

Before You Ride



Why Michigan Has ORV Laws

Minimum ages for ORV operation are the result of an extensive review by the Michigan Legislature. The hearing process caused everyone to focus on the alarming statistics regarding young riders.

ORV Accident Data

Statistics show that in 41% of the deaths resulting from ORV accidents, the victim was under 16 years of age. Additionally, other young victims were left paralyzed, brain damaged, or with other serious permanent injuries. Most of the accidents involving young riders could be traced to a number of factors such as lack of supervision, machine design characteristics, and lack of training. Some parents appeared to be unaware of many of these hazards.

As accident data shows, the consequences of a few daring moments on an ORV can be devastating.

- ◆ Preserving and enhancing public safety in the field of outdoor recreation are of paramount importance.
- ◆ Recognizing that there are potential safety hazards in off-road vehicle riding, the Michigan Legislature has enacted regulations that directly affect:
 - Operation of ORVs by children under 16 years of age
 - Safety equipment that is required of all ORV operators and passengers
 - Strict controls on the use and possession of alcohol while operating ORVs
 - Unlawful operation on roads open to regular vehicle traffic

- ◆ Responsibilities come with the ownership and operation of an ORV. Adults bear the burdens of passing on responsible conservation and outdoor ethics to young operators under their supervision and setting the example for all other ORV enthusiasts.
- ◆ It is important to consider the potential impact of ORVs on Michigan's fragile environment, and to operate ORVs in a manner that minimizes conflicts with others who are enjoying the fields and forests of the state.
- ◆ Michigan's conservation officers play an important role in ensuring that ORV recreational opportunities are available for safe and responsible users. They accomplish this through aggressive enforcement and a continued willingness to respond to public concerns. They are an important bridge between ORV users and the non-riding public. Use them and assist them to ensure the future of ORV recreation.



Licensing and Titling Your Vehicle

- ◆ Owners of ORVs are required to:
 - Obtain a certificate of title for the ORV through the Secretary of State. **Note:** A Michigan title is *not* required on ORVs owned by nonresidents and used in Michigan.
 - License the ORV with the Department of Natural Resources (DNR) if the ORV will be used anywhere other than private property.

ORV Certificate of Title

- ◆ Every ORV sold through a dealer must be accompanied by a certificate of origin. This certificate of origin contains all of the information needed for applying for a certificate of title. The application for a title is made to the Secretary of State, and the fee for processing the title is \$11.00.

- ◆ It is unlawful for a seller to sell or transfer an ORV without transferring the title or for a buyer to purchase or acquire an ORV without obtaining a title.
 - If an ORV is purchased through a dealer, application for a title will be made by the dealer on behalf of the buyer.
 - If an ORV is purchased from someone other than a dealer, the buyer applies for a title.
- ◆ Application for a title must be made within 15 days of purchase or transfer.

ORV License

- ◆ The DNR issues licenses for all ORVs on an annual basis. The annual fee for an ORV license is \$16.25.
- ◆ Licenses are valid from April 1 through March 31 of the following year, regardless of the date of purchase.
- ◆ Vehicles that are licensed under the Motor Vehicle Code as “street vehicles” require an ORV license only when they are being used as an ORV. A street-licensed ORV does not need an ORV license to use forest roads, but it will need an ORV license if it is used on designated trails or in areas designated for cross-country use.

Where To License ORVs

ORV licenses are available from the DNR at DNR Operations Service Centers, over the Internet at **www.mdnr-elicense.com**, by mail, through participating ORV dealers, and through participating hunting and fishing license agents.

For licensing information, call the DNR at:
517-373-1204



- ◆ An ORV license is *not* required for street-licensed vehicles used on the frozen surface of public waters or designated ORV routes.
- ◆ Private land owners, owners' family members, and their invited guests are not required to license ORVs that are operated exclusively on the owners' private property.
- ◆ Licensing is required of ORVs used in areas open to public operations, regardless of whether the ORV is owned by a resident or nonresident of Michigan.

Displaying the ORV License

It is unlawful to operate an ORV without having a valid license permanently attached and visibly displayed on the vehicle in the following manner.

