

**MICHIGAN VEHICLE CODE (EXCERPT)**  
**Act 300 of 1949**

SPEED RESTRICTIONS

**257.627 Speed limitations.**

Sec. 627. (1) A person operating a vehicle on a highway shall operate that vehicle at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface, and width of the highway and of any other condition then existing. A person shall not operate a vehicle upon a highway at a speed greater than that which will permit a stop within the assured, clear distance ahead.

(2) Except in those instances where a lower speed is specified in this chapter or the speed is unsafe pursuant to subsection (1), it is prima facie lawful for the operator of a vehicle to operate that vehicle at a speed not exceeding the following, except when this speed would be unsafe:

(a) 25 miles per hour on all highways in a business district as that term is defined in section 5.

(b) 25 miles per hour in public parks unless a different speed is fixed and duly posted.

(c) 25 miles per hour on all highways or parts of highways within the boundaries of land platted under the land division act, 1967 PA 288, MCL 560.101 to 560.293, or the condominium act, 1978 PA 59, MCL 559.101 to 559.276, unless a different speed is fixed and posted.

(d) 25 miles per hour on a highway segment with 60 or more vehicular access points within 1/2 mile.

(e) 35 miles per hour on a highway segment with not less than 45 vehicular access points but no more than 59 vehicular access points within 1/2 mile.

(f) 45 miles per hour on a highway segment with not less than 30 vehicular access points but no more than 44 vehicular access points within 1/2 mile.

(3) It is prima facie unlawful for a person to exceed the speed limits prescribed in subsection (2), except as provided in section 629.

(4) A person operating a vehicle in a mobile home park as defined in section 2 of the mobile home commission act, 1987 PA 96, MCL 125.2302, shall operate that vehicle at a careful and prudent speed, not greater than a speed that is reasonable and proper, having due regard for the traffic, surface, width of the roadway, and all other conditions existing, and not greater than a speed that permits a stop within the assured clear distance ahead. It is prima facie unlawful for the operator of a vehicle to operate that vehicle at a speed exceeding 15 miles an hour in a mobile home park as defined in section 2 of the mobile home commission act, 1987 PA 96, MCL 125.2302.

(5) A person operating a passenger vehicle drawing another vehicle or trailer shall not exceed the posted speed limit.

(6) Except as otherwise provided in this subsection, a person operating a truck with a gross weight of 10,000 pounds or more, a truck-tractor, a truck-tractor with a semi-trailer or trailer, or a combination of these vehicles shall not exceed a speed of 55 miles per hour on highways, streets, or freeways and shall not exceed a speed of 35 miles per hour during the period when reduced loadings are being enforced in accordance with this chapter. However, a person operating a school bus, a truck, a truck-tractor, or a truck-tractor with a semi-trailer or trailer described in this subsection shall not exceed a speed of 60 miles per hour on a freeway if the maximum speed limit on that freeway is 70 miles per hour.

(7) Except as otherwise provided in subsection (6), a person operating a school bus shall not exceed the speed of 55 miles per hour.

(8) The maximum rates of speeds allowed under this section are subject to the maximum rate established under section 629b.

(9) A person operating a vehicle on a highway, when entering and passing through a work zone described in section 79d(a) where a normal lane or part of the lane of traffic has been closed due to highway construction, maintenance, or surveying activities, shall not exceed a speed of 45 miles per hour unless a different speed limit is determined for that work zone by the state transportation department, a county road commission, or a local authority, based on accepted engineering practice. The state transportation department, a county road commission, or a local authority shall post speed limit signs in each work zone described in section 79d(a) that indicate the speed limit in that work zone and shall identify that work zone with any other traffic control devices necessary to conform to the Michigan manual of uniform traffic control devices. A person shall not exceed a speed limit established under this section or a speed limit established under section 628 or 629.

(10) Subject to subsections (1) and (2)(c), speed limits established pursuant to this section are not valid unless properly posted. In the absence of a properly posted sign, the speed limit in effect shall be the general speed limit pursuant to section 628(1).

(11) Nothing in this section prevents the establishment of an absolute speed limit pursuant to section 628. Subject to subsection (1), an absolute speed limit established pursuant to section 628 supersedes a prima facie speed limit established pursuant to this section.

