

ELECTRIC PATROL VEHICLE ACT

House Bill 4391 as enrolled

Public Act 55 of 1997

Second Analysis (7-9-97)

Sponsor: Rep. Gerald Law

House Committee: Transportation

**Senate Committee: Transportation and
Tourism**

THE APPARENT PROBLEM:

There are a number of kinds of small, four-wheeled electrically-powered vehicles that have become commercially available and that could be used by law enforcement agencies for crowd control, minor emergency services, and parking enforcement purposes. However, these vehicles cannot be used legally by local law enforcement and emergency services personnel because they do not fit any current categories of vehicles recognized in the Michigan Vehicle Code and cannot be driven on streets or highways. Reportedly, such vehicles were used for crowd control and minor emergency services (such as sprained ankles) at the Michigan State Fair, which was possible because the fair is held on enclosed grounds. Reportedly, some other states -- such as California, Arizona, and Florida -- also allow such vehicles to be used in enclosed retirement communities. Reportedly, the federal government also is in the process of classifying "neighborhood electrical vehicles" separately from motor vehicles and motorcycles, though the regulations won't be ready until later this summer. At the request of the City of Plymouth police department, legislation has been introduced that would authorize the use of such vehicles for law enforcement, emergency services, and parking enforcement purposes.

THE CONTENT OF THE BILL:

The bill would create a new act, the "Electric Patrol Vehicle Act," authorizing political subdivisions to enact ordinances allowing certain kinds of electrically-powered vehicles to be used for law enforcement, emergency service, and parking enforcement purposes on streets or highways within that political subdivision's boundaries.

The bill would define "electric patrol vehicle" to mean a four-wheeled electrically powered motor vehicle with an unloaded weight of not more than 1,300 pounds that was designed to carry not more than four people, at a speed of

not more than 25 miles an hour. Under the bill, a political subdivision (a village, city, township, county, or university) could, by ordinance, authorize law enforcement, emergency service, and parking enforcement employees of that political subdivision to operate an electric patrol vehicle on a street or highway within that political subdivision's boundaries with a posted speed limit of not more than 25 miles an hour. The bill also would allow an authorized electric patrol vehicle to cross a street or highway with a posted speed limit of up to 50 miles an hour.

Each authorized electric patrol vehicle would have to have all of the following equipment:

- (1) Brakes adequate to control the movement of, and to stop and hold, the vehicle, and a parking brake sufficient to hold the vehicle in a stopped position.
- (2) At least two head lamps that enabled the operator of the vehicle to see someone not less than 100 feet in front of the vehicle.
- (3) At least two rear lamps that complied with the requirements of the Michigan Vehicle Code, a windshield of safety glass as defined in the code, a horn as defined in the code, and reflectors that reflected an amber or red color as required for motor vehicles by the code.
- (4) Safety belts designed and installed with brackets and of sufficient strength to hold a passenger during a collision.

Someone operating or riding in an electric patrol vehicle would have to wear a crash helmet (that met the requirements of the rules promulgated by the Department of State Police under the Michigan Vehicle Code), unless the vehicle was equipped with a roof that met or exceeded federal standards for "roof crush resistance" or unless the person was incapacitated and being transported to a place of safety.

The bill would specifically prohibit the operation of electric patrol vehicles on state streets or highways except as allowed under the bill (that is, by local ordinance).

Tie-bar. The bill would not take effect unless House Bill 4766, which would exempt electrical patrol vehicles from the Michigan Vehicle Code's definition of "motor vehicle," were enacted.

FISCAL IMPLICATIONS:

According to the Senate Fiscal Agency, the bill would have no state or local fiscal implications. (6-11-97)

ARGUMENTS:

For:

With advances in technology in electric vehicles, there currently are small, four-wheeled vehicles that run on rechargeable electric batteries that are being used in some parts of the country by law enforcement agencies for crowd control, minor medical emergencies (such as transporting people with sprained ankles), and for parking enforcement (instead of the three-wheeled vehicles still being used in many areas for reading meters). The problem is that these vehicles can't currently be used in Michigan for these purposes because they do not come under any of the recognized categories of vehicles in the Michigan Vehicle Code and therefore cannot be driven on streets or highways. If they were to be classified as motor vehicles, they would, moreover, have to meet the requirements of much heavier vehicles designed to operate at faster speeds, so legislation is needed that will enable local political subdivisions to enact ordinances allowing their use, while at the same time ensuring that other vehicles -- such as electric golf carts -- remain prohibited from public roads.

Analyst: S. Ekstrom
