

HOUSE BILL No. 4944

September 13, 2017, Introduced by Reps. Miller and Maturen and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 653a (MCL 257.653a), as added by 2000 PA 458.

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, ~~or~~ white, **OR**
4 **AMBER** lights as permitted by section 698, the driver of an
5 approaching vehicle shall exhibit due care and caution, as required
6 under the following:

7 (a) On any public roadway with at least 2 adjacent lanes
8 proceeding in the same direction of the stationary authorized
9 emergency vehicle, the driver of the approaching vehicle shall
10 proceed with caution, **REDUCE HIS OR HER SPEED TO 1/2 OF THE POSTED**

1 **SPEED LIMIT IF THE VEHICLE IS TRAVELING ON A ROADWAY OTHER THAN A**
2 **LIMITED ACCESS FREEWAY, OR, IF THE VEHICLE IS TRAVELING ON A**
3 **LIMITED ACCESS FREEWAY, 45 MILES PER HOUR,** and yield the right-of-
4 way by moving into a lane at least 1 moving lane or 2 vehicle
5 widths apart from the stationary authorized emergency vehicle,
6 unless directed otherwise by a police officer. If movement to an
7 adjacent lane or 2 vehicle widths apart is not possible due to
8 weather, road conditions, or the immediate presence of vehicular or
9 pedestrian traffic in parallel moving lanes, the driver of the
10 approaching vehicle shall proceed as required in subdivision (b).

11 (b) On any public roadway that does not have at least 2
12 adjacent lanes proceeding in the same direction as the stationary
13 authorized emergency vehicle, or if the movement by the driver of
14 the vehicle into an adjacent lane or 2 vehicle widths apart is not
15 possible as described in subdivision (a), the approaching vehicle
16 shall ~~reduce and maintain a safe speed for weather, road~~
17 ~~conditions, and vehicular or pedestrian traffic and proceed with~~
18 due care and caution **AND REDUCE HIS OR HER SPEED TO 1/2 OF THE**
19 **POSTED SPEED LIMIT IF THE VEHICLE IS TRAVELING ON A ROADWAY OTHER**
20 **THAN A LIMITED ACCESS FREEWAY, OR, IF THE VEHICLE IS TRAVELING ON A**
21 **LIMITED ACCESS FREEWAY, 45 MILES PER HOUR,** or as directed by a
22 police officer.

23 (2) Except as provided in subsections (3) and (4), a person
24 who violates this section is guilty of a misdemeanor punishable by
25 a fine of not more than \$500.00 or imprisonment for not more than
26 90 days, or both.

27 (3) A person who violates this section and causes injury to a

1 police officer, firefighter, or other emergency response personnel
2 in the immediate area of the stationary authorized emergency
3 vehicle is guilty of a felony punishable by a fine of not more than
4 \$1,000.00 or imprisonment for not more than 2 years, or both.

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

10 Enacting section 1. This amendatory act takes effect 90 days
11 after the date it is enacted into law.