

HOUSE BILL NO. 4597

June 10, 2025, Introduced by Reps. Schriver, Cavitt, Markkanen, Bohnak, Rheingans, Wortz, Maddock, Smit and Greene and referred to Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 628 (MCL 257.628), as amended by 2024 PA 33.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 628. (1) ~~If~~ **Except as otherwise provided in subsection**
2 **(5), if** the county road commission, the township board, and the
3 department of state police unanimously determine ~~upon~~ **on** the basis
4 of an engineering and traffic investigation that the speed of
5 vehicular traffic on a county highway is greater or less than is
6 reasonable or safe under the conditions found to exist ~~upon~~ **on** 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 department of state police for a proposed change in the speed limit. A township board that does not wish to continue as part of the process provided by this subsection shall notify in writing the county road commission. A public record of a traffic control order establishing a modified speed limit authorized under this subsection must be filed at the office of the county clerk of the county in which the ~~limited access freeway or state trunk line~~ **county** highway is located, and a certified copy of a traffic control order is evidence in every court of this state of the authority for the issuance of that traffic control order. As used in this subsection, "county road commission" means the board of county road commissioners elected or appointed under section 6 of chapter IV of 1909 PA 283, MCL 224.6, or, in the case of a charter county with a population of 1,500,000 or more with an elected county executive that does not have a board of county road commissioners, the county executive.

(2) ~~In~~ **Except as otherwise provided in subsection (5),** in the case of a county highway, a township board may petition the county road commission, or in counties where there is no road commission but there is a county board of commissioners, the township board may petition the county board of commissioners for any of the following:

(a) A proposed change in the speed limit without the necessity of a speed study consistent with the methods prescribed for

1 establishing speed limits under section 627.

2 (b) A proposed change in the speed limit consistent with the
3 provisions for establishing speed limits under this section.

4 (c) The posting of an advisory sign or device for the purpose
5 of drawing the attention of vehicle operators to an unexpected
6 condition on or near the roadway that is not readily apparent to
7 road users.

8 (3) The state transportation department and the department of
9 state police shall jointly determine any modified maximum or
10 minimum speed limits on limited access freeways or trunk line
11 highways consistent with the requirements of this section. A public
12 record of a traffic control order establishing a modified speed
13 limit authorized under this subsection must be filed at the office
14 of the county clerk of the county in which the limited access
15 freeway or trunk line highway is located, and a certified copy of a
16 traffic control order is evidence in every court of this state of
17 the authority for ~~the issuance of~~ **issuing** that traffic control
18 order.

19 (4) ~~A~~ **Except as otherwise provided in subsection (5),** a local
20 road authority shall determine any modified speed limits on local
21 highways consistent with the requirements of this section. A public
22 record of a traffic control order establishing a modified speed
23 limit authorized under this subsection must be filed at the office
24 of the city or village or administrative office of the airport,
25 college, or university in which the local highway is located, and a
26 certified copy of the traffic control order is evidence in every
27 court of this state of the authority for ~~the issuance of~~ **issuing**
28 that traffic control order.

29 (5) **Beginning on the effective date of the amendatory act that**

1 added this subsection, except as otherwise provided in this
2 subsection, a county, township, city, or village may determine and
3 enforce a modified speed limit on any highway within the
4 jurisdiction of that county, township, city, or village, subject to
5 all of the following:

6 (a) Except as otherwise provided in this subdivision, a
7 county, township, city, or village shall not determine a modified
8 speed limit on a highway within the jurisdiction of that county,
9 township, city, or village without the prior written approval of
10 the chief of police or the chief law enforcement officer of that
11 county, township, city, or village. If a township, city, or village
12 does not have a chief of police or chief law enforcement officer,
13 that township, city, or village shall not determine a modified
14 speed limit on a highway within the jurisdiction of that township,
15 city, or village without the prior written approval of the county
16 sheriff of the county in which that township, city, or village is
17 located, or, if the township, city, or village contracts with
18 another township, city, or village to provide law enforcement
19 services, the chief of police or the chief law enforcement officer
20 of that township, city, or village that provides the law
21 enforcement services. A copy of the written approval must be
22 retained by the clerk of the county, township, city, or village for
23 public inspection and verification.

24 (b) A modified speed limit must not be established under this
25 subsection until after a public hearing is held with not less than
26 14 days' notice to the public to receive public comment on the
27 proposed modified speed limit.

28 (c) A county, township, city, or village is not required to
29 obtain a traffic or engineering study to justify the modified speed

1 limit established under this subsection.

2 (d) A modified speed limit established under this subsection
3 must be in multiples of 5 miles per hour, but is not otherwise
4 subject to the requirements of subsection (6).

5 (e) In determining a modified speed limit under this
6 subsection, consideration must be given to all of the following:

7 (i) Public safety, including reported traffic risks and the
8 number of accidents, crashes, and deaths.

9 (ii) The character of the community around the highway,
10 including input from residents in the community.

11 (iii) Traffic flow efficiency.

12 (iv) Roadway features.

13 (v) Environmental concerns.