(12) Nothing in this section shall be construed as justification to deny a traffic and engineering investigation.

(13) As used in this section, "vehicular access point" means a driveway or intersecting roadway.

(14) A person who violates this section is responsible for a civil infraction.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1957, Act 190, Eff. Sept. 27, 1957;—Am. 1959, Act 76, Eff. Mar. 19, 1960;—Am. 1962, Act 120, Eff. Mar. 28, 1963;—Am. 1966, Act 223, Imd. Eff. July 11, 1966;—Am. 1974, Act 28, Imd. Eff. Mar. 2, 1974;—Am. 1976, Act 190, Imd. Eff. July 8, 1976;—Am. 1978, Act 510, Eff. Aug. 1, 1979;—Am. 1986, Act 92, Eff. June 5, 1986;—Am. 1988, Act 460, Imd. Eff. Dec. 27, 1988;—Am. 1990, Act 165, Imd. Eff. July 2, 1990;—Am. 2003, Act 315, Eff. Apr. 8, 2004;—Am. 2004, Act 62, Imd. Eff. Apr. 13, 2004;—Am. 2006, Act 19, Eff. Nov. 9, 2006;—Am. 2006, Act 85, Eff. Nov. 9, 2006.

### **257.627a "Regularly scheduled school session," "school," and "school zone" defined; prima facie speed limit in school zone; signs; applicability of section to walkway; location of school; school in session year-round.**

Sec. 627a. (1) As used in this section and section 629:

(a) "Regularly scheduled school session" means that part of a day of student instruction that is followed by a break for lunch or by a final dismissal of the student body for that day.

(b) "School" means an educational institution operated by a local school district or by a private, denominational, or parochial organization. School does not include an educational institution that the department of education determines has its entire student population in residence at the institution.

(c) "School zone" means school property on which a school building is located and the area adjacent to the school property that is designated by the signs required under subsection (2). Except as otherwise provided in subsection (5), the school zone extends not more than 1,000 feet from the property line of the school in each direction.

(2) Except as provided in subsection (4), the prima facie speed limit in a school zone, which shall be in force not less than 30 minutes but not more than 1 hour before the first regularly scheduled school session until school commences and from dismissal until not less than 30 minutes but not more than 1 hour after the last regularly scheduled school session, and during a lunch period when students are permitted to leave the school, shall be 25 miles an hour, if permanent signs designating the school zone and the speed limit in the school zone are posted at the request of the school superintendent. The signs shall conform to the Michigan manual of uniform traffic control devices.

(3) This section does not apply to a limited access highway or to that portion of a street or highway over which a pedestrian overhead walkway is erected, if the walkway is adjacent to school property and is designed and located so as to be used, and is being used, as the principal means by which students of a school that has property adjacent to the walkway travel to and from the school.

(4) Local authorities may increase or decrease the prima facie speed limit within a school zone under their jurisdiction pursuant to section 629.

(5) Notwithstanding the requirements for a school zone as defined in subsection (1)(c), if a school is located in an area that requires school children to cross a state trunk line highway or county highway that has a speed limit of 35 miles per hour or more to attend that school, the school superintendent may submit a request to the state transportation commission, county road commission, or local authority having jurisdiction over the roadway, as applicable, for a school crossing as permitted under section 613a. If, based on the traffic engineering studies, the road authority determines the need for a lower speed limit, the road authority may designate the crossing as a school zone. Before submitting a request, the school superintendent shall have completed a school route plan as prescribed by section 7A-1 of the Michigan manual of uniform traffic control devices.

(6) Notwithstanding the 25-mile-per-hour prima facie speed limit established by subsection (2), the prima facie speed limit for any street in a school zone that has sidewalks along at least 1 side of the street, which shall be in force during the same periods that a 25-mile-per-hour speed limit provided by subsection (2) would otherwise be effective, shall be set at the limit requested by the superintendent of schools with jurisdiction over the school within the school zone, but this limit shall neither be more than 15 miles per hour below the regularly posted speed limit for that street nor less than 25 miles per hour. Permanent signs designating the school zone and the speed limit in the school zone shall be posted. These signs shall conform to the Michigan manual of uniform traffic control devices.