- ◆ **2-Wheel Vehicle:** Center the ORV license on the exposed rear fender.
- ◆ **3- or 4-Wheel Vehicle (ATV):** Place the ORV license on a flat metal surface, a bumper, or a plate permanently attached to the rear of the ORV.

ORV License



- ◆ **Other ORVs, Including Dune Buggies and 4-Wheel-Drive Trucks:** Place the ORV license centered and visible on the rear of the vehicle.

Required Equipment



Before an ORV may be operated on any property, the operator is responsible for ensuring that the vehicle and its riders have the required equipment.

For Operators and Passengers

All ORV operators and passengers must wear a U.S. Department of Transportation–approved crash helmet *and* protective eyewear or goggles, *except* when the ORV is equipped with an approved roof *and* the operator and passengers are wearing properly adjusted and fastened safety belts.

For Off-Road Vehicles

The ORV must be equipped with the following.

- ◆ **Braking System:** A braking system in good working condition that operates by either hand or foot
- ◆ **Throttle System:** A throttle system designed to return the engine speed to idle automatically and immediately when pressure is released
- ◆ **Spark Arrestor and Muffler:** A U.S. Forest Service–approved spark arrestor and muffler in good working condition, in constant operation, and meeting applicable sound-level standards (see “Sound Emission Regulations,” page 41)
- ◆ **Seating:** Designed, manufactured seating for each passenger
- ◆ **Lights:** If operated during the hours of one-half hour after sunset to one-half hour before sunrise, must have and display all of the following:
 - A lighted headlight
 - A lighted taillight
 - A brake light, brighter than the taillight



Young ORV Operators

Operator Age Restrictions

Restrictions are in effect on the operation of ORVs by children **under the age of 16**, including a safety education requirement (see page 32). There also are specific obligations that fall upon the parents or legal guardians of ORV riders under the age of 16 and upon the owners of ORVs.

Operation of 3-Wheel ATVs

No one under the age of 16 may operate any 3-wheel ATV.

Operation of 4-Wheel ATVs

- ◆ No one under the age of 10 may operate any 4-wheel ATV *except* on private land while performing farm-related work operations.
- ◆ Children 10 and 11 years old may operate a 4-wheel ATV only when *all* of the following conditions are met.
 - The ATV is being operated on land owned by the child's parent or guardian *and ...*
 - The operator is under the direct visual supervision (see definition below) of an adult *and ...*
 - The operator possesses a valid ORV safety certificate.
- ◆ Children 12 to 15 years old may operate a 4-wheel ATV only when *both* of the following conditions are met.
 - The operator is under the direct visual supervision of an adult *and ...*
 - The operator possesses a valid ORV safety certificate.

Direct Visual Supervision: having direct observation with the unaided or normally corrected eye and being close enough to come to the immediate aid of a youthful ORV operator



Operation of Other ORVs

- ◆ Children under 16 years old may operate other ORVs (trail bikes, for example) only when *both* of the following conditions are met.
 - The operator is under the direct visual supervision of an adult *and* ...
 - The operator possesses a valid ORV safety certificate.

Remember ...

The parents or legal guardians of a child under the age of 16 are legally responsible if they permit the child under their care to violate any of the ORV laws. The owner (or person in control) of an ORV is also responsible if his or her ORV is operated by a youngster.

Restrictions on Crossing Roads

- ◆ No child under the age of 12 may cross any street, highway, or county road while operating any ORV.
- ◆ Children who are at least 12 years old may cross streets and roads (only at right angles) if they are under the direct visual supervision of an adult *and* have a valid ORV safety certificate.

Summary of Young Operator Regulations

Age of ORV Operator (years)				
	Under 10	10-11	12-15	16 or older
Allowed to operate a 3-wheel ATV?	No	No	No	Yes
Allowed to operate a 4-wheel ATV?	No except on private land while performing farm-related work operations	No except on land owned by the parent or guardian, under visual supervision, and with ORV certificate	Yes if under visual supervision and with ORV certificate	Yes
Allowed to operate other ORVs (trail bikes, etc.)?	Yes if under visual supervision and with ORV certificate	Yes if under visual supervision and with ORV certificate	Yes if under visual supervision and with ORV certificate	Yes
Allowed to cross street or highway?	No	No	Yes if under visual supervision and with ORV certificate	Yes
Age and Engine Size: For your child's safety and comfort, you must match your child with an ORV that is appropriate for his or her size and experience level.				

