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BILL ANALYSIS

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**House Bill 4616 (as reported with amendment)**

Sponsor: Representative Lad S. Stacey

House Committee: Tourism and Recreation

Senate Committee: Natural Resources and Environmental Affairs

Date Completed: 10-8-87

**RATIONALE**

The statute that regulates off-road vehicles (ORVs) prohibits the operation of an ORV in an area in which public hunting is permitted during deer season. The Game Law, however, specifically allows a verified disabled person to obtain a special permit from the Department of Natural Resources (DNR) that authorizes the person to hunt game from a standing vehicle. As a result, handicappers wishing to hunt may purchase the special permit from the DNR, but are still subject to potential problems resulting from the discrepancy in the law.

**CONTENT**

The bill would amend Public Act 319 of 1975 (which regulates off-road vehicles) to exempt from the provision prohibiting operation of an off-road vehicle in an area on which public hunting is permitted during deer season, any person holding a valid special permit to hunt from a standing vehicle, issued pursuant to the Game Law.

MCL 257.1620

**SENATE COMMITTEE ACTION**

The Senate committee adopted an amendment to revise the citation to a Federal statute.

**FISCAL IMPACT**

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

**ARGUMENTS****Supporting Argument**

A handicapper has the right to go hunting, just as any other person. Even with the purchase of a proper hunting permit under the Game Law, however, the person may still be ticketed because of the inconsistency between the ORV Act and the Game Law. The bill would remove this discrepancy and allow disabled persons, who purchased the proper permit, to enjoy the same hunting opportunities as everyone else.

**Opposing Argument**

While handicappers should be able to share the same hunting opportunities extended to nondisabled persons, the bill would make it easier for someone who was disabled only temporarily to obtain a special permit and abuse the special hunting privileges. For instance, someone whose legs were broken or severely sprained might be able to get the special hunting permit, and hunt from a vehicle

even if his or her disability were gone by the time hunting season opened.

**Response:** The Game Law requires the DNR to perform an investigation to verify that the handicapper applying for the special permit is a paraplegic, an amputee, or a permanently disabled person who would be otherwise eligible for this special permit. If that law is enforced, the bill would not create a potential for abuse.

Legislative Analyst: S. Margules

Fiscal Analyst: A. Rich

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. 4616 (10-8-87)