

# Legislative Analysis



## INSURANCE CODE: GOLF CARTS & MOTORIZED WHEELCHAIRS ARE NOT MOTOR VEHICLES

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### House Bill 5636 (Substitute H-1)

Sponsor: Rep. Kevin Cotter

Committee: Insurance

Complete to 10-1-14

## A SUMMARY OF HOUSE BILL 5636 AS REPORTED FROM COMMITTEE

The bill would amend the Insurance Code (MCL 500.3101) to:

- Specify that a golf cart is not a motor vehicle under the code; and
- Specify that the term "motor vehicle" also does not apply to a motorized wheelchair, scooter, or other similar device designed to assist in the personal mobility of an individual and not for operation on a highway, and make this provision retroactive.

### *Golf Carts*

House Bill 5636 is a companion to House Bill 5045, which would amend the Vehicle Code to allow licensed drivers 16 years of age or older to operate golf carts on the local streets of cities, villages, and townships below 30,000 in population, at no more than 15 miles per hour during daylight hours, if approved by local elected officials by resolution. A county could override such a resolution by a township. The two bills are tie-barred, meaning neither can take effect unless both are enacted.

Under House Bill 5045, a golf cart operated on a street of a village, city, or township is not required to be registered under the Vehicle Code for purposes of Section 3103 of the Insurance Code (which requires motorists to carry no-fault automobile insurance). For additional information on House Bill 5045, see the House Fiscal Agency summary dated 6-12-14 at:

<http://www.legislature.mi.gov/documents/2013-2014/billanalysis/House/pdf/2013-HLA-5045-91BFE8C8.pdf>

### *Motorized wheelchair, etc.*

The bill would also specify that the term "motor vehicle" does not include a motorized wheelchair, scooter, or other similar device designed to assist in the personal mobility of an individual and not for operation on a highway. The bill says that this provision is to be applied retroactively. This is understood to mean that such vehicles also are not required to carry no-fault automobile insurance.

## FISCAL IMPACT:

As introduced, House Bill 5636 would not have a significant fiscal impact on the state or local units of government.

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