

Legislative Analysis



INCREASE MAXIMUM WIDTH OF OFF-ROAD VEHICLES

Mary Ann Cleary, Director
Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

Senate Bill 68 (Substitute S-2)

Sponsor: Sen. Geoff Hansen

(Enacted as Public Act 249 of 2013)

House Committee: Natural Resources

Senate Committee: Outdoor Recreation and Tourism

Complete to 12-10-13

A SUMMARY OF SENATE BILL 68 AS REPORTED FROM HOUSE COMMITTEE

The bill would amend Part 811 (Off-Road Recreation Vehicles) of the Natural Resources and Environmental Protection Act to increase the maximum width of off-road recreation vehicles that are allowed to operate on state forest trails.

Currently, under Part 811, a vehicle can operate on a forest trail only if it is less than 50 inches wide. The bill would increase the allowable width by eliminating that provision and establishing a new prohibition against operating an off-road recreation vehicle wider than 50 inches on a forest trail.

Additionally, the bill would change references to four-wheeled all-terrain vehicles (ATV) so as to now apply to ATVs with *four or more wheels* in subsections that apply to the operation of ATVs by children under 12 years old.

The bill would also change the definition of "forest trail." Currently, "forest trail" means a designated path or way capable of travel only by a vehicle less than 50 inches in width. The bill would refer to "a designated path or way that is not a route." [Route is defined as a forest road or other road that is designate for purposes of Part 811.]

MCL 324.81101, 324.81129, & 324.81133

FISCAL IMPACT:

Senate Bill 68 would have a minimal fiscal impact on the Department of Natural Resources. The Department may need to address narrow areas on some trails to ensure the accommodation of larger ORVs.

BACKGROUND INFORMATION AND DISCUSSION:

Currently, Part 811 prohibits vehicles that are 50 inches or wider from being operated on forest trails. This has generally accommodated most traditional ORVs. However, side-by-side vehicles have become popular and operate in the same general footprint as traditional ORVs. According to testimony, popular models of side-by-side vehicles measure 50 inches, which would make them illegal to operate on forest trails. This change to Part 811 has been suggested to accommodate these slightly larger vehicles.

According to testimony, side-by-side vehicles would not likely result in any additional damage to forest trails than caused by traditional ORVs. Additionally, the Department of Natural Resources has indicated that current forest trails will not need to be widened to accommodate 50 inch vehicles, except at certain trail pinch points which have already been identified.

POSITIONS:

Michigan Department of Natural Resources supports the bill. (12-3-13)

Michigan United Conservation Clubs supports the bill (12-3-13)

A representative of Polaris testified in support of the bill. (12-3-13)

Legislative Analyst: Jeff Stoutenburg
Fiscal Analyst: Viola Bay Wild

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