

2010 OHV COMPREHENSIVE LEGISLATION

May 13, 2010

Once you read and get an understanding of the 2010 OHV Comprehensive legislation, I think you will find, as a package it offers a huge amount for everyone associated with OHV activity.

A well managed OHV program offers several things, recreational opportunity, structured safety programs, environmental protection and the generation of commerce to local communities. The 2010 OHV Comprehensive legislation offers very significant improvements in all of those disciplines.

We need supporters to contact those on the committee to vote in favor of the bills. We especially need support from the tourism industry. It can be the owner of a campground, motel, gas station, restaurant, tavern, local OHV business, real estate office.

A bonus would be support from local EDC Directors, Visitors Bureaus, Chambers of Commerce, Township Boards, County Boards and Road Commissions.

Time is of the essence, 2010 OHV Comprehensive vote is expected either the first or second week of June.

If you have a group of 25 or more, an explanatory speaker may be available, time is short making this difficult, but maybe possible.

If you have any questions or suggestions, contact Dick Ranney, coordinator of Michigan Motorized Recreation Council @ 989 469-2405 or e-mail dranney1@charter.net

HIGHLIGHTS OF MAJOR CHANGES

1. Changes the current term "ORV" to "OHV"
2. Establishes OHV registration and identification similar to snowmobiles
3. Creates an OHV registration fee to fund local OHV related law enforcement
4. Changes the current OHV license to a permit similar to snowmobiles
5. Expands PA 240 (OHVs on county roads) state-wide & preserves local control
6. Revises the OHV Safety Training Process
7. Increases minimum penalties for certain OHV offenses

8. Bill #1 (LINDBERG): REGISTRATION & IDENTIFICATION

- a. Change references to "Off-road vehicle" and "ORV" to "Off-highway vehicle" and "OHV"
- b. Creates an OHV Registration Fee Subaccount of the OHV Account
- c. Makes corrections and additions to the definitions of various terms
- d. Creates OHV Registration:
 - i. Places control of OHV Registration with the Secretary of State
 - ii. Registration requirement begins April 1, 2011
 - iii. Establishes a \$20 application & renewal fee
 - iv. Exempts registration requirement for organized OHV or racing events on public property
 - v. Provides for 3 year period of registration
 - vi. Allows Secretary of State to promulgate rules for creation & display of a registration decal
 - vii. Exempts vehicles already registered in Michigan, another state or Canada from registration decal requirements
 - viii. Directs Secretary of State to make registration information available to L.E.I.N.
 - ix. Disbursement of registration fees:
 1. \$3.00 to the Secretary of State for Administration
 2. \$2.00 to DNRE for OHV Safety Education
 3. \$15.00 to OHV Registration Fee Subaccount
 4. Establishes criteria for disbursement of OHV Registration Fee Subaccount funds to local law enforcement on a total lane mile formula for roads open to OHV use.

WHAT IT MEANS TO YOU

1. Would allow the clubs and promoters to teach rider safety education courses. It removes the States reimbursement to State agencies for teaching. All courses would be \$20 maximum, and if so chosen we could teach for free.

2. We can have more counties adopt PA240 and open more roads to travel.
3. We can have groups of up to 75 without having to apply and pay for a permit just to enjoy some friends and a day of riding. This would also help tourism for the State as groups won't come here if they have to apply for a permit to ride a trail system designed to be ridden.
4. OHV events would not have to adhere to the headlight tail light or registration fee. This allows event to be run with a non-plated bike to allow more crossover riders.

MORE DETAILS

To review copies of the 2010 OHV Comprehension Legislation, Go to: www.legislature.mi.gov, and type in bill numbers: 6159, 6160, 6161, and 6162, and they will come up. 98 pages total. Bold print identifies new language.

Please be aware, the four OHV Bills were enrolled in the House on Tuesday, May 11th, they are subject to amendments by any member of the House and concurrence of the House Committee of TOURISM, OUTDOOR RECREATION AND NATURAL RESOURCES before a House floor vote.

