



STATE OF MICHIGAN  
RUTH JOHNSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

MEMORANDUM

DATE: June 19, 2018

TO: Driver Education Providers and Instructors

FROM: Driver Education Section  
Driver Programs Division

SUBJECT: **Important Notice Regarding Right-of Way**

Public Act 109 of 2018, was signed on April 24, 2018, and becomes effective July 23, 2018. This law requires drivers to treat intersections where a traffic signal is malfunctioning as a four-way stop (MCL 257.649).

Currently under the Vehicle Code, the driver of a vehicle approaching an intersection must yield the right-of-way to a vehicle that has entered the intersection from a different highway. When two vehicles enter an intersection from different highways at the same time, the driver of the vehicle on the left must yield to the vehicle on the right.

Public Act 109 would change the requirements, that the driver of a vehicle approaching an intersection controlled by malfunctioning traffic signal, or failed to clearly indicate the right-of-way, would have to do the following:

- Stop. The driver would have to stop at a clearly marked stop line or, if none, before entering a crosswalk or, if none, before entering the intersection.
- Yield the right of way to all vehicles in the intersection or approaching on an intersecting road, if those vehicles would be an immediate hazard while the driver was moving within or across the intersection.
- Exercise ordinary care while proceeding through the intersection.

With the passage of PA 109, and the randomization of test pool questions, the reasonable option would be to reprint tests that pertain to the four-way stop or right-of-way. However, we realize this is not the most cost-effective option for providers. Therefore, you may change the multiple-choice answers to correspond to the change in law.

If you have any questions, you may contact us by telephone at (517) 241-6850 or by email at [drived@michigan.gov](mailto:drived@ michigan.gov).