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**SFA****BILL ANALYSIS**

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Senate Bill 392 (Substitute S-1 as reported)  
Sponsor: Senator Loren Bennett  
Committee: Transportation and Tourism

Date Completed: 11-22-99

## **RATIONALE**

The Michigan Vehicle Code provides for the establishment of areas near schools where speed limits are reduced for periods before school starts, during lunch breaks, and after students are dismissed. This is contingent upon a school superintendent's requesting that permanent signs designating the school zone and the speed limit in the zone be posted. Generally, the speed limit in a school zone is 25 miles per hour, which must be in force 30 minutes before the first regularly scheduled school session until school begins and from dismissal until 30 minutes after the last regularly scheduled school session, as well as during a lunch period when students are permitted to leave the school. School zones may be established at public, private, and parochial schools that do not go beyond the eighth grade, but they may not be established at high schools. In addition, the Vehicle Code does not allow a school zone speed limit to be set at a school where the entire student body is transported to and from school on motor vehicles, such as buses. Some people believe that these restrictions should be deleted from the Code to permit school zones at high schools and at schools where students are transported to school.

## **CONTENT**

The bill would amend the Michigan Vehicle Code's provisions on school zone speed limits to delete from the definition of "school" the exemption for "an educational institution containing only grades above eighth grade". Currently, "school" means an educational institution operated by a local school district or by a private, denominational, or parochial organization, except an educational institution containing only grades above eighth grade.

In addition, the present definition of "school" excludes an educational institution whose entire student population is in residence at the institution or whose entire student population is transported by motor vehicles to and from the institution. The bill would delete reference to an institution that transports its entire student population.

MCL 257.627a

## **ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

### **Supporting Argument**

School zones are designed to protect students who walk to and from school by establishing lower speed limits at certain times of the school day in an area that includes school property on which a school building is located and a specified distance from the school property. Currently, a zone may be established only at elementary schools as well as middle schools and junior high schools that provide classes for students up to the eighth grade. In some school districts, a high school occupies the same campus with an elementary and middle school. Thus, students of all grade levels who either walk to school or are transported to school must contend with vehicular traffic near their schools. In other districts, high schools are located in areas along heavily traveled streets where high speed limits are posted, making it hazardous for students who walk to school and for those who ride buses to school. Permitting school zones in the vicinity of high schools would lower speed limits in those areas and would help protect not only students who walk, but also those who ride buses or take personal transportation to school.

### **Supporting Argument**

Some school districts have posted school zone signs at schools where students at one time walked to school, but no longer do so. Where this has occurred, school officials apparently did not have the signs removed because of concerns about traffic speed and congestion. The bill would delete the current exception for schools where the entire student population is transported to and from school by motor vehicle. Reduced speeds during peak traffic periods at these schools would help to protect students who are entering or exiting slow-moving

buses and other vehicles from traffic traveling at higher speeds near the schools.

**Response:** School zones are designed to protect children who walk to and from school. If there is concern that speed limits are too high near schools where no children walk to school but are transported by bus or other vehicles, then the speed limit should be reduced permanently and not just during periods of a school day.

Legislative Analyst: L. Arasim

### **FISCAL IMPACT**

This bill would have an indeterminate fiscal impact on the State and local units of government.

Under current law, drivers who violate the Michigan Vehicle Code's provisions on school zone speed limits are guilty of a civil infraction and subject to fine. The 1998 Michigan Court Administration Reference Guide fee schedule suggests a fine of \$96–\$111 for violations of this statute. This comprises a \$52 fine, \$15 in statutory penalties, and variable court costs. If drivers are ticketed for violating the Michigan Vehicle Code, the fines collected are distributed to local units of government for support of local libraries.

However, drivers who exceed posted speed limits in a school zone might be found guilty of violating a local ordinance. These drivers would then be subject to local civil penalties, but those fees are determined, collected, and distributed, by local units of government.

If this bill resulted in additional violations of either the Michigan Vehicle Code or local ordinances, it would generate additional revenues for local libraries or local units of government. However, the marginal increase in fines collected under this bill or the costs to issue additional speeding tickets cannot be determined.

Fiscal Analyst: P. Alderfer

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.