




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



**BILL ANALYSIS**

Telephone: (517) 373-5383  
Fax: (517) 373-1986  
TDD: (517) 373-0543

House Bill 5087 (as reported without amendment)  
Sponsor: Representative Joel Sheltroun  
House Committee: Tourism, Outdoor Recreation and Natural Resources  
Senate Committee: Natural Resources and Environmental Affairs

Date Completed: 12-15-09

### **RATIONALE**

Part 811 of the Natural Resources and Environmental Protection Act regulates the use of off-road recreation vehicles (ORVs), including all-terrain vehicles (ATVs). The definitions of "ORV" and "ATV" refer to vehicles with up to four wheels. Over the years, however, ORV manufacturers have introduced six-wheeled vehicles to the market. It has been suggested that the definitions be revised to reflect current industry practices.

### **CONTENT**

**The bill would amend Part 811 (Off-Road Recreation Vehicles) of the Natural Resources and Environmental Protection Act to revise the definitions of "ORV" and "ATV" to include six-wheeled vehicles, and increase the maximum size of an ATV engine.**

Under Part 811, "ORV" means a motor-driven off-road recreation vehicle capable of cross-country travel without benefit of a road or trail, on or immediately over land, snow, ice, marsh, swampland, or other natural terrain. Among other vehicles, the term includes an ATV and a motorcycle or related two-, three-, or four-wheeled vehicle. Under the bill, it also would include a related six-wheeled vehicle.

Currently, "ATV" means a three- or four-wheeled vehicle designed for off-road use that has low-pressure tires and a seat designed to be straddled by a rider, and is powered by a 50cc to 500cc gasoline engine or an engine of comparable size using other fuels. Under the bill, the term also would include a six-wheeled vehicle. In addition, the bill would increase the maximum engine size from 500cc to 1,000cc.

MCL 324.81101

### **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**

The current definitions of "ORV" and "ATV" do not include the full range of vehicles offered by the ORV industry, meaning that the larger, six-wheeled vehicles may not be operated on public land in Michigan. The statute should be updated to accommodate these vehicles.

#### **Opposing Argument**

Some people have raised concerns about opening public land to six-wheeled ORVs. Larger vehicles could cause more damage to valuable natural resources, such as wetlands, and emit more noise and pollution. They should not be included among the vehicles allowed on public land without further examination of their potential impact on the environment.

Legislative Analyst: Julie Cassidy

### **FISCAL IMPACT**

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

Fiscal Analyst: Josh Sefton

#### **H0910\5087a**

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.