(7) If appropriate, the school superintendent may request that a sign be erected in the school zone indicating that a school is in session year-round. A sign erected under this subsection shall be posted on the

same signpost as the school zone sign and immediately below the school zone sign. The sign shall read "Year-Round School" and shall conform to the Michigan manual of uniform traffic control devices.

**History:** Add. 1978, Act 42, Imd. Eff. Mar. 7, 1978;—Am. 1979, Act 21, Eff. Mar. 27, 1980;—Am. 1980, Act 222, Imd. Eff. July 18, 1980;—Am. 1996, Act 574, Imd. Eff. Jan. 16, 1997;—Am. 2000, Act 110, Imd. Eff. May 22, 2000;—Am. 2005, Act 88, Imd. Eff. July 20, 2005.

**257.627b Repealed. 2006, Act 85, Eff. Nov. 9, 2006.**

**Compiler's note:** The repealed section pertained to speed limit for school buses.

**257.628 Maximum or minimum speed limits; determination; petition by township board; speed control signs, signals, or devices; public record as evidence; violation as civil infraction; absolute speed limits.**

Sec. 628. (1) If the state transportation department and the department of state police jointly determine upon the basis of an engineering and traffic investigation that the speed of vehicular traffic on a state trunk line highway is greater or less than is reasonable or safe under the conditions found to exist at an intersection or other place or upon a part of the highway, the departments acting jointly may determine and declare a reasonable and safe maximum or minimum speed limit on that state trunk line highway or intersection that shall be effective at the times determined when appropriate signs giving notice of the speed limit are erected at the intersection or other place or part of the highway. The maximum speed limit on all highways or parts of highways upon which a maximum speed limit is not otherwise fixed under this act is 55 miles per hour, which shall be known and may be referred to as the "general speed limit".

(2) If the county road commission, the township board, and the department of state police unanimously determine upon the basis of an engineering and traffic investigation that the speed of vehicular traffic on a county highway is greater or less than is reasonable or safe under the conditions found to exist upon any part of the highway, then acting unanimously they may establish a reasonable and safe maximum or minimum speed limit on that county highway that is effective at the times determined when appropriate signs giving notice of the speed limit are erected on the highway. A township board that does not wish to continue as part of the process provided by this subsection shall notify in writing the county road commission. As used in this subsection, "county road commission" means the board of county road commissioners elected or appointed under section 6 of chapter IV of 1909 PA 283, MCL 224.6, or, in the case of a charter county with a population of 2,000,000 or more with an elected county executive that does not have a board of county road commissioners, the county executive.

(3) If a superintendent of a school district determines that the speed of vehicular traffic on a state trunk line or county highway, which is within 1,000 feet of a school in the school district of which that person is the superintendent, is greater or less than is reasonable or safe, the officials identified in subsection (1) or (2), as appropriate, shall include the superintendent of the school district affected in acting jointly in determining and declaring a reasonable and safe maximum or minimum speed limit on that state trunk line or county highway.

(4) In the case of a county highway of not less than 1 mile with residential lots with road frontage of 300 feet or less along either side of the highway for the length of that part of the highway that is under review for a proposed change in the speed limit, the township board may petition the county road commission or in charter counties where there is no road commission, but there is a county board of commissioners, the township board may petition the county board of commissioners for a proposed change in the speed limit. The county road commission or in charter counties where there is no road commission, but there is a county board of commissioners, the township board may petition the county board of commissioners to approve the proposed change in the speed limit without the necessity of an engineering and traffic investigation.

(5) If upon investigation the state transportation department or county road commission and the department of state police find it in the interest of public safety, they may order the township board, or city or village officials to erect and maintain, take down, or regulate the speed control signs, signals, or devices as directed, and in default of an order the state transportation department or county road commission may cause the designated signs, signals, and devices to be erected and maintained, taken down, regulated, or controlled, in the manner previously directed, and pay for the erecting and maintenance, removal, regulation, or control of the sign, signal, or device out of the highway fund designated.

(6) A public record of all speed control signs, signals, or devices authorized under this section shall be filed in the office of the county clerk of the county in which the highway is located, and a certified copy shall be prima facie evidence in all courts of the issuance of the authorization. The public record with the county clerk shall not be required as prima facie evidence of authorization in the case of signs erected or placed temporarily for the control of speed or direction of traffic at points where construction, repairs, or maintenance of highways is in progress, or along a temporary alternate route established to avoid the

construction, repair, or maintenance of a highway, if the signs are of uniform design approved by the state transportation department and the department of state police and clearly indicate a special control, when proved in court that the temporary traffic control sign was placed by the state transportation department or on the authority of the state transportation department and the department of state police or by the county road commission or on the authority of the county road commission, at a specified location.

