



**House
Legislative
Analysis
Section**

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SNOWMOBILE SAFETY

House Bill 4525 (Substitute H-1)

Sponsor: Rep. Mike Pumford

House Bill 4527 as introduced

Sponsor: Rep. Jerry O. Kooiman

House Bill 4528 (Substitute H-1)

Sponsor: Rep. Dale Sheltrown

First Analysis (3-6-02)

**Committee: Conservation and Outdoor
Recreation**

THE APPARENT PROBLEM:

Snowmobiling is an extremely popular sport in Michigan. With over 6,100 miles of designated snowmobile trails located in six state forests, three national forests, and privately owned lands throughout the state, Michigan offers snowmobilers a unique combination of abundant and dependable snow, exciting terrain, and an extensive and interconnected trail system. Snowmobiling is considered to be a vital component of northern Michigan's tourism and recreation industry, since it attracts not only residents from nearby surrounding areas, but also Michigan residents from populous southern areas of the state as well as a significant number of snowmobile enthusiasts from other states.

Each year, there are hundreds of accidents involving the use of snowmobiles. The Law Enforcement Division of the Department of Natural Resources (DNR) reports that during the 2000-01 snowmobiling season, there were 37 fatal snowmobile accidents with 39 fatalities. Although most snowmobilers are responsible and safe operators, there are still those who drive recklessly, or simply do not have the requisite training or experience to properly drive these high-powered and potentially dangerous machines. To help reduce the likelihood of snowmobile-related accidents and increase the safety of snowmobiles, several bills have been introduced.

THE CONTENT OF THE BILLS:

House Bill 4525. Part 821 (MCL 324.82108) of the Natural Resources and Environmental Protection Act, concerning snowmobiles, requires the Department of Natural Resources (DNR) to design a comprehensive snowmobile safety education and training program

and encourage persons 17 years of age or over to take the course. House Bill 4525 would amend the act to add that, except for the conditions specified in Section 82120, which contains certain restrictions on operators who are less than 12 years of age or operators who are at least 12 years old but less than 17 years old, each person born after January 1, 1985 would have to successfully complete a safety education and training program and obtain a safety certificate in order to operate a snowmobile in the state. Moreover, beginning October 1, 2001, a person born after that date who did not have a safety certificate on his or her person while operating a snowmobile on publicly owned or maintained property, or on property that is part of the statewide snowmobile trail system, would be subject to a fine not exceeding \$50.

House Bill 4527. Part 821 (MCL 324.82131) of the Natural Resources and Environmental Protection Act (NREPA), concerning snowmobiles, specifies that, with the exception of a model 25 years old or older, a snowmobile cannot be operated unless it has both a lighted headlight and a lighted taillight. House Bill 4527 would amend the act to add that the headlight could not be covered with a red or blue lens cap.

House Bill 4528. The bill would add a new section (MCL 324.82123a) to the Natural Resources and Environmental Protection Act (NREPA) to specify that a person could not operate, sell, or offer for sale a snowmobile manufactured after January 1, 2002 that was greater than 48 inches in width.

House Bills 4525, 4527 and 4528 (3-6-02)

BACKGROUND INFORMATION:

According to the Law Enforcement Division of the DNR, during fiscal year 2000-2001, there were 5,819 snowmobile safety certificates issued. That amount is the highest number of certificates issued during a single season. In addition, 2000-2001 is the fifth consecutive year with more than 5,000 students certified.

FISCAL IMPLICATIONS:

According to the House Fiscal Agency, none of the bills would have any fiscal impact on the state. Local libraries would receive additional revenue from any fines assessed under House Bill 4525. (3-6-02)

ARGUMENTS:**For:**

House Bill 4525 will provide for more people to be educated on how to properly operate a snowmobile. Snowmobiles, when not used properly, can be very dangerous. Each year there are hundreds of *avoidable* snowmobile related accidents, many of which are fatal. Safety is a vital issue. These courses can teach young (or novice) drivers proper riding techniques and etiquette, maintenance, and other state snowmobile regulations. Current laws, which only “encourage” individuals to participate in these safety courses, are very weak. In addition, many “seasoned” or veteran snowmobilers are not likely to take such a course, though it is often necessary. Initially, the bill will apply to snowmobilers who are 17 years of age and younger. Over time, however, *everyone* will be required to complete a safety education and training course.

Response:

Rather than requiring that only snowmobilers born after January 1, 1985 complete a safety course, the bill should ensure that *all* drivers are either trained or sufficiently understand state snowmobile regulations and other safety requirements.

For:

Reportedly, some snowmobilers impersonate a police officer when they drive with a red or blue lens cap covering the headlights. This in and of itself could be considered a crime. However, this may also lead other snowmobilers to believe that they have committed a violation, or must not drive on a trail or through a particular parcel of land. In addition, other snowmobilers have believed the red headlight cap to actually be a taillight or brake light. This can lead to collisions and other accidents. State law requires at

least one headlight and one taillight, unless the snowmobile is at least 25 years old. This is to ensure that the driver can adequately see when driving. However, headlights that are red or blue, or really any color other than white, hinder a driver’s view and place his or her safety at risk.

Response:

Rather than just prohibiting red or blue colored lens caps, the bill should prohibit all colored lens caps and light bulbs.

For:

House Bill 4528 prohibits a person from operating, offering for sale, or selling a snowmobile manufactured after October 1, 2002 that has a width greater than 48 inches. This will help to reduce the likelihood of a collision between two snowmobiles. The standard width of a snowmobile trail is eight feet. Snowmobiles that are wider than 48 inches (four feet), will take up more than half of the available trail width and are likely to collide with oncoming snowmobiles. According to the International Snowmobile Manufacturers Association, for the most part, manufacturers do not build machines wider than 48 inches. Snowmobiles larger than this are the result of consumer modifications, which can compromise the safety of the machines.

POSITIONS:

The Department of Natural Resources supports House Bills 4527 and 4528. The department does have a concern with the restriction added to House Bills 4525 that the fine apply only if the person is operating a snowmobile on publicly owned or maintained property or property that is part of the statewide snowmobile system. (3-5-02)

The Michigan Snowmobile Association supports the bills. (3-5-02)

The International Snowmobile Manufacturers Association supports House Bill 4528. (3-5-02)

Analyst: M. Wolf

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.