

SENATE BILL No. 971

May 2, 2018, Introduced by Senators HOOD, GREGORY and ANANICH and referred to the Committee on Transportation.

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~~ **EXCEPT AS PROVIDED IN SECTION 653B, UPON**
2 approaching and passing a stationary ~~authorized emergency vehicle,~~
3 ~~that is giving a visual signal by means of flashing, rotating, or~~
4 ~~oscillating red, blue, or white lights as permitted by section 698,~~
5 the driver of an approaching vehicle shall exhibit due care and
6 caution, as required 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

1 proceed with caution and yield the right-of-way by moving into a
2 lane at least 1 moving lane or 2 vehicle widths apart from the
3 stationary ~~authorized emergency vehicle~~, unless directed otherwise
4 by a police officer. If movement to an adjacent lane or 2 vehicle
5 widths apart is not possible due to weather, road conditions, or
6 the immediate presence of vehicular or pedestrian traffic in
7 parallel moving lanes, the driver of the approaching vehicle shall
8 proceed as required in subdivision (b).

9 (b) On any public roadway that does not have at least 2
10 adjacent lanes proceeding in the same direction as the stationary
11 ~~authorized emergency vehicle~~, or if the movement by the driver of
12 the vehicle into an adjacent lane or 2 vehicle widths apart is not
13 possible as described in subdivision (a), the approaching vehicle
14 shall reduce and maintain a safe speed for weather, road
15 conditions, and vehicular or pedestrian traffic and proceed with
16 due care and caution, or as directed by a police officer.

17 (2) Except as provided in subsections (3) and (4), a person
18 who violates this section is guilty of a misdemeanor punishable by
19 a fine of not more than \$500.00 or imprisonment for not more than
20 90 days, or both.

21 (3) A person who violates this section and causes injury to a
22 ~~police officer, firefighter, or other emergency response personnel~~
23 **AN INDIVIDUAL** in the immediate area of the stationary ~~authorized~~
24 ~~emergency vehicle~~ is guilty of a felony punishable by a fine of not
25 more than \$1,000.00 or imprisonment for not more than 2 years, or
26 both.

27 (4) A person who violates this section and causes death to a

1 ~~police officer, firefighter, or other emergency response personnel~~
2 **AN INDIVIDUAL** in the immediate area of the stationary ~~authorized~~
3 ~~emergency vehicle~~ is guilty of a felony punishable by a fine of not
4 more than \$7,500.00 or by imprisonment for not more than 15 years,
5 or both.

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