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SFA**BILL ANALYSIS**

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Senate Bill 857 (as reported without amendment)
Sponsor: Senator George A. McManus, Jr.
Committee: Transportation and Tourism

Date Completed: 12-3-99

RATIONALE

In a number of retirement and planned communities across the country, especially those located in California, Arizona, and Florida, some residents have opted to use small, four-wheeled vehicles that have limited speed capabilities to make short trips to visit friends and run errands, instead of using conventional motor vehicles. The low-speed vehicles are larger and heavier in size than golf carts; are available in models that have two or four entry points, similar to those found on golf carts, with doors being optional; and, travel at maximum speeds of 25 miles per hour travel, which is faster than speeds of conventional golf carts. At a private resort community in Petoskey, some residents have purchased these vehicles to use within the development. While these vehicles can be used on private roads, they cannot be driven on public streets, because they are not regulated under the Michigan Vehicle Code. Low-speed vehicles represent a new classification of motorized transportation that is not addressed in the Code. In order for these vehicles to be used in Petoskey and in other communities across the State, it has been suggested that regulations be established in the Vehicle Code to permit their use on public roadways.

exclusive use of the vehicle; and, could not pass between lines of traffic, but could pass on the left of traffic moving in his or her direction in the case of a two-way street, or on the left or right of traffic in the case of a one-way street, in an unoccupied lane.

“Low-speed vehicle” would mean an electrically powered vehicle with a capacity of up to four persons, including the driver, weighing up to 1,800 pounds that was equipped with all of the following: headlamps; front and rear turn signal lamps, tail lamps and stop lamps; reflex reflectors with one red on each side as far to the rear as practicable, and one red on the rear; an exterior mirror mounted on the driver’s side of the vehicle and either an exterior mirror mounted on the passenger’s side of the vehicle or an interior mirror; a parking brake; a windshield that met the standards prescribed in the Code; a vehicle identification number; and, a seat belt assembly conforming to the Code’s requirements installed at each designated seating position.

Proposed MCL 257.660B

CONTENT

The bill would amend the Michigan Vehicle Code to permit a low-speed vehicle to be operated on public roads under certain circumstances; prohibit a low-speed vehicle from being operated at a speed of more than 25 miles per hour; and prohibit its operation on a highway, road, or street with a speed limit over 35 miles per hour.

In general, the bill would include low-speed vehicles in the Code’s provisions that prescribe the conditions for operating a bicycle or moped. Specifically, a person operating a low-speed vehicle on a road would have to ride as near to the right of the road as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction; could not ride more than two abreast except on a path or part of a road set aside for the

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Many residents of retirement or resort communities do not want to use a conventional gas-powered motor vehicle, such as a passenger car, to make short trips to visit friends in the community or to run errands. They prefer, instead, to use newly marketed four-wheeled vehicles because they are smaller in size than a passenger vehicle, travel between 20 and 25 miles per hour, run on electricity, and, provide a quieter and cleaner form of transportation. Owners of these vehicles currently are restricted to operating them on private property because the Vehicle Code does not provide for their operation on public roads. As a result of the bill, a low-speed vehicle could be driven on public roads where speed limits were not over 35 miles per hour and would be subject to the Code's regulations that are similar to those already established for operating a bicycle or moped.

Supporting Argument

To permit the manufacture and sale of small, four-wheeled motor vehicles with top speeds of 20-25 miles per hour, the National Highway Traffic Safety Administration (NHTSA) in 1998 established rules to reclassify small passenger-carrying vehicles as low-speed vehicles, rather than passenger cars. Consequently, low-speed vehicles are subject to a new Federal Motor Vehicle Safety Standard (49 CFR 571.500) that requires the vehicles to be equipped with headlamps, stop lamps, turn signal lamps, tail lamps, reflex reflectors, parking brakes, rearview mirrors, windshields, seat belts, and vehicle identification numbers. In recognition of this new classification of vehicle, the bill would add a definition of "low-speed vehicle" that is similar to the requirements in the Federal standard.

Response: While the bill's definition is similar to the Federal standard, it does not match the Federal rule, which could result in a conflict between State and Federal regulations. Furthermore, the bill does not address whether: operators of low-speed vehicles should be licensed; vehicles should be titled and registered under the Code; or, dealers and mechanics should be regulated. In addition, it is not clear whether these vehicles would be subject to the Insurance Code.

Legislative Analyst: L. Arasim

FISCAL IMPACT

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

Fiscal Analyst: P. Alderfer

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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.