

SENATE BILL No. 163

March 19, 1987, Introduced by Senators FESSLER and WELBORN and referred to the Committee on State Affairs, Tourism, and Transportation.

A bill to amend sections 628 and 629b of Act No. 300 of the Public Acts of 1949, entitled as amended "Michigan vehicle code," being sections 257.628 and 257.629b of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 628 and 629b of Act No. 300 of the
2 Public Acts of 1949, being sections 257.628 and 257.629b of the
3 Michigan Compiled Laws, are amended to read as follows:

4 Sec. 628. (1) If the state transportation commission or
5 county road commission, with respect to highways under its juris-
6 diction, and the director of the department of state police shall
7 jointly determine upon the basis of an engineering and traffic
8 investigation that the speed of vehicular traffic on a state
9 trunk line or county highway is greater or less than is

1 reasonable or safe under the conditions found to exist at an
2 intersection or other place or upon a part of the highway, the
3 officials acting jointly may determine and declare a reasonable
4 and safe maximum or minimum speed limit on that state trunk line,
5 county highway, or intersection which shall be effective at the
6 times determined when appropriate signs giving notice of the
7 speed limit are erected at the intersection or other place or
8 part of the highway. If a superintendent of a school district
9 determines that the speed of vehicular traffic on a state trunk
10 line or county highway, which is within 1,000 feet of a school in
11 the school district of which that person is the superintendent,
12 is greater or less than is reasonable or safe, the officials
13 shall include the superintendent of the school district affected
14 in acting jointly in determining and declaring a reasonable and
15 safe maximum or minimum speed limit on that state trunk line or
16 county highway. The maximum speed limit on all ~~state trunk~~
17 ~~line~~ highways or parts of ~~state trunk line~~ highways upon which
18 a maximum speed limit is not otherwise fixed pursuant to this act
19 shall be ~~65 miles per hour during the daylight hours and~~ 55
20 miles per hour. ~~during the night hours.~~ The maximum speed
21 limit upon a ~~freeway~~ RURAL INTERSTATE HIGHWAY shall be ~~70~~ 65
22 miles per hour. ~~, and the maximum speed limits on all highways~~
23 ~~or parts of highways under the jurisdiction of the county road~~
24 ~~commission upon which a maximum speed limit is not otherwise~~
25 ~~fixed pursuant to this act shall be 65 miles per hour during the~~
26 ~~daylight hours and 55 miles per hour during the night hours.~~

1 (2) If upon investigation the state transportation
2 commission or county road commission and the director of the
3 department of state police find it in the interest of public
4 safety, they may order the township board, or city or village
5 officials to erect and maintain, take down, or regulate the speed
6 control signs, signals, or devices as directed, and in default of
7 an order the state transportation commission or county road com-
8 mission may cause the designated signs, signals, and devices to
9 be erected and maintained, taken down, regulated, or controlled,
10 in the manner previously directed, and pay for the erecting and
11 maintenance, removal, regulation, or control of the sign, signal,
12 or device out of the highway fund designated.

13 (3) A public record of all speed control signs, signals, or
14 devices ~~so~~ authorized UNDER THIS SECTION shall be filed in the
15 office of the county clerk of the county in which the highway is
16 located, and a certified copy shall be prima facie evidence in
17 all courts of the issuance of the authorization. The public
18 record with the county clerk shall not be required as prima facie
19 evidence of authorization in the case of signs erected or placed
20 temporarily for the control of speed or direction of traffic at
21 points where construction, repairs, or maintenance of highways is
22 in progress, or along a temporary alternate route established to
23 avoid the construction, repair, or maintenance of a highway, if
24 the signs are of uniform design approved by the state transporta-
25 tion commission and the director of the department of state
26 police and clearly indicate a special control, when proved in
27 court that the temporary traffic-control sign was placed by the

1 state transportation commission or on the authority of the state
2 transportation commission and the director of the department of
3 state police or by the county road commission or on the authority
4 of the county road commission, at a specified location.

5 (4) A person who fails to observe an authorized speed or
6 traffic control sign, signal, or device is responsible for a
7 civil infraction.

8 (5) The minimum speed limit on all freeways shall be 45
9 miles per hour except if reduced speed is necessary for safe
10 operation or in compliance with law or in compliance with a spe-
11 cial permit issued by an appropriate authority.

12 (6) The maximum rates of speeds allowed pursuant to this
13 section are subject to the maximum ~~rate~~ RATES established pur-
14 suant to section 629b.

15 (7) AS USED IN THIS SECTION:

16 (A) "INTERSTATE SYSTEM" MEANS THAT TERM AS DEFINED IN 23
17 U.S.C. 101.

18 (B) "RURAL INTERSTATE HIGHWAY" MEANS A HIGHWAY IN THE INTER-
19 STATE SYSTEM LOCATED OUTSIDE AN URBANIZED AREA WITH A POPULATION
20 OF 50,000 OR MORE.

21 (C) "URBANIZED AREA" MEANS THAT TERM AS DEFINED IN 23
22 U.S.C. 101.

23 Sec. 629b. (1) ~~The state transportation department may~~
24 ~~reduce the maximum speed limit on any street, highway, express~~
25 ~~way, or freeway to 55 miles per hour~~ AS USED IN THIS SECTION,
26 "RURAL INTERSTATE HIGHWAY" MEANS THAT TERM AS DEFINED IN SECTION
27 628.

1 (2) ~~After March 2, 1974, the~~ THE maximum rate of speed on
2 ~~any~~ A street, highway, ~~expressway,~~ or freeway, EXCEPT A RURAL
3 INTERSTATE HIGHWAY, shall not be more than 55 miles per hour.
4 THE MAXIMUM RATE OF SPEED ON A RURAL INTERSTATE HIGHWAY SHALL NOT
5 BE MORE THAN 65 MILES PER HOUR.

6 (3) The governor may reduce the maximum speed limit on a
7 street, highway, or freeway, EXCEPT A RURAL INTERSTATE HIGHWAY,
8 pursuant to an executive order issued during a state of energy
9 emergency as provided by law.

10 (4) A person who violates a speed limit established pursuant
11 to this section is responsible for a civil infraction.