(7) A person who fails to observe an authorized speed or traffic control sign, signal, or device is responsible for a civil infraction.

(8) Except as otherwise provided in this section, the maximum speed limit on all freeways shall be 70 miles per hour except that if the state transportation department and the department of state police jointly determine upon the basis of an engineering and traffic investigation that the speed of vehicular traffic on a freeway is greater or less than is reasonable or safe under the conditions found to exist upon a part of the freeway, the departments acting jointly may determine and declare a reasonable and safe maximum or minimum speed limit on that freeway that is not more than 70 miles per hour but not less than 55 miles per hour and that shall be effective when appropriate signs giving notice of the speed limit are erected. The minimum speed limit on all freeways is 55 miles per hour except if reduced speed is necessary for safe operation or in compliance with law or in compliance with a special permit issued by an appropriate authority.

(9) The maximum rates of speed allowed under this section are subject to the maximum rates established under section 629b, section 627(5) to (7) for certain vehicles and vehicle combinations, and section 629(4).

(10) Except for the general speed limit described in subsection (1), speed limits established pursuant to this section shall be known as absolute speed limits.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1955, 1st Ex. Sess., Act 10, Eff. Feb. 3, 1956;—Am. 1956, Act 93, Imd. Eff. Apr. 5, 1956;—Am. 1961, Act 164, Eff. Sept. 8, 1961;—Am. 1963, Act 143, Eff. Sept. 6, 1963;—Am. 1974, Act 28, Imd. Eff. Mar. 2, 1974;—Am. 1974, Act 162, Imd. Eff. June 23, 1974;—Am. 1978, Act 510, Eff. Aug. 1, 1979;—Am. 1979, Act 143, Imd. Eff. Nov. 8, 1979;—Am. 1987, Act 154, Eff. Dec. 1, 1987;—Am. 1988, Act 368, Imd. Eff. Dec. 21, 1988;—Am. 1996, Act 320, Imd. Eff. June 25, 1996;—Am. 2000, Act 167, Imd. Eff. June 20, 2000;—Am. 2003, Act 64, Imd. Eff. July 22, 2003;—Am. 2003, Act 65, Imd. Eff. July 22, 2003;—Am. 2006, Act 85, Eff. Nov. 9, 2006.

**Compiler's note:** In OAG 6480, issued November 23, 1987, the Attorney General stated: "It is my opinion, therefore, that 1987 PA 154, which fixes maximum speed limit on certain state highways, becomes effective November 29, 1987."

#### **257.628a Repealed. 1974, Act 28, Imd. Eff. Mar. 2, 1974.**

**Compiler's note:** The repealed section pertained to minimum speed limit on freeways.

#### **257.629 Prima facie speed limits; establishment; limitations; signs; civil infraction; "local authority" defined.**

Sec. 629. (1) Local authorities may establish or increase the prima facie speed limits on highways under their jurisdiction subject to the following limitations:

(a) A highway within a business district on which the prima facie speed limit is increased shall be designated a through highway at the entrance to which vehicles shall be required to stop before entering, except that where 2 of these through highways intersect, local authorities may require traffic on only 1 highway to stop before entering the intersection.

(b) The local authorities shall place and maintain, upon all through highways in which the permissible speed is increased, adequate signs giving notice of the special regulations and shall also place and maintain upon each highway intersecting a through highway, appropriate signs which shall be reflectorized or illuminated at night.

(c) Local authorities may establish prima facie lawful speed limits on highways outside of business districts that are consistent with the limits established in section 627(2).

(2) The state transportation department shall establish the speed upon all trunk line highways located within cities and villages as follows:

(a) A written copy of the authorization or determination shall be filed in the office of the county clerk of the county or counties where the highway is located and a certified copy of the authorization or determination shall be prima facie evidence in all courts of the issuance of the authorization or determination.

