

Uniform Traffic Code for Cities, Townships, and Villages



November, 2003

PREFACE

The 2002 edition of the Uniform Traffic Code for Cities, Townships, and Villages (UTC) is a fundamentally different document than previous versions of the code. In 1999, Public Acts 253-260 were passed into law, allowing municipalities the ability to adopt the Michigan Vehicle Code (MVC), in addition to other state law, as local ordinance by reference. Because of the passage of these acts, and the substantial and time-consuming process necessary to keep the UTC current with the frequently changing vehicle statutes, a decision was made to eliminate the language in the UTC that was redundant with the MVC. The result is a much smaller document that will require less frequent amendment. In November, 2003, two minor typographical errors were found and corrected. R 28.1105 was corrected to reference section 252d of the act, and a capitalization error was corrected in R 28.1454.

Municipalities adopting previous versions of the UTC should adopt both the MVC and current UTC by reference, in addition to rescinding their ordinance adopting the previous version of the UTC. Municipalities that frequently enforce snowmobile law are encouraged to adopt Part 821 of the Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.82101 to 324.82160.

Assistance in adopting the MVC and UTC by reference can be obtained from the Michigan Municipal League or the Michigan Townships Association. Sample ordinances can be viewed at:

http://www.mml.org/pdf/opp_adoption_by_reference.pdf

http://www.mml.org/information/ordinances/ordinances_main.htm

http://www.michigantownships.org/sample_ordinances.htm

The Michigan Department of State Police acknowledges the following organizations and agencies for their participation and assistance in the process of updating this code: the Michigan Association of Chiefs of Police, the Michigan Legislative Service Bureau, the Michigan Municipal League, The Michigan Office of Regulatory Reform, and the Michigan Townships Association.



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DEPARTMENT OF STATE POLICE SPECIAL OPERATIONS DIVISION

UNIFORM TRAFFIC CODE FOR CITIES, TOWNSHIPS, AND VILLAGES (By authority conferred on the director of the department of state police by 1956 PA 62, MCL 257.951 et seq.)

PART 1. WORDS AND PHRASES DEFINED

R 28.1001 Rule 1. Words and phrases.

(1) As used in this code:

(a) "Act" means the Michigan vehicle code, 1949 PA 300, MCL 257.1 et seq.

(b) "Alley" means a minor thoroughfare, opened to public use, for the purpose of ingress and egress to service adjacent buildings.

(c) "Bicycle lane" means a portion of a street or highway that is adjacent to the roadway and that is established for the use of persons riding bicycles.

(d) "Bicycle path" means a portion of a street or highway that is separated from the roadway by an open, unpaved space or by a barrier and that is established for the use of persons riding bicycles.

(e) "Bus stand" or "bus stop" means a fixed area in the roadway, parallel and adjacent to the curb, to be occupied exclusively by buses for layover in operating schedules or by buses waiting for, loading, or unloading passengers.

(f) "Clerk" means the person who keeps the records and performs the regular business of a governmental unit.

(g) "Curb loading zone" means a space that is adjacent to a curb and that is reserved for the exclusive use of vehicles during the loading or unloading of passengers or materials.

(h) "Freight curb loading zone" means a space that is adjacent to a curb and that is provided for the exclusive use of vehicles during the loading or unloading of freight.

(i) "Governmental unit" or "municipality" means an incorporated city, an incorporated village, or a township.

(j) "Official time standard" means the hours named in this code are hours of standard time or daylight-saving time, whichever is in current use in this governmental unit.

(k) "Parking meter zone" means an area that is adjacent to a parking meter and that is set aside for the exclusive use of vehicles upon the deposit of a coin of United States currency in the parking meter as specified on the meter.

(l) "Passenger curb loading zone" means a place that is adjacent to a curb and that is reserved for the exclusive use of vehicles during the loading or unloading of passengers.

(m) "Stand" or "standing" means the halting of a vehicle, other than for the purpose of, and while actually engaged in, receiving or discharging passengers.

(n) "Stop," when required, means the complete cessation of movement.

(o) "Stop" or "stopping," when prohibited, means the halting, even momentarily, of a vehicle, whether occupied or not. The terms do not apply to the halting of a vehicle that is necessary to avoid conflict with other traffic or that is in compliance with the directions of a police officer or traffic-control sign or signal.

(p) "Taxicab" means a licensed public motor vehicle for hire that is designated and constructed to seat not more than 10 persons and that is operated as a common carrier on call or demand.

(q) "Taxicab stand" means a fixed area in the roadway that is set aside for taxicabs to stand or wait for passengers.

(r) "Tow-away zone" means a zone where parking, stopping, or standing is not permitted, as indicated by proper signs, and where vehicles parked in violation of the signs are towed away to keep the roadway clear for traffic movement.

(s) "U-turn" means a turn made on a roadway or in an intersection by a vehicle for the purpose of reversing its direction of travel.

(2) If any word or phrase used in this code is not defined in this code, but is defined in the Act, PA 300, MCL 257.1 to 257.923, then the definition in the act shall apply to the words and phrases used in this code.

PART 2. TRAFFIC ADMINISTRATION AND AUTHORITY

R 28.1101 Rule 101. Police department; traffic duties.

It is the duty of the chief of police and the officers of the police department to enforce the street traffic regulations of this governmental unit and all state vehicle laws that are applicable to street traffic in this governmental unit, including making arrests for certain traffic violations, issuing citations for civil infractions, investigating accidents, cooperating with the city traffic engineer and other officials of this governmental unit in the administration of the traffic laws and in developing ways and means to improve traffic conditions, and carrying out those duties specially imposed by this code and other traffic ordinances of this governmental unit.

R 28.1102 Rule 102. Authority of police directing traffic.

Officers of the police department or those officers that are assigned by the chief of police are hereby authorized to direct all traffic by voice, hand, or signal in conformance with traffic laws. However, in case of a fire or other emergency or to expedite traffic or safeguard pedestrians, officers of the police department may direct traffic as conditions require, notwithstanding the provisions of the traffic laws.

R 28.1103 Rule 103. Authority of firemen directing traffic.

Officers of the fire department, when at the scene of a fire, may direct or assist the police in directing traffic at the scene of the fire or in the immediate vicinity.

R 28.1104 Rescinded.

R 28.1105 Rule 105. Impounding of vehicles; authority; procedure; public sale.

