

Legislative Analysis



LOCAL UNITS MAY ALLOW CHARITIES TO SOLICIT DONATIONS IN PUBLIC RIGHT-OF-WAY

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House Bill 4916 (Substitute H-1)
Sponsor: Rep. Terry L. Brown
Committee: Transportation and Infrastructure

Complete to 5-22-14

A SUMMARY OF HOUSE BILL 4916 AS REPORTED FROM COMMITTEE

Under the bill, a village, city, or township could, by written authorization, allow employees and volunteers of certain nonprofit entities to conduct fund-raising activities in the improved portion of a street or highway within the geographical jurisdiction of that local unit. The bill would amend the Michigan Vehicle Code.

The bill would apply to 501(c)(3) nonprofit organizations, and only to individuals 18 years of age or older.

A written authorization would need to specify the name of the entity, dates and times when fund-raising could take place, and the locations for those activities. The authorization could also specify requirements for and limitations on the use of the street or highway. The authorization would be contingent on the entity doing the following:

- Indemnifying the local unit of government and the state or local authority regulating the use of the street or highway for all claims for damages arising out of its use.
- Ensuring that all individuals working on its behalf who were exposed to moving vehicles wear high-visibility safety apparel meeting current American National Standards.

Prohibitions against an individual standing, walking, or otherwise remaining within the improved portion of a street or highway would not apply to anyone conducting fund-raising activities in compliance with the written authorization granted by a village, city, or township.

Proposed MCL 257.682d

FISCAL IMPACT:

The bill does not appear to have any direct fiscal impact on the state or local units of government. The bill is permissive; it allows local units to take action but does not mandate it.

POSITIONS:

The following indicated support for the bill during committee hearings: American Legion District #7 and Auxiliary; Sebewaing Lions; the Sebewaing Chamber of Commerce; Unionville Sebewaing Knights of Columbus; Michigan Professional Fire Fighters Union; the Michigan Municipal League; and the Michigan Townships Association.

Department of Transportation testified and indicated it was neutral on the bill as introduced.

Legislative Analyst: E. Best
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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.