(b) When the state transportation department increases the speed upon a trunk line highway as provided in this act, subject to section 627a, the state transportation department shall place and maintain upon these highways adequate signs giving notice of the permissible speed fixed by the state transportation commission.

(3) Local authorities are authorized to decrease the prima facie speed limits to not less than 15 miles per hour in public parks under their jurisdiction. A decrease in the prima facie speed limits is binding when adequate signs are duly posted giving notice of the reduced speeds.

(4) Local authorities are authorized to decrease the prima facie speed limits to not less than 25 miles an

hour on each street or highway under their jurisdiction that is adjacent to a publicly owned park or playground. A decrease in the prima facie speed limits is binding when adequate signs are duly posted giving notice of the reduced speeds. As used in this subsection, "local authority" includes the county road commission with the concurrence of the township board of a township for a street or highway within the boundaries of the township.

(5) The maximum rates of speed allowed under this section are subject to the maximum rate established under section 629b.

(6) A person who exceeds a lawful speed limit established under this section is responsible for a civil infraction.

(7) As used in this section, "local authority" means the governing body of a city or village, except as provided in subsection (4).

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1974, Act 28, Imd. Eff. Mar. 2, 1974;—Am. 1976, Act 75, Imd. Eff. Apr. 11, 1976;—Am. 1978, Act 42, Imd. Eff. Mar. 7, 1978;—Am. 1978, Act 510, Eff. Aug. 1, 1979;—Am. 1979, Act 21, Eff. Mar. 27, 1980;—Am. 1980, Act 222, Imd. Eff. July 18, 1980;—Am. 1987, Act 193, Imd. Eff. Dec. 2, 1987;—Am. 1988, Act 368, Imd. Eff. Dec. 21, 1988;—Am. 2006, Act 85, Eff. Nov. 9, 2006.

**257.629a County traffic safety organization; creation, appropriation.**

Sec. 629a. The board of supervisors of any county may create a county traffic safety organization to cooperate with governmental units and officials thereof in the solution of traffic safety problems in the county and to appropriate such sums as it shall deem necessary for the creation and support thereof and to prescribe rules and regulations relative to the duties of such organization and with respect to the expenditure of any such appropriation.

**History:** Add. 1954, Act 181, Eff. Aug. 13, 1954.

**257.629b Reduction of maximum speed limit; violation as civil infraction.**

Sec. 629b. (1) The governor may reduce the maximum speed limit on a street, highway, or freeway pursuant to an executive order issued during a state of energy emergency as provided by law.

(2) A person who violates a speed limit established pursuant to this section is responsible for a civil infraction.

**History:** Add. 1974, Act 28, Imd. Eff. Mar. 2, 1974;—Am. 1975, Act 24, Imd. Eff. Apr. 15, 1975;—Am. 1979, Act 66, Eff. Aug. 1, 1979;—Am. 1987, Act 154, Eff. Dec. 1, 1987.

**Compiler's note:** In OAG 6480, issued November 23, 1987, the Attorney General stated: "It is my opinion, therefore, that 1987 PA 154, which fixes maximum speed limit on certain state highways, becomes effective November 29, 1987."

**257.629c Points and minimum fine; schedule; applicability of subsection (1).**

Sec. 629c. (1) Notwithstanding sections 320a and 907, a person who is determined responsible or responsible "with explanation" for a civil infraction for violating the maximum speed limit on a limited access freeway or part of a limited access freeway upon which the maximum speed limit is 55 miles per hour or more shall be ordered by the court to pay a minimum fine and shall have points entered on his or her driving record by the secretary of state only according to the following schedule, except as otherwise provided in subsections (2) and (3):

<u>Number of miles per hour that the vehicle exceeded the applicable speed limit at the time of the violation</u>	<u>Points</u>	<u>Minimum Fine</u>
1 to 5	0	\$10.00
6 to 10	1	\$20.00
11 to 15	2	\$30.00
16 to 25	3	\$40.00
26 or over	4	\$50.00

(2) Subsection (1) does not apply to a person operating a vehicle or vehicle combination for which the maximum rate of speed is established pursuant to section 627(5) to (7).

(3) For a violation of a maximum speed limit on a limited access freeway by a person operating a vehicle or vehicle combination described in subsection (2), points shall be assessed under section 320a and fines shall be assessed under section 907.

