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BILL ANALYSIS



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House Bill 4945 (Substitute H-4 as passed by the House)
Sponsor: Representative Aaron Miller
House Committee: Transportation and Infrastructure
Senate Committee: Transportation

Date Completed: 2-28-18

CONTENT

The bill would amend the Michigan Vehicle Code to do the following:

- **Permit the legislative body of a local unit of government, or a county on behalf of local governments, to request the Michigan Department of Transportation (MDOT) to authorize the local unit or local units to adopt an ordinance allowing the operation of golf carts on a State trunk line highway.**
- **Require MDOT to solicit and consider comments on a request before making a decision, and to make a decision within 60 days after the request was received.**
- **Allow MDOT to authorize golf cart operation only on State trunk line highways that were not interstate highways, that connected portions of the local unit of government through the highway, and that met other criteria.**
- **Allow MDOT to permanently or temporarily close a State trunk line highway to the operation of golf carts otherwise authorized after written notice to the local unit of government.**
- **Include references to a State trunk line highway in several existing golf cart operation requirements.**
- **Require a person operating a golf cart on a State trunk line highway to ride as near to the right side of the roadway as practicable.**

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

Local Government Request

The Code prohibits a person from operating a golf cart on a State trunk line highway, although a person may cross a State trunk line highway when operating a golf cart on a street of a village, city, or township, using the most direct line of crossing.

Under the bill, the legislative body of a local unit of government could request MDOT to authorize it to adopt an ordinance authorizing the operation of golf carts on a State trunk line highway, other than an interstate highway, located within the local unit of government. A county also could submit a request for authorization on behalf of one or more local units of government located within that county, if requested by those units.

The request would have to describe how the authorization would meet the requirements described below. The Department would have to solicit comment on the request from the local units of government where the State trunk line highway was located, and consider comments received on the request before making a decision. The Department would have to grant the request in whole or in part or deny the request within 60 days after it was received.

If MDOT granted a request, the local unit of government that submitted it could adopt an ordinance authorizing the operation of golf carts on the State trunk line highway that was the subject of the request.

MDOT Authorization & Requirements

The Department could authorize golf cart operation under the bill's provisions only on a State trunk line highway that was not an interstate highway within a local unit of government that had already adopted an ordinance allowing the operation of golf carts on its streets, that served as a connector between portions of the local unit of government that only connected through the State trunk line highway, and that met one or more of the following:

- Provided access to tourist attractions, food service establishments, fuel, motels, or other services.
- Served as a connector between two segments of the same county road that ran along discontinuous town lines.
- Included a bridge or culvert that allowed a golf cart to cross a river, stream, wetland, or gully that was not crossed by a street or county road on which golf carts were authorized to operate under an ordinance.

(The Code permits a village or city with a population under 30,000 to allow the operation of golf carts on the streets of that village or city. A township with a population under 30,000 also may allow the operation of golf carts on the streets of that township, unless disapproved by the county board of commissioners.)

MDOT Notice of Closure

The Department could permanently or temporarily close a State trunk line highway to the operation of golf carts otherwise authorized under the bill after written notice to the clerk of the local unit of government that requested the authorization. The notice would have to be in writing and sent by first-class United States mail or personally delivered at least 30 days before the adoption of the rule or order closing the highway. The notice would have to set forth specific reasons for the closure. The Department would not be required to develop a plan for an alternate route for a State trunk line highway that it had temporarily closed to the operation of golf carts.

Additional Golf Cart Requirements

The Code includes several requirements regarding the use of golf carts. Specifically, a golf cart 1) must be operated at a speed that does not exceed 15 miles per hour and must not be operated on a highway or street with a speed limit of more than 30 miles per hour except to cross that highway or street, and 2) may not be operated on the streets of a city, village, or township between one-half hour before sunset and one-half hour after sunrise.

The bill would include in these requirements reference to a State trunk line highway, in addition to a highway or street.

MCL 257.657a

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

The bill would have a minor, negative impact on the Department of Transportation and no impact on local units of government. The bill would require the Department to receive requests from local units of government for the operation of golf carts on a State trunk line

highway, solicit comments for those requests, authorize or deny those requests, and revoke authorization when deemed necessary. It is not known how many of these requests the Department would be likely to receive.

Fiscal Analyst: Michael Siracuse

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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.