

# HOUSE BILL No. 5861

September 13, 2016, Introduced by Reps. Hughes and Crawford and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 653b (MCL 257.653b), as added by 2008 PA 464.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           Sec. 653b. (1) Upon approaching and passing a stationary ~~solid~~  
2 ~~waste collection vehicle, a utility service vehicle, or a road~~  
3 maintenance vehicle that is giving a visual signal by means of  
4 flashing, rotating, or oscillating amber lights as permitted by  
5 section 698, the driver of an approaching vehicle shall reduce to  
6 and maintain a safe speed for weather, road conditions, and  
7 vehicular or pedestrian traffic and proceed with due care and  
8 caution.

9           **(2) UPON APPROACHING AND PASSING A STATIONARY SOLID WASTE**  
10 **COLLECTION VEHICLE THAT IS GIVING A VISUAL SIGNAL BY MEANS OF**

1 FLASHING, ROTATING, OR OSCILLATING AMBER LIGHTS AS PERMITTED BY  
2 SECTION 698, THE DRIVER OF AN APPROACHING VEHICLE SHALL EXHIBIT DUE  
3 CARE AND CAUTION, AS REQUIRED UNDER THE FOLLOWING:

4 (A) ON ANY PUBLIC ROADWAY WITH AT LEAST 2 ADJACENT LANES  
5 PROCEEDING IN THE SAME DIRECTION OF THE STATIONARY SOLID WASTE  
6 COLLECTION VEHICLE, THE DRIVER OF THE APPROACHING VEHICLE SHALL  
7 PROCEED WITH CAUTION AND YIELD THE RIGHT-OF-WAY BY MOVING INTO A  
8 LANE AT LEAST 1 MOVING LANE OR 2 VEHICLE WIDTHS APART FROM THE  
9 STATIONARY SOLID WASTE COLLECTION VEHICLE, UNLESS DIRECTED  
10 OTHERWISE BY A POLICE OFFICER. IF MOVEMENT TO AN ADJACENT LANE OR 2  
11 VEHICLE WIDTHS APART IS NOT POSSIBLE DUE TO WEATHER, ROAD  
12 CONDITIONS, OR THE IMMEDIATE PRESENCE OF VEHICULAR OR PEDESTRIAN  
13 TRAFFIC IN PARALLEL MOVING LANES, THE DRIVER OF THE APPROACHING  
14 VEHICLE SHALL PROCEED AS REQUIRED IN SUBDIVISION (B).

15 (B) ON ANY PUBLIC ROADWAY THAT DOES NOT HAVE AT LEAST 2  
16 ADJACENT LANES PROCEEDING IN THE SAME DIRECTION AS THE STATIONARY  
17 SOLID WASTE COLLECTION VEHICLE, OR IF THE MOVEMENT BY THE DRIVER OF  
18 THE VEHICLE INTO AN ADJACENT LANE OR 2 VEHICLE WIDTHS APART IS NOT  
19 POSSIBLE AS DESCRIBED IN SUBDIVISION (A), THE APPROACHING VEHICLE  
20 SHALL REDUCE AND MAINTAIN A SAFE SPEED FOR WEATHER, ROAD  
21 CONDITIONS, AND VEHICULAR OR PEDESTRIAN TRAFFIC AND PROCEED WITH  
22 DUE CARE AND CAUTION, OR AS DIRECTED BY A POLICE OFFICER.

23 (3) ~~(2)~~ As used in this section:

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

25 (i) The state **TRANSPORTATION** department. ~~of transportation.~~

26 (ii) A local authority.

27 (iii) An entity operating under contract with the state

1 **TRANSPORTATION** department ~~of transportation~~ or a local authority to  
2 provide road construction or road maintenance services.

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

5 (c) "Solid waste" means that term as defined in section 11506  
6 of the natural resources and environmental protection act, 1994 PA  
7 451, MCL 324.11506.

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

11 (e) "Solid waste hauler" means that term as defined in section  
12 11506 of the natural resources and environmental protection act,  
13 1994 PA 451, MCL 324.11506.

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

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

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

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

22 (iii) Provides sewage collection services to the public.

23 (iv) Provides water distribution services to the public.

24 (v) Provides telephone services to the public.

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

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

1           Enacting section 1. This amendatory act takes effect 90 days  
2 after the date it is enacted into law.