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Senate Bill 682 (Substitute S-3 as passed by the Senate)  
Sponsor: Senator John N. Damoose  
Committee: Transportation and Infrastructure

Date Completed: 4-18-24

## **RATIONALE**

M-185 is a State highway that circles Mackinac Island. It is the only highway in the United States on which motor vehicles are prohibited.<sup>1</sup> Instead, residents and tourists walk, travel by horse-drawn carriage, or bike. The use of electric bikes (e-bikes) on the Island has led to safety concerns. According to testimony before the Senate Committee on Transportation and Infrastructure, e-bikes are banned from use on the Island unless an individual has a mobility issue; however, this prohibition has proven hard to enforce. Class 1 and 2 e-bike motors can reach 20 miles per hour, while class 3 e-bike motors can reach 28 miles per hour.<sup>2</sup> On busy Mackinac Island, bikes reaching such speeds may cause accidents. Accordingly, it has been suggested that a bike speed limit be imposed on M-185.

## **CONTENT**

The bill would amend the Michigan Vehicle Code to prohibit an individual operating a vehicle, a bicycle, or any other device on a highway within a political subdivision that prohibited the operation of nonemergency motor vehicles by ordinance, regulation, or resolution from exceeding the following speeds:

- 15 miles per hour.
- Within a business district, 10 miles per hour.

An individual who violated these prohibitions would be responsible for a civil infraction.

Proposed MCL 257.628b

## **ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

### **Supporting Argument**

The bill would improve public safety on Mackinac Island. The Island is a popular tourist spot, with approximately 1.0 million tourists visiting each year.<sup>3</sup> During the popular season (May-October), M-185 can become congested, with tourists congesting the downtown roads and bikers and horse-drawn carriages travelling the highway around the Island. According to testimony before the Senate Committee on Transportation and Infrastructure, the Island saw 63 bike accidents in 2022. Imposing a 15-mile and hour bike speed limit, and a 10-mile speed limit downtown, would reduce accidents, preventing injury and property damage on the Island.

<sup>1</sup> The island makes an exception for emergency motor vehicles and, during the winter, snowmobiles.

<sup>2</sup> "E-bikes in Michigan", Michigan Department of Natural Resources. Retrieved on 4-10-24.

<sup>3</sup> "10 1/2 Mackinac Island Fun Facts", [www.mackinacisland.org](http://www.mackinacisland.org). Retrieved on 4-17-24.

**Response:** Mackinac Island has an excellent public safety record. While data on bicycle accidents is hard to find, testimony before the Senate Committee on Transportation and Infrastructure indicates that instances were few and rarely resulted in fatalities or serious injury. Instead of solving a problem, the bill would unnecessarily restrict the freedom of individuals biking on the Island.

**Opposing Argument**

Enforcing a bike speed limit on the Island would be difficult. While the Island could equip police with radar guns to determine bike speeds, many bikers would be unable to do this themselves. Most bicycles do not have speedometers, nor do all e-bikes. Individuals should not be punished for unknowingly breaking the law. Instead of imposing a bike speed-limit, the Island should require bikers to yield to pedestrians and signal when passing in high-conflict spaces, as is done in other areas of the State that see heavy traffic.

**Opposing Argument**

In effect, the bill would allow the City of Mackinac to set its own speed limit for the purposes of public safety without extending this ability to other cities, where road conditions may be more dangerous. Mackinac Island should not receive special treatment.

**Opposing Argument**

The bill is unnecessary. The Code already grants the Mackinac City Council and the Mackinac Island State Park Commission the ability to regulate the operation of e-bikes within its city limits or jurisdiction if e-bikes are authorized for use.<sup>4</sup> The City Council or State Park Commission allows individuals with disabilities to use Class 1 e-bikes. They could extend the use of e-bikes to individuals without disabilities, solving the problem of enforcement, but impose an e-bike speed limit for certain areas using the regulatory power granted to it by the Code.

Legislative Analyst: Abby Schneider

**FISCAL IMPACT**

The bill could have a positive fiscal impact for local governments. A civil fine, generally up to \$100, could be imposed for a violation of the bill. Any revenue received from civil fines goes to help fund local and county libraries. The amount of revenue is indeterminate and depends on the number of actual violations.

Fiscal Analyst: Joe Carrasco, Jr.

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<sup>4</sup> MCL 257.662a(7)

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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.