

Act No. 304
Public Acts of 2008
Approved by the Governor
December 8, 2008
Filed with the Secretary of State
December 9, 2008
EFFECTIVE DATE: December 9, 2008

**STATE OF MICHIGAN
94TH LEGISLATURE
REGULAR SESSION OF 2008**

Introduced by Rep. Hopgood

ENROLLED HOUSE BILL No. 6414

AN ACT to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 642 (MCL 257.642) and by adding sections 20b and 20c.

The People of the State of Michigan enact:

Sec. 20b. "High-occupancy vehicle" or "HOV" means any motor vehicle carrying no fewer than 2 occupants including the driver of the vehicle.

Sec. 20c. "High-occupancy vehicle lane" or "HOV lane" means any designated lane or ramp on a highway designated for the exclusive or preferential use of a public transportation vehicle or private motor vehicles carrying no fewer than a specified number of occupants, including the driver of the vehicle.

Sec. 642. (1) When a roadway has been divided into 2 or more clearly marked lanes for traffic the following rules in addition to all others consistent with this act shall apply:

(a) A vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from the lane until the driver has first ascertained that the movement can be made with safety. Upon a roadway with 4 or more lanes which provides for 2-way movement of traffic, a vehicle shall be driven within the extreme right-hand lane except when overtaking and passing, but shall not cross the center line of the roadway except where making a left turn.

(b) Upon a roadway which is divided into 3 lanes and provides for 2-way movement of traffic, a vehicle shall not be driven in the center lane except when overtaking and passing another vehicle traveling in the same direction, when the center lane is clear of traffic within a safe distance, or in preparation for a left turn, or where the center lane is at the time allocated exclusively to traffic moving in the same direction the vehicle is proceeding and the allocation is designated by official traffic control devices.

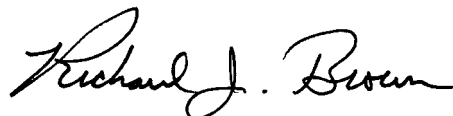
(c) Official traffic control devices may be erected directing specified traffic to use a designated lane or designating those lanes to be used by traffic moving in a particular direction regardless of the center of the roadway and drivers of vehicles shall obey the directions of the traffic-control device.

(d) Official traffic-control devices may be installed prohibiting the changing of lanes on sections of roadway, and drivers of vehicles shall obey the directions of the traffic-control devices.

(2) When any lane has been designated as an HOV lane under section 1 of 1951 PA 51, MCL 247.651, and has been appropriately marked with signs and pavement markings, the lane shall be reserved during the periods indicated for the exclusive use of buses and HOVs. The restrictions imposed on HOV lanes do not apply to any of the following:

- (a) Authorized emergency vehicles.
 - (b) Law enforcement vehicles.
 - (c) Motorcycles.
 - (d) Transit and commuter buses designed to transport persons, including the driver.
 - (e) Vehicles of public utility companies that are responding to an emergency call.
 - (f) Vehicles that are using an HOV lane to make a turn permitted by law for a reasonable distance in advance of the turn or for purposes of entering or exiting a limited access highway.
 - (g) Taxicabs having 2 or more occupants, including the driver.
 - (h) Bicycles, if the HOV lane is the right-hand lane of a highway open to bicycles.
- (3) A person who violates this section is responsible for a civil infraction.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor