

SENATE BILL No. 956

February 4, 2004, Introduced by Senator GILBERT and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 653a (MCL 257.653a), as added by 2000 PA
458.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 653a. (1) Upon approaching and passing a stationary
2 authorized emergency vehicle that is giving a visual signal by
3 means of flashing, rotating, or oscillating red, blue, or white
4 lights as permitted by section 698 **or a wrecker that is giving a**
5 **visual signal by means of flashing, rotating, or oscillating**
6 **amber or red lights as permitted by section 698(5)(c),** the driver
7 of an approaching vehicle shall exhibit due care and caution, as
8 required under the following:

9 (a) On any public roadway with at least 2 adjacent lanes
10 proceeding in the same direction of the stationary authorized

1 emergency vehicle **or wrecker**, the driver of the approaching
2 vehicle shall proceed with caution and yield the right-of-way by
3 moving into a lane at least 1 moving lane or 2 vehicle widths
4 apart from the stationary authorized emergency vehicle **or**
5 **wrecker**, unless directed otherwise by a police officer. If
6 movement to an adjacent lane or 2 vehicle widths apart is not
7 possible due to weather, road conditions, or the immediate
8 presence of vehicular or pedestrian traffic in parallel moving
9 lanes, the driver of the approaching vehicle shall proceed as
10 required in subdivision (b).

11 (b) On any public roadway that does not have at least 2
12 adjacent lanes proceeding in the same direction as the stationary
13 authorized emergency vehicle **or wrecker**, or if the movement by
14 the driver of the vehicle into an adjacent lane or 2 vehicle
15 widths apart is not possible as described in subdivision (a), the
16 approaching vehicle shall reduce and maintain a safe speed for
17 weather, road conditions, and vehicular or pedestrian traffic and
18 proceed with due care and caution, or as directed by a police
19 officer.

20 (2) Except as provided in subsections (3) and (4), a person
21 who violates this section is guilty of a misdemeanor punishable
22 by a fine of not more than \$500.00 or imprisonment for not more
23 than 90 days, or both.

24 (3) A person who violates this section and causes injury to a
25 police officer, firefighter, or other emergency response
26 personnel in the immediate area of the stationary authorized
27 emergency vehicle **or to the operator of the wrecker in the**

1 **immediate area of the wrecker** is guilty of a felony punishable by
2 a fine of not more than \$1,000.00 or imprisonment for not more
3 than 2 years, or both.

4 (4) A person who violates this section and causes death to a
5 police officer, firefighter, or other emergency response
6 personnel in the immediate area of the stationary authorized
7 emergency vehicle **or to the operator of the wrecker in the**
8 **immediate area of the wrecker** is guilty of a felony punishable by
9 a fine of not more than \$7,500.00 or by imprisonment for not more
10 than 15 years, or both.