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BILL ANALYSIS

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Senate Bill 627 (as introduced 6-9-09)

Sponsor: Senator Ron Jelinek

Committee: Natural Resources and Environmental Affairs

Date Completed: 10-12-09

CONTENT

The bill would amend Part 811 (Off-Road Recreation Vehicles) of the Natural Resources and Environmental Protection Act to allow a person to operate an off-road recreation vehicle (ORV) on the operator's agricultural property without a crash helmet and protective eyewear.

Part 811 prohibits a person from operating an ORV unless he or she and any passenger are wearing a crash helmet and protective eyewear approved by the U.S. Department of Transportation. A person who violates the prohibition is responsible for a State civil infraction and may be ordered to pay a civil fine of up to \$500. The prohibition does not apply if the vehicle is equipped with a roof that meets or exceeds the standards for a crash helmet and the operator and each passenger are wearing a properly adjusted and fastened safety belt. Also, under the bill, the prohibition would not apply if the person operating the ORV were on agricultural property owned or leased by the operator or his or her parent or legal guardian.

"Agricultural property" would mean real property used for farming in any of its branches, including cultivating soil; growing and harvesting any agricultural, horticultural, or floricultural commodity; dairying; raising livestock, bees, fish, fur-bearing animals, or poultry; turf and tree farming; and performing any practices on a farm as an incident to, or in conjunction with, these farming operations. The term would not include property used for commercial storage, processing, distribution, marketing, or shipping operations.

MCL 324.81133

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Josh Sefton

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