



**House
Legislative
Analysis
Section**

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**COUNTY ROAD COMMISSIONS:
SNOWMOBILES AND ORVS**

House Bill 4749

Sponsor: Rep. James McNutt

**Committee: Conservation, Environment,
and the Great Lakes**

Complete to 9-29-95

A SUMMARY OF HOUSE BILL 4749 AS INTRODUCED 4-26-95

The former snowmobile act (former Public Act 74 of 1968) and the former off-road vehicle (ORV) act (former Public Act 319 of 1975) both were amended in 1993 (by Public Acts 205 and 204 respectively) to exempt county boards of road commissions, county boards of commissioners, and counties from tort liability for injuries or damages sustained from operating or using snowmobiles or ORVs on highways, shoulders, and rights-of-way over which the boards or counties had jurisdiction. The immunity applied regardless of whether the roads (shoulders, rights-of-way) were maintained or not, but did not extend to gross negligence (defined as "conduct so reckless as to demonstrate a substantial lack of concern for whether an injury results"). Both of these acts were repealed and reincorporated into the Natural Resources and Environmental Protection Act by Public Act 58 of 1995 (enrolled House Bill 4349), including the immunity provisions contained in the repealed acts.

The bill would amend the county road law (Chapter IV of Public Act 283 of 1909) to provide county road commissions with the same legal immunity from tort liability as specified in these former acts.

MCL 224.21

House Bill 4749 (9-29-95)