

Act No. 120
Public Acts of 1993
Approved by the Governor
July 20, 1993
Filed with the Secretary of State
July 20, 1993

**STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1993**

Introduced by Rep. Hill

ENROLLED HOUSE BILL No. 4592

AN ACT 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:

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

Sec. 14. (1) A person shall not operate an ORV that is not registered under the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, as amended, being sections 257.1 to 257.923 of the Michigan Compiled Laws, upon a public highway, street, or right of way of a public highway or street, except as provided in section 18 or under the following conditions and circumstances:

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

(b) A vehicle may be operated on a street or highway for a special event of limited duration, conducted according to a prearranged schedule, only under permit from the governmental unit having jurisdiction. A special event involving ORVs may be conducted on the frozen surface of public waters only under permit from the department of natural resources.

(c) A farmer, employee of a farmer, or family member of a farmer who is at least 16 years of age may operate an ORV on the extreme right side of a roadway or highway right-of-way when it is not practicable to operate off that roadway or highway right-of-way. Such operation shall be limited to traveling to or from the farmer's residence or work location or field during the course of farming operations. An ORV shall not be operated pursuant to this subdivision during the period of 30 minutes before sunset to 30 minutes after sunrise, when visibility is substantially reduced due to weather conditions, or in a manner so as to interfere with traffic. The state transportation department and all of its employees shall be immune from tort liability for injury or damages sustained by any person arising in any way by reason of the operation or use of an ORV for the limited purposes allowed under this subdivision. An operator of an ORV under this subdivision shall have attached to the ORV a flag made of reflective material. The flag shall extend not less than 8 feet from the surface of the roadway and not less than 4 feet above the top of the ORV. The flag shall be not less than 12 inches high by 18 inches long and not measure less than 100 square inches.

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

This act is ordered to take immediate effect.

Co-Clerk of the House of Representatives.

Secretary of the Senate.

Approved -----

Governor.