

# SENATE BILL NO. 779

March 12, 2024, Introduced by Senator ALBERT and referred to the Committee on Appropriations.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 653a (MCL 257.653a), as amended by 2018 PA 349; and to repeal acts and parts of acts.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           Sec. 653a. (1) Upon approaching and passing a stationary  
2 ~~authorized emergency~~ vehicle that is giving a visual signal by  
3 means of flashing, rotating, or oscillating red, blue, white, or  
4 amber lights as permitted by section 698, **or by means of front and**  
5 **rear warning lamps as permitted by section 698a**, the driver of an

1 approaching vehicle shall exhibit due care and caution, as required  
2 under the following:

3 (a) On any public roadway with at least 2 adjacent lanes  
4 proceeding in the same direction of the stationary ~~authorized~~  
5 ~~emergency-vehicle~~, the driver of the approaching vehicle shall  
6 proceed with caution, reduce his or her speed by at least 10 miles  
7 per hour below the posted speed limit, and yield the right-of-way  
8 by moving into a lane at least 1 moving lane or 2 vehicle widths  
9 apart from the stationary ~~authorized emergency-vehicle~~, unless  
10 directed otherwise by a police officer. If movement to an adjacent  
11 lane or 2 vehicle widths apart is not possible due to weather, road  
12 conditions, or the immediate presence of vehicular or pedestrian  
13 traffic in parallel moving lanes, the driver of the approaching  
14 vehicle shall proceed as required in subdivision (b).

15 (b) On any public roadway that does not have at least 2  
16 adjacent lanes proceeding in the same direction as the stationary  
17 ~~authorized emergency-vehicle~~, or if the movement by the driver of  
18 the vehicle into an adjacent lane or 2 vehicle widths apart is not  
19 possible as described in subdivision (a), the ~~approaching vehicle~~  
20 **driver** shall proceed with due care and caution and reduce his or  
21 her speed by at least 10 miles per hour below the posted speed  
22 limit, or as directed by a police officer.

23 (2) Except as provided in this subsection and subsections (3)  
24 and (4), ~~a person who violates this section is guilty of a~~  
25 ~~misdemeanor punishable by a fine of not more than \$500.00 or~~  
26 ~~imprisonment for not more than 90 days, or both. Beginning 60 days~~  
27 ~~after the effective date of the amendatory act that amended this~~  
28 ~~subsection, except as provided in subsections (3) and (4), a person~~  
29 **an individual** who violates this section is responsible for a civil

1   infraction and ~~shall~~**must** be ordered to pay a civil fine of  
2   \$400.00.

3           (3) ~~A person~~**An individual** who violates this section and  
4   causes injury to a police officer, firefighter, or other emergency  
5   response personnel in the immediate area of ~~the~~**a** stationary  
6   authorized emergency vehicle is guilty of a felony punishable by a  
7   fine of not more than \$1,000.00 or imprisonment for not more than 2  
8   years, or both.

9           (4) ~~A person~~**An individual** who violates this section and  
10   causes death to a police officer, firefighter, or other emergency  
11   response personnel in the immediate area of ~~the~~**a** stationary  
12   authorized emergency vehicle is guilty of a felony punishable by a  
13   fine of not more than \$7,500.00 or by imprisonment for not more  
14   than 15 years, or both.

15           (5) The ~~operator~~**driver** of a vehicle ~~upon~~**on** a highway that  
16   has been divided into 2 roadways by leaving an intervening space,  
17   or by a physical barrier or clearly indicated dividing sections so  
18   constructed as to impede vehicular traffic, is not required to  
19   proceed with caution, reduce his or her speed, or yield the right-  
20   of-way for ~~an authorized emergency~~**a stationary** vehicle that is  
21   stopped across the dividing space, barrier, or section.

22           **(6) This section does not prohibit an individual from being**  
23   **charged with, convicted of, or punished for any other violation of**  
24   **law.**

25           Enacting section 1. Section 653b of the Michigan vehicle code,  
26   1949 PA 300, MCL 257.653b, is repealed.