

# Legislative Analysis



## REMOVE HELMET REQUIREMENT FOR CERTAIN ORV USES RELATED TO FISHING SHANTIES

Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

House Bill 5662 (H-1) as reported from committee

Sponsor: Rep. Curtis S. VanderWall

Committee: Transportation and Infrastructure

Complete to 3-18-18

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

*(Enacted as Public Act 206 of 2018)*

### SUMMARY:

House Bill 5662 would amend the Natural Resources and Environmental Protection Act (NREPA) to exempt from certain helmet and eyewear requirements a person who is towing, or traveling to or from, a fishing shanty on the ice.

Under Section 81133 of NREPA, an individual who is operating or is a passenger on an off-road vehicle (ORV) must wear a crash helmet and protective eyewear that are approved by the U.S. Department of Transportation. However, the section also provides for exceptions to this requirement.

The bill would amend Section 81133 to exempt from the helmet and eyewear requirement the driver or passenger of an ORV that is towing a fishing shanty or supply shed over the frozen surface of public waters at the minimum speed needed to maintain controlled forward movement or while traveling to or from a fishing shanty at no faster than 10 miles per hour. In addition, an owner of private property would not be liable for personal injuries, including death, to an individual who operates an ORV without wearing a helmet, as described above, while traveling on the owner's property.

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

MCL 324.81133

### FISCAL IMPACT:

House Bill 5662 would have no impact on costs or revenues for the Department of Natural Resources, nor would it have a fiscal impact on local units of government.

### POSITIONS:

Michigan United Conservation Clubs indicated support for the bill. (3-6-18)

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