

AIRPORT AND STREET RACING EVENTS

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House Bill 6377

Sponsor: Rep. Joel Sheltroun

House Bill 6380

Sponsor: Rep. Jim Slezak

House Bill 6378

Sponsor: Rep. Jim Stamas

House Bill 6381

Sponsor: Rep. Richard LeBlanc

House Bill 6379

Sponsor: Rep. Goeff Hansen

Committee: Tourism, Outdoor Recreation and Natural Resources
Complete to 8-23-10

A SUMMARY OF HOUSE BILLS 6377-6381 AS INTRODUCED 8-19-10

The City Motor Vehicle Racing Act of 1981 ("Racing Act") currently allows cities to issue permits for motor vehicle races held on city highways or streets. The Racing Act was originally enacted to allow a Formula One Grand Prix auto race on the streets of Detroit. In this act, "motor vehicle" means virtually any type of "self-propelled vehicle" except for an "electric patrol vehicle" or an "electric personal assistive mobility device" (e.g., a Segway).¹ The racing event must be sanctioned by a national or international racing organization.

House Bill 6377 would change the name of the Racing Act to the "Municipal Motor Vehicle Racing Act," extend the authority to issue racing event permits to any municipality (meaning a county, city, village, or township), and allow municipalities to issue racing event permits for races held at airports, as well as for those held on streets or highways. (A more detailed summary of HB 6377 is found later.) The other bills in the package would revise references in other acts to reflect the new name of the Racing Act or to reflect that counties, villages, and townships would also be able to authorize racing events held within their limits:

¹ The Racing Act uses the definition of motor vehicle found in Section 33 of the Motor Vehicle Code, MCL 257.33. Section 33 defines motor vehicle as "every self-propelled vehicle" except for "electric patrol vehicles being operated in compliance with the Electric Patrol Vehicle Act" [MCL 257.1571-251.1577], and "electric personal assistive mobility devices." An "electric personal assistive device" is defined in Section 13c of the Michigan Vehicle Code, MCL 257.13c, as "a self-balancing nontandem 2-wheeled device, designed to transport only 1 person at a time, having an electrical propulsion system with average power of 750 watts or 1 horsepower and a maximum speed on a paved level surface of not more than 15 miles per hour." Segway, Inc. is one manufacturer of such devices.

- House Bill 6378 would revise a provision in the Home Rule City Act that specifically refers to a city's authority to issue street racing event permits under the Racing Act.
- House Bill 6379 would revise a provision in Public Act 368 of 1925 that exempts encroachments and obstructions erected under the Racing Act from PA 368's ban on obstructions on public highways.
- House Bill 6380 would revise a provision in Public Act 200 of 1969 (an act regulating parades on highways) under which a city-issued Racing Act permit qualifies as a permit for all purposes under PA 200.
- House Bill 6381 would revise a provision in the Michigan Vehicle Code that exempts racing events conducted under the Racing Act from the Michigan Vehicle Code.

Tie-bars. House Bill 6377 is tie-barred to House Bills 6378-6381, meaning that it will not take effect unless all of the other bills are enacted into law. House Bills 6378-6381 are each tie-barred only to House Bill 6377.

FISCAL IMPACT:

A fiscal analysis is in process.

DETAILED SUMMARY:

House Bill 6377

Title. The bill would change the title of the act from the "City Motor Vehicle Racing Act of 1981" to the "Municipal Motor Vehicle Racing Act." A "municipality" would mean a county, city, village, or township.

Permits. The act currently allows a city to issue a permit authorizing a racing event to be conducted on the highways or the streets² within its limits and charge a reasonable fee for the permit. No person may conduct a racing event without a permit. "Racing event" means a motor vehicle race sanctioned by a nationally or internationally recognized racing organization, and includes the preparations, practices, and qualifications for the race. Before issuing a racing event permit, the city must determine that:

- The permit applicant has adequate liability insurance.
- Adequate security and necessary facilities will be provided.

² The Racing Act incorporates the definition of "highway or street" found in Section 20 of the Michigan Vehicle Code, MCL 257.20: "the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel."

- The permit applicant has demonstrated the ability to protect the health, safety, and welfare of the city's citizens and of those attending the event.

The bill would retain these requirements but change "city" to "municipality" wherever it appears, and allow a municipality to issue permits for racing events held on highways, streets, *or at airports* within the municipality's limits.

Street closings; traffic rerouting; ordinance waivers. In connection with a racing event, a city may (1) allow highways, streets, alleys, and sidewalks to be temporarily closed or obstructed; (2) reroute pedestrian and vehicular traffic; and (3) waive ordinances and traffic regulations, including speed limits and traffic control devices.

The bill would retain these provisions, changing "city" to "municipality," and adding airport runways to the list of places that may be temporarily closed or obstructed for a racing event.

Declaration of public purpose. Currently, racing events and any actions taken in preparation for the events are considered as being for "public purposes," such as the promotion of commerce and tourism and for the benefit of the citizens of the city and the state. The bill would retain this declaration, except that "for the benefit of the citizens of the city" would be changed to "for the benefit of the citizens of the municipality."

State and municipal immunity. Currently a city that issues a permit for a racing event is not liable for any damages resulting from the racing event because of loss or injury to any person or property. After a permit has been issued, the state is not liable for any damages that result from the racing event. The bill would retain this immunity provision, changing "city" to any "municipality."

Tie-bars. HB 6377 is tie-barred to HBs 6378-6381, and each of those bills is tie-barred to HB 6377, meaning that none of the bills would take effect unless all of the bills are enacted into law.

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■ 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.