What is included in this summary is an overview of what is in each Bill. They will affect the sports of OHV activity for several years in the future, if not decades. If you have any questions, please feel free to ask, if you have any suggestions, please feel free to submit. Dick Ranney, coordinator of Michigan Motorized Recreation Council, 989 469-2405, e-mail: dranney1@charter.net Please make Subject; 2010 OHV

These bills could be voted on in the House the second week of June, with amendments.

HOUSE BILL No. 6159

1. All references to ORV shall now be OHV
2. Defines an enforcement officer and level of certification required
3. Defines "other road"
4. DNRE Chief Safety instructor shall complete all nationally recognized safety training programs.
5. All OHV's must be registered, fee is \$20 for 3 years. All OHV's will be entered into the LEIN system. \$3 will go to SOS for decal, \$2 for Safety Education, 4% to administration, and the balance to County Sheriffs, city and municipal enforcement agencies, based upon lane miles of roadway open within their jurisdiction for OHV travel. All monies remaining at the end of the "grant cycle" shall be placed in the Off-highway Vehicle Account.

HOUSE BILL No. 6160

1. OHV TRAIL PERMIT is not required for operation on private property
2. OHV TRAIL PERMIT is not required on the frozen surface of a lake, river or stream, for the purpose of ice fishing. (You must unload on the ice.)
3. Cost of TRAIL PERMIT, affective April 1st of 2011, \$30.50 with adjustments made to the formula, with 50% going to on the ground efforts, 31.25% to enforcement and 24% of that going to County Sheriffs for trail enforcement efforts. A review every 5 years regarding COL adjustment and raised to the nearest dollar.
4. Any group of 20, or less than 75 vehicles, shall notify the Department they are having an event on the trail system to coordinate with other users groups. There shall be no fee for events of 75 vehicles or less.
5. To be amended, language requiring the DNRE to publish on their web-site, an annual accounting of receipts and expenditures of OHV funds.

HOUSE BILL No. 6161

1. There will be a Safety Training Academy for instructors. All new instructors must complete and all current instructors must be re-certified within 3 years. Cost is free to instructors. Program instructors will no longer be limited to enforcement personal or those associated with a school of learning.
2. The maximum fee charged to any student for enrolling in the DNRE Safety Education program shall be no greater than \$20 for classroom instruction. Parents are encouraged to sit in, free of charge, unless requesting a certificate.
3. DNRE shall develop a "hands on" OHV Safety Training program within 2 years.

HOUSE BILL No. 6162

1. No county or township shall charge a fee for OHV operation on their roadways.
2. "Roads" include any of those passing through or along Federal Land within a Township, if more than 50% funds used to maintain the road come from state or local sources.
3. Road closure by counties and townships reduced from 30% to 10%.
4. 5 year sunset on PA 240 rescinded

5. MDOT may authorize operation of OHV's on the highway, portion of the highway and shoulders of the highway. MDOT shall not charge a fee for such.
6. Headlight and taillight not required for a permitted event
7. Liability relief for those doing trail maintenance
8. Fines increased to \$250 minimum / \$1,000 maximum for not wearing a helmet, lack of adult visual supervision. Including Environmental violations of section 81133, (1) (E), (I), (L), (M) or (N)
9. All Michigan counties given to option to open their roadways under PA 240.

Not in the bills, but playing a very important role. Prior to establishment of a proposed permit fee, there were five Long Range Financial Planning meetings. It was the consensus of that group, \$30, including, Safety Education cost, would enhance the program to the levels desired by the user community.

Once the permit fee is decided by legislature, financial planning can resume.

YOUR SUPPORT IS NEEDED!

We need to be heard! Please write a letter and an e-mail to the committee members NOW expressing your support of these bills!

Members on the House Committee of Tourism, Outdoor Recreation and Natural Resources:

Click here to contact all members: [E-Mail All Members](#)

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