



HOUSE BILL No. 4138

January 17, 1995, Introduced by Rep. McBryde and referred to the Committee on Judiciary and Civil Rights.

A bill to amend section 21a of Act No. 319 of the Public Acts of 1975, entitled as amended

"An act to provide for the titling, licensure, and regulation of off-road recreation vehicles; to create certain funds; to create certain advisory bodies and to prescribe their powers and duties; to prescribe powers and duties of certain officers, agencies, and institutions; to provide certain tort immunity for certain governmental agencies under certain circumstances; to repeal certain parts of this act on a specific date; and to provide penalties and remedies,"

as amended by Act No. 241 of the Public Acts of 1989, being section 257.1621a of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 21a of Act No. 319 of the Public Acts of
2 1975, as amended by Act No. 241 of the Public Acts of 1989, being
3 section 257.1621a of the Michigan Compiled Laws, is amended to
4 read as follows:

1 Sec. 21a. If a peace officer has reasonable cause to
 2 believe that a person was ~~, at the time of an accident, the~~
 3 ~~operator of an ORV involved in the accident and was~~ operating
 4 ~~the~~ AN ORV while under the influence of an intoxicating liquor,
 5 a controlled substance as defined in section 7104 of the public
 6 health code, Act No. 368 of the Public Acts of 1978, as amended,
 7 being section 333.7104 of the Michigan Compiled Laws, or a combi-
 8 nation of intoxicating liquor and a controlled substance, or was
 9 operating the ORV while his or her ability to operate an ORV was
 10 impaired due to the consumption of intoxicating liquor, a con-
 11 trolled substance, or a combination of intoxicating liquor and a
 12 controlled substance, the peace officer may arrest the alleged
 13 operator of the ORV without a warrant.

14 Section 2. This amendatory act shall not take effect unless
 15 all of the following bills of the 88th Legislature are enacted
 16 into law:

17 (a) Senate Bill No. _____ or House Bill No. 4137
 18 (request no. 02128'95).

19 (b) Senate Bill No. _____ or House Bill No. 4139
 20 (request no. 02128'95 b).