

Senate Fiscal Agency
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SFA



BILL ANALYSIS

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Senate Bill 392 (as enrolled)
Sponsor: Senator Loren Bennett
Senate Committee: Transportation and Tourism
House Committee: Transportation

PUBLIC ACT 110 of 2000

Date Completed: 1-29-01

RATIONALE

The Michigan Vehicle Code provides for the establishment of areas near schools where the speed limit is 25 miles per hour 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. School zones may be established at public, private, and parochial schools that do not go beyond the eighth grade, but they could not be established at high schools. In addition, the Vehicle Code did 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 believed that these restrictions should be deleted in order to permit school speed zones at high schools and at schools where students are transported to school.

CONTENT

The bill amended 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". The Code had defined "school" as 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 definition of "school" excluded an educational institution whose entire student population was in residence at the institution or whose entire student population was transported by motor vehicles to and from the institution. The bill deleted reference to an institution that transported its entire student population.

Previously, the speed limit in a school zone had to be in force 30 minutes before the first regularly scheduled school session until school began and from dismissal until 30 minutes after the last regularly scheduled school session. Under the bill, the speed

limit must be in force at least 30 minutes but not more than one hour before the first regularly scheduled school session until school begins and at least 30 minutes but not more than one hour after the last regularly scheduled school session. As previously required, the speed limit also must be in force during a lunch period when students are permitted to leave the school.

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. The Code previously permitted a zone to be established only at elementary schools as well as middle schools and junior high schools providing classes for students up to the eighth grade. In some school districts, however, 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 will lower speed limits in those areas and help protect not only students who walk, but also those who ride buses or take personal transportation to school.

Supporting Argument

Some school districts 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 have not had the signs removed because of concerns about traffic speed and congestion. Even though the entire student population is transported to and from school by motor vehicle, reduced speeds during peak traffic periods at these schools will 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 will 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 are then subject to local civil penalties, but those fees are determined, collected, and distributed, by local units of government.

If this bill results in additional violations of either the Michigan Vehicle Code or local ordinances, it will 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: C. Thiel
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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.