(1) Notwithstanding section 252d of the act, a police agency may provide for the immediate removal of a vehicle from public property or any other place open to travel by the public and impound the vehicle in any of the following circumstances:

(a) When a vehicle is left unattended on a bridge, viaduct, causeway, subway, tube, or tunnel where the vehicle constitutes an obstruction to traffic.

(b) When a vehicle is found being driven on the streets or highways in an unsafe condition that endangers persons or property.

(c) When the driver of the vehicle is taken into custody by the police department and the vehicle would thereby be left unattended on the street.

(2) A police agency that authorizes the removal of a vehicle under subrule (1) of this rule shall comply with the requirements of section 252d(2) to (7) of the act.

R 28.1105a – R 28.1117d Rescinded.

R 28.1118 Rule 118. Records of traffic violations; warrants.

(1) The chief of police shall maintain, or cause to be maintained, a record of all warrants that are issued on traffic violation charges and that are delivered to the police department for service. The chief of police shall also maintain, or cause to be maintained, a record of the disposition of all these warrants.

(2) This rule shall not apply to municipalities in which the records listed in subrule (1) of this rule are maintained by another agency or district court pursuant to a local agreement.

R 28.1119 – R 28.1121 Rescinded.

R 28.1122 Rule 122. Traffic accident studies.

If the accidents at any particular location become numerous, the police department shall cooperate with the traffic engineer in conducting studies of the accidents and shall determine remedial measures.

R 28.1123 Rule 123. Drivers' files.

(1) The police department shall maintain a suitable record of all traffic accidents, citations, arrests, dispositions, and complaints that are reported for each driver. The reported items shall be maintained in a manner that allows for retrieval by the name of the driver concerned. The records shall be maintained for not less than the most recent 5-year period.

(2) A photocopy or electronic image shall be maintained if the original document is sent to another agency or to a court, except as provided in subrule (3) of this rule.

(3) A photocopy or electronic image is not required to be maintained by the police department if the original document, photocopy, or electronic image is maintained by another office of the municipality.

R 28.1124 Rule 124. Annual traffic safety report.

The police department shall annually prepare a traffic report that shall be filed with the executive head of this governmental unit and the ordinance making body of this governmental unit. The report shall contain all of the following information on traffic matters in this municipality:

- (a) The number of traffic accidents.
- (b) The number of persons killed.
- (c) The number of persons injured.
- (d) The number of traffic accidents investigated.
- (e) The plans and recommendations of the police department for future traffic safety activities.
- (f) Other pertinent data on the safety activities of the police.
- (g) Other pertinent traffic accident data.

R 28.1125 Rule 125. Traffic engineer.

(1) The office of traffic engineer is hereby established. The traffic engineer shall be appointed in a manner prescribed by the ordinance making body and shall exercise the powers and duties provided in this code in a manner that is consistent with prevailing traffic engineering and safety practices and that is in the best interests of this governmental unit. If a traffic engineer is not appointed, then the authority of the engineer shall be vested in the chief of police.

(2) The traffic engineer shall be responsible for any duties specifically delegated to the local authority by the Act, unless another office is specifically designated by the Act or by this code or is by its nature the more appropriate office.

R 28.1126 Rule 126. Duties of traffic engineer.

(1) The general duties of the traffic engineer are as follows:

- (a) To plan and determine the installation and proper timing and maintenance of traffic-control devices.
- (b) To conduct engineering analysis of traffic accidents and to devise remedial measures.
- (c) To conduct engineering investigations of traffic conditions.
- (d) To plan the operation of traffic on the streets of this governmental unit, including parking areas.
- (e) To cooperate with other officials of this governmental unit in the development of ways and means to improve traffic conditions.
- (f) To carry out the additional powers and duties imposed by the act and ordinances of this governmental unit.
- (g) To otherwise regulate the movement and parking of vehicles within the municipality consistent with the act.

(2) All duties carried out by the traffic engineer shall be in accordance with standard and accepted engineering practices as found in the Traffic Engineering Handbook, Fifth Edition, which is adopted by reference in these rules. The Handbook may be reviewed at the East Lansing Headquarters of the Michigan State Police, Special Operations Division, Traffic Services Section. The Handbook may be purchased from the Institute of Transportation Engineers, 1099 14TH Street, N.W., Suite 300 West, Washington, DC 20005-3438, or from the Michigan Department of State Police, Special Operations Division, Traffic Services Section, 714 South Harrison Road, East Lansing, MI 48823, at a cost as of the time of adoption of these rules of \$110.00 each.

R 28.1127 Rule 127. Emergency regulations.

The chief of police is hereby empowered to make and enforce temporary regulations to cover emergencies or special conditions. Temporary regulations shall remain in effect for not more than 90 days.

R 28.1128 Rule 128. Testing traffic-control devices.

The traffic engineer may test or experiment with traffic-control devices under actual conditions of traffic in accordance with procedures contained in the Michigan manual of uniform traffic-control devices.

R 28.1129 – R 28.1136a Rescinded.

R 28.1136b Rule 136b. Traffic-control devices on private property; violation as civil infraction.

(1) With the consent, or at the request, of the owners or persons in charge of private property that is open to the general public for travel, the traffic engineer may determine controls of the movement of vehicles and pedestrians and the parking of vehicles as needed for the safety and convenience of the public and users of the property. The traffic engineer shall place and maintain whatever traffic-control devices are necessary to give notice of the controls determined to be necessary.

(2) A person who violates the directions of the traffic-control devices is responsible for a civil infraction.

R 28.1137 Rule 137. Curb loading zones.

The traffic engineer is hereby authorized to determine the location of passenger and freight curb loading zones and shall place and maintain appropriate signs that indicate the zones and that state the hours during which the zones are restricted for loading purposes.

R 28.1138 Rule 138. Permits for curb loading zones.

The traffic engineer shall not designate or sign any curb loading zone upon special request of any person unless the person makes application for a permit for the zone and for 2 signs to indicate the ends of each zone. When approved by the traffic engineer, the clerk, upon granting a permit and issuing the signs, shall collect from the applicant and deposit with the treasurer a service fee for 1 year or a fraction thereof in an amount specified by resolution of the ordinance making body. The governmental unit may, by regulation, impose conditions upon the use of the signs and provide for reimbursement for the value of the signs if they are lost or damaged and for return of the signs if they are misused or upon expiration of the permit. The permit shall expire at the end of 1 year.

