



Legislation Details (With Text)

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**Title:** Resolution to Oppose Michigan House Bill 4425 Amending the Michigan Vehicle Code

**Sponsors:** Chip Smith, Zachary Ackerman, Sabra Briere, Graydon Krapohl, Christopher Taylor

**Indexes:**

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**Attachments:** 1. 2015-HIB-4425

Date	Ver.	Action By	Action	Result
12/7/2015	1	City Council	Approved	Pass

Resolution to Oppose Michigan House Bill 4425 Amending the Michigan Vehicle Code  
 A bill package of bills introduced in the Michigan House, taken together, would amend the Michigan Vehicle Code (MCL 257.627 et al.) provisions on speed limits.

House Bill 4423 would modify a number of current speed limits

House Bill 4424 addresses school zone speed limits

House Bill 4425 would revise the provisions describing how state and local road authorities and State Police jointly determine any modified speed limits.

House Bill 4426 would amend sections of the Michigan Vehicle Code that address point assessment for various offenses on a driver's license.

House Bill 4427 would make corresponding amendments to a section of the Insurance Code that applies to "insurance eligibility points."

House Bills 4423-4426 are tie-barred to one another (i.e., none take effect unless all are enacted).

The attached resolution requests your support specifically in opposing House Bill 4425. As stated above this bill would amend the Michigan Vehicle Code to revise the provisions that describe how the State Police and local road authority (defined as the City Council) would jointly determine any modified speed limits.

Under the proposed amendment a speed limit established under the Michigan Vehicle Code would need to be at the 85<sup>th</sup> percentile speed of free-flowing traffic under ideal conditions on the fastest portion of a highway segment, rounded to the nearest multiple of 5 miles per hour. In no event could a speed limit be lower than the 75<sup>th</sup> percentile of the speed of free-flowing traffic under ideal conditions on the fastest portion of a highway segment. If the rounding of the speed limit to the nearest multiple of 5 miles per hour results in a speed limit of less than 75<sup>th</sup> percentile of the speed of free-flowing traffic under those conditions, the next higher multiple of 5 miles per hour would be designated as the speed limit. If a highway segment includes one or more features with a design speed lower than the 85<sup>th</sup> percentile of speed of free-flowing traffic under ideal conditions on the fastest portion of that highway segment, the road authority may post advisory signs. The prior standard of establishment of a safe maximum or minimum speed limit based on engineering and

traffic investigation is replaced by the percentile formula.

A local road authority would be required to determine any modified speed limits on local highways consistent with the requirements under the Michigan Vehicle Code as amended if the House Bill is adopted.

The ability to modify speed limits to address road conditions is one tool local governments have to improve safety for all its citizens. Your support in opposing HB 4425 is requested..

Sponsored by: Council Members Smith, Ackerman, Briere, Krapohl and Mayor Taylor

Whereas, House Bills 4425 has been introduced in the Michigan House of Representatives for the purpose of amending the Michigan Vehicle Code (Public Act 300 of 1949, as amended by Public Act 85 of 2006);

Whereas, House Bill 4425 would require that speed limits be at the eighty-fifth percentile (85th) speed of free-flowing traffic under ideal conditions on the fastest portion of a highway segment, rounded to the nearest multiple of five miles per hour and in no event could a speed limit be lower than the seventy-fifth (75th) percentile;

Whereas, PA 85 of 2006 does not provide adequate flexibility for local units of government to use their intimate knowledge of local street conditions as they establish lawful local speed limits; and

Whereas, Such local street conditions include the presence of schools, parks and business districts, the absence of sidewalks and limitations to driver sight lines such as hills or curves among others;

Whereas, Utilizing the knowledge of these local conditions when establishing lawful local speed limits greatly increases safety for all users of the complete public street including drivers, pedestrians, cyclists and others;

Whereas, Numerous traffic studies, completed independent of each other, have analyzed the impact of variables related to pedestrian fatalities when struck by motor vehicles, and in those studies the speed of the vehicle is the primary variable determining the severity of pedestrian injury (for example, US DOT FHA Pedestrian Safety Strategic Plan; Leaf & Preusser, 1999; TRB, 1998; Harkey & Zegeer, 2004);

Whereas, One study conducted by the UK Dept. of Transportation, London, England (*Killing Speed and Saving Lives*, 1987) has cited that 45% of collisions at 30 mph will be fatal to a pedestrian, 85% of collisions at 40 mph will be fatal to a pedestrian and 100% of collisions at 50 mph will be fatal to pedestrians;

Whereas, The Federal Highway Safety Administration has noted that the percentage of pedestrian fatalities in pedestrian-vehicular collisions increases significantly when vehicles are travelling in excess of 25 mph; and

Whereas, Many streets in Ann Arbor experience 85<sup>th</sup> percentile speeds well in excess of 30 mph, which would be a speed in excess of what would be safe under local conditions;

Whereas, City Council supports amendment of the current provisions of the Michigan Vehicle Code to provide greater flexibility to local units of government in determining modified speed limits based on local conditions;

Whereas, City Council opposes any legislative effort which minimizes local conditions as a consideration in establishing speed limits on local streets;

RESOLVED, That the Ann Arbor City Council opposes the House tie-barred bill package of bills, HB 4423-4426, and specifically HR 4425, which revises the provisions describing how state and local road authorities and State Police jointly determine any modified speed limits and which does not provide local units of government the flexibility to incorporate local conditions where necessary or appropriate as part of the determination process

RESOLVED, That Ann Arbor City Council urges its State Representatives, Jeff Irwin and Adam Zemke, to oppose HR 4425, and to diligently lobby their colleagues in the House of Representatives to oppose HR 4425 on the grounds stated in this Resolution;

RESOLVED, That Ann Arbor City Council further urges its State Representatives, Jeff Irwin and Adam Zemke, to consider potential revisions to Act 85 of 2006 to provide greater flexibility to local units of government in considering the establishment of lawful local speed limits and

RESOLVED, That the City Clerk is directed to send a certified copy of this resolution to Ann Arbor's State Representatives Irwin and Zemke and the Michigan Municipal League.