



Senate Fiscal Agency  
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## BILL ANALYSIS



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House Bill 5662 (Substitute H-1 as passed by the House)  
Sponsor: Representative Curtis S. VanderWall  
House Committee: Transportation and Infrastructure  
Senate Committee: Transportation

Date Completed: 5-23-18

**CONTENT**

**The bill would amend the Natural Resources and Environmental Protection Act to exempt off-road recreation vehicles (ORVs) operated for the purpose of towing a fishing shanty or supply shed over the frozen surface of public waters, or while traveling to and from a fishing shanty, from a requirement that an individual who is operating an ORV or a passenger on an ORV wear an approved crash helmet and protective eyewear.**

The Act regulates the use of ORVs. An individual who is operating or is a passenger on an ORV must wear a crash helmet and protective eyewear that are approved by the United States Department of Transportation (USDOT). However, this requirement does not apply to any of the following:

- With some exceptions, an individual who owns the property on which the ORV is operating, is a family member of the owner and resides at that property, or is an invited guest of an individual who owns the property.
- An individual wearing a properly adjusted and fastened safety belt if the ORV is equipped with a roof that meets or exceeds USDOT standards for a crash helmet.
- An ORV operated on a State-licensed game bird hunting preserve at a speed of not greater than 10 miles per hour.

The bill would create another exception to the crash helmet and protective eyewear requirement for an ORV operated for the purpose of towing a fishing shanty or supply shed over the frozen surface of public waters at the minimum speed required to maintain controlled forward movement of the vehicle or while traveling to and from a fishing shanty at a speed of not greater than 10 miles per hour. An owner of private property would not be liable for personal injuries, including death, to an individual who operated an ORV as described in this provision without wearing a helmet while traveling on the owner's property.

The bill would take effect 90 days after it was enacted.

MCL 324.81133

Legislative Analyst: Drew Krogulecki

**FISCAL IMPACT**

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

Fiscal Analyst: Josh Sefton

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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.