



Senate Fiscal Agency
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House Bill 5191 (Substitute S-2 as reported by the Committee of the Whole)
Sponsor: Representative Bruce R. Rendon
House Committee: Tourism
Senate Committee: Outdoor Recreation and Tourism

CONTENT

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

Part 811 prohibits a person from operating an ORV unless he or she and any passenger in or on the vehicle is wearing a crash helmet and protective eyewear approved by the U.S. Department of Transportation (USDOT). (A person who violates the helmet and eyewear requirement is responsible for a State civil infraction and may be ordered to pay a maximum civil fine of \$500.) This requirement does not apply to an individual wearing a properly adjusted and fastened safety belt, if the ORV is equipped with a roof that meets or exceeds USDOT standards for a crash helmet; or if the ORV is operated on a State-licensed game bird hunting preserve at a maximum speed of 10 miles per hour.

Under the bill, the helmet and eyewear requirement also would not apply to an individual who owned the property on which the ORV was operating, a family member of the owner who resided at that property, or an invited guest of the owner. This exception would not apply to an individual younger than 18 without consent from his or her parent or guardian. It also would not apply to an individual participating in an organized ORV riding or racing event if the property owner received consideration for use of the property for operating ORVs.

MCL 324.81133 & 324.81147

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

The bill would eliminate the State civil infraction and maximum \$500 fine for not wearing a crash helmet and proper eyewear when operating an ORV on private property, as described above. With a reduction in fine revenue, the fiscal impact on the local public libraries that receive this revenue would likely be minor. There would be no fiscal impact on the State.

Date Completed: 4-28-14

Fiscal Analyst: John Maxwell