R 28.1139 Rule 139. Public carrier stands.

The traffic engineer is hereby authorized to establish bus stops, bus stands, taxicab stands, and stands for other passenger common-carrier motor vehicles on public streets, in places, and in number as he or she shall determine to be of the greatest benefit and convenience to the public. Every bus stop, bus stand, taxicab stand, or other stand shall be designated by appropriate signs, which the traffic engineer shall cause to be erected.

R 28.1140 Rule 140. Permit for loading or unloading at an angle to the curb.

The traffic engineer may authorize the clerk to issue special permits to permit the backing of a vehicle to the curb for the purpose of loading or unloading merchandise or materials subject to the terms and conditions of the permit. A permit may be issued either to the owner or lessee of real property or to the owner of the vehicle. A permit shall grant to the owner or lessee of real property the privileges that are stated in the permit and that are authorized in this code.

R 28.1141 Rule 141. Parking meter zones.

The traffic engineer is hereby authorized, subject to the approval of the ordinance making body, to determine and designate metered parking zones and to install and maintain as many parking meters as necessary in the metered parking zones, if it is determined that the installation of parking meters is necessary to aid in the regulation, control, and inspection of the parking of vehicles.

R 28.1142 Rule 142. Angle parking zones.

The traffic engineer shall determine the location of angle parking zones and shall erect and maintain appropriate signs that indicate the location and that give notice thereof, except that these zones shall not be established on state trunkline highways.

R 28.1143 Rescinded.

R 28.1144 Rule 144. Speed restrictions.

Notwithstanding section 629 of the Act, The traffic engineer is hereby authorized to establish prima facie speed limits in alleys and cemeteries.

R 28.1145, R 28.1146 Rescinded.

R 28.1147 Rule 147. Authority to sign 1-way streets and alleys.

Where any 1-way street or alley is duly established, the traffic engineer shall place and maintain signs that give notice of the 1-way street or alley and the regulation shall not be effective unless the signs are in place. Signs that indicate the direction of lawful traffic movement shall be placed at every intersection where movement of traffic in the opposite direction is prohibited.

R 28.1148 Rule 148. Authority to restrict direction of movement on streets during certain periods.

The traffic engineer is hereby authorized to determine and designate streets, parts of streets, or specific lanes of streets on which vehicular traffic shall proceed in 1 direction during 1 period of the day and the opposite direction during another period of the day and shall place and maintain appropriate markings, signs, barriers, or other devices to give notice thereof. The traffic engineer may erect signs that temporarily designate lanes to be used by traffic moving in a particular direction, regardless of the center line of the roadway.

R 28.1149, R 28.1150 Rescinded.

R 28.1151 Rule 151. Prohibiting certain traffic.

The traffic engineer may, after an engineering and traffic investigation, designate any heavily traveled street under his or her jurisdiction as prohibited to a class or kind of traffic found to be incompatible with the normal and safe movement of traffic. The traffic engineer shall erect appropriate traffic-control devices that give notice of the determination.

R 28.1152 Rescinded.

R 28.1153 Rule 153. Traffic-control orders.

(1) The authority in the Act and this code to regulate traffic shall be exercised by the traffic engineer by the issuance of traffic-control orders that shall specify the rules and regulations adopted or established by him or her. The traffic-control orders shall become effective upon being filed with the clerk and upon erection of adequate signs or signals that give notice of the existence of the regulation, if signs or signals are required by the provisions of this code that pertain to the regulation.

(2) Traffic-control orders may be issued by the traffic engineer on his or her own authority, but when so issued shall be known as temporary traffic-control orders and shall not be effective after the expiration of 90 days from the date of filing and these temporary traffic-control orders shall not be renewed or extended, except upon approval by the ordinance making body.

(3) Permanent traffic-control orders shall be issued by the traffic engineer, approved by the ordinance making body, and filed with the clerk.

(4) Temporary orders shall become permanent orders upon being approved by the ordinance making body, and notice of the approval shall be filed with the clerk.

(5) All traffic-control orders and any actions that modify or repeal the orders shall be kept by the clerk in a separate book that shall be known as the traffic-control order book.

(6) A copy of a traffic-control order, certified by the clerk to be a true copy compared by him or her with the original in his or her office, shall be permitted into evidence in all courts and proceedings in the same manner as the original would be permitted into evidence if produced. If it appears that a traffic-control sign, signal, or device that conforms to the provisions of this code was erected or in place when the alleged violation of this code occurred, it shall be prima facie evidence of the existence of a lawful traffic-control order that authorizes the traffic control, sign, signal, or device, and it is not necessary for the prosecution to affirmatively show the existence of a valid traffic-control order in these cases, unless and until the presumption is rebutted by competent evidence.

(7) All traffic control orders issued by the traffic engineer, whether temporary or permanent, shall be in accordance with standard and accepted engineering practices as adopted in R 28.1126.

R 28.1154 Rule 154. Clerk.

The duties set forth in rules 155 to 158 of this code shall apply to the person who is elected or appointed to the office of clerk of this governmental unit.

R 28.1155 Rule 155. Clerk to issue permit for loading or unloading at an angle to the curb.

The clerk, upon receipt of a written application, shall issue, subject to the approval of the traffic engineer, permits to back a vehicle at right angles to the curb for the purpose of loading or unloading of merchandise or material. These permits shall be subject to the terms and conditions stated thereon. These permits shall expire at the end of each calendar year, but may be reissued.

R 28.1156 Rule 156. Clerk to issue permit for curb loading zones.

The clerk, upon receipt of a written application, shall issue, subject to the approval of the traffic engineer, permits for curb loading zones. These permits shall be subject to the terms and conditions stated thereon.

R 28.1157 Rule 157. Clerks to provide traffic citation forms.

(1) Traffic citation forms in serially numbered sets that notify alleged violators to appear and answer to charges of violating traffic laws and ordinances shall be provided by the clerk in books and in a form as provided in sections 727b and 727c of the act.

(2) This rule shall not apply to municipalities in which the traffic citation forms required in subrule (1) of this rule are provided by another department, agency, or court pursuant to a local agreement.

R 28.1158 Rule 158. Issuance and record of traffic citation books.

