

Legislative Analysis



ORV ORDINANCE

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Senate Bill 371 as passed by the Senate
Sponsor: Sen. Darwin L. Booher
House Committee: Transportation
Senate Committee: Outdoor Recreation and Tourism

Complete to 6-22-11

A SUMMARY OF SENATE BILL 371 AS REPORTED FROM HOUSE COMMITTEE

The bill would amend Part 811 (Off-Road Recreation Vehicles) of the Natural Resources and Environmental Protection Act to do the following:

- Eliminate a July 16, 2013, sunset on provisions authorizing eligible counties, and townships and municipalities within those counties, to adopt an ordinance allowing the operation of off-road vehicles (ORVs) on road shoulders.
- Authorize additional counties to adopt such an ordinance (Oceana and Newaygo).
- Provide that a township ORV ordinance would not take effect until one year after the county in which it was located became an eligible county.

Part 811 allows the county board of commissioners of an eligible county, the township board of a township located in an eligible county, and the legislative body of a municipality (i.e., a city or village) located in an eligible county, to adopt an ordinance authorizing the operation of ORVs on the maintained portion of one or more roads located within the county, township, or municipality.

Currently, "eligible county" means any of the following counties:

- Mason, Lake, Osceola, Clare, Gladwin, Arenac, or Bay County or a county lying north of those counties, including all of the counties of the Upper Peninsula.
- Huron, Tuscola, Sanilac, Saginaw, Gratiot, Montcalm, or St. Clair County.

Under Senate Bill 371, Isabella, Mecosta, Midland, Oceana, and Newaygo counties also would be eligible counties.

Also, under the bill, the provisions authorizing a township ORV ordinance would not apply to a township until one year after the effective date of the legislation designating the county in which the township was located an "eligible county."

HOUSE COMMITTEE ACTION:

The bill was reported from the House Transportation Committee without amendment to the Senate-passed version.

FISCAL IMPACT:

Senate Bill 371 would have an indeterminate fiscal impact on local units of government that are located within eligible counties.

The amount of any potential fiscal impact would depend upon any increased enforcement costs that a local government might incur under the bill's provisions and any potential change in fine revenue that it might receive from violations of the ORV ordinance.

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