



# HOUSE BILL No. 5474

April 19 1994 Introduced by Reps McBryde DeLange Gernaat Willard McManus  
McNutt, Vorva Hammerstrom Jersevic Brackenridge Jaye and Goschka and referred to the  
Committee on Judiciary

A bill to amend section 21a 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 provide certain tort immunity for certain gov-  
ernmental agencies under certain circumstances 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 1621a of the Michigan Compiled Laws

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Section 21a 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 1621a of the Michigan Compiled Laws, is amended to  
4 read as follows

1       Sec 21a    If a peace officer has reasonable cause to  
 2 believe that a person was  ~~, at the time of an accident, the~~  
 3  ~~operator of an ORV involved in the accident and was~~ operating  
 4  ~~the~~ AN ORV while under the influence of an intoxicating liquor,  
 5 a controlled substance as defined in section 7104 of the public  
 6 health code, Act No 368 of the Public Acts of 1978, as amended,  
 7 being section 333 7104 of the Michigan Compiled Laws, or a combi-  
 8 nation of intoxicating liquor and a controlled substance, or was  
 9 operating the ORV while his or her ability to operate an ORV was  
 10 impaired due to the consumption of intoxicating liquor, a con-  
 11 trolled substance, or a combination of intoxicating liquor and a  
 12 controlled substance, the peace officer may arrest the alleged  
 13 operator of the ORV without a warrant

14       Section 2   This amendatory act shall not take effect unless  
 15 all of the following bills of the 87th Legislature are enacted  
 16 into law

17       (a) Senate Bill No \_\_\_\_\_ or House Bill No 5473  
 18 (request no 03652 93)

19       (b) Senate Bill No \_\_\_\_\_ or House Bill No 5475  
 20 (request no 03652'93 b)