ORV Safety Education Requirement

- ◆ All ORV operators under 16 years old are required to possess a valid safety training certificate when operating an ORV.
- ◆ To obtain a safety certificate, the operator must take an ORV safety education course (see below) and pass the certification exam.
- ◆ The operator must carry the safety certificate on his or her person and present it upon demand of a law enforcement officer.

Information on ORV Courses

Information on courses and scheduling can be obtained by calling the Department of Natural Resources at **517-373-1230** or by visiting the DNR website at **www.michigan.gov/dnr**. Click on “Find Recreational Safety Classes in Your Area” under “Things To Do.”

For special youth requirements at Silver Lake State Park, call **231-873-3083**.



Land Use Rules

Indiscriminate ORV use has damaged fragile ecosystems on both public and private lands. Complaints of erosion on hills and trails, destruction of stream banks and beds, and conflicts with other users have led to more restrictive rules to control ORV abuses.

Report Abuse

For the future of your sport, as well as the future of the resources, you must know and closely follow the operating regulations and encourage others to do likewise. Violations of these and other rules should be reported immediately to the nearest DNR office or to the DNR Law Enforcement Division's "Complaint" hotline: **1-800-292-7800**.



ORV Land Use Definitions

The DNR administers over four million acres of land used for a variety of purposes. Wise use of those lands includes preserving natural features and wildlife habitat and encouraging a variety of recreational uses. Just as other users are limited in their activities in order to protect and conserve these vital resources while minimizing conflicts with other activities, ORV enthusiasts are restricted in where and how they may operate.

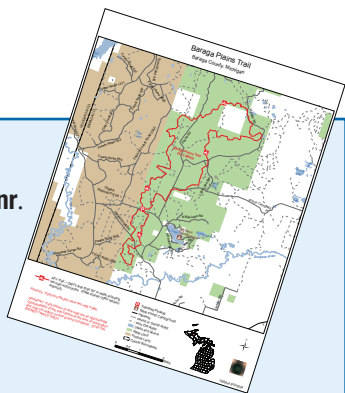
- ◆ Signs that you may see on state roads, trails, and routes are shown on page 49.
- ◆ The following terms may be used when describing where or how ORVs may be operated on state-owned lands.
 - **Designated:** Any place that is posted as open for ORV use with appropriate signs.
 - **Designated Area:** An area that has signs for cross-country ORV use posted by the DNR. An ORV license is required.

- **Designated Route:** A forest road or other road that is designated by the DNR for ORV use.
- **Forest Roads:** Hard-surfaced roads, gravel or dirt roads, or other routes capable of travel by a 2-wheel-drive, 4-wheel conventional vehicle designed for highway use, except an interstate, state, or county highway.
- **Forest Trails:** Designated paths or ways capable of travel only by a vehicle that is an overall width of less than 50 inches.
- **Highway:** The entire width between the boundary lines of a way publicly maintained when any part of the way is open to the use of the public for purposes of vehicular travel.
- **Designated ORV Trail:** Designated paths or ways that can only be traveled by vehicles that are less than 50 inches in width. An ORV license is required.

ORV Trail Maps

Visit www.michigan.gov/dnr.

Click on “Camping and Recreation” and select “ORV/ATV” to obtain ORV trail maps for state-owned lands.



ORV Operation on State-Owned Lands

- ◆ **State Forest Lands:** ORV restrictions vary by location.
 - **Upper Peninsula:** ORV operation is permitted on designated trails and forest roads in the Upper Peninsula unless posted as closed.
 - **Lower Peninsula:** ORV operation is permitted on all designated trails, designated areas, and designated routes (forest roads that are designated for ORV use) in the Lower Peninsula.
 - **Statewide:** ORV use on designated trails is limited to vehicles with an overall width of less than 50 inches. Off-trail or off-route operation outside of a designated area is prohibited except for hunters operating an ORV at speeds of 5 mph or less for the purpose of removing deer, bear, or elk.
- ◆ **State Game Areas:** *All* motorized vehicle operation is prohibited except on established roads open to the public. *ORVs are specifically prohibited.* These areas are found primarily in the southern third of Michigan.
- ◆ **State Parks and State Recreation Areas:** ORV operation is prohibited in all state parks and recreation areas except in designated areas of Silver Lake State Park.

