

How are speed limits set?

The answer to this question varies depending upon a number of factors. The primary rules governing the establishment of speed limits, however, are identified in the portion of state law known as the Michigan Vehicle Code.

The Michigan Vehicle Code is based on the premise that drivers should, at all times, drive at “reasonable and proper” speeds, given the conditions. The law states:

“Any person driving a vehicle on a highway shall drive at a careful and prudent speed not greater than nor less than what is reasonable and proper, having due regard to the traffic, surface and width of the highway and of any other conditions; and no person shall drive any vehicle upon a highway at a speed greater than will permit him to bring it to a stop within the assured clear distance ahead.”



Prima facie speed limits

The Michigan Vehicle Code sets speed limits for roads even where no limit is posted. These unposted speed limits are known as “prima facie” speed limits. The prima facie speed limits identified in the law are:

- Residential and business streets: Where no speed limit is posted, the prima facie speed limit on paved or gravel residential streets and streets in business districts is 25 mph.
- Parks: Unless a different speed is posted, the prima facie speed limit in parks is also 25 mph.
- Highways: On highways outside of residential or business districts, if no speed limit is posted, the prima facie speed limit is 55 mph.

Non-prima facie speed limits

When the prima facie limit is considered too high on a county road, the State Police, in conjunction with the road commission, determines the “reasonable and proper” speed for the road.

Road agencies around the country have established standardized methods for determining reasonable and proper speeds. These methods include engineering and traffic studies that examine such things as traffic volume, accident rates, the character of the street (whether there are sidewalks, the number of driveways, sight obstructions, etc.), pedestrian activities and potential hazards that might not easily be detected by drivers.

If these studies reveal no unusual safety problems, road agencies typically will apply a rule known as the 85th percentile speed to establish the speed limit.

The 85th percentile speed is the speed at or below which 85 percent of traffic is moving, based on radar checks. Tests indicate that posting speed limits higher or lower than that driven by 85 percent of drivers does not significantly change the speed of those drivers.

The 85th percentile rule recognizes that the other 15 percent of drivers are driving above a reasonable and proper speed, given the conditions. Studies indicate that this 15 percent of drivers causes a disproportionate number of accidents and has the worst driving record.

Who sets speed limits?

State law assigns the responsibility for setting speed limits on county roads to the Michigan State Police in conjunction with the local county road commission.

For example, when speed limits are set on county roads in Oakland County, RCOC and the State Police conduct the necessary traffic studies and examine any unique conditions. Based on their findings, the two agencies then determine the reasonable and proper speed for that road.

School zones

School speed zones are established for the protection of students walking to and from school. According to state law, the speed limit in school zones must be set at 25 mph if students walk to the school and there are no sidewalks. If there are sidewalks, the school zone speed limit can only be 15 mph below the posted speed for the road, but not less than 25 mph.

School zones are established only for elementary and middle schools and are generally defined as the portion of the road “1,000 feet from the property line of the school in each direction.

State law also dictates that a school zone speed can be in effect only from 30 minutes before the first class begins until the beginning of classes; from school dismissal until 30 minutes after the last class; and during the lunch period if students are permitted to leave the school.



Freeways

Freeway speed limits are set by state law and can only be changed by the state Legislature.

State law dictates that the maximum speed on state freeways cannot exceed 70 mph. In many places, though, the maximum is 65, and in some places it is 55 mph (typically in congested urban areas). State law also mandates a minimum freeway speed of 45 mph. However, for trucks weighing 10,000 pounds or more, or truck-tractors with trailers, the maximum speed limit on any Michigan road, including freeways, is 55 mph.

What is RCOC?

The Road Commission for Oakland County is Michigan's largest county road commission, with a 2,600-mile road system (including 850 miles of gravel roads). Only the state highway system is larger.

RCOC also maintains:

- Approximately 80 bridges,
- Approximately 1,200 traffic signals,
- Approximately 90,000 traffic signs and
- More than 310 miles of state highway.

Safety first

As a matter of policy, major road improvement projects are conducted by the Road Commission based on a safety ranking system. At RCOC, "Safety First" is more than a motto.

RCOC:

- Is separate from county general government
- Receives the majority of its funding from the state gas tax
- Has congested roads due to the tremendous growth in the county
- Gets no direct revenue from growth and development
- Pays up to \$950,000 to pave a mile of gravel road
- Pays \$3 to \$4 million to widen one mile of road from two lanes to five
- Is located in a state with a gas tax below the national average (even after the 1997 4-cent increase)
- Is located in a state that ranks in the bottom nine states in per capita road funding



31001 Lahser Rd. • Beverly Hills, MI 48025

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RCOC Mission Statement

RCOC strives to provide the public with leadership in:

- Safe and convenient roads
- Sound financial management
- Responsive and dependable service

Have a question for the Road Commission?

Call or write:

Department of Citizen Services
2420 Pontiac Lake Road
Waterford, MI 48328
(248) 858-4804
TDD: (248) 645-9923

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How fast is too fast?



Or, how speed limits are set

From **The Road Commission**
for **Oakland County**
Your local road professionals