(1) The clerk shall be responsible for the issuance of traffic citation books to the chief of police and shall maintain a record of each book.

(2) This rule shall not apply to municipalities in which the records required in subrule (1) of this rule are maintained by another department, agency, or court pursuant to a local agreement.

PART 3. OBEDIENCE TO TRAFFIC REGULATIONS

R 28.1201 Rule 201. Required obedience to traffic ordinances; parental responsibility; violation as civil infraction.

(1) It is a violation of this code for any person to do any act that is forbidden, or to fail to perform any act that is required, by the act or this code.

(2) The parent of any child and the guardian of any ward shall not authorize or knowingly permit this child or ward to violate any of the provisions of the act or this code.

(3) Unless otherwise specified, violation of any rule of this code is a civil infraction.

R 28.1202 Rule 202. Obedience to police and fire department officials; violation as misdemeanor.

(1) A person shall not willfully fail or refuse to comply with any lawful order or direction of any police officer or member of the fire department, at the scene of or in the immediate vicinity of a fire, who is vested with authority under the act or this code to direct, control, or regulate traffic.

(2) A person who violates this rule is guilty of a misdemeanor.

R 28.1202a Rescinded.

R 28.1203 Rule 203. Persons propelling push carts or riding animals subject to traffic regulations; violation as misdemeanor.

(1) Persons who propel any push cart or who ride an animal upon a roadway and persons who drive any animal-drawn vehicle are subject to the provisions of this code that are applicable to the driver of any vehicle, except for the provisions of this code that by their very nature can have no application.

(2) A person who violates this rule is guilty of a misdemeanor.

R 28.1204 Rule 204. Use of coasters, roller skates, and similar devices restricted; violation as civil infraction.

(1) A person who is riding in, or by means of, any coasters, toy vehicle, or similar device shall not go on any roadway, except while crossing a street on a crosswalk. When crossing a street on a crosswalk, the person shall be granted all of the rights, and shall be subject to all of the duties, applicable to pedestrians.

(2) A person who is on a skateboard or roller skates, including in-line skates, shall be considered a pedestrian and is subject to all of the rights and duties of a pedestrian, except as provided in subrule (3) of this rule.

(3) The traffic engineer may designate those roadways and areas where the use of skateboards, roller skates, or in-line skates are prohibited and shall designate these areas through the posting of appropriate signs.

(4) A person who violates this rule is responsible for a civil infraction.

R 28.1205 – R 28.1210 Rescinded.

R 28.1211 Rule 211. Code provisions; exclusive applicability to operation of vehicles on streets, except where otherwise referred to.

The provisions of this code that relate to the operation of vehicles refer exclusively to the operation of vehicles on streets or highways, except where a different place is specifically referred to in a rule of this code.

R 28.1212 Rule 212. Enforcing violation on private road.

Notwithstanding any other provision of law, a police officer may enter upon a private road to enforce violations of the act or this code.

PART 4. TRAFFIC-CONTROL DEVICES

R 28.1301 – R 28.1303 Rescinded.

R 28.1304 Rule 304. Obedience to official traffic-control devices; violation as civil infraction.

(1) The driver of any vehicle shall obey the instructions of any official traffic-control device that is placed in accordance with a traffic control order or a traffic ordinance of any governmental unit having authority over that highway, unless otherwise directed by a police officer.

(2) A person who violates this rule is responsible for a civil infraction.

R 28.1304a Rescinded.

R 28.1305 Rule 305. Provisions of code that require signs; enforceability.

Provisions of this code that require signs shall not be enforced against an alleged violator if, at the time and place of the alleged violation, an official sign was not in proper position and was not sufficiently legible so as to be seen by an ordinarily observant person. When a particular rule does not state that signs are required, the rule shall be effective even though signs are not erected or in place.

R 28.1306 – R 28.1312 Rescinded.

R 28.1313 Rule 313. Crosswalks.

The traffic engineer is hereby authorized to designate and maintain, by appropriate devices, marks, or lines upon the surface of the roadway, crosswalks at intersections where, in his or her opinion, there is particular danger to pedestrians crossing the roadway and at other places as he or she may deem necessary.

R 28.1314 Rule 314. Safety zones.

The traffic engineer is hereby authorized to establish safety zones of a kind and character and at places as he or she may deem necessary for the protection of pedestrians.

R 28.1315 – R 28.1319 Rescinded.

R 28.1320 Rule 320. Bicycle paths or bicycle lanes; establishment; traffic-control devices.

(1) When the traffic engineer, after a traffic survey and engineering study, determines there is a need, he or she may establish a part of a street or highway under his or her jurisdiction as a bicycle path or lane.

(2) The bicycle path or lane shall be identified by official traffic-control devices that conform to the Michigan manual of uniform traffic-control devices.

R 28.1321 Rule 321. Bicycle paths; vehicles prohibited; snowmobiles permitted under certain conditions; violation as misdemeanor.

- (1) A person shall not operate a vehicle on or across a bicycle path, except to enter or leave adjacent property or as otherwise permitted in this rule.
- (2) A person may operate a snowmobile on a bicycle path that is snow-covered and that is not snowplowed for bicycle traffic.
- (3) A person shall not park a vehicle on a bicycle path.
- (4) A person who violates this rule is guilty of a misdemeanor.

R 28.1322 Rule 322. Bicycle lanes; vehicles prohibited; parking permitted under certain conditions; violation as misdemeanor.

- (1) A person shall not operate a vehicle on or across a bicycle lane, except to enter or leave adjacent property.
- (2) A person shall not park a vehicle on a bicycle lane, except where parking is permitted by official signs.
- (3) A person who violates this rule is guilty of a misdemeanor.

PART 5. RIGHTS AND DUTIES OF DRIVERS AND OTHERS

R 28.1401 – R 28.1409 Rescinded.

R 28.1409a Rule 409a. Driving at slow speed; violation as a civil infraction.

- (1) A person shall not drive a motor vehicle at a slow speed as to impede the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or to comply with law.
- (2) A person who violates this rule is responsible for a civil infraction.

R 28.1410, R 28.1411 Rescinded.

R 28.1412 Rule 412. Violation of signs; violation as civil infraction.

- (1) It shall be prima facie unlawful to exceed the speed stated on signs erected in accordance with a traffic control order or a traffic ordinance of any governmental unit having authority over that highway.
- (2) A person who violates this rule is responsible for a civil infraction.

