

SENATE BILL NO. 722

January 15, 2020, Introduced by Senator MCBROOM and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 653b (MCL 257.653b), as amended by 2018 PA 349.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 653b. (1) Upon approaching and passing a stationary solid
2 waste collection vehicle, a utility service vehicle, **a rural letter**
3 **carrier vehicle**, or a road maintenance vehicle that is giving a
4 visual signal by means of flashing, rotating, or oscillating amber
5 lights as permitted by section 698, the driver of an approaching
6 vehicle shall exhibit due care and caution, as required under the

1 following:

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

17 (b) On any public roadway that does not have at least 2
18 adjacent lanes proceeding in the same direction as the stationary
19 solid waste collection vehicle, utility service vehicle, **rural**
20 **letter carrier vehicle**, or road maintenance vehicle, or if the
21 movement by the driver of the vehicle into an adjacent lane or 2
22 vehicle widths apart is not possible as described in subdivision
23 (a), the approaching vehicle shall proceed with due care and
24 caution and reduce his or her speed by 10 miles per hour.

25 (2) The operator of a vehicle upon a highway that has been
26 divided into 2 roadways by leaving an intervening space, or by a
27 physical barrier or clearly indicated dividing sections so
28 constructed as to impede vehicular traffic, is not required to
29 proceed with caution, reduce his or her speed, or yield the right-

1 of-way for a stationary solid waste collection vehicle, a utility
 2 service vehicle, a rural letter carrier vehicle, or a road
 3 maintenance vehicle that is stopped across the dividing space,
 4 barrier, or section.

5 (3) As used in this section:

6 (a) "Road maintenance authority" means any of the following:

7 (i) The state department of transportation.

8 (ii) A local authority.

9 (iii) An entity operating under contract with the state
 10 department of transportation or a local authority to provide road
 11 construction or road maintenance services.

12 (b) "Road maintenance vehicle" means a vehicle owned or
 13 operated by a road maintenance authority.

14 (c) "Solid waste" means that term as defined in section 11506
 15 of the natural resources and environmental protection act, 1994 PA
 16 451, MCL 324.11506.

17 (d) "Solid waste collection vehicle" means a solid waste
 18 transporting unit that is used for the curbside collection of
 19 municipal solid waste.

20 (e) "Solid waste hauler" means that term as defined in section
 21 11506 of the natural resources and environmental protection act,
 22 1994 PA 451, MCL 324.11506.

23 (f) "Solid waste transporting unit" means that term as defined
 24 in section 11506 of the natural resources and environmental
 25 protection act, 1994 PA 451, MCL 324.11506.

26 (g) "Utility provider" means an entity that does any of the
 27 following and that is regulated as a utility under the laws of this
 28 state or of the United States:

29 (i) Generates or distributes electrical power to the public.

- 1 (ii) Generates or distributes natural gas to the public.
- 2 (iii) Provides sewage collection services to the public.
- 3 (iv) Provides water distribution services to the public.
- 4 (v) Provides telephone services to the public.
- 5 (vi) Provides cable or video services to the public.
- 6 (h) "Utility service vehicle" means a vehicle owned or
- 7 operated by a utility provider.