

**SFA**

BILL ANALYSIS

Senate Fiscal Agency

Lansing, Michigan 48909

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Senate Bill 842 (as reported without amendment)  
Sponsor: Senator Michael J. O'Brien  
Committee: State Affairs, Tourism, and Transportation

JUN 28 1990

Date Completed: 4-25-90

**RATIONALE**

Highway construction zones apparently are hazardous places in which to work and drive. Reportedly, there were 6,532 highway work zone accidents in Michigan in 1987, with 1,180 persons injured, 23 of them fatally. The accident rate increased by 20% in 1988 to 7,828. One reason given for the high number of accidents is the apparent inflexibility of the statute concerning maximum speed limits in highway construction zones. The Michigan Vehicle Code specifies simply that the maximum speed limit is 45 miles per hour (mph) "when entering and passing through a designated work area where a normal lane or part of the lane of traffic has been closed due to highway construction, maintenance, or surveying activities". A violation of this provision is a civil infraction. The statute does not grant local authorities or the Department of Transportation (DOT) the option of adjusting the maximum speed limit as the situation warrants, and motorists may not realize that they should be driving at a much lower speed until a problem occurs. Moreover, some feel that enforcing a safe and reasonable speed limit in construction zones is difficult since a person can be cited for speeding only if he or she exceeds 45 mph, regardless of whether that speed is safe under the circumstances. Some believe that allowing the DOT, county road commissions or local authorities to determine the maximum allowable speed limit in a construction zone, according to the particular circumstances, would make drivers more aware of the hazards of driving through such zones, enforcement of safe reasonable driving speeds more feasible, and work in the zones safer for the construction crews.

**CONTENT**

The bill would amend the Michigan Vehicle Code to allow the State Transportation Department, a county road commission, or a local authority the option of determining the maximum speed limit in a highway construction area; otherwise the maximum speed limit would be 45 miles per hour as currently specified in the Code.

MCL 257.627

**FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

**ARGUMENTS****Supporting Argument**

Allowing for greater flexibility in determining the maximum speed limit in highway construction zones would help ensure that motorists were more aware of the hazardous driving conditions in those areas, make enforcement of the speed limits easier, and provide greater protection for the road construction workers.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

S.B. 842 (4-25-90)