

# HOUSE BILL No. 6377

August 19, 2010, Introduced by Reps. Sheltroun, Crawford, Lori, Bolger and Neumann and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

A bill to amend 1981 PA 178, entitled "City motor vehicle racing act of 1981," by amending the title and sections 1, 2, 3, 4, 5, 7, 8, and 11 (MCL 257.1701, 257.1702, 257.1703, 257.1704, 257.1705, 257.1707, 257.1708, and 257.1711).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

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TITLE

An act to provide for the holding of motor vehicle racing events in ~~cities~~**MUNICIPALITIES** in this state; to require a permit; to provide for the issuance of a permit; to prescribe certain requirements for obtaining a permit; to provide for certain powers and duties of a permit holder and the ~~city~~**MUNICIPALITY** in relation to a racing event; to declare that an event held under this act is

1 not a nuisance; and to provide immunity from damages.

2 Sec. 1. This act shall be known and may be cited as the ~~"city~~  
3 **"MUNICIPAL motor vehicle racing act"**. ~~of 1981"~~.

4 Sec. 2. As used in this act:

5 (a) "Highway or street" means ~~a highway or street~~ **THAT TERM** as  
6 defined in section 20 of ~~Act No. 300 of the Public Acts of 1949,~~  
7 ~~being section 257.20 of the Michigan Compiled Laws.~~ **THE MICHIGAN**  
8 **VEHICLE CODE, 1949 PA 300, MCL 257.20.**

9 (b) "Motor vehicle" means ~~a motor vehicle~~ **THAT TERM** as defined  
10 in section 33 of ~~Act No. 300 of the Public Acts of 1949, being~~  
11 ~~section 257.33 of the Michigan Compiled Laws.~~ **THE MICHIGAN VEHICLE**  
12 **CODE, 1949 PA 300, MCL 257.33.**

13 (C) **"MUNICIPALITY" MEANS A COUNTY, CITY, VILLAGE, OR TOWNSHIP.**

14 (D) ~~(e)~~ "Person" means an individual, sole proprietorship,  
15 partnership, corporation, or other legal entity.

16 (E) ~~(d)~~ "Racing event" means a motor vehicle race which is  
17 sanctioned by a nationally or internationally recognized racing  
18 organization, and includes preparations, practices, and  
19 qualifications for the race.

20 Sec. 3. A ~~city~~ **MUNICIPALITY** may provide for the issuance of a  
21 permit allowing the person to whom the permit is issued to conduct  
22 a racing event on the highways or streets **OR AT AIRPORTS** within the  
23 limits of the ~~city~~ **MUNICIPALITY**. A person shall not conduct a  
24 racing event in a ~~city~~ **MUNICIPALITY** unless the person has been  
25 issued a permit under this act.

26 Sec. 4. The ~~city~~ **MUNICIPALITY** may charge a reasonable fee for  
27 the issuance of a permit under this act.

1           Sec. 5. Before a ~~city~~ **MUNICIPALITY** issues a racing event  
2 permit under sections 3 and 4, the ~~city~~ **MUNICIPALITY** shall  
3 determine all of the following:

4           (a) That the person applying for the permit has adequate  
5 insurance to pay any damages incurred because of loss or injury to  
6 any person or property.

7           (b) That adequate security and necessary facilities will be  
8 provided during the racing event.

9           (c) That the person applying for the permit has demonstrated  
10 the ability to protect the health, safety, and welfare of the  
11 citizens of the ~~city~~ **MUNICIPALITY** and those attending the racing  
12 event.

13           Sec. 7. For purposes of a racing event held under this act,  
14 the ~~city~~ **MUNICIPALITY** may do all of the following:

15           (a) Provide for the temporary closing or obstructing of  
16 highways or streets, **AIRPORT RUNWAYS**, alleys, and sidewalks located  
17 in the ~~city~~ **MUNICIPALITY**.

18           (b) Reroute pedestrian and vehicular traffic.

19           (c) Waive ordinances and traffic regulations including speed  
20 limits and traffic control devices.

21           Sec. 8. A racing event held under this act and any action  
22 taken under sections 6 and 7 shall be considered as being for  
23 public purposes including the promotion of commerce and tourism and  
24 for the benefit of the citizens of the ~~city~~ **MUNICIPALITY** and the  
25 state.

26           Sec. 11. A ~~city~~ **MUNICIPALITY** that issues a permit under this  
27 act shall not be liable for any damages that may result from the

1 racing event because of loss or injury to any person or property.  
2 After a permit is issued, the state shall not be liable for any  
3 damages that may result from the racing event because of loss or  
4 injury to any person or property.

5 Enacting section 1. This amendatory act does not take effect  
6 unless all of the following bills of the 95th Legislature are  
7 enacted into law:

8 (a) Senate Bill No. \_\_\_\_ or House Bill No. 6378 (request no.  
9 06875'10 a).

10 (b) Senate Bill No. \_\_\_\_ or House Bill No. 6379 (request no.  
11 06875'10 b).

12 (c) Senate Bill No. \_\_\_\_ or House Bill No. 6380 (request no.  
13 06875'10 c).

14 (d) Senate Bill No. \_\_\_\_ or House Bill No. 6381 (request no.  
15 06875'10 d).