

RECEIVED

**SFA**

BILL ANALYSIS

MAY 08 1987

Senate Fiscal Agency

Lansing, Michigan 48909

(517) 373-5383

Mich. State Law Library

**House Bill 4086 (as reported with amendment)****Sponsor:** Representative James M. Middaugh**House Committee:** Transportation**Senate Committee:** State Affairs, Tourism, and Transportation**Date Completed:** 4-7-87**RATIONALE**

The Michigan Vehicle Code regulates the modification of two-wheel drive passenger vehicles by limiting the height of vehicle bumpers to a maximum of 22 inches and a minimum of 14 inches off the ground. Four wheel drive passenger vehicles are not subject to this requirement, however. Therefore, the bumper height of four-wheel drive passenger vehicles may be as high as the operators would like them to be. When four-wheel drive passenger vehicles are altered higher than the two-wheel standards, the gas tank becomes exposed, sometimes causing the vehicle to catch on fire if a collision occurs. In addition, when an altered four-wheel drive passenger vehicle is involved in a collision with a smaller vehicle, the small vehicle can slide underneath the altered vehicle, seriously injuring the passengers of the small vehicle. An additional problem with the altered four-wheel drive passenger vehicles is that they roll more easily than unaltered vehicles, and can kick stones and rocks into the headlights and windshields of normal passenger vehicles traveling behind them.

**CONTENT**

The bill would amend the Michigan Vehicle Code to strike the current bumper height requirements for passenger vehicles and instead prohibit operation or modification of any passenger vehicle in such a way that the frame or body floor height would be greater than 23 inches. The bill also would set permissible frame heights for nonpassenger vehicles, and redefine "passenger vehicle" to exclude certain motor homes. The bill would take effect January 1, 1991.

In addition to setting the 23-inch limit, the bill would prohibit operation of a motor vehicle (except as provided for passenger vehicles) with a frame or body floor height on which the body floor, as measured at the midpoint between the front axle and the second axle on the vehicle, is more than four inches above the top of the frame. The bill would establish additional permissible frame heights for other motor vehicles, based on the manufacture's gross vehicle weight rating (GVWR), as follows:

Up to 4,500 pounds GVWR ..... 27 inches  
4,501 to 10,00 pounds GVWR..... 30 inches

The bill also would define the terms "frame", "frame height", and "GVWR". The bill would redefine "passenger vehicle" to exclude "a multipurpose passenger vehicle designed to carry ten passengers or less and constructed either on a truck chassis or with special features for occasional off-road operation".

MCL 257.710c

**FISCAL IMPACT**

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

**ARGUMENTS****Supporting Argument**

The bill would bring the bumper height requirements for four-wheel drive vehicles into conformity with the requirements for two-wheel drive vehicles. Uniform bumper heights would promote additional driver safety because there would be a decreased chance for smaller vehicles to slide under larger vehicles. Further, when an altered four-wheel drive passenger vehicle rolls over, a greater chance of fatality results. If strictly enforced, the bill could decrease the occurrence of fatalities.

**Opposing Argument**

The bill would unfairly penalize people who live on rural roads and need an altered four-wheel drive passenger vehicle to get to work during bad weather conditions. Some roads in Michigan are "shut down" during the winter, meaning that they don't get graded or plowed very often. Altered four-wheel drive vehicles give people a means of getting to work without risking getting stuck in the winter and spring.

**Response:** Altered four-wheel drive vehicles have no known advantage over normal four-wheel drive passenger vehicles in terms of getting through snow and mud. In addition, according to the State Police, all roads in Michigan are plowed and roads that are on school bus routes are plowed first on a priority basis and more frequently than are other roads.

Legislative Analyst: B. Baker

Fiscal Analyst: J. Makokha

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.

H.B. 4086 (4-7-87)