



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 5374 (Substitute H-3 as passed by the House)
House Bill 5834 (Substitute H-4 as passed by the House)
Sponsor: Representative Martin Howrylak (H.B. 5374)
Representative Beau LeFave (H.B. 5834)
House Committee: Transportation and Infrastructure
Senate Committee: Transportation

Date Completed: 11-21-18

CONTENT

House Bill 5834 (H-4) would amend the Michigan Vehicle Code to exempt a person with a disability from a requirement to obtain a driver license while operating a power-driven mobility device.

House Bill 5374 (H-3) would amend the Michigan Vehicle Code to define "power-driven mobility device" and to revise the definitions of "motor vehicle" and "pedestrian".

The bills are tie-barred, and each bill would take effect 90 days after its enactment.

House Bill 5834 (H-4)

The Michigan Vehicle Code exempts certain people from obtaining a license under Chapter 3 (Operator's and Chauffeur's License) of the Code, such as a person serving in the United States Armed Forces if furnished with a driver's permit and operating an official motor vehicle in that service, a person while driving or operating a road roller, and, under certain conditions, a nonresident who is over 17 years-old whose home state does not require the licensing of operators.

The bill also would exempt from the licensure requirement a person with a mobility disability while operating a power-driven mobility device. However, this exemption would not apply to a person with a mobility disability while operating a power-driven mobility device on a street, road, or highway in the State.

House Bill 5374 (H-3)

Under the Vehicle Code, "motor vehicle" means every vehicle that is self-propelled, but for purposes of Chapter 4, the term does not include industrial equipment such as a forklift, a front-end loader, or other construction equipment that is not subject to registration under the Code. The term also does not include an electric patrol vehicle being operated in compliance with the Electric Patrol Vehicle Act, or an electric personal assistive mobility device, an electric carriage, a commercial quadricycle, an electric bicycle, or an electric skateboard. Under the bill, "motor vehicle" also would not include a power-driven mobility device when that power-driven mobility device was being used by an individual with a mobility disability.

"Power-drive mobility device" would mean a mobility device powered by a battery, fuel, or other engine and used by an individual with a mobility disability for the purpose of locomotion. The requirements of the Code would apply to a power-driven mobility device while that device was being operated on a street, road, or highway in the State.

The Code defines "pedestrian" as any person afoot. Under the bill, "pedestrian" would include an individual with a mobility disability who was using a power-driven mobility device.

MCL 257.33 et al. (H.B. 5374)
257.302 (H.B. 5834)

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Joe Carrasco

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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.