Cross-Country ORV Operation

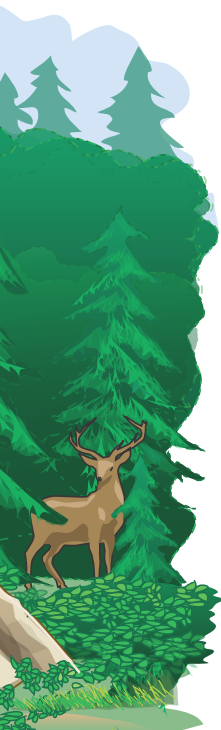
Cross-country ORV operation on state-owned lands is permitted only at:

- Designated areas at Silver Lake State Park in Oceana County
- St. Helen Motorsport Area in Roscommon County
- Black Mountain Scramble Area in Cheboygan County (the Scramble Area is restricted to ORVs that are an overall width of less than 50 inches.

ORV Operation on National Forest Lands

In all national forests, motor vehicles can be used only on roads, trails, or areas that are designated as open. This includes all motorized wheeled vehicles from ATVs to street-legal vehicles.

Motor Vehicle Use Maps are published for each forest to show the designated system of roads, trails, or areas available for motor vehicle use by vehicle class and, if appropriate, by time of year. Motor Vehicle Use Maps are updated annually to show changes. The public is encouraged to provide suggestions on yearly changes. Motor Vehicle Use Maps are free to the public and available at Forest Service offices or from Forest Service websites.



For more information, you can call or visit the following websites.

Forest Service Travel Management and OHV

www.fs.fed.us/recreation/programs/ohv

Huron-Manistee National Forests

1-800-821-6263

www.fs.fed.us/r9/hmnf

Hiawatha National Forest

906-786-4062

www.fs.fed.us/r9/forests/hiawatha

Ottawa National Forest

906-932-1330

www.fs.fed.us/r9/ottawa

Prohibited ORV Operation on Other Lands

- ◆ Roads, streets, and highways maintained for year-round automobile travel are closed to ORV operation, including the shoulder and the right-of-way. (That is, the entire width between boundary lines of public ways maintained for vehicular travel is closed to ORVs.) However, ORVs registered as motor vehicles by the Secretary of State may be operated on the roadway.
- ◆ ORVs may be operated on a roadway in accordance with a locally enacted ordinance. The ORV rider is responsible for contacting the local authorities to find out which roadways are open to ORV use.
- ◆ Private land is closed to ORV operation, except for use by the landowner and the landowner's invited guests. *The failure of a landowner to post or fence private property against ORV use does not imply consent to ORV operation.*
- ◆ ORV operation is permitted on the ice of public waters; however, *unless* an ORV is being operated at the minimum speed necessary for controlled forward movement, the ORV may *not* be operated within 100 feet of:
 - Another person
 - An ice fishing shanty
 - An area cleared for ice skating
- ◆ *An ORV may not be operated in a manner that creates an erosive condition.* Michigan's soils and shorelines are fragile, and ORV operation in these areas and along stream banks and other waterways is restricted.
- ◆ It is unlawful to operate any ORV in or on the waters of any stream, river, marsh, bog, wetland, swamp, or quagmire, unless you are driving on a bridge, culvert, or similar structure.

