

## MODIFY PROCEDURE FOR ESTABLISHING CERTAIN SPEED LIMITS

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

**House Bill 5385 as introduced**  
**Sponsor: Rep. Holly Hughes**  
**Committee: Transportation and Infrastructure**  
**Complete to 5-8-18**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

House Bill 5385 would amend the Michigan Vehicle Code to change certain speed limits and to change how speed limits are set under certain circumstances.

#### **Residential subdivisions**

Current law establishes a maximum speed limit of 25 miles per hour in a residential or condominium subdivision consisting of a system of interconnected highways with no *through highways* and a limited number of dedicated highways serving as entrances to and exits from the subdivision.

*Through highway* means every state trunk line highway and any other highway at the entrance to which vehicular traffic from intersecting highways is required by law to stop before entering or crossing it.

Under the bill, the 25-mile-per-hour maximum would apply in a residential subdivision or condominium subdivision consisting of a system of interconnected highways—regardless of whether there are through highways or a limited number of highways by which to enter or exit the subdivision. However, this maximum would not apply to a through highway or to a subdivision that has not been zoned as a residential area by its local jurisdiction.

#### **Gravel roads**

Under current law, the speed limit on all county highways with a gravel or unimproved surface for which the Code does not prescribe some other speed limit (the “general gravel road speed limit”) is 55 miles per hour. However, a municipality in a county with a population of at least 1 million (currently, this includes only Wayne and Oakland Counties) may request the county road commission to lower the speed limit to 45 miles per hour on a specific segment of gravel or unimproved road. The bill would delete the population requirement, so that any municipality could request its county road commission to lower the speed limit to 45 miles per hour on such a road segment.

Currently, if a municipality in a county with a population of at least 1 million requests a different speed limit for a gravel or unimproved road segment, the county road commission, in conjunction with the municipality and the Department of State Police, may conduct a speed study of the fastest portion of the road segment to establish a modified speed limit. Following the speed study, the modified speed limit is “established at the nearest multiple of 5 miles per hour to the eighty-fifth percentile of speed of free-flow traffic under ideal

conditions for vehicular traffic, and shall not be set below the fiftieth percentile speed of free-flow traffic under ideal conditions for vehicular traffic.”

The bill would delete the population requirement, so that any municipality could request a modified speed limit. Upon such a request, the county road commission, in conjunction with the municipality and the Department of State Police, could conduct an engineering and safety study, in addition to a speed study, to establish a modified speed limit.

Following the engineering and safety study and speed study, the modified speed limit would be “determined by an engineering and safety study and by the eighty-fifth percentile speed of free-flowing traffic under ideal conditions of a section of highway rounded to the nearest multiple of 5 miles per hour, and shall not be set below the fiftieth percentile speed of free-flowing traffic under optimal conditions on the fastest portion of the highway segment for which the speed limit is being posted.”

#### **Speed limits generally**

Current law requires a speed limit established under the Code to be not less than the fiftieth percentile speed of free-flowing traffic under optimal conditions on the fastest portion of the highway segment in question. The bill would retain this provision, but would also allow a lower speed limit if rounding to the nearest multiple of 5 miles per hour results in a speed that is below the fiftieth percentile speed.

The bill would generally require speed limits established under the Code to be between the eighty-fifth percentile speed of free-flowing traffic under ideal conditions of a section of highway rounded to the nearest multiple of 5 miles per hour and the fiftieth percentile speed of free-flowing traffic under optimal conditions on the fastest portion of the highway segment for which the speed limit is being posted.

The bill would take effect 90 days after enactment.

MCL 257.627 and 257.628

#### **FISCAL IMPACT:**

The bill has no apparent direct fiscal impacts on the state or local units of government.

Legislative Analyst: E. Best  
Fiscal Analyst: William E. Hamilton

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.