14 (f) Except as otherwise provided in this subdivision, a
15 county, township, city, or village must give written notice to the
16 law enforcement agency of that county, township, city, or village
17 not less than 30 days before implementing a modified speed limit
18 under this subsection. If a township, city, or village does not
19 have a law enforcement agency, the township, city, or village must
20 give written notice to the county sheriff of the county in which
21 that township, city, or village is located, or, if the township,
22 city, or village contracts with another township, city, or village
23 to provide law enforcement services, the chief of police or the
24 chief law enforcement officer of that township, city, or village
25 that provides the law enforcement services, not less than 30 days
26 before implementing a modified speed limit under this subsection.
27 Except as otherwise provided in this subdivision, if the chief of
28 police or the chief law enforcement officer of that county,
29 township, city, or village objects in writing to the modified speed

1 limit based on safety concerns, the county, township, city, or
2 village must address those safety concerns before implementing the
3 modified speed limit. If a township, city, or village does not have
4 a law enforcement agency, and the county sheriff of the county in
5 which the township, city, or village is located, or the chief of
6 police or chief law enforcement officer of the township, city, or
7 village that provides law enforcement services, based on who
8 received the written notice required under this subdivision,
9 objects in writing to the modified speed limit based on safety
10 concerns, the township, city, or village must address those safety
11 concerns before implementing the modified speed limit. All written
12 documentation made under this subdivision, including, but not
13 limited to, any objections to the modified speed limit, must be
14 preserved by the clerk of the county, township, city, or village.

15 (g) If a highway serves as a boundary connecting 2 or more
16 counties, townships, cities, or villages, any modified speed limit
17 under this subsection must be agreed to by each connecting county,
18 township, city, or village.

19 (h) This subsection does not apply to a highway described in
20 subsection (3).

21 (i) For the purposes of this subsection, jurisdiction over a
22 highway is determined as follows:

23 (i) A highway is under the jurisdiction of a county if the
24 highway is a county primary road of that county.

25 (ii) A highway is under the jurisdiction of a township if the
26 highway is a county highway within the borders of that township and
27 is a county local road.

28 (iii) A highway is under the jurisdiction of a city or village
29 if the highway is part of the local road system of that city or

1 village.

2 (6) ~~(5) A~~ Except as otherwise provided in subsection (5), a
 3 speed limit established under this section must be determined in
 4 accordance with traffic engineering practices that provide an
 5 objective analysis of the characteristics of the highway, ~~and by~~
 6 ~~the eighty-fifth percentile speed of free-flowing traffic under~~
 7 ~~ideal conditions on the fastest portion of the highway segment for~~
 8 ~~which the speed limit is being posted. The speed limit and must be~~
 9 ~~in multiples of 5 miles per hour. and rounded to a multiple that is~~
 10 ~~within 5 miles per hour of the eighty-fifth percentile speed. A~~
 11 ~~speed limit established under this section may be set below the~~
 12 ~~eighty-fifth percentile speed if an engineering and safety study~~
 13 ~~demonstrates a situation with hazards to public safety that are not~~
 14 ~~reflected by the eighty-fifth percentile speed, but must not be set~~
 15 ~~below the fiftieth percentile speed.~~

16 (7) ~~(6)~~ If a highway segment includes 1 or more features with
 17 a design speed that is lower than the speed limit determined under
 18 subsection (5) **or (6)**, the road authority may post advisory signs.

19 (8) ~~(7)~~ If upon investigation the state transportation
 20 department or county road commission and the department of state
 21 police find it in the interest of public safety, they may order
 22 township, city, or village officials to erect and maintain, take
 23 down, or regulate the speed limit signs, signals, or devices as
 24 directed, and in default of an order the state transportation
 25 department or county road commission may cause the designated
 26 signs, signals, and devices to be erected and maintained, taken
 27 down, regulated, or controlled, in the manner previously directed,
 28 and pay for the erecting and maintenance, removal, regulation, or
 29 control of the sign, signal, or device out of the highway fund

1 designated.

2 (9) ~~(8)~~—Signs posted under this section must conform to the
3 Michigan manual on uniform traffic control devices.

4 (10) ~~(9)~~—An individual who violates a speed limit established
5 under this section is responsible for a civil infraction.

6 (11) The state transportation department shall do both of the
7 following:

8 (a) Develop and distribute best practices for conducting
9 traffic studies and setting evidence-based speed limits.

10 (b) Provide technical assistance to counties, townships,
11 cities, and villages in setting modified speed limits under
12 subsection (5) at the request of the county, township, city, or
13 village.

14 (12) Except as otherwise provided under this subsection, the
15 law enforcement agency of a county, township, city, or village that
16 modifies a speed limit under subsection (5) shall monitor the
17 implementation of the speed limits modified by that county,
18 township, city, or village to ensure compliance with safety and
19 engineering standards. If a township, city, or village does not
20 have a law enforcement agency, the county sheriff's office of the
21 county in which that township, city, or village is located, or, if
22 the township, city, or village contracts with another township,
23 city, or village to provide law enforcement services, the law
24 enforcement agency of that township, city, or village that provides
25 the law enforcement services, shall monitor the implementation of
26 the speed limits modified by the township, city, or village to
27 ensure compliance with safety and engineering standards.

28 (13) ~~(10)~~—As used in subsections (2) to ~~(9)~~, (12), "county
29 road commission" means any of the following:

1 (a) The board of county road commissioners elected or
2 appointed under section 6 of chapter IV of 1909 PA 283, MCL 224.6.

3 (b) In the case of the dissolution of the county road
4 commission under section 6 of chapter IV of 1909 PA 283, MCL 224.6,
5 the county board of commissioners.

6 (c) In the case of a charter county with a population of
7 1,500,000 or more with an elected county executive that does not
8 have a board of county road commissioners, the county executive.

9 (d) In the case of a charter county with a population of more
10 than 750,000 but less than 1,000,000 with an elected county
11 executive that does not have a board of county road commissioners,
12 the department of roads.

13 **(14)** ~~(11)~~ As used in this section:

14 (a) "Design speed" means that term as used and determined
15 under "A Policy on Geometric Design of Highways and Streets",
16 seventh ed., 2018, issued by the American Association of State
17 Highway and Transportation Officials.

18 (b) "Local road authority" means the governing body of a city,
19 village, airport, college, or university.

20 (c) "Traffic control order" means a document filed with the
21 proper authority that establishes the legal and enforceable speed
22 limit for the highway segment described in the document.