

Legislative Analysis



EXEMPT ORV OPERATORS FROM HAVING TO WEAR HELMET AND EYEWEAR ON THEIR OWN PROPERTY

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House Bill 5191

Sponsor: Rep. Bruce R. Rendon

Committee: Tourism

Complete to 1-22-13

A SUMMARY OF HOUSE BILL 5191 AS INTRODUCED 12-11-13

The bill would amend Part 811 (Off-Road Recreation Vehicles) of the Natural Resources and Environmental Protection Act to allow property owners to operate off-road recreation vehicles (ORV) on their private property without having to wear a crash helmet and protective eyewear.

Currently, individuals are prohibited from operating an ORV unless both the operator and any passenger are wearing crash helmets and protective eyewear that have been approved by the U.S. Department of Transportation. This requirement does not apply to (1) operators or passengers in a vehicle equipped with a roof that exceeds standards for helmets if the operator and passenger are wearing safety belts, or (2) individuals operating an ORV on a state licensed game bird hunting preserve at up to ten miles per hour.

The bill would maintain the current exemptions from the helmet requirement and also exempt an individual who owns the property on which the ORV is operating.

[The new exemption created under House Bill 5191 would be similar to the exemption from the helmet requirements for snowmobile operators. Under Part 821 (MCL 324.82123), individuals operating or riding on a snowmobile must wear a crash helmet unless operating on their own private property.]

MCL 324.81133 & 81147

FISCAL IMPACT:

House Bill 5191 would have no significant fiscal impact on the State of Michigan or local units of government.

The bill creates an exemption for the helmet and protective eyewear requirement to property owners operating ORVs on their own land. Under current law, an individual found in violation of the helmet requirement would be responsible for a state civil infraction and a fine of up to \$500.

Any fiscal impact from the provisions of the bill would be based upon the amount of fine revenue that would no longer be collected from these violations from property owners under current law. This fine revenue would have been distributed to county treasurers for the funding of public libraries.

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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.