

State of Michigan

County of Mason

Township of Grant

ORV Ordinance

An ordinance authorizing and regulating the operation of Off Road Vehicles (ORVS) on county primary and county local roads in Grant Township, Mason County, providing penalties for the violation thereof, and for the distribution of fines and costs resulting from those penalties pursuant to 2008 PA 240, MCL 324.81131 which is the Michigan ORV code.

THE TOWNSHIP OF GRANT ORDAINS:

1. Definitions

- a. "Township" means the Township of Grant, Mason County.
- b. "County" means Mason County, Michigan.
- c. "Driver License" means an operator's or chauffeur's license or permit issued to an individual by the secretary of state under chapter III of the Michigan vehicle code, 1949 PA300, MCL 257.301 to 257.329, for that individual to operate a vehicle, whether or not conditions are attached to the license or permit.
- d. "Maintained portion" means that portion of a road improved, design ated or ordinarily used for vehicular traffic and does not include within its meaning the shoulder or right of way.
- e. "Operate" means to ride in or on, and be in actual physical control of the operation of an ORV.
- f. "Operator" means a person who operates or is in actual physical control of the operation of an ORV.
- g. "ORV" means a motor driven off road recreation vehicle capable of cross-county travel without benefit of a road or trail, on or immediately over land, snow, ice, marsh, swampland, or other natural terrain. ORV or vehicle includes, but is not limited to, a multi-track or multi-wheel drive vehicle, an ATV, a motorcycle or related 2-wheel, 3-wheel, or 4-wheel vehicle, an amphibious machine, a ground effect air cushion vehicle, or other means of transportation deriving motive power from a source other than muscle or wind. ORV or vehicle does not include a registered snowmobile, a farm vehicle being used for farming, a vehicle used for military, fire, emergency, or law enforcement purposes, a vehicle owned and operated by a utility company or an oil or gas company when performing maintenance on its facilities or on property over which it has an easement, a construction, or logging vehicle used in performance of its common function, or a registered aircraft.

- h. Trailer means every vehicle with or without motive power, designed for carrying persons or property
- i. "Road" means a County primary road or county local road as described in section 5 of 1951 PA 51, MCI 247.655.
- j. "Road Commission" means the Board of County Road Commissioners for the County of Mason.
- k. "Safety Certificate" means a certificate issued pursuant to 1994 PA 451 as amended, MCI 324.81129, or a comparable ORV safety certificated issued under the authority of another state or a province of Canada.
- l. "Visual Supervision" means direct observation of the operator with the unaided or normally corrected eye, where the observer is able to come to the immediate aid of the operator.
- m. "Township Board" means the Township Board of Grant Township.

2. Operation of ORVs

An individual may operate an ORV on a Road within the Township provided that the ORV is operated only with the flow of traffic, on the far right of the maintained portion of the Road, subject to the following additional regulations:

- a. A person shall not operate an ORV at a speed greater than 25 miles per hour or a lower posted ORV speed limit or in a manner that interferes with traffic on the Road.
- b. ORVs shall travel single file, except when passing or being passed by another ORV.
- c. All ORVs operating must have a lighted headlight and taillight.
- d. Unless a person possesses a Drivers License, a Person shall not operated an ORV on a Road if the ORV is registered as a motor vehicle under the Michigan Vehicle Code and the ORV is either more than 60 inches wide or has three wheels.
- e. A person under the age of 12 shall not operate an ORV on a Road.
- f. A person under the age of 18 shall not operate an ORV on a Road unless the person is in possession of a valid Drivers License or is under the direct supervision of a parent or guardian and the Person has in his possession an ORV Safety Certificate issued by Michigan, another state, or a province of Canada.

Effective Date: This ordinance shall be effective 30 days after its first publication. The ordinance will be reviewed at the February township board meeting and thereafter to determine its continuation.

This ordinance is adopted by action of the Grant Township Board this 11th day of July, 2012

Robert Rakowski

Robert Rakowski, Supervisor

Mary Jo Janowiak

Mary Jo Janowiak, Clerk

Susan Merkey

Susan Merkey, Treasurer

Allan Bufka

Allan Bufka, Trustee

Brenda Kelly

Brenda Kelly, Trustee