



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986
TDD: (517) 373-0543

House Bill 4507 (Substitute H-1 as passed by the House)
Sponsor: Representative John Espinoza
House Committee: Tourism, Outdoor Recreation and Natural Resources
Senate Committee: Natural Resources and Environmental Affairs

Date Completed: 7-15-09

CONTENT

The bill would amend Part 811 (Off-Road Recreation Vehicles) to extend to specified counties provisions authorizing the adoption of an ordinance allowing the operation of off-road vehicles (ORVs) on road shoulders.

Part 811 allows the county board of commissioners of an eligible county, the township board of a township located in an eligible county, and the legislative body of a municipality located in an eligible county, to adopt an ordinance authorizing the operation of ORVs on the maintained portion of one or more roads located within the county, township, or municipality. If an ordinance is adopted, a person may operate an ORV with the flow of traffic on the far right of the maintained portion of the road or street covered by the ordinance. Part 811 prescribes additional regulations for the operation of ORVs on the designated roads and provides that a violation of an ORV ordinance is a municipal civil infraction. The ordinance may provide for a maximum fine of \$500 for a violation. Additionally, the court must order the defendant to pay the cost of repairing any resulting damage to the environment, a road or street, or public property. These provisions do not apply after July 16, 2013.

Part 811 defines "eligible county" as Mason, Lake, Osceola, Clare, Gladwin, Arenac, or Bay County, or any county lying north of those counties, including all of the counties of the Upper Peninsula. Under the bill, the term also would include Huron, Tuscola, Sanilac, and St. Clair Counties.

MCL 324.81131

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would have an indeterminate fiscal impact on local government. There are no data to indicate how many individuals would be found responsible for violating an ORV ordinance. To the extent that the bill resulted in an increase or decrease in adjudications of responsibility, local governments' costs of enforcement and fine revenue could be affected.

Fiscal Analyst: Bill Bowerman

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.