

HOUSE BILL No. 5793

April 30, 1992, Introduced by Reps. Muxlow, Allen, Middaugh, Randall, Van Singel, Pitoniak, McBryde, Ostling, Walberg, DeMars, Gnodtke, DeLange, Hickner, Oxender, Bobier and Middleton and referred to the Committee on Agriculture, Forestry and Minerals.

A bill to amend section 14 of Act No. 319 of the Public Acts of 1975, entitled as amended

"An act to provide for the titling, licensure, and regulation of off-road recreation vehicles; to create certain funds; to create certain advisory bodies and to prescribe their powers and duties; to prescribe powers and duties of certain officers, agencies, and institutions; to repeal certain parts of this act on a specific date; and to provide penalties and remedies,"

as amended by Act No. 241 of the Public Acts of 1989, being section 257.1614 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 14 of Act No. 319 of the Public Acts of
2 1975, as amended by Act No. 241 of the Public Acts of 1989, being
3 section 257.1614 of the Michigan Compiled Laws, is amended to
4 read as follows:

5 Sec. 14. (1) A person shall not operate an ORV that is not
6 registered under the Michigan vehicle code, Act No. 300 of the

1 Public Acts of 1949, as amended, being sections 257.1 to 257.923
2 of the Michigan Compiled Laws, upon a public highway, street, or
3 right of way of a public highway or street, except as provided in
4 section 18 or under the following conditions and circumstances:

5 (a) The operator of a vehicle may cross a public highway,
6 other than a limited access highway, at right angles, for the
7 purpose of getting from 1 area to another, if the operation can
8 be done in safety. The operator shall bring the vehicle to a
9 complete stop before proceeding across a public highway, and
10 shall yield the right of way to oncoming traffic.

11 (b) A vehicle may be operated on a street or highway for a
12 special event of limited duration, conducted according to a pre-
13 arranged schedule, only under permit from the governmental unit
14 having jurisdiction. A special event involving ORVs may be con-
15 ducted on the frozen surface of public waters only under permit
16 from the department of natural resources.

17 (c) A FARMER, EMPLOYEE OF A FARMER, OR FAMILY MEMBER OF A
18 FARMER WHO IS AT LEAST 16 YEARS OF AGE MAY OPERATE AN ORV ON THE
19 EXTREME RIGHT SIDE OF A ROADWAY OR HIGHWAY RIGHT-OF-WAY WHEN IT
20 IS NOT PRACTICABLE TO OPERATE OFF THAT ROADWAY OR HIGHWAY
21 RIGHT-OF-WAY. SUCH OPERATION SHALL BE LIMITED TO TRAVELING TO OR
22 FROM THE FARMER'S RESIDENCE OR WORK LOCATION OR FIELD DURING THE
23 COURSE OF FARMING OPERATIONS. AN ORV SHALL NOT BE OPERATED PUR-
24 SUANT TO THIS SUBDIVISION DURING THE PERIOD OF 30 MINUTES AFTER
25 SUNSET TO 30 MINUTES BEFORE SUNRISE, WHEN VISIBILITY IS SUBSTAN-
26 Tially REDUCED DUE TO WEATHER CONDITIONS, OR IN A MANNER SO AS TO
27 INTERFERE WITH TRAFFIC.

1 (2) In a court action in this state where competent evidence
2 demonstrates that a vehicle that is permitted to operate on a
3 highway pursuant to Act No. 300 of the Public Acts of 1949 is in
4 a collision with an ORV on a roadway, the operator of the ORV
5 involved in the collision shall be considered prima facie
6 negligent.