ORV Operation on Various Land Types

Land Type	ORVs Less than 50 Inches Wide Overall (most ATVs and trail bikes)	ORVs 50 Inches in Overall Width or Wider (trucks, dune buggies, and tracked vehicles)
State forest lands	L.P.: on designated open trails and routes. U.P.: on forest roads and designated trails and routes. Black Mountain Designated ORV Scramble Area (Cheboygan County).	L.P.: only on forest roads designated as open if ORV not Secretary of State licensed. U.P.: on forest routes and roads unless posted as closed.
	St. Helen Motorsport Area (Roscommon County).	
State game areas	No motorized vehicle operation except on established roads open to the public. ORVs are prohibited.	
State parks & recreation areas	Silver Lake State Park, Oceana County, is only state park where cross-country (scramble) operation is permitted. Contact the park about special rules at 231-873-3083.	
National forest lands	Check with the Forest Supervisor's Office or appropriate District Office.	
Local government lands (county, etc.)	Subject to ordinances and signing or posting. ORV access routes may be established by local ordinance.	
Commercial forest lands, public utility right-of-way, and other private lands	Only with permission of the landowner.	
Streams, rivers, bogs, wetlands, marshes, etc.	ORV operation of all kinds prohibited. You may only cross any of these on bridges, culverts, or other structures.	
State and U.S. highways	All ORV operation prohibited on roadway and shoulder.	
County roads, other roads open to cars	ORV operation prohibited on roadway and shoulder unless opened by local ordinance as designated ORV access routes.	



Riding Your ORV

Accidents

- ◆ The operator of an ORV involved in an accident resulting in injury to a person must stop immediately at the scene and secure medical aid or transportation.
- ◆ The operator of an ORV involved in an accident resulting in injury to a person, death, or estimated property damage of \$100.00 or more must immediately notify the State Police or Sheriff's office of the county in which the accident occurred and complete an accident report.

Penalties

- ◆ Criminal penalties range from a misdemeanor to a felony. Civil penalties can range up to \$500. Misdemeanors are punishable by a fine of not less than \$250 or more than \$1,000, imprisonment for up to 90 days, or both a fine and imprisonment.
- ◆ Persons may be held financially responsible for ecological damage caused by their ORV and ordered to restore such damaged property to the original condition.
- ◆ Additional penalties for operating an ORV under the influence of alcohol or controlled substances can be imposed and are more severe.
- ◆ A person convicted of manslaughter, negligent homicide, or a felony resulting from off-road vehicle operation will have six points assessed against his or her driver's license.
- ◆ *Serious criminal violations also may result in seizure and condemnation of the ORV.*

Alcohol

ORV riding, like any other activity involving a motor vehicle, demands the full attention of the operator. This is reflected in the rules regarding alcohol use while operating an ORV, which are virtually identical to the laws regarding alcohol in the motor vehicle code.

- ◆ Open containers of alcoholic beverages may not be transported in or upon an ORV unless in a trunk or compartment separate from the passenger compartment of the vehicle.
- ◆ An ORV operator is considered to have given implied consent to chemical tests of blood, breath, or urine for blood alcohol levels.
- ◆ A statutory presumption of intoxication exists for a person with a blood alcohol level of 0.10 grams or more per 100 milliliters of blood, per 210 liters of breath, or per 67 milliliters of urine.
- ◆ A person who operates an off-road vehicle in Michigan either while under the influence of alcohol or a controlled substance or with an unlawful blood alcohol content *and* who causes a serious impairment of a body function of another person is guilty of a felony.
- ◆ A person convicted of operating an off-road vehicle either while under the influence of alcohol or a controlled substance or with an unlawful blood alcohol content will have six points assessed against his or her driver's license. A person convicted of operating an off-road vehicle while visibly impaired will have four points assessed against his or her driver's license.



Sound Emission Regulations

Excessive noise is a common complaint made against ORV users.

- ◆ All ORVs must have, in good working condition and in constant use, a muffler that will meet or exceed all sound emission standards set by state law.
- ◆ Exhaust noise must not exceed 99 dB(A)—or 94 dB(A) on vehicles manufactured after January 1, 1986—when tested according to the provisions of the SAE J1287 test. (Refer to the manufacturer's documentation.)
- ◆ Users should replace all worn or damaged exhaust systems with a quality muffler.
- ◆ Motocross motorcycles are designed for closed course competition and not for recreational riding. These vehicles must be modified before being operated on public trails, routes, or land.

