

USE OF TRAFFIC LANES

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House Bill 5304 as introduced
Sponsor: Rep. William Bruck
Committee: Transportation, Mobility and Infrastructure
Revised 3-5-24

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

SUMMARY:

House Bill 5304 would amend provisions of the Michigan Vehicle Code that address traffic lane usage.

Currently, on a *roadway* with two or more lanes for travel in one direction, the driver of a vehicle is generally required to drive in the extreme right-hand lane. However, the following apply:

- The driver can drive in *any lane* lawfully available to traffic moving in the same direction when the lanes are occupied by a streetcar or vehicles moving in substantially continuous lanes of traffic.
- The driver can drive in *any left-hand lane* lawfully available to traffic moving in the same direction for a reasonable distance before making a left turn.
- The driver can drive in *any left-hand lane* lawfully available to traffic moving in the same direction to avoid blocking, delaying, or otherwise interfering with the movement of a streetcar on a streetcar track.

Roadway means that portion of a *highway* improved, designed, or ordinarily used for vehicular travel. (If a highway includes two or more separate roadways, *roadway* refers to any such roadway separately, but not to all such roadways collectively.)

Highway means the entire width between the boundary lines of a publicly maintained way if any part of it is open to the use of the public for purposes of vehicular travel.

In addition, the driver of a truck with a gross weight of more than 10,000 pounds, a truck tractor, or a combination of a vehicle and trailer or semitrailer must drive the vehicle or combination of vehicles only in either of the two lanes farthest to the right, except for a reasonable distance when making a left turn or where a special hazard exists that requires the use of an alternative lane for safety reasons. (It is not explicitly stated, but this provision appears to apply to a *freeway* with three or more lanes.)

Finally, the act provides that none of the above provisions can be construed to prohibit a vehicle traveling in the appropriate direction from traveling in any lane of a *freeway* having three or more lanes for travel in the same direction.

The bill would eliminate all of the current lane usage requirements for roadways with two or more lanes for travel in one direction.

The bill also would add requirements that apply only to *freeways* with exactly two lanes for travel in one direction.

Freeway means a divided arterial highway for through traffic with full control of access and with all crossroads separated in grade from pavements for through traffic.

Under the bill, on a freeway with two lanes for travel in one direction, the driver of a vehicle would be generally required to drive in the right-hand lane. However, the driver could drive in either lane when the other lane is occupied by vehicles moving in substantially continuous lanes of traffic. In addition, the driver could drive in the left-hand lane for a reasonable distance before making a left turn (presumably, using a freeway exit that is located on the left).

The bill also would amend the provisions described above concerning trucks.

Under the bill, the driver of a truck with a gross weight of more than 10,000 pounds, a truck tractor, or a combination of a vehicle and trailer or semitrailer must drive the vehicle or combination of vehicles only in either of the two lanes farthest to the right, except for a reasonable distance when making a left turn or where the use of an alternative lane is required for safety reasons because a special hazard exists or because of closure to traffic for construction or repair. (Although not explicitly stated, this provision appears to apply to a *freeway* with three or more lanes.)

The bill would retain the language that provides that none of the above provisions can be construed to prohibit a vehicle traveling in the appropriate direction from traveling in any lane of a *freeway* having three or more lanes for travel in the same direction.

MCL 257.634

FISCAL IMPACT:

The bill would have an indeterminate fiscal impact on the state and on local units of government. The number of individuals that would be responsible for a civil infraction under provisions of the bill is not known. Under section 909(1) of the Michigan Vehicle Code, civil fine revenue would be applied to the support of public and county law libraries. In addition, under section 907(12) of the Michigan Vehicle Code, for any civil fines ordered to be paid, the judge or district court magistrate is required to order the defendant to pay a justice system assessment of \$40 for each civil infraction determination, except for parking violations. Revenue deposited into the state's Justice System Fund supports various justice-related endeavors in the judicial branch, the Departments of State Police, Corrections, Health and Human Services, and Treasury, and the Legislative Retirement System. There is no practical way to determine the number of violations that will occur under provisions of the bill, so there is no way to estimate the amount of additional revenue that could be collected. The fiscal impact on local court systems would depend on how provisions of the bill affected court caseloads and related administrative costs

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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.