**History:** Add. 1987, Act 154, Eff. Dec. 1, 1987;—Am. 1996, Act 320, Imd. Eff. June 25, 1996;—Am. 2006, Act 85, Eff. Nov. 9, 2006.

**Compiler's note:** In OAG 6480, issued November 23, 1987, the Attorney General stated: "It is my opinion, therefore, that 1987 PA 154, which fixes maximum speed limit on certain state highways, becomes effective November 29, 1987."

**257.629d Repealed. 2006, Act 231, Eff. Sept. 24, 2006.**

**Compiler's note:** The repealed section pertained to highway safety task force.

**257.629e Levy, transmittal, and disposition of assessments; annual report; highway safety fund, jail reimbursement program fund, secondary road patrol and training fund; creation; administration; use of money collected; annual report.**

Sec. 629e. (1) Before October 1, 2003, in addition to any fine or cost ordered to be paid under this act, and in addition to any assessment levied under section 907, the judge or district court magistrate shall levy a highway safety assessment of \$5.00, a jail reimbursement program assessment of \$5.00, and a secondary road patrol and training assessment of \$10.00 for each civil infraction determination except for a parking violation or a violation for which the total fine and costs imposed are \$10.00 or less. Upon payment of the assessments, the clerk of the court shall transmit the assessments levied to the department of treasury. Until October 1, 2003, the state treasurer shall deposit the revenue received pursuant to this subsection in the highway safety fund, in the jail reimbursement program fund, and in the secondary road patrol and training fund, and shall report annually to the legislature all revenues received and disbursed under this section. An assessment levied under this subsection shall not be considered a civil fine for purposes of section 909.

(2) A highway safety fund, a jail reimbursement program fund, and a secondary road patrol and training fund are created in the department of treasury. The highway safety fund and the secondary road patrol and training fund shall be administered by the department of state police. The jail reimbursement program fund shall be administered by the department of corrections. Until October 1, 2003, money collected under subsection (1) shall be deposited in the respective funds as provided in subsection (1). Beginning October 1, 2003, money collected under subsection (1) shall be deposited in the justice system fund created in section 181 of the revised judicature act of 1961, 1961 PA 236, MCL 600.181. Money remaining in the respective funds at the end of a fiscal year shall not lapse but shall remain in the respective funds for use for the purposes of the funds. The money deposited in the highway safety fund shall serve as a supplement to, and not as a replacement for, the funds budgeted for the department of state police. The money in the highway safety fund shall be used by the department of state police for the employment of additional state police enlisted personnel to enforce the traffic laws on the highways and freeways of this state. The money in the jail reimbursement program fund shall be used by the department of corrections to reimburse counties for housing and custody of convicted felons pursuant to the requirements of section 35 of chapter IX of the code of criminal procedure, 1927 PA 175, MCL 769.35. The money in the secondary road patrol and training fund shall be used for secondary road patrol and traffic accident grants pursuant to section 77 of 1846 RS 14, MCL 51.77, and for grants under section 14 of the commission on law enforcement standards act, 1965 PA 203, MCL 28.614. The department of state police and the department of corrections shall report annually to the legislature all revenues received and disbursed under this section.

**History:** Add. 1987, Act 154, Eff. Dec. 1, 1987;—Am. 1991, Act 163, Imd. Eff. Dec. 16, 1991;—Am. 2000, Act 268, Imd. Eff. July 5, 2000;—Am. 2001, Act 213, Imd. Eff. Dec. 27, 2001;—Am. 2003, Act 73, Eff. Oct. 1, 2003.

**Compiler's note:** In OAG 6480, issued November 23, 1987, the Attorney General stated: "It is my opinion, therefore, that 1987 PA 154, which fixes maximum speed limit on certain state highways, becomes effective November 29, 1987."

**257.630 Repealed. 1976, Act 439, Imd. Eff. Jan. 13, 1977.**

**Compiler's note:** The repealed section pertained to motor-driven cycles.

**257.631 Public bridge, causeway, or viaduct; maximum speed, load, or gross weight; violation as civil infraction; assessment of civil fine; exceptions; determination of civil fine; determination of gross weight; investigation; signs; evidence.**

Sec. 631. (1) A person shall not drive a vehicle upon a public bridge, causeway, or viaduct at a speed or with a load which is greater than the maximum speed or load which can be maintained with safety to the structure, when the structure is signposted as provided in this section. A person who violates this subsection is responsible for a civil infraction.

