



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

BILL



ANALYSIS

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

Senate Bill 589 (Substitute S-1 as reported)
Sponsor: Senator Peter MacGregor
Committee: Transportation

Date Completed: 1-3-18

RATIONALE

Under Michigan law, law enforcement and emergency service personnel may operate electric patrol vehicles in municipalities and at universities that allow them. However, the definition of "electric patrol vehicle" has not been revised since the Electric Patrol Vehicle Act was enacted in 1997. Evidently, many law enforcement agencies operate several types of popular patrol vehicles that do not fit the Act's definition, such as Segway products. Some believe that the Act should allow these types of vehicles and reflect modern patrol vehicle options. In addition, some believe that these vehicles should be permitted to operate on sidewalks. Therefore, it has been suggested that amendments be enacted to accommodate these ideas.

CONTENT

The bill would amend the Electric Patrol Vehicle Act to allow a political subdivision to operate an electric patrol vehicle on a sidewalk within that political subdivision's boundaries, and remove the requirement that such a vehicle have four wheels.

The Act allows a political subdivision, by ordinance, to authorize its law enforcement, emergency service, and parking enforcement employees to operate an electric patrol vehicle on a street or highway within that political subdivision's boundaries. ("Political subdivision" means a city, village, township, county, or university.)

An electric patrol vehicle must be limited as follows:

- To a street or highway with a posted speed limit of not more than 25 miles per hour.
- To crossing a street or highway with a posted speed limit of not more than 50 miles per hour.

The bill also would allow an electric patrol vehicle to be operated on a sidewalk within that political subdivision's boundaries. "Sidewalk" would mean a paved public sidewalk intended for pedestrian use outside of and adjacent to the improved portion of a street or highway designed for vehicular travel.

Currently, "electric patrol vehicle" means an electrically powered motor vehicle designed to carry up to four people, at a speed of not more than 25 miles per hour, having not less than four wheels, and having an unloaded weight of not more than 1,300. The bill would remove the requirement for at least four wheels.

The Act requires an electric patrol vehicle to have all of the following equipment:

- Brakes adequate to control the movement of and to stop and hold the vehicle.
- At least two head lamps that enable the operator of the vehicle to see a person not less than 100 feet to the front of the vehicle.
- At least two rear lamps that comply with Section 697 of the Michigan Vehicle Code (which specifies the color, function, and visibility requirements of the lamps).
- A horn as defined under the Code.

- A parking brake sufficient to hold the vehicle in a stopped position.
- Reflectors that reflect an amber or red color as required under the Code.

The Act also requires an electric patrol vehicle to have a windshield and safety belts. Under the bill, an electric patrol vehicle would not have to have a windshield or safety belts if they were not required under Section 708a or 710 the Michigan Vehicle Code.

(Section 708a of the Code specifies that a motor vehicle must not be operated on Michigan's public highways unless it is equipped with a windshield of sufficient dimensions to protect the driver and occupants from insects, other airborne objects, and highway surface water and debris, when the motor vehicle is moving forward. A farm tractor, other implement of husbandry, and historic vehicles as defined under the Code are exempt from Section 708a.

Section 710 of the Code prohibits a person from operating on Michigan's public highways a vehicle or special mobile equipment that has metal or plastic track or a tire equipped with metal that comes in contact with the surface of the road, and prescribes other tire requirements.

The definition of "motor vehicle" under the Code does not include an electric patrol vehicle being operated in compliance with the Electric Patrol Vehicle Act.)

The bill would take effect 90 days after it was enacted.

MCL 257.1572 et al.

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Electric patrol vehicles can augment an officer's ability to fulfil his or her responsibilities. However, many modern and desirable patrol vehicles, particularly the two- and three-wheeled Segway vehicles, do not fit the Electric Patrol Vehicle Act's requirements, and none can legally operate on sidewalks. The Grand Rapids Police Department has found these vehicles to be important and successful tools, and believes that the vehicles would be more effective if they could be used on sidewalks. According to an article from policeone.com, Segway units are useful in congested metropolitan areas because of their size and agility.¹ The units can move more quickly than people walk, have more mobility than a standard police cruiser to make a transition between streets and sidewalks, and allow officers to transport additional equipment without the burden of carrying it while walking. By amending the Act to allow different types of electric patrol vehicles and permit law enforcement and emergency personnel to use the vehicles on sidewalks, the bill would enhance the ability of those personnel to perform their duties and would increase the safety of individuals.

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

The bill would potentially reduce costs for some universities and local governments by increasing options for the types of vehicles that may be operated under the Electric Vehicle Patrol Act.

Fiscal Analyst: Elizabeth Pratt

¹ McCallion, Teresa, "2 Wheel Drive: Law enforcement applications for the Segway", policeone.com, 9-19-2005.

SAS\A1718\589a

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.