R 28.1413 Rule 413. Manner of charging violation of speed restriction.

In every charge of violating a speed restriction, the complaint and traffic citation shall specify the speed at which the defendant is alleged to have driven and the speed applicable within the district or at the location.

R 28.1414 – R 28.1416b Rescinded.

R 28.1416c Rule 416c. Consumption of liquor on highways or on property open to public; violation as misdemeanor.

- (1) Alcoholic liquor shall not be consumed on a highway, street, alley, or any public or private property that is open to the general public.
- (2) This rule does not apply to a premises operating under a license or permit issued pursuant to 1998 PA 58, MCL 436.1101 et seq.
- (3) A person who violates this rule is guilty of a misdemeanor.

R 28.1417 – R 28.1423 Rescinded.

R 28.1424 Rule 424. One-way roadways; violation as civil infraction.

- (1) On a roadway or alley that is designated and signposted for 1-way traffic, a vehicle shall be driven only in the direction designated.
- (2) A person who violates this rule is responsible for a civil infraction.

R 28.1425 – R 28.1433 Rescinded.

R 28.1434 Rule 434. Limitations on turning around; violation as civil infraction.

- (1) The driver of any vehicle shall not turn the vehicle so as to proceed in the opposite direction on any street in a business district and shall not, on any other street, so turn a vehicle unless the movement can be made in safety and without interfering with other traffic.
- (2) A person who violates this rule is responsible for a civil infraction.

R 28.1435 – R 28.1436a Rescinded.

R 28.1437 Rule 437. Emerging from alley, driveway, or building; violation as civil infraction.

- (1) The driver of a vehicle that is merging from an alley, driveway, or building shall stop the vehicle immediately before driving onto a sidewalk or onto the sidewalk area extending across any alleyway, shall yield the right-of-way to any pedestrian as may be necessary to avoid collision and, upon entering the roadway shall yield the right-of-way to all vehicles approaching on the roadway.
- (2) A person who violates this rule is responsible for a civil infraction.

R 28.1438 Rule 438. Entering intersection or crosswalk; obstructing traffic prohibited; violation as civil infraction.

- (1) A driver shall not enter an intersection or a marked crosswalk unless there is sufficient space on the other side of the intersection or crosswalk to accommodate the vehicle he or she is operating without obstructing the passage of other vehicles or pedestrians, notwithstanding any traffic-control signal indication to proceed.
- (2) A person who violates this rule is responsible for a civil infraction.

R 28.1439 – R 28.1440a Rescinded.

R 28.1440b Rule 440b. Obstruction of vehicular traffic by successive train movements on highways or streets; violation as misdemeanor.

- (1) It is unlawful for a railroad company to permit successive train movements to obstruct any vehicular traffic on any public streets or highways until all vehicular traffic previously delayed by these train movements has been cleared or until a period of 5 minutes has elapsed between train movements.
- (2) A railroad company that violates this rule is guilty of a misdemeanor.

R 28.1440c – R 28.1445 Rescinded.

R 28.1446 Rule 446. Drivers in a procession; violation as civil infraction.

- (1) Each driver in a funeral or other authorized procession shall drive as near the right-hand edge of the roadway as practical and shall follow the vehicle ahead as close as is practical and safe.
- (2) A person who violates this rule is responsible for a civil infraction

R 28.1447 Rule 447. Parades and processions; permit required; violation as misdemeanor.

- (1) A procession or parade, other than a procession or parade of the forces of the United States armed services, the military forces of this state, and the forces of the police and fire departments, shall not occupy, march, or proceed along any roadway, unless pursuant to a permit issued by the chief of police and unless the procession or parade is in accordance with other regulations as are set forth in this code.
- (2) A person who violates this rule is guilty of a misdemeanor.

R 28.1448 Rule 448. Driving on sidewalk prohibited; violation as misdemeanor.

- (1) The driver of a vehicle shall not drive on or within any sidewalk area, except at a driveway.
- (2) A person who violates this rule is guilty of a misdemeanor.

R 28.1449 Rule 449. Limitations on backing; violation as civil infraction.

- (1) The driver of a vehicle shall not back the vehicle unless the movement can be made with reasonable safety and without interfering with other traffic.
- (2) A vehicle shall not be backed a distance of more than 60 feet.

(3) A vehicle shall not be backed into an intersection; except that a vehicle may be backed into an intersection when it is not otherwise possible to turn about and when the movement can be made safely without interfering with other traffic.

(4) A person who violates this rule is responsible for a civil infraction.

R 28.1450 , R 28.1451 Rescinded.

R 28.1452 Rule 452. Driving through or over a safety zone occupied by people prohibited; violation as civil infraction.

(1) The driver of a vehicle shall not at any time drive through or over a safety zone when the safety zone contains any person therein.

(2) A person who violates this rule is responsible for a civil infraction.

R 28.1453 Rescinded.

R 28.1454 Rule 454. Splashing prohibited; violation as civil infraction.

(1) A driver of a motor vehicle shall not recklessly, willfully, wantonly, or carelessly operate his or her vehicle in a manner as to splash snow, rain, water, mud, dirt, or debris on any person who is on a sidewalk, crosswalk, or safety zone.

(2) A person who violates this rule is responsible for a civil infraction.

R 28.1455 Rule 455. Deposit of litter on streets prohibited; violation as misdemeanor.

(1) A person shall not, without the consent of the public authority having supervision of a street, deposit, place, dump, throw, or leave, or cause or permit the dumping, depositing, placing, throwing, or leaving of, any destructive or injurious material, any rubbish, refuse, waste material, garbage, offal, paper, glass, cans, bottles, trash, or debris on any street.

(2) A person who throws or drops, or permits to be thrown or dropped, on a street any of the material or matter listed in subrule (1) of this rule shall immediately remove it or cause it to be removed.

(3) The violation of this rule is punishable as a misdemeanor.

R 28.1455a Rule 455a. Throwing objects at or into paths of vehicles prohibited; violation as misdemeanor.

(1) A person shall not knowingly cause any litter or any object to fall or to be thrown into the path of or to hit a vehicle traveling on a street.

(2) The violation of this rule is punishable by a fine of not more than \$500.00 or not more than 1 year in county jail, or both. A person who violates this rule is guilty of a misdemeanor.

