

## FOREST ROAD INVENTORY; USE OF ORVS; AND USE OF PACK AND SADDLE ANIMALS

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**House Bill 5275 as introduced**  
**Sponsor: Rep. Triston Cole**  
**Committee: Tourism and Outdoor Recreation**  
**Complete to 2-2-16**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

The bill would amend Part 721 (trails and trailways) and Part 811 (off-road recreation vehicles) of the Natural Resources and Environmental Protection Act (NREPA), as follows.

#### *Pack and Saddle Animals*

\*\* Section 72115 deals with access to public lands by pack and saddle animals and restricts the use of such animals on state-owned land to certain pack and saddle trails. The bill would specify: "However, an individual may use a pack and saddle animal in an area in which public hunting is permitted to retrieve legally harvested large game, using the most direct route that does not enter a stream, river, or wetland except over a bridge, culvert, or similar structure.

#### *Forest Roads*

\*\* A new section 72117 would be added requiring the Department of Natural Resources, by December 31, 2018, to complete a comprehensive inventory of forest roads that are state roads. The term "forest road" is defined elsewhere in NREPA to refer to "a hard surfaced road, gravel or dirt road, or other route capable of travel by a 2-wheel drive, 4-wheel conventional vehicle designed for road use. Forest road does not include a street, county road, or highway."

The inventory would have to (1) identify the location, condition, and development levels of forest roads; and (2) determine types of motorized and non-motorized use currently restricted and the seasons during which they are restricted.

The bill would require that forest roads be open to motorized use by the public unless designated otherwise by the DNR. After completion of the inventory, if a timber harvest was planned for a particular area, the department would have to evaluate whether the harvest activity offered the opportunity to connect existing forest roads and trails.

The DNR would have to post annually to its website the total miles of forest roads open to motorized use and a map or maps of those roads.

Before the department newly restricted a road or trail from being used to access public land, it would have to provide each local unit of government in which the public land is located written notice that included the reason for the restriction.

***Use of ORV to Remove Game***

Section 81133 describes circumstances when ORV use is prohibited, and lists exceptions to those prohibitions. The bill would rewrite the provisions that allows the use of an ORV to remove game from public land. It uses the term "legally harvested large game" instead of "deer, elk, or bear that has been taken under a valid license"; maintains the five miles per hour speed limit; and requires that "the most direct route" be used, while at the same time complying with restrictions on using ORVs in streams, rivers, bogs, wetlands, swamps, marshes, or quagmires, except over bridges, culverts, or similar structures.

***Repealer***

The bill would repeal Section 81126. The sections appear to be obsolete planning and reporting requirements.

**FISCAL IMPACT:**

House Bill 5275 is likely to increase costs for the Department of Natural Resources; the extent of this cost increase is unclear. This bill would require the department to conduct an inventory of state roads that are forest roads, complete an evaluation of the potential to connect forest roads after a planned timber harvest, publish an annual report on forest roads, and provide local governments with written notice of new road or trail access restrictions. Each of these functions are identical or similar to efforts already undertaken by the department in other areas. Consequently, these new requirements fall in line with current DNR functions to the extent that similar reporting and evaluation precedents are already in place elsewhere in the department. However, these new requirements would create additional mandates on departmental staff and time which do not currently exist. It is unclear the extent to which these new requirements would necessitate more human or financial resources from DNR in order to comply. This bill would have no fiscal impact on local units of government.

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