

HOUSE BILL No. 4802

May 17, 2005, Introduced by Reps. Anderson, Miller, Tobocman, Gillard, Stakoe, Gleason,
Kathleen Law, Hune and Lemmons, III 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 2004 PA 62.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 627. (1) A person ~~driving~~ **OPERATING** a vehicle on a
2 highway shall drive at a careful and prudent speed not greater than
3 nor less than is reasonable and proper, having due regard to the
4 traffic, surface, and width of the highway and of any other
5 condition then existing. A person shall not ~~drive~~ **OPERATE** a
6 vehicle upon a highway at a speed greater than that which will
7 permit a stop within the assured, clear distance ahead.

8 (2) Subject to subsection (1) and except in those instances
9 where a lower speed is specified in this chapter, it is prima facie

1 lawful for the driver of a vehicle to drive at a speed not
2 exceeding the following, except when this speed would be unsafe:

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

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

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

10 ~~—— (4) The driver of a vehicle in a mobile home park as defined~~
11 ~~in section 2 of the mobile home commission act, 1987 PA 96, MCL~~
12 ~~125.2302, shall drive at a careful and prudent speed, not greater~~
13 ~~than a speed which is reasonable and proper, having due regard for~~
14 ~~the traffic, surface, width of the roadway, and all other~~
15 ~~conditions existing, and not greater than a speed which will permit~~
16 ~~a stop within the assured clear distance ahead. It is prima facie~~
17 ~~unlawful for the driver of a vehicle to drive at a speed exceeding~~
18 ~~15 miles an hour in a mobile home park as defined in section 2 of~~
19 ~~the mobile home commission act, 1987 PA 96, MCL 125.2302.~~

20 (4) A PERSON, WHILE OPERATING A VEHICLE IN A MOBILE HOME PARK AS
21 DEFINED IN SECTION 2 OF THE MOBILE HOME COMMISSION ACT, 1987 PA 96,
22 MCL 125.2302, OR IN A CONDOMINIUM PROJECT ESTABLISHED FOR RESIDENTIAL
23 PURPOSES UNDER THE CONDOMINIUM ACT, 1978 PA 59, MCL 559.101 TO
24 559.276, SHALL NOT EXCEED THE FOLLOWING SPEEDS:

25 (A) FIFTEEN MILES PER HOUR IN A MOBILE HOME PARK.

26 (B) IN A CONDOMINIUM PROJECT, A SPEED POSTED BY THE ASSOCIATION
27 OF CO-OWNERS USING SIGNS THAT COMPLY WITH THE REQUIREMENTS OF THIS ACT

1 AND ARE PURCHASED BY THE ASSOCIATION AT ITS OWN EXPENSE. THE SPEED
2 POSTED UNDER THIS SUBDIVISION SHALL NOT BE LESS THAN 15 MILES PER
3 HOUR. AS USED IN THIS SUBDIVISION, "ASSOCIATION OF CO-OWNERS" MEANS
4 THAT TERM AS DEFINED IN SECTION 3 OF THE CONDOMINIUM ACT, 1978 PA 59,
5 MCL 559.103.

6 (C) A CAREFUL AND PRUDENT SPEED, NOT GREATER THAN A SPEED THAT IS
7 REASONABLE AND PROPER, HAVING DUE REGARD FOR THE TRAFFIC, SURFACE,
8 WIDTH OF THE ROADWAY, AND ALL OTHER CONDITIONS EXISTING AND NOT
9 GREATER THAN A SPEED THAT WILL PERMIT A STOP WITHIN THE ASSURED CLEAR
10 DISTANCE AHEAD.

11 (5) IT IS PRIMA FACIE UNLAWFUL FOR THE DRIVER OF A VEHICLE TO
12 EXCEED THE SPEED LIMITS SET FORTH IN SUBSECTION (4)(A) OR (B).

13 (6) ~~—(5)—~~ A person ~~—driving—~~ **OPERATING** a passenger vehicle
14 drawing another vehicle or trailer shall not exceed a speed of 55
15 miles per hour, unless the vehicle or trailer has 2 wheels or less
16 and does not exceed the combined weight of 750 pounds for the
17 vehicle or trailer and load, or a trailer coach of not more than 26
18 feet in length with brakes on each wheel and attached to the
19 passenger vehicle with an equalizing or stabilizing coupling unit.

20 (7) ~~—(6)—~~ A **PERSON OPERATING A** truck with a gross weight of
21 10,000 pounds or more, a truck-tractor with a trailer, or a
22 combination of these vehicles shall not exceed a speed of 55 miles
23 per hour on highways, streets, or freeways and shall not exceed a
24 speed of 35 miles per hour during the period when reduced loadings
25 are being enforced in accordance with this chapter.

26 (8) ~~—(7)—~~ A person ~~—driving—~~ **OPERATING** a school bus shall not
27 exceed the speed of 50 miles per hour.

1 (9) ~~-(8)-~~ The maximum ~~rates of~~ speeds allowed ~~pursuant to~~
2 UNDER this section are subject to the maximum rate established
3 ~~pursuant to~~ UNDER section 629b.

4 (10) ~~-(9)-~~ A person operating a vehicle on a highway, when
5 entering and passing through a work zone ~~described in section~~
6 ~~79e(a), or, beginning April 8, 2004, described in section 79d(a),~~
7 where a normal lane or part of the lane of traffic has been closed
8 due to highway construction, maintenance, or surveying activities,
9 shall not exceed a speed of 45 miles per hour unless a different
10 speed limit is determined for that work zone by the state
11 transportation department, a county road commission, or a local
12 authority. The state transportation department, a county road
13 commission, or a local authority shall post speed limit signs in
14 each work zone ~~described in section 79e(a), or, beginning April 8,~~
15 ~~2004, described in section 79d(a),~~ that indicate the speed limit
16 in that work zone and shall identify that work zone with any other
17 traffic control devices necessary to conform to the Michigan manual
18 of uniform traffic control devices. A person shall not exceed a
19 speed limit established under this section or a speed limit
20 established under section 628 or 629.

21 (11) ~~-(10)-~~ A person who violates this section is responsible
22 for a civil infraction.