R 28.1455b Rescinded.

R 28.1456 Rule 456. Removal of wrecked or damaged vehicles; violation as misdemeanor.

(1) A person who removes a wrecked or damaged vehicle from a street shall remove any glass or other injurious substance dropped on the street from the vehicle.

(2) The violation of this rule is punishable as a misdemeanor.

R 28.1457 Rescinded.

R 28.1458 Rule 458. Requirements when leaving motor vehicle unattended; violation as civil infraction.

(1) A person who has control or charge of a motor vehicle shall not allow the vehicle to stand unattended on any street or any other place without first stopping the engine, locking the ignition, and removing and taking possession of the ignition key. The provisions of this rule that pertain to the locking of the ignition and removing and taking possession of the ignition key do not apply to motor vehicles that are manufactured with an ignition system that does not have a key and that is incapable of being locked.

(2) A person who violates this rule is responsible for a civil infraction.

R 28.1459 – R 28.1490 Rescinded.

R 28.1490a Rule 490a. Operation of vehicle with unnecessary noise prohibited; violation as civil infraction.

(1) A person shall not operate a motor vehicle with unnecessary noise and shall not start, move, or turn a motor vehicle or apply the brakes or the power on a motor vehicle or in any manner operate the vehicle so as to cause the tires to squeal or the tires or vehicle to make any noise not usually connected with the operation of the motor vehicle, except in case of an emergency.

(2) A person who violates this rule is responsible for a civil infraction.

R 28.1491, R 28.1492 Rescinded.

R 28.1493 Rule 493. Display on vehicle of official designation, sign, or insignia prohibited; violation as misdemeanor.

(1) An owner shall not display on any part of his or her vehicle, or knowingly permit the display of, any official designation, sign, or insignia of any public or quasi-public corporation; municipal, state, or national department; or government subdivision without authority of the agency.

(2) A person who violates this rule is guilty of a misdemeanor.

R 28.1494 – R 28.1497 Rescinded.

R 28.1498 Rule 498. Opening vehicle doors so as to impede traffic prohibited; violation as civil infraction.

(1) A person shall not open a door of a vehicle in a manner that interferes with or impedes the flow of traffic.

(2) A person who violates this rule is responsible for a civil infraction.

R 28.1498a, R 28.1499 Rescinded.

PART 6. OPERATION OF BICYCLES, MOTORCYCLES, MOPEDS, AND TOY VEHICLES

R 28.1601, R 28.1602 Rescinded.

R 28.1603 Rule 603. Bicycles; ordinances applicable.

The provisions of this code that are applicable to bicycles shall apply when a bicycle is operated on any street or on any public path set aside for the exclusive use of bicycles, subject to those exceptions stated in this code.

R 28.1604 - R 28.1606 Rescinded.

R 28.1607 Rule 607. Obedience to pedestrian regulations when dismounted from a bicycle.

When authorized signs are erected that indicate that right, left, or U-turns are not permitted, a person who operates a bicycle shall obey the direction of the sign, except where the person dismounts from the bicycle to make the turn, in which event the person shall then obey the regulations applicable to pedestrians.

R 28.1608 - R 28.1614 Rescinded.

R 28.1615 Rule 615. Emerging from alley, driveway, or building; yielding right-of-way; violation as civil infraction.

(1) The operator of a bicycle who emerges from an alley, driveway, or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians approaching on the sidewalk area and, upon entering the roadway, shall yield the right-of-way to all vehicles approaching on the roadway.

(2) A person who violates this rule is responsible for a civil infraction.

R 28.1616 Rescinded.

R 28.1617 Rule 617. Bicycles; parking on sidewalk; violation as civil infraction.

- (1) A person shall not park a bicycle on a sidewalk where bicycle parking is prohibited by official traffic-control devices. A person shall not park a bicycle on a sidewalk in a manner that would unreasonably obstruct pedestrian or other traffic.
- (2) A person who violates this rule is responsible for a civil infraction.

R 28.1617a Rule 617a. Bicycles; parking on roadway; violation as civil infraction.

- (1) Notwithstanding the provisions of part 8 of this code, and unless prohibited or restricted by traffic-control devices, a bicycle may be parked as follows:
 - (a) On the roadway at an angle to the curb or edge of the roadway at any location where the parking of vehicles is allowed.
 - (b) On the roadway abreast of another bicycle near the side of the roadway at any location where the parking of vehicles is allowed.
- (2) In all other respects, a bicycle parked anywhere on a street shall conform with the provisions of part 8 of this code that regulates the parking of vehicles.
- (3) A person who violates this rule is responsible for a civil infraction.

R 28.1618 Rule 618. Obedience to signs prohibiting riding of bicycles; violation as civil infraction.

- (1) When a sign is erected on a sidewalk that prohibits the riding of bicycles thereon by any person, a person shall obey the sign.
- (2) A person who violates this rule is responsible for a civil infraction.

R 28.1619 - R 28.1627 Rescinded.

PART 7. PEDESTRIANS' RIGHTS AND DUTIES

R 28.1701 Rule 701. Pedestrians; traffic-control signals; privileges and restricts; violation as civil infraction.

- (1) Pedestrians are subject to traffic-control signals at intersections as provided in section 613 of the act and part 4 of this code. At all other places, pedestrians shall be accorded the privileges, and shall be subject to the restrictions, stated in this part.
- (2) A person who violates this rule is responsible for a civil infraction.

R 28.1702 Rule 702. Pedestrians; right-of-way in crosswalk; violation as civil infraction.

- (1) When traffic-control signals are not in place or are not in operation, the driver of a vehicle shall yield the right-of-way, slowing down or stopping if need be to so yield, to a pedestrian crossing the roadway within a crosswalk when the pedestrian is on the half of the roadway on which the vehicle is traveling or when the pedestrian is approaching so closely from the opposite half of the roadway as to be in danger, but a pedestrian shall not suddenly leave a curb or other place of safety and walk or run into a path of a vehicle that is so close that it is impossible for the driver to yield.
- (2) A person who violates this rule is responsible for a civil infraction.

R 28.1703 Rule 703. Passing vehicle stopped at intersection to permit pedestrian to cross prohibited; violation as civil infraction.

