

# HOUSE BILL No. 5089

September 30, 2003, Introduced by Reps. Acciavatti, Hoogendyk, Spade, Pastor, LaJoy, Stahl, Brandenburg, Gaffney, Palmer, Milosch, DeRossett, Shulman, Kooiman, Emmons, Tabor, Casperson, Bradstreet, Hune, Hummel, Drolet, Meyer, Farhat, Newell, Stakoe, Mortimer, Caswell, Nitz, Bisbee, Nofs, Walker, Wenke, Vander Veen, Sheen, Ehardt, Ward, Palsrok, Huizenga, Amos, Howell, Garfield, Pumford, Daniels, Brown, Rivet, Sak, Farrah, Clack, Vagnozzi, Bieda, Gleason, Hager, Plakas, Accavitti, Anderson, Gielegthem, Adamini, Woodward, Rocca, Wojno and Julian and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending section 627 (MCL 257.627), as amended by 1990 PA 165,  
and by adding section 79d.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 79d. "Work zone" means an area of a street or highway  
2 in which construction, maintenance, or utility work activities  
3 are being conducted. A work zone includes the area between the  
4 first sign indicating a work area or traffic control device and  
5 an "end road work" sign.

6       Sec. 627. (1) A person driving a vehicle on a highway shall  
7 drive at a careful and prudent speed not greater than nor less  
8 than is reasonable and proper, having due regard to the traffic,  
9 surface, and width of the highway and of any other condition then  
10 existing. A person shall not drive a vehicle upon a highway at a

1 speed greater than that which will permit a stop within the  
2 assured, clear distance ahead.

3 (2) Subject to subsection (1) and except in those instances  
4 where a lower speed is specified in this chapter, it is prima  
5 facie lawful for the driver of a vehicle to drive at a speed not  
6 exceeding the following, except when this speed would be unsafe:

7 (a) 25 miles an hour on all highways in a business or  
8 residence district as defined in this act.

9 (b) 25 miles an hour in public parks unless a different speed  
10 is fixed and duly posted.

11 (3) It is prima facie unlawful for a person to exceed the  
12 speed limits prescribed in subsection (2), except as provided in  
13 section 629.

14 (4) The driver of a vehicle in a mobile home park as defined  
15 in section 2 of the mobile home commission act, ~~Act No. 96 of~~  
16 ~~the Public Acts of 1987, being section 125.2302 of the Michigan~~  
17 ~~Compiled Laws~~ **1987 PA 96, MCL 125.2302**, shall drive at a careful  
18 and prudent speed, not greater than a speed which is reasonable  
19 and proper, having due regard for the traffic, surface, width of  
20 the roadway, and all other conditions existing, and not greater  
21 than a speed which will permit a stop within the assured clear  
22 distance ahead. It is prima facie unlawful for the driver of a  
23 vehicle to drive at a speed exceeding 15 miles an hour in a  
24 mobile home park as defined in section 2 of ~~Act No. 96 of the~~  
25 ~~Public Acts of 1987~~ **the mobile home commission act, 1987 PA 96,**  
26 **MCL 125.2302.**

27 (5) A person driving a passenger vehicle drawing another

1 vehicle or trailer shall not exceed a speed of 55 miles per hour,  
2 unless the vehicle or trailer has 2 wheels or less and does not  
3 exceed the combined weight of 750 pounds for the vehicle or  
4 trailer and load, or a trailer coach of not more than 26 feet in  
5 length with brakes on each wheel and attached to the passenger  
6 vehicle with an equalizing or stabilizing coupling unit.

7 (6) A truck with a gross weight of 10,000 pounds or more, a  
8 truck-tractor with a trailer, or a combination of these vehicles  
9 shall not exceed a speed of 55 miles per hour on highways,  
10 streets, or freeways — and shall not exceed a speed of 35 miles  
11 per hour during the period when reduced loadings are being  
12 enforced in accordance with this chapter.

13 (7) A person driving a school bus shall not exceed the speed  
14 of 50 miles per hour.

15 (8) The maximum rates of speeds allowed pursuant to this  
16 section are subject to the maximum rate established pursuant to  
17 section 629b.

18 (9) A person operating a vehicle on a highway, when entering  
19 and passing through a designated work ~~area where a normal lane~~  
20 ~~or part of the lane of traffic has been closed due to highway~~  
21 ~~construction, maintenance, or surveying activities~~ **zone**, shall  
22 not exceed a speed of 45 miles per hour unless otherwise  
23 determined and posted by the state transportation department, a  
24 county road commission, or a local authority. The state  
25 transportation department, a county road commission, or a local  
26 authority shall identify on streets and highways under its  
27 jurisdiction a designated work ~~area~~ **zone** with traffic control

1 devices which are in conformance with the Michigan manual of  
2 uniform traffic control devices. A person shall not exceed a  
3 speed limit established under this section or a speed limit  
4 established pursuant to section 628 or 629.

5 (10) A person who violates this section is responsible for a  
6 civil infraction.