

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

257.653b Approaching and passing stationary solid waste collection vehicle, utility service vehicle, or road maintenance vehicle; duty to exhibit due care and caution; exception on certain highways; definitions.

Sec. 653b. (1) Upon approaching and passing a stationary solid waste collection vehicle, a utility service vehicle, or a road maintenance vehicle that is giving a visual signal by means of flashing, rotating, or oscillating amber lights as permitted by section 698, the driver of an approaching vehicle shall exhibit due care and caution, as required under the following:

(a) On any public roadway with at least 2 adjacent lanes proceeding in the same direction of the stationary solid waste collection vehicle, utility service vehicle, or road maintenance vehicle, the driver of the approaching vehicle shall proceed with caution, reduce his or her speed by at least 10 miles per hour below the posted speed limit, and yield the right-of-way by moving into a lane at least 1 moving lane or 2 vehicle widths apart from the stationary solid waste collection vehicle, utility service vehicle, or road maintenance vehicle, unless directed otherwise by a police officer. If movement to an adjacent lane or 2 vehicle widths apart is not possible due to weather, road conditions, or the immediate presence of vehicular or pedestrian traffic in parallel moving lanes, the driver of the approaching vehicle shall proceed as required in subdivision (b).

(b) On any public roadway that does not have at least 2 adjacent lanes proceeding in the same direction as the stationary solid waste collection vehicle, utility service vehicle, or road maintenance vehicle, or if the movement by the driver of the vehicle into an adjacent lane or 2 vehicle widths apart is not possible as described in subdivision (a), the approaching vehicle shall proceed with due care and caution and reduce his or her speed by 10 miles per hour.

(2) The operator of a vehicle upon a highway that has been divided into 2 roadways by leaving an intervening space, or by a physical barrier or clearly indicated dividing sections so constructed as to impede vehicular traffic, is not required to proceed with caution, reduce his or her speed, or yield the right-of-way for a stationary solid waste collection vehicle, utility service vehicle, or road maintenance vehicle that is stopped across the dividing space, barrier, or section.

(3) As used in this section:

(a) "Road maintenance authority" means any of the following:

(i) The state department of transportation.

(ii) A local authority.

(iii) An entity operating under contract with the state department of transportation or a local authority to provide road construction or road maintenance services.

(b) "Road maintenance vehicle" means a vehicle owned or operated by a road maintenance authority.

(c) "Solid waste" means that term as defined in section 11506 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11506.

(d) "Solid waste collection vehicle" means a solid waste transporting unit that is used for the curbside collection of municipal solid waste.

(e) "Solid waste hauler" means that term as defined in section 11506 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11506.

(f) "Solid waste transporting unit" means that term as defined in section 11506 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.11506.

(g) "Utility provider" means an entity that does any of the following and that is regulated as a utility under the laws of this state or of the United States:

(i) Generates or distributes electrical power to the public.

(ii) Generates or distributes natural gas to the public.

(iii) Provides sewage collection services to the public.

(iv) Provides water distribution services to the public.

(v) Provides telephone services to the public.

(vi) Provides cable or video services to the public.

(h) "Utility service vehicle" means a vehicle owned or operated by a utility provider.

History: Add. 2008, Act 464, Imd. Eff. Jan. 9, 2009;—Am. 2018, Act 349, Eff. Feb. 13, 2019.