- (1) When any vehicle is stopped at a marked crosswalk or at any unmarked crosswalk at an intersection to permit a pedestrian to cross the roadway, the driver of any other vehicle approaching from the rear shall not overtake and pass the stopped vehicle.
- (2) A person who violates this rule is responsible for a civil infraction.

R 28.1703a , R 28.1704 Rescinded.

R 28.1705 Rule 705. Crossing roadway at right angles to curb required; violation as civil infraction.

- (1) A pedestrian shall not, except in a marked crosswalk, cross a roadway at any other place than by a route at right angles to the curb or by the shortest route to the opposite curb.
- (2) A person who violates this rule is responsible for a civil infraction.

R 28.1706 Rule 706. Pedestrians; yielding right-of-way; violation as civil infraction.

- (1) Every pedestrian who crosses a roadway at any point other than within a marked crosswalk at an intersection shall yield the right-of-way to all vehicles on the roadway.
- (2) A person who violates this rule is responsible for a civil infraction.

R 28.1707 Rule 707. Pedestrians; yielding right-of-way where tunnel or overhead crossing provided; violation as civil infraction.

- (1) Any pedestrian who crosses a roadway at a point where a pedestrian tunnel or overhead pedestrian crossing has been provided shall yield the right-of-way to all vehicles on the roadway, if signs prohibiting the crossing of the roadway by pedestrians at that point are in place.
- (2) A person who violates this rule is responsible for a civil infraction.

R 28.1708 Rule 708. Pedestrians; yielding right-of-way to emergency vehicles; violation as civil infraction.

- (1) A pedestrian shall yield the right-of-way to an authorized emergency vehicle under the conditions prescribed in the Act.
- (2) A person who violates this rule is responsible for a civil infraction.

R 28.1709 Rule 709. Pedestrians; crossing between adjacent intersections; violation as civil infraction.

- (1) Where traffic-control signals are in operation, pedestrians shall not cross the roadway except in a marked crosswalk.
- (2) A person who violates this rule is responsible for a civil infraction.

R 28.1710 Rule 710. Pedestrians; crossing roadway in business district; violation as civil infraction.

- (1) In any business district, a pedestrian shall not cross a roadway other than in a crosswalk.
- (2) A person who violates this rule is responsible for a civil infraction.

R 28.1711 Rule 711. Pedestrians; obedience to bridge and railroad barriers; violation as civil infraction.

- (1) A pedestrian shall not pass through, around, over, or under any crossing gate or barrier at a railroad grade crossing or bridge while the gate or barrier is closed or is being opened or closed.
- (2) A person who violates this rule is responsible for a civil infraction.

R 28.1712 Rescinded.

R 28.1713 Rule 713. Pedestrians; soliciting ride, employment, or business in roadway prohibited; violation as civil infraction.

- (1) A person shall not stand in a roadway for the purpose of soliciting a ride, employment, or business from the occupant of any vehicle.
- (2) A person who violates this rule is responsible for a civil infraction.

R 28.1714 Rule 714. Pedestrians; soliciting the watching or guarding of vehicle in street or highway prohibited; violation as civil infraction.

- (1) A person shall not stand on or in proximity to a street or highway for the purpose of soliciting the watching or guarding of any vehicle while parked or about to be parked on a street or highway.
- (2) A person who violates this rule is responsible for a civil infraction.

R 28.1715 Rule 715. Stopping for blind pedestrians; violation as misdemeanor.

- (1) Any driver of a vehicle who approaches within 10 feet of a person who is wholly or partially blind, who is carrying a cane or walking stick that is white or white tipped with red, or who is being led by a guide dog wearing a harness and walking on either side, or slightly in front, of the blind person shall immediately come to a full stop and shall take precautions before proceeding as may be necessary to avoid accident or injury to the wholly or partially blind person.
- (2) A person who violates this rule is guilty of a misdemeanor.

R 28.1716 Rule 716. Drivers; exercising due care; violation as civil infraction.

(1) Notwithstanding the foregoing provisions of this part, every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian on any roadway, shall give warning by sounding the horn when necessary, and shall exercise proper precaution upon observing any child or any confused or incapacitated person on a roadway.

(2) A person who violates this rule is responsible for a civil infraction.

PART 8. STOPPING, STANDING, AND PARKING

R 28.1801 Rule 801. Standing or parking close to curb; violation as civil infraction.

(1) A person shall not stand or park a vehicle in a roadway other than parallel with the edge of the roadway, headed in the direction of lawful traffic movement, and with the right-hand wheels of the vehicle within 12 inches of the curb or edge of the roadway, except as otherwise provided in this part.

(2) A person who violates this rule is responsible for a civil infraction.

R 28.1802 Rule 802. Parking on 1-way streets; violation as civil infraction.

(1) Vehicles may park with the left-hand wheels adjacent to, and within 12 inches of, the left-hand curb of properly signed 1-way streets.

(2) A person who violates this rule is responsible for a civil infraction.

R 28.1803 Rule 803. Stopping, standing, or parking on streets signed for angle parking; violation as civil infraction.

(1) On those streets that have been signed or marked for angle parking, a person shall not stop, stand, or park a vehicle other than at the angle to the curb or edge of the roadway indicated by the signs or markings.

(2) A person who violates this rule is responsible for a civil infraction.

R 28.1804 Rule 804. Violating terms of permit for backing vehicle to load or unload at a curb prohibited; violation as civil infraction.

(1) It is unlawful for any permittee or any other person to violate any of the special terms or conditions of any special permit issued to permit the backing of a vehicle to the curb for the purpose of loading or unloading.

(2) A person who violates this rule is responsible for a civil infraction.

R 28.1805 Rescinded.

R 28.1806 Rule 806. Vehicle starting from parked position; violation as civil infraction.

(1) A vehicle starting from a parked position shall yield to moving vehicles the right-of-way, and the operator of the vehicle shall give a timely and visible warning signal before so starting.

(2) A person who violates this rule is responsible for a civil infraction.

R 28.1807 Rule 807. Vehicle parked at angle to curb and about to start; yielding right-of-way; backing into lane of moving traffic; violation as civil infraction.

(1) A vehicle that is parked at an angle to the curb and that is about to start shall yield to moving vehicles the right-of-way, and the operator of the vehicle shall not back the vehicle from the curb into the lane of moving traffic unless the maneuver can be made in safety and without conflict with moving vehicles.

(2) A person who violates this rule is responsible for a civil infraction.

