

# HOUSE BILL NO. 5734

February 10, 2022, Introduced by Reps. O'Malley, Markkanen, Borton, Roth, Allor, Sabo, Hall, Sneller, Liberati, Clemente and Puri and referred to the Committee on Transportation.

A bill to amend 1917 PA 165, entitled

"An act to authorize highway officials to close roads under construction, improvement or repair, or any portion of a highway whereon a bridge is being constructed or repaired; to require such officials to place in good repair and to mark by proper signs suitable detours around roads, or portions of roads, which are closed hereunder; to provide suitable barriers, and lights shall be maintained at the end of such roads or portions of roads which are thus closed and at the intersections thereof with other roads; to require the removal of signs and barriers located and placed hereunder; and to provide a penalty for a violation of the provisions hereof,"

by amending section 1 (MCL 247.291) and by adding sections 1a and 1b.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1. ~~The~~**Subject to section 1a, the** officials in charge of  
 2 constructing, improving, or repairing highways may close any  
 3 highway or portion thereof, ~~which~~**of highway that** is under process  
 4 of construction, improvement, or repair or upon which is located  
 5 any bridge ~~which~~**that** is being constructed or repaired. ~~No~~**A**  
 6 highway ~~shall~~**or portion of highway must not** be closed under the  
 7 ~~provisions of~~ this act until **after** suitable barriers have been  
 8 erected at the ends of the **closed** highway or ~~of the closed portion~~  
 9 thereof, ~~of highway~~, and also at the point of intersection of ~~such~~  
 10 **the closed** highway or portion thereof ~~of highway~~ with other  
 11 highways. ~~Suitable barriers are those which conform to the manual~~  
 12 ~~of uniform traffic control devices adopted pursuant to section 608~~  
 13 ~~of Act No. 300 of the Public Acts of 1949, being section 257.608 of~~  
 14 ~~the Compiled Laws of 1948. For the purposes of this act "highway"~~  
 15 ~~includes roads and streets.~~

16           **Sec. 1a. (1) Except during a closure for emergency repairs, if**  
 17 **the state transportation department closes any freeway or portion**  
 18 **of freeway under its jurisdiction for construction, improvement, or**  
 19 **repair of that freeway, a portion of freeway, or a bridge located**  
 20 **upon that freeway or portion of freeway, both of the following**  
 21 **apply:**

22           (a) If the freeway is closed completely to traffic, it must be  
 23 closed using crashworthy temporary traffic barriers.

24           (b) If the freeway is not closed completely to traffic and a  
 25 portion of the freeway is closed at any time between a half hour  
 26 after sunset to a half hour before sunrise, concrete barriers must

1 separate any road workers who are present from traffic.

2 Sec. 1b. As used in this act:

3 (a) "Crashworthy" means that term as defined in the Michigan  
4 manual on uniform traffic control devices.

5 (b) "Freeway" means that term as defined in section 18a of the  
6 Michigan vehicle code, 1949 PA 300, MCL 257.18a.

7 (c) "Highway" includes roads and streets.

8 (d) "Michigan manual on uniform traffic control devices" means  
9 the manual on uniform traffic control devices adopted under section  
10 608 of the Michigan vehicle code, 1949 PA 300, MCL 257.608.

11 (e) "Suitable barrier" means a barrier that conforms to the  
12 Michigan manual on uniform traffic control devices.