

HOUSE BILL No. 5944

May 26, 2004, Introduced by Reps. Palmer, Hummel, Garfield, Meyer, Taub, Milosch, DeRoche, Ehardt, Sak, Sheen, Brandenburg, Vander Veen, Tabor, Stahl and Casperson and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 629 (MCL 257.629), as amended by 1988 PA
368.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 629. (1) ~~Local authorities~~ **A local authority** may
2 establish or increase the prima facie speed limits on highways
3 under ~~their~~ **its** jurisdiction subject to the following

4 limitations:

5 (a) A highway within a business or residential district on
6 which the prima facie speed limit is increased shall be
7 designated a through highway at the entrance to which vehicles
8 shall be required to stop before entering, except that, where 2
9 of these through highways intersect, **a local** ~~authorities~~
10 **authority** may require traffic on only 1 highway to stop before

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1 entering the intersection.

2 (b) ~~The~~ **A local authority** shall place and
3 maintain, upon all through highways ~~in~~ **on** which the permissible
4 speed is increased, adequate signs giving notice of the special
5 regulations and shall also place and maintain upon each highway
6 intersecting a through highway ~~—~~ appropriate signs ~~which shall~~
7 ~~be~~ **that are** reflectorized or illuminated at night.

8 (c) ~~Local authorities~~ **A local authority** may establish prima
9 facie lawful speed limits on highways outside of business or
10 residential districts ~~which~~ **that** shall not be less than 25
11 miles per hour, except as provided in subsection (4).

12 (d) Before a local authority increases or decreases the prima
13 facie speed limit on a state trunk line highway within a school
14 zone, the local authority shall confer with the state
15 transportation department, the department of state police, and
16 the school board of the affected school district.

17 (2) The state transportation commission may establish the
18 speed ~~which~~ **that** shall be prima facie lawful upon all trunk
19 line highways outside of business districts and located within
20 cities and villages and outside of school zones, as follows:

21 (a) A written copy of the authorization or determination
22 shall be filed in the office of the county clerk of the county or
23 counties where the highway is located; ~~and~~ a certified copy of
24 the authorization or determination shall be prima facie evidence
25 in all courts of the issuance of the authorization or
26 determination.

27 (b) When the state transportation commission increases the

1 speed upon a trunk line highway as provided in this act, subject
2 to section 627a, the state transportation department shall place
3 and maintain upon these highways adequate signs giving notice of
4 the permissible speed fixed by the state transportation
5 commission.

6 (3) ~~Local authorities are authorized to~~ **A local authority**
7 **may** decrease the prima facie speed limits in public parks under
8 ~~their~~ **its** jurisdiction. A decrease in the prima facie speed
9 limits ~~shall be~~ **is** binding when adequate signs ~~are duly~~
10 ~~posted~~ giving notice of the reduced speeds **are posted**.

11 (4) ~~Local authorities are authorized to~~ **A local authority**
12 **may** decrease the prima facie speed limits to not less than 15
13 miles an hour on each street or highway under ~~their~~ **its**
14 jurisdiction ~~which~~ **that** is adjacent to a publicly owned park or
15 playground. A decrease in the prima facie speed limits ~~shall~~
16 ~~be~~ **is** binding when adequate signs ~~are duly posted~~ giving
17 notice of the reduced speeds **are posted**. As used in this
18 subsection, "local authority" includes the county road commission
19 with the concurrence of the township board of a township for a
20 street or highway within the boundaries of the township.

21 (5) **If the county road commission, the township board, and**
22 **the director of the department of state police determine, upon**
23 **the basis of an engineering and traffic investigation, that the**
24 **speed of vehicular traffic on an unimproved road is greater than**
25 **is reasonable or safe under the conditions found to exist at an**
26 **intersection or other place or upon a part of the highway, those**
27 **officials acting by a majority vote may decrease the prima facie**

1 speed limit to not less than 25 miles per hour on that unimproved
2 road located within the limits of the township, and that
3 decreased speed limit shall be effective at the times determined
4 when appropriate signs giving notice of the speed limit are
5 erected at the intersection or other place or part of the
6 highway. As used in this subsection, "county road commission"
7 means the board of county road commissioners elected or appointed
8 pursuant to section 6 of chapter IV of 1909 PA 283, MCL 224.6,
9 or, in the case of a charter county with a population of
10 2,000,000 or more with an elected county executive that does not
11 have a board of county road commissioners, the county executive.
12 As used in this subsection, "unimproved road" means gravel or
13 otherwise nonpaved roads only.

14 **(6)** ~~—(5)—~~ The maximum rates of speed allowed ~~—pursuant to~~
15 **under** this section are subject to the maximum rate established
16 pursuant to section 629b.

17 **(7)** ~~—(6)—~~ A person who exceeds a lawful speed limit
18 established ~~—pursuant to—~~ **under** this section is responsible for a
19 civil infraction.

20 **(8)** ~~—(7)—~~ As used in this section, "local authority" means
21 the governing body of a city or village, except as provided in
22 subsection (4).