



SENATE BILL No. 634

May 12, 1993, Introduced by Senators PRIDNIA, GEAKE, WARTNER, MC MANUS, KOIVISTO, GAST and GOUGEON and referred to the Committee on Transportation and Tourism.

A bill to amend the title and section 18 of Act No. 319 of the Public Acts of 1975, entitled as amended

"An act to provide for the titling, licensure, and regulation of off-road recreation vehicles; to create certain funds; to create certain advisory bodies and to prescribe their powers and duties; to prescribe powers and duties of certain officers, agencies, and institutions; to repeal certain parts of this act on a specific date; and to provide penalties and remedies,"

section 18 as amended by Act No. 17 of the Public Acts of 1991, being section 257.1618 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and section 18 of Act No. 319 of the
2 Public Acts of 1975, section 18 as amended by Act No. 17 of the
3 Public Acts of 1991, being section 257.1618 of the Michigan
4 Compiled Laws, are amended to read as follows:

1

TITLE

2 An act to provide for the titling, licensure, and regulation
3 of off-road recreation vehicles; to create certain funds; to
4 create certain advisory bodies and to prescribe their powers and
5 duties; to prescribe powers and duties of certain officers, agen-
6 cies, and institutions; TO PROVIDE CERTAIN TORT IMMUNITY FOR CER-
7 TAIN GOVERNMENTAL AGENCIES UNDER CERTAIN CIRCUMSTANCES; to repeal
8 certain parts of this act on a specific date; and to provide pen-
9 alties and remedies.

10 Sec. 18. (1) A county, city, village, or township may pass
11 an ordinance establishing access routes along streets and high-
12 ways under its jurisdiction, if those access routes do not
13 involve state or federal highways, and if they meet the require-
14 ments of the plan developed pursuant to section 16. If neces-
15 sary, consent of a state or federal land management agency shall
16 be obtained for the location of the route.

17 (2) A city, village, or township may pass an ordinance
18 allowing a permanently disabled person to operate an ORV in that
19 city, village, or township.

20 (3) A BOARD OF COUNTY ROAD COMMISSIONERS HAS NO DUTY TO
21 MAINTAIN A HIGHWAY UNDER ITS JURISDICTION IN A CONDITION REASON-
22 ABLY SAFE AND CONVENIENT FOR THE OPERATION OF ORVS. BEGINNING ON
23 THE EFFECTIVE DATE OF THE 1993 AMENDATORY ACT THAT ADDED THIS
24 SUBSECTION, A BOARD OF COUNTY ROAD COMMISSIONERS IS IMMUNE FROM
25 TORT LIABILITY FOR INJURIES OR DAMAGES SUSTAINED BY ANY PERSON
26 ARISING IN ANY WAY OUT OF THE OPERATION OR USE OF AN ORV ON
27 MAINTAINED OR UNMAINTAINED HIGHWAYS, SHOULDERS, AND RIGHTS-OF-WAY

1 OVER WHICH THE BOARD OF COUNTY ROAD COMMISSIONERS HAS
2 JURISDICTION.