

HOUSE BILL NO. 4738

June 19, 2019, Introduced by Reps. Peterson, Cynthia Johnson, Brenda Carter, Garza, Yancey, Byrd, Lasinski, Kuppa, Elder, Sowerby, Chirkun, Sneller, Cherry, Neeley, Gay-Dagnogo, Hood, LaGrand, Pagan, Manoogian, Camilleri, Anthony, Garrett, Clemente, Tyrone Carter, Coleman, Tate, Whitsett, Hertel, Brixie, Hammoud, Bolden, Haadsma and Jones and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 649 (MCL 257.649), as amended by 2018 PA 109,
and by adding sections 612a and 613e.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 612a. (1) When traffic is not controlled by traffic
2 signals or traffic signals are not in operation, the driver of a
3 vehicle shall stop and yield the right-of-way to a pedestrian
4 within a crosswalk when the pedestrian is on the half of the
5 roadway on which the vehicle is traveling or when the pedestrian is



1 approaching so closely from the opposite half of the roadway as to
 2 be in danger. A pedestrian shall not suddenly leave a curb or other
 3 place of safety and walk or run into the path of a vehicle that is
 4 so close that it is impossible for the driver to stop and yield to
 5 that pedestrian.

6 (2) A person who violates subsection (1) is responsible for a
 7 civil infraction.

8 Sec. 613e. (1) A pedestrian shall not cross a roadway other
 9 than by the shortest route to the opposite curb, except when
 10 crossing within a crosswalk.

11 (2) A pedestrian who crosses a roadway at a point other than
 12 within a crosswalk shall yield the right-of-way to all vehicles on
 13 the roadway.

14 (3) All of the following rules are rescinded:

15 (a) R 28.1707 of the Michigan Administrative Code.

16 (b) R 28.1709 of the Michigan Administrative Code.

17 (c) R 28.1710 of the Michigan Administrative Code.

18 (4) A person who violates subsection (1) or (2) is responsible
 19 for a civil infraction.

20 Sec. 649. (1) The driver of a vehicle approaching an
 21 intersection shall yield the ~~right-of-way~~ **right-of-way** to a vehicle
 22 that has entered the intersection from a different highway.

23 (2) When 2 vehicles enter an intersection from different
 24 highways at approximately the same time, the driver of the vehicle
 25 on the left shall yield the ~~right-of-way~~ **right-of-way** to the
 26 vehicle on the right.

27 (3) The ~~right-of-way~~ **right-of-way** rules in subsections (1) and
 28 (2) are modified at through highways and otherwise as provided in
 29 subsection (4) and in this chapter.



1 (4) The driver of a vehicle approaching an intersection that
2 is controlled by a traffic control signal shall do all of the
3 following, if the signal facing the driver exhibits no colored
4 lights or colored lighted arrows, exhibits a combination of colored
5 lights or colored lighted arrows that fails to clearly indicate the
6 assignment of ~~right-of-way~~, **right-of-way**, or the signals are
7 otherwise malfunctioning:

8 (a) Stop at a clearly marked stop line, or, if there is no
9 clearly marked stop line, stop before entering the crosswalk on the
10 near side of the intersection, or, if there is no crosswalk, stop
11 before entering the intersection.

12 (b) Yield the ~~right-of-way~~ **right-of-way** to all vehicles in the
13 intersection or approaching on an intersecting road, if those
14 vehicles will constitute an immediate hazard during the time the
15 driver is moving across or within the intersection.

16 (c) Exercise ordinary care while proceeding through the
17 intersection.

18 (5) Subsection (4) does not apply to either of the following:

19 (a) An intersection that is controlled by a traffic control
20 signal that is flashing yellow unless certain events occur,
21 including, but not limited to, activation by an emergency vehicle.

22 (b) A traffic control signal that is located in a school zone
23 and is flashing yellow only during prescribed periods of time.

24 (6) The driver of a vehicle approaching a yield sign, in
25 obedience to the sign, shall slow down to a speed reasonable for
26 the existing conditions and shall yield the ~~right-of-way~~ **right-of-**
27 **way** to a vehicle in the intersection or approaching on another
28 highway so closely as to constitute an immediate hazard during the
29 time the driver would be moving across or within the intersection.



1 However, if required for safety to stop, the driver shall stop
2 before entering the crosswalk on the near side of the intersection
3 or, if there is not a crosswalk, at a clearly marked stop line; but
4 if there is not a crosswalk or a clearly marked stop line, then at
5 the point nearest the intersecting roadway where the driver has a
6 view of approaching traffic on the intersecting roadway.

7 (7) The driver of a vehicle traveling at an unlawful speed
8 forfeits a ~~right-of-way~~ **right-of-way** that the driver might
9 otherwise have under this section.

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

23 (9) When a vehicle approaches the intersection of a highway
24 from an intersecting highway or street that is intended to be, and
25 is constructed as, a merging highway or street, and is plainly
26 marked at the intersection with appropriate merge signs, the
27 vehicle shall yield ~~right-of-way~~ **right-of-way** to a vehicle so close
28 as to constitute an immediate hazard on the highway about to be
29 entered and shall adjust its speed so as to enable it to merge



1 safely with the through traffic.

2 (10) When a vehicle is stopped at a crosswalk to permit a
3 pedestrian to cross the roadway, the driver of another vehicle
4 approaching from the rear shall not overtake or pass the stopped
5 vehicle.

6 (11) ~~(10)~~—A person who violates this section is responsible
7 for a civil infraction.

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

