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BILL ANALYSIS

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Senate Bill 1267 (as enrolled)
Sponsor: Senator Jason E. Allen
Senate Committee: Transportation
House Committee: Transportation

PUBLIC ACT 377 of 2006

Date Completed: 1-4-07

RATIONALE

Public Act 82 of 2000 amended the Michigan Vehicle Code to allow and regulate the operation of low-speed vehicles on the State's public roads. Low-speed vehicles are larger and heavier 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, which is faster than speeds of conventional golf carts. They typically are powered by electricity and produce no emissions. Reportedly, residents of retirement and planned communities often use these vehicles instead of conventional vehicles to make short trips to visit friends or run errands. Low-speed vehicles evidently are used on college campuses, as well. Under Public Act 82 of 2000, a low-speed vehicle may be operated at a maximum speed of 25 miles per hour on a street with a speed limit of up to 35 miles per hour.

The Vehicle Code's definition of "low-speed vehicle" contained restrictions on the number of passengers and the weight of the vehicle. Under the Code of Federal Regulations, however, there is no limit on the number of passengers and the maximum weight is higher. It was suggested that the definition in the statute be brought into conformity with the Federal law.

CONTENT

The bill amended the Michigan Vehicle Code to revise the definition of "low-speed vehicle". Previously, the term meant an electrically powered vehicle designed to be operated at a speed not to exceed 35 miles per hour with a capacity of not more than

four people, including the driver, of 2,200 pounds or less in weight as described in 49 CFR 571.500 that is equipped with the following:

- Headlamps.
- Front and rear turn signal lamps, tail lamps, and stop lamps.
- Reflex reflectors: 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 meets the standards prescribed by the Code.
- A vehicle identification number (VIN).
- A seat belt assembly conforming to the requirements of the Code installed at each designated seating position.

(Under 49 CFR 571.500, each low-speed vehicle must be equipped as described above, except that the windshield must conform to the Federal motor vehicle safety standard on glazing materials (49 CFR 571.205), the VIN must conform to the requirements of 49 CFR 565 (Vehicle Identification Number), and the seat belt assembly must be a Type 1 or 2 seat belt assembly conforming to the Federal motor vehicle safety standard on seat belt assemblies (49 CFR 571.209).)

Under the bill, instead, "low-speed vehicle" means a self-propelled motor vehicle that conforms to the definition of low-speed vehicle under 49 CFR 571.3(b), and meets

the standard for low-speed vehicles under 49 CFR 571.500.

(Under 49 CFR 571.3(b), "low-speed vehicle" means a four-wheeled vehicle whose speed attainable in 1.6 kilometers (km) (one mile) is more than 32 km per hour (20 miles per hour) and not more than 40 km per hour (25 miles per hour) on a paved level surface, and whose gross vehicle weight rating is less than 1,361 kilograms (3,000 pounds).)

The bill took effect on September 27, 2006.

MCL 257.25b

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

By revising the definition of "low-speed vehicle", the bill reduces the likelihood of conflicts between State and Federal law. Unlike previous State law, the Federal law does not prescribe a maximum number of passengers that a low-speed vehicle may accommodate. Also, a low-speed vehicle may weigh up to 3,000 pounds under the Federal standards.

The bill also eliminated the reference to an "electrically powered" vehicle. Apparently, there are some vehicles powered by gasoline and propane that meet the Federal definition of "low-speed vehicle". Furthermore, future technological advances might result in the availability of similar vehicles powered by other fuels.

Legislative Analyst: Julie Cassidy

FISCAL IMPACT

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

Fiscal Analyst: Debra Hollon

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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.