

SNOWMOBILES: PROHIBIT COLORED HEADLIGHTS

**House Bill 4352 with proposed committee
amendments
First Analysis (5-15-03)**

**Sponsor: Rep. Scott Shackleton
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.

Regulations relating to the operation of snowmobiles in the state are found in Part 821 of the Natural Resources and Environmental Protection Act (NREPA). The act includes several provisions relating to the several component parts of the snowmobile, including brakes, a muffler, and lights. These regulations are in place, obviously, to ensure the safety of snowmobilers and maintain the integrity of the state's snowmobile trails and other natural resources. Reportedly, there have been several problems when a person operates a snowmobile with a different colored headlight, other than the standard "white" light.

THE CONTENT OF THE BILL:

Part 821 of the Natural Resources and Environmental Protection Act (NREPA) 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 4352 would amend the act to add that the headlight could not be covered with any colored lens cap.

MCL 324.82131

BACKGROUND INFORMATION:

The bill is virtually identical to House Bill 4527 from the previous session. That bill passed the House of Representatives 101-0 in June 2002, and subsequently died in the Senate Committee on Natural Resources and Environmental Affairs.

According to a publication regarding state snowmobile laws, the Wisconsin Department of Natural Resources notes that in Wisconsin, "[d]esigner headlamp covers (red, blue, etc., lens covers) are not legal to use when you are riding within a highway right-of-way, or during the hours of darkness. Under most circumstances, you cannot use colored headlamp covers." The prohibition from using a color lens is not as direct as is proposed under House Bill 4352. Rather, the statute states, "[t]he headlamp shall display a white light of sufficient illuminating power to reveal any person, vehicle, or substantial object at a distance of 200 feet ahead" and "[t]he tail lamp on a snowmobile must display a red light plainly visible during darkness from a distance of 500 feet to the rear" (Wis. Stats. 350.09)

FISCAL IMPLICATIONS:

The bill has no fiscal implications, according to the House Fiscal Agency. (HFA communication 5-14-03)

ARGUMENTS:

For:

Reportedly, some snowmobilers impersonate a police officer when they drive with a red or blue lens cap covering the headlights. This may 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. While impersonating a police officer is already a crime under the Michigan Penal Code, enforcing that provision in this instance appears to be rather difficult at best, and a bit

excessive in the vast majority of cases. More importantly, there have been several instances where snowmobilers have believed a red headlight cap to actually be a taillight or brake light. This has great potential for causing collisions and other accidents. The law requires a properly working headlight and taillight to ensure that snowmobilers can adequately see when driving. The use of color lens caps, which are unnecessary after-market accessories, circumvents the main intent of the law, hinders a snowmobiler's view, and places his or her safety, and that of all snowmobilers, at risk. Finally, because the bill is substantially similar to Wisconsin law, there appears to be virtually no impact on Wisconsin residents who snowmobile here in Michigan.

Response:

As written, the bill exempts snowmobiles that are 25 years old or older from the prohibition against covering headlights with a colored cap, notwithstanding the fact that such vehicles could have functioning lighting systems. While the number of such vehicles in operation during any given snowmobiling season does not appear to be very large, for the safety of the operator and all other snowmobilers, snowmobiles that are at least 25 years old should also be subject to the headlight cap restrictions set forth in the bill.

In addition, rather than just prohibiting all colored lens caps, the bill should also prohibit all colored light bulbs, except for use in the taillight, which would be limited to red.

POSITIONS:

The Department of Natural Resources supports the bill. (5-14-03)

The Michigan Snowmobile Association supports the bill. (5-14-03)

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.