R 28.1808 Rescinded.

R 28.1809 Rule 809. Headlights on parked vehicles; violation as civil infraction.

(1) Any lighted headlights on a parked vehicle shall be depressed or dimmed.

(2) A person who violates this rule is responsible for a civil infraction.

R 28.1810 - R 28.1812 Rescinded.

R 28.1813 Rule 813. Parking in alley prohibited; exception; stopping or standing in alley prohibited; exception; violation as civil infraction.

(1) A person shall not park a vehicle in an alley, except when authorized by official signs. A person shall not stop or stand a vehicle in any alley, except while actually in the process of loading or unloading the vehicle.

(2) A person who violates this rule is responsible for a civil infraction.

R 28.1814 Rule 814. Parking for certain purposes prohibited; violation as civil infraction.

(1) A person shall not park a vehicle on any street for the principal purpose of doing any of the following:

(a) Displaying the vehicle for sale.

(b) Washing, polishing, greasing, or repairing the vehicle, except for repairs necessitated by an emergency.

(c) Displaying advertising.

(d) Selling merchandise from the vehicle, except in a duly established market place or when so authorized or licensed under the ordinances of this governmental unit.

(e) Storage for more than 48 continuous hours.

(2) A person who violates this rule is responsible for a civil infraction.

R 28.1815 Rule 815. Standing or parking on 1-way roadways prohibited; exception; violation as civil infraction.

(1) If a street includes 2 or more separate roadways and traffic is restricted to 1 direction on the roadway, a person shall not stand or park a vehicle on the left-hand side of the 1-way roadway, unless signs are erected to permit that standing or parking.

(2) A person who violates this rule is responsible for a civil infraction.

R 28.1816, R 28.1817 Rescinded.

R 28.1818 Rule 818. Temporary stop at freight curb loading zone permitted; violation as civil infraction.

(1) The driver of a vehicle may stop temporarily at a place marked as a freight curb loading zone for the purpose of, and while actually engaged in, loading or unloading passengers, if the stopping does not interfere with any motor vehicle used for the transportation of materials, which is waiting to enter or about to enter the zone.

(2) A person who violates this rule is responsible for a civil infraction.

R 28.1819 Rule 819. Stopping, standing, or parking of buses and taxicabs restricted; exception; violation as civil infraction.

(1) The operator of a bus or taxicab shall not stop, stand, or park on any street in any business district at any place other than at a bus stop or taxicab stand, respectively, except that this provision does not prevent the operator of the vehicle from temporarily stopping in accordance with other stopping, standing, or parking regulations at any place for the purpose of, and while engaged in, the expeditious unloading or loading of passengers.

(2) A person who violates this rule is responsible for a civil infraction.

R 28.1820 Rule 820. Restricted use of bus and taxicab stands; violation as civil infraction.

(1) A person shall not stop, stand, or park a vehicle other than a bus in a bus stop or other than a taxicab in a taxicab stand when the stop or stand has been officially designated and appropriately signed, except that the driver of a passenger vehicle may temporarily stop therein for the purpose of, and while actually engaged in, the expeditious loading or unloading of passengers, if the stopping does not interfere with any bus or taxicab waiting to enter or about to enter the zone.

(2) A person who violates this rule is responsible for a civil infraction.

R 28.1821 Rule 821. Metered parking zones; violation as civil infraction.

(1) When a parking meter is erected adjacent to a space marked for parking, the space shall be a metered parking zone, and a person shall not stop a vehicle in this zone for a period of time longer than

that designated on the parking meter after depositing a coin of United States currency of a denomination designated on the meter on the days and during the time the regulations on the meter are in force.

(2) A person who violates this rule is responsible for a civil infraction.

R 28.1822 Rule 822. Drivers to park within metered parking spaces; violation as civil infraction.

(1) Every vehicle shall be parked wholly within the metered parking space for which the meter shows a parking privilege has been granted, except that a vehicle that is too large to be parked within a single designated parking meter zone shall be permitted to occupy 2 adjoining parking meter spaces if coins are deposited in the parking meter for each space occupied, as required in this code for the parking of other vehicles in that space.

(2) A person who violates this rule is responsible for a civil infraction.

R 28.1823 - R 28.1824 Rescinded.

PART 9. MISCELLANEOUS

R 28.1901 Rule 901. Short title.

This code shall be known and cited as the "Uniform Traffic Code."

R 28.1902 Rule 902. Invalidity or unconstitutionality of code; severability.

If any part or parts of the Act or this code are for any reason held to be invalid or unconstitutional, the decision shall not affect the validity or constitutionality of the remaining portions of these rules. The ordinance-making body hereby declares that it would have passed this code and each part or parts thereof, irrespective of the fact that any 1 part or parts be declared invalid or unconstitutional.

R 28.1903 Rule 903. Penalties; civil infraction and misdemeanor.

(1) Civil infraction: A violation of this code or rules substantially corresponding to the Act that is designated a civil infraction is not a crime and shall not be punishable by imprisonment or a penal fine. A civil infraction shall not be considered a lesser included offense of any criminal offense.

(2) Misdemeanor: Unless another penalty is expressly provided by the ordinances of this governmental unit, every person who is convicted of a misdemeanor violation of any provision of this code shall be punished by a fine of not more than \$100.00 or by imprisonment for not more than 90 days, or both.

R 28.1904 Rule 904. Saving clause.

All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this code takes effect are hereby saved, and these proceedings may be consummated under and according to the ordinance in force at the time the proceedings are or were commenced. This code shall not be construed to alter, affect, or abate any pending prosecution or prevent prosecution hereafter instituted under any ordinance specifically or impliedly repealed by the ordinance adopting this uniform traffic code for offenses committed before the effective date of this code; and all prosecutions pending at the effective date of this code and all prosecutions instituted after the effective date of this code for offenses committed before the effective date of this code may be continued or instituted under and in accordance with the provisions of any ordinance in force at the time of the commission of the offense.

R 28.1905 Rule 905. Adoption of code by reference.

If the commissioner of the state police shall thereafter amend its code, any city, township, or village that has adopted the code by reference may adopt the amendment by reference by the same procedure as required for the adoption of the original code, or the amendment may be adopted by enacting an ordinance setting forth the entire text of the amendment.

PART 10. SNOWMOBILES

R 28.2001 - R 28.2075 Rescinded.