crosswalk on the near
16 side of the intersection, or if there is not a crosswalk shall stop
17 at a clearly marked stop line; or if there is not a crosswalk or a
18 clearly marked stop line, then at the point nearest the
19 intersecting roadway where the driver has a view of approaching
20 traffic on the intersecting roadway. After having stopped, the
21 driver shall yield the right of way to a vehicle ~~which~~ **THAT** has
22 entered the intersection from another highway or ~~which~~ **THAT** is
23 approaching so closely on the highway as to constitute an immediate
24 hazard during the time when the driver would be moving across or
25 within the intersection.

26 (9) ~~(7)~~—When a vehicle approaches the intersection of a
27 highway from an intersecting highway or street ~~which~~ **THAT** is

1 intended to be, and is constructed as, a merging highway or street,
2 and is plainly marked at the intersection with appropriate merge
3 signs, the vehicle shall yield right of way to a vehicle so close
4 as to constitute an immediate hazard on the highway about to be
5 entered and shall adjust its speed so as to enable it to merge
6 safely with the through traffic.

7 **(10)** ~~(8)~~—A person who violates this section is responsible for
8 a civil infraction.

9 Enacting section 1. This amendatory act takes effect 90 days
10 after the date it is enacted into law.