



## COUNTY ROAD ASSOCIATION OF MICHIGAN

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### Talking Points- HB 4507

#### Summary:

**House Bill 4507**, introduced by Rep. John Espinoza (D-Sanilac), would amend the Natural Resources and Environmental Protection Act (NREPA) to expand the list of counties that can adopt ordinances that allow off-road recreational vehicles (ORVs) to be driven on the far right of the maintained portions of streets and roads to include four additional counties: Huron, Tuscola, Sanilac, and St. Clair.

#### CRAM position:

**CRAM is neutral on this legislation.**

#### Talking Points:

- Under Public Act 240 of 2008, 43 counties can adopt ORV ordinances. These counties are all located north of Townline 10 (Mason to Bay County and all counties north, including the Upper Peninsula.)
- Supporters of this legislation believe the legislation will expand tourism revenue. Users of the ORV trails in the thumb region are reported to generate between \$1 million and \$2 million annually.
- Approximately 40 of the 43 counties allowed by law to pass ORV ordinances have done so. Now that the law has been in effect for a year, in counties that have not adopted ORV ordinances, townships and municipalities may now consider ordinances.
- Like PA 240 of 2008, this legislation allows county road commissions to close up to 30 percent of the linear miles of roads within the county to ORVs.
- CRAM opposed the initial law with the following concerns:
  - Safety- Children as young as 12 years of age are allowed to ride ORVs on the roadway with vehicles driving at much higher speeds;
  - The speed limit for ORVs is 25 miles per hour despite the speed of traffic on the roadway. The difference in speeds causes a very dangerous situation;
  - The legislation allows ORVs to ride on the “maintained portion” of the road which is actually the paved (or improved portion) of the road surface, not the shoulder of the road;
  - A lack of enforcement would make it difficult to catch individuals who violate the speed limit and cause damage to the roads, shoulders and ditches, and even more difficult for the road commission to be reimbursed for these damages;
  - Road commissions are responsible for keeping the road surface safe for travel and could be liable if a vehicular accident is caused by ORV damages; and
  - ORVs pay nothing for the maintenance and operation of the road system. The Michigan Department of Natural Resources (DNR) Recreation Fund receives 2 percent of gasoline tax revenues collected every year for the creation and maintenance of ORV trails. ORVs are not licensed under the Michigan Vehicle Code and do not pay vehicle registrations.