

# Legislative Analysis

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## DISABLED PERSON ORV FLAG

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### Senate Bill 1498

**Sponsor: Sen. Deborah Cherry**

**House Committee: Tourism, Natural Resources and Outdoor Recreation**

**Senate Committee: Natural Resources and Environmental Affairs**

**Complete to 11-28-08**

## A SUMMARY OF SENATE BILL 1498 AS PASSED BY THE SENATE 11-13-08

In general, Part 811 (Off-Road Recreational Vehicles) of the Natural Resources and Environmental Protection Act prohibits ORVs, such as ATVs and dirt bikes, from being driven in an area where public hunting is permitted during the regular November firearm deer season during the hours of 7 to 11 a.m. and 2 to 5 p.m. However, in addition to many other exceptions,<sup>1</sup> Section 81133(j), (MCL 324.81133(j)) allows the following people to drive ORVs in these hunting areas even during the restricted hours:

- Persons holding a valid permit to hunt from a standing vehicle issued under Part 401 of NREPA.
- Persons with disabilities using an ORV to access public lands to hunt or fish through the use of a designated trail or forest road.

The bill would amend this section to allow disabled hunters or hunters licensed to hunt from a standing vehicle to display identifying flags identifying them as such. The Department of Natural Resources (DNR) would have to determine the appropriate color for such a flag.

### FISCAL IMPACT:

There would be no fiscal impact on the state or local units of government.

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

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<sup>1</sup> In addition to the exception for disabled persons and persons with a standing vehicle permit, exceptions exist for emergencies; law enforcement; to go to and from an otherwise inaccessible permanent residence or hunting camp; to remove a deer, elk, or bear taken under a valid license from public land; to perform necessary timber survey work, communication and transmission line patrol, or timber harvest operations; on property controlled by the operator or on which the operator is an invited guest; and for vehicles registered under the Motor Vehicle Code when operating on roads capable of sustaining automobile traffic.