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House Bill 4012 (as passed by the House)
Sponsor: Representative Bradley Slagh
House Committee: Transportation, Mobility, and Infrastructure
Senate Committee: Transportation and Infrastructure

Date Completed: 2-12-24

CONTENT

The bill would amend the Michigan Vehicle Code to modify the requirements for establishing modified speed limits on portions of highways.

Among other things, the Code establishes standard speed limits for roads in the State. It establishes a standard speed limit of 55 miles per hour for county highways; a limit of 70 miles per hour for limited access freeways; and a general limit of 25 miles per hour for local highways, depending on their location. The Code also prescribes a process for establishing speed limits other than its standard speed limits. Generally, the Code allows the Department of Transportation or the county or local authority in charge of the road to modify a speed limit based on the results of a specific engineering and traffic investigation described below.

A modified speed limit must be determined by an engineering and safety study and by the eighty-fifth percentile speed of free-flowing traffic under ideal conditions of a section of highway rounded to the nearest multiple of five miles per hour. Instead, under the bill, a modified speed limit would have to be determined in accordance with traffic engineering practices that provided an objective analysis of the characteristics of the highway and by the eighty-fifth percentile speed of free-flowing traffic under ideal conditions on the fastest portion of the highway segment for which the speed limit was being posted. The speed limit would have to be in multiples of five miles per hour and rounded to a multiple that was within five miles per hour of the eighty-fifth percentile speed.

The Code also specifies that a modified speed limit established may not be posted at less than the fiftieth percentile speed of free-flowing traffic under optimal conditions on the fastest portion of the highway segment for which the speed limit is being posted. Instead, under the bill, a modified speed limit could be set below the eighty-fifth percentile speed if an engineering and safety study demonstrated a situation with hazards to public safety that were not reflected by the eighty-fifth percentile speed but could not be set below the fiftieth percentile speed.

Additionally, the Code provides that, if the county road commission, the township board, and the Department of State Police (MSP) unanimously determine upon the basis of an engineering and traffic investigation that the speed of vehicular traffic on a county highway is greater or less than is reasonable or safe under the conditions found to exist upon any part of the highway, then acting unanimously they may establish a reasonable and safe maximum or minimum speed limit on that county highway that is effective at the times determined when appropriate signs giving notice of the speed limit are erected on the highway. A township board may petition the county road commission or the MSP for a proposed change in the speed limit. A township board that does not wish to continue as part of this process must notify in writing the county road commission. A public record of a traffic control order establishing a modified speed limit must be filed at the office of the county clerk of the county

in which the limited access freeway or State trunk line highway is located, and a certified copy of a traffic control order is evidence in every court of the State of the authority for the issuance of that traffic control order.

The Code defines "county road commission", under the specific provision described above, to mean the board of county road commissioners elected or appointed under Section 6 of Chapter IV of Public Act 283 of 1909, or, in the case of a charter county with a population of 2.0 million or more with an elected county executive that does not have a board of county road commissioners, the county executive. The bill would modify this definition to decrease the population threshold for a charter county from 2.0 million to 1.5 million.

MCL 257.628

PREVIOUS LEGISLATION

(This section does not provide a comprehensive account of previous legislative efforts on this subject matter.)

The bill is a reintroduction of House Bill 4014 from the 2021-2022 Legislative Session. The bill was referred to the Senate Committee on Transportation and Infrastructure but received no further action.

Legislative Analyst: Abby Schneider

FISCAL IMPACT

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

Fiscal Analyst: Bobby Canell
Bruce R. Baker

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.