



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 4749 (as reported without amendment)
Sponsor: Representative James McNutt
House Committee: Conservation, Environment and Great Lakes
Senate Committee: Natural Resources and Environmental Affairs

CONTENT

The bill would amend the county road law to specify that the law's provisions governing tort liability would be subject to sections of the Natural Resources and Environmental Protection Act (NREPA) under which a county board of road commissioners, a county board of commissioners, and a county have no duty to maintain a highway under their jurisdiction in a condition reasonably safe and convenient for the operation of off-road vehicles (ORVs) or snowmobiles.

Currently, the county road law requires a county to keep in reasonable repair, so they are reasonably safe and convenient for public travel, all county roads that are under the county's jurisdiction and open to public travel. The provisions of law respecting the liability of townships, cities, villages, and corporations for damages for injuries resulting from a failure to perform a duty respecting roads under their control apply to counties adopting the county road system. Under the bill, this language in the county road law would be subject to the sections of the NREPA providing that there is no county duty to maintain roads for ORV and snowmobile operation.

MCL 224.21

Legislative Analyst: S. Margules

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Date Completed: 12-1-95

Fiscal Analyst: B. Bowerman