

PUT WHOLE STATE ON EASTERN STANDARD TIME AND EXEMPT STATE FROM DAYLIGHT SAVING TIME

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House Bill 4011 as introduced
Sponsor: Rep. Peter J. Lucido
Committee: Commerce and Trade
Complete to 3-20-17

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

HB 4011 would:

- Require the governor to petition the United States Department of Transportation to include all of Michigan in the Eastern Standard Time Zone.
- Make the entire state of Michigan, including all political subdivisions, exempt from Daylight Saving Time (DST), "or the advancement of time as it is otherwise referred to."

The bill would take effect 90 days after enactment.

BACKGROUND INFORMATION:

Time Zones

Four counties in Michigan's Upper Peninsula—Gogebic, Iron, Dickinson, and Menominee — share their southern border with Wisconsin and observe Central Time. The remainder of Michigan observes Eastern Time (though all of Michigan observes DST).

The US Secretary of Transportation has statutory authority to issue regulations modifying the boundaries between time zones in the United States for the purpose of moving an area from one time zone to another.¹ The DOT uses a set of procedures to address time zone issues, and the process starts with a request from the highest elected official in an area submitting a petition requesting a change and providing data to support the change.² The standard for a time zone change is one that serves the "convenience of commerce."³

Most recently, the DOT granted a time zone relocation request in 2010 to a county in North Dakota.⁴

¹ <https://www.federalregister.gov/documents/2010/09/29/2010-24376/relocation-of-standard-time-zone-boundary-in-the-state-of-north-dakota-mercier-county>

² Ibid.

³ Ibid.

⁴ Ibid.

Daylight Saving Time

Through multiple acts and legislation, the United States Congress has established, repealed, re-established, and ultimately set mandated standards for the observance of DST. Most recently, the Energy Policy Act of 2005 amended the Uniform Time Act to mandate the beginning of DST as the second Sunday in March, and the end as the first Sunday in November. States have two options: (1) opt-out of observing DST, and observe standard time as otherwise applicable; or, (2) observe DST on the federally mandated dates. Two states—most of Arizona and all of Hawaii—do not observe DST.^{5 6}

According to testimony provided to the Subcommittee on Energy, of the Committee on Science in the US House of Representatives during the 107th Congress, daylight saving time emerged as an energy-saving strategy during World War I, was implemented again during World War II, and was used extensively during the energy crisis of the 1970s. With an hour of sunlight transferred from the morning to the evening, the rationale was that individuals would consume less energy (specifically energy for lighting) in the evenings.⁷

Congressman Vernon J. Ehlers (R-Michigan), who previously served in both the Michigan House and Senate, gave opening comments at that hearing, providing background on Michigan's history with daylight saving time [the Michigan legislature initially passed a law to exempt the state from DST]:

"I appreciate the hearing and I am reminded of the closest election in Michigan history when the states originally had to decide whether to go along with the new Federal law. We were in the far end, western end, of the time zone. The original, it went to a referendum, because the people weren't happy with it. The original vote, out of 2.5 million votes cast, there was a 44-vote difference, the closest election in Michigan history. The recount lasted almost as long as Florida's recount [in the 2000 presidential election], and it, eventually, reached a difference of several hundred, and we joined the rest of the nation in having Daylight Saving Time.

FISCAL IMPACT:

The bill's potential fiscal impact on this state and local units of government cannot be readily estimated at this time.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

⁵ <https://www.transportation.gov/regulations/daylight-saving-time>.

⁶ There have also been multi-state efforts to observe year-round DST and eliminate DST after that change; it is unclear how these legislative efforts would proceed as they violate existing federal regulations. See Missouri HB 340 of 2013, <http://www.house.mo.gov/billtracking/bills131/sumpdf/HB0340C.pdf>

⁷ http://commdocs.house.gov/committees/science/hsy73325.000/hsy73325_0.htm