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Senate Bill 371 (as introduced 5-10-11)  
Sponsor: Senator Darwin L. Booher  
Committee: Outdoor Recreation and Tourism

Date Completed: 5-25-11

## **CONTENT**

**The bill would amend Part 811 (Off-Road Recreation Vehicles) of the Natural Resources and Environmental Protection Act to authorize additional counties to adopt an ordinance allowing the operation of off-road vehicles (ORVs) on road shoulders; provide that an ORV ordinance would not apply south of State highway 46; and provide that a township ORV ordinance would not take effect until one year after the county in which it was located became an eligible county.**

Part 811 allows the county board of commissioners of an eligible county, the township board of a township located in an eligible county, and the legislative body of a municipality (i.e., a city or village) located in an eligible county, to adopt an ordinance authorizing the operation of ORVs on the maintained portion of one or more roads located within the county, township, or municipality.

"Eligible county" means any of the following:

- Mason, Lake, Osceola, Clare, Gladwin, Arenac, or Bay County or a county lying north of those counties, including all of the counties of the Upper Peninsula.
- Huron, Tuscola, Sanilac, Saginaw, Gratiot, Montcalm, or St. Clair County.

Under the bill, Oceana, Muskegon, Newaygo, Kent, Mecosta, Isabella, and Midland Counties also would be eligible counties.

The bill provides that a county, township, or municipal ORV ordinance would not apply south of State trunk line highway 46. For this purpose, State trunk line highway 46 would be considered to extend due west from its westerly terminus to Lake Michigan and due east from its easterly terminus to Lake Huron.

Under the bill, the provisions authorizing a township ORV ordinance would not apply to a township until one year after the effective date of the legislation designating the county in which the township was located an "eligible county".

MCL 324.81131

Legislative Analyst: Julie Cassidy

## **FISCAL IMPACT**

The bill would have an indeterminate fiscal impact on local government. There are no data to indicate how many individuals would be found responsible for violating an ORV ordinance. To the extent that the bill resulted in an increase or decrease in adjudications of responsibility, local governments' costs of enforcement and fine revenue could be affected.

Fiscal Analyst: David Zin

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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.