

Legislative Analysis



ALLOW PEACE OFFICERS NOT CERTIFIED BY MCOLES TO PATROL OFF-ROAD VEHICLE TRAILS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bill 4021 as introduced
Sponsor: Rep. Curtis S. VanderWall
Committee: Judiciary
Complete to 2-22-23

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4021 would amend the Natural Resources and Environmental Protection Act (NREPA) to allow a law enforcement agency to employ an officer who is not certified by the Michigan Commission on Law Enforcement Standards (MCOLES) to patrol trails used by off-road vehicles (ORVs).

Specifically, the bill would amend Part 811 (Off-Road Recreation Vehicles) of NREPA to replace references to “local law enforcement officer,” “law enforcement officer,” or “officer” with the term *peace officer*, which it would define to mean any of the following:¹

- A sheriff.
- A sheriff’s deputy.
- A deputy authorized by a sheriff to enforce Part 811 who has satisfactorily completed at least 40 hours of law enforcement training, including training specific to Part 811.
- A village or township marshal.
- An officer of the police department of a municipality.
- An officer of the Department of State Police.
- The director of the Department of Natural Resources (DNR) and conservation officers employed by the DNR.

MCL 324.81101 et seq.

BACKGROUND:

House Bill 4021 is substantively identical to Senate Bill 1003 of the 2021-22 legislative session as that bill was reported from the House Judiciary committee.

FISCAL IMPACT:

The bill would have no fiscal impact on the state or local units of government.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.

¹ This definition is similar to the definition of *peace officer* in Part 821 (Snowmobiles) of NREPA.