(2) A person who drives or moves a vehicle or combination of vehicles, or the owner or lessee of a vehicle who causes or allows such a vehicle or combination of vehicles to be loaded and driven or moved, upon a public bridge, causeway, or viaduct when the gross weight of the vehicle or combination of vehicles exceeds the limitations established and signposted pursuant to this section is responsible for a civil infraction and shall be assessed a civil fine as set forth in this subsection. This subsection shall not apply to either of the following:

(a) implements of husbandry operated upon a public bridge, causeway, or viaduct.

(b) The use of a public bridge, causeway, or viaduct by a vehicle or combination of vehicles for a function essential to a farm operation otherwise reasonably inaccessible to vehicles performing the essential agricultural function.

(3) The civil fine assessed under subsection (2) shall be determined as follows:

(a) In the amount equal to 4 cents per pound for each pound of excess load when the excess is more than 2,500 pounds but not more than 3,000 pounds.

(b) In the amount equal to 6 cents per pound for each pound of excess load when the excess is more than 3,000 pounds but not more than 4,000 pounds.

(c) In the amount equal to 8 cents per pound for each pound of excess load when the excess is more than 4,000 pounds but not more than 5,000 pounds.

(d) In the amount equal to 10 cents per pound for each pound of excess load when the excess is more than 5,000 pounds.

(4) For the purpose of this section, the gross weight of a vehicle or combination of vehicles shall be determined as prescribed in section 722(7).

(5) The department of transportation, county road commission, or other authority having jurisdiction of a public bridge, causeway, or viaduct may conduct an investigation of that bridge, causeway, or viaduct. If it is found after investigation that the structure cannot with safety to itself withstand vehicles traveling at the speed or carrying a load otherwise permissible under this chapter, the department, commission, or other authority shall determine and declare the maximum speed of vehicles or load which the structure can withstand, and shall cause or permit suitable signs stating that maximum speed and load limitations to be erected and maintained not more than 50 feet from each end of the structure, and also at a suitable distance from each end of the bridge to enable vehicles to take a different route.

(6) The findings and determination of the department of transportation, county road commission, or other local authority, shall be conclusive evidence of the maximum speed and load which can with safety be maintained on a public bridge, causeway, or viaduct.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1959, Act 151, Imd. Eff. July 16, 1959;—Am. 1962, Act 112, Eff. Mar. 28, 1963;—Am. 1978, Act 510, Eff. Aug. 1, 1979;—Am. 1989, Act 173, Imd. Eff. Aug. 22, 1989.

### **257.632 Exemption from speed limitations; police vehicles, fire department or fire patrol vehicles, and ambulances; conditions.**

Sec. 632. The speed limitation set forth in this chapter shall not apply to vehicles when operated with due regard for safety under the direction of the police when traveling in emergencies or in the chase or apprehension of violators of the law or of persons charged with or suspected of a violation, nor to fire department or fire patrol vehicles when traveling in response to a fire alarm, nor to public or private ambulances when traveling in emergencies. This exemption shall apply only when the driver of the vehicle while in motion sounds an audible signal by bell, siren or exhaust whistle as may be reasonably necessary or when the vehicle is equipped with at least 1 lighted lamp displaying a flashing, oscillating or rotating red or blue light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicles, unless the nature of the mission requires that a law enforcement officer travel without giving warning to suspected law violators. This exemption shall not however protect the driver of the vehicle from the consequences of a reckless disregard of the safety of others.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1976, Act 164, Imd. Eff. June 21, 1976.

### **257.633 Violation of speed regulation; specifications in complaint, citation, summons, or notice; burden of proof.**

Sec. 633. (1) In every charge of a violation of a speed regulation in this chapter the complaint or citation and the summons or notice to appear, shall specify the speed at which the defendant is alleged to have driven and the speed applicable within the district or at the location.

(2) The provision of this chapter declaring speed limitations shall not be construed to relieve the plaintiff in a civil action from the burden of proving negligence on the part of the defendant as the proximate cause of an accident.

**History:** 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1978, Act 510, Eff. Aug. 1, 1979.