



**Senate Fiscal Agency**  
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BILL ANALYSIS



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House Bill 5548 (Substitute H-1 as reported without amendment)  
Sponsor: Representative Allen Lowe  
House Committee: Judiciary and Civil Rights  
Senate Committee: Judiciary

### **CONTENT**

The bill would amend the Natural Resources and Environmental Protection Act to designate as a State civil infraction violation of the Act's requirements regarding a certificate of title for an off-road recreational vehicle (ORV). A violator currently is responsible for a civil violation and is "subject to a civil fine" of up to \$100; under the bill a violator could "be ordered to pay a civil fine" of up to \$100. In addition, the bill would designate as a State civil infraction an ORV operator's refusal to submit to a preliminary chemical breath analysis upon a lawful request by a peace officer, which currently is a civil infraction, and specifies that a violator could be ordered to pay a civil fine of up to \$100. The bill would delete a requirement that the violation be processed in the same manner as a civil infraction under the Michigan Vehicle Code.

The bill also would designate as State civil infractions violation of several sections that the Act specifies are civil violations on and after the date the "civil procedures act" is enacted into law. Under the Act, violators are "subject to a civil penalty" of up to \$500; under the bill, violators could "be ordered to pay a civil fine" of up to \$500.

In addition, the bill would change references to an ORV operator's measure of bodily alcohol content from a percentage of alcohol by weight in the blood to specific measures of alcohol in the blood, breath, or urine. (This would be consistent with recent revisions in the Michigan Vehicle Code's drunk driving provisions.)

MCL 324.81109

Legislative Analyst: P. Affholter

### **FISCAL IMPACT**

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

Date Completed: 3-19-96

Fiscal Analyst: G. Cutler

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.