ORV Operation Regulations

- ◆ If your license to operate an automobile has been suspended (regardless of the state where the suspension originated), you may not operate an off-road vehicle in Michigan until the suspension has been terminated by the court.
- ◆ An ORV operator must stop upon the signal of a law enforcement officer.
- ◆ On private property, an ORV operator must stop upon the signal of a landowner.
- ◆ In addition to restrictions on state-owned lands and other violations previously noted, ORV operation is prohibited:
 - In any forest nursery or planting area
 - On a DNR-dedicated natural area
 - In any area in a manner that would injure, damage, or destroy trees or growing crops
 - In any area in a manner that creates an erosive condition
 - On or across a cemetery or burial ground, or land used as an airport

- Within 100 feet of a dwelling at a speed greater than the minimum speed necessary for controlled forward movement except when operating on private property or on designated routes, trails, areas, or access routes
- On lands of another without permission
- Within 100 feet of a slide, ski, or skating area
- On a DNR–designated snowmobile trail located in the Lower Peninsula unless it’s also designated for ORV use
- On any operating or non-abandoned railroad or railroad right-of-way, or public utility right-of-way, (except to cross at a designated railroad crossing)
- In or upon the waters of any stream, river, bog, wetland, marsh, or quagmire
- ◆ ORV operation is prohibited in public hunting areas during the regular November firearm deer season, from 7:00 a.m. to 11:00 a.m. and 2:00 p.m. to 5:00 p.m., except for these cases:
 - Going to or from a residence or hunting camp that is inaccessible by a conventional vehicle (subject to state land regulations)
 - On private property, with landowner’s permission
 - Passenger vehicles while being operated on roads capable of sustaining automobile traffic
 - Persons holding a “Permit to Hunt From a Standing Vehicle” or otherwise meeting disability requirements (see page 44) while engaged in hunting or fishing activity
- ◆ An ORV may not be operated on any public highway, street, or right-of-way, except:
 - To cross at right angles *after* a complete stop (not on limited access highways)
 - For ORVs also registered as motor vehicles under the Michigan Vehicle Code
 - In a special event held under a government permit
- ◆ ORVs may be operated on a roadway in accordance with a locally enacted ordinance. ORV riders are encouraged to contact the appropriate local political subdivision to obtain ordinance specifics.

- ◆ An ORV may not be operated:
 - At a rate of speed greater than is reasonable and proper based on existing conditions.
 - In a careless manner without due regard for existing conditions.
 - In a manner that leaves behind litter or debris.
 - To hunt, pursue, harass, or attempt to kill any animal or bird.
 - While transporting a strung, uncased bow or an uncased or loaded firearm *unless*:
 - The firearm is a pistol (concealed or not) *and ...*
 - The person transporting the pistol or carrying a loaded pistol has a Concealed Pistol License or is exempt from the license requirement.
 - While transporting or possessing an alcoholic beverage that is open or uncapped (seal has been broken).
 - While under the influence of alcohol or a controlled substance.
 - While visibly impaired due to alcohol or a controlled substance.
 - While transporting a passenger unless the vehicle has been designed by the manufacturer to carry passengers.
 - While the operator is under a court suspension of ORV or automobile operating rights.
 - When the ORV is unlicensed.

Persons With Disabilities

- ◆ Persons who meet the following criteria are permitted to operate licensed ORVs with an overall width of less than 50 inches on forest roads that are on state lands and open to public vehicular travel (including those not posted as open to ORVs):
 - Those persons with a valid temporary or permanent handicapped parking permit issued by the Secretary of State
 - Those persons holding Permits to Hunt From a Standing Vehicle
 - Those persons with a physician's certification for any of the following disabilities: loss of one or both legs or feet; inability to walk more than 200 feet without having to stop and rest; inability to walk without prolonged use of wheelchair, walker, crutches, braces, or other devices to aide in mobility; lung disease from which the person's expiratory volume for one second is less than one liter when measured by spirometry; lung disease from which the person's arterial oxygen is less than 60 mm/hg of room air at rest; cardiovascular disease from which the person measures between 3 and 4 on the heart classification scale; cardiovascular disease from which a marked limitation of physical activity causes fatigue, palpitation, dyspnea, or anginal pain; or other disease or disorder including, but not limited to, severe arthritis or neurological-orthopedic impairment that creates a severe mobility limitation
 - Those persons with obvious severe disabilities (i.e., paraplegics, quadriplegics)
- ◆ To indicate the presence of a hunter who has a Permit to Hunt From a Standing Vehicle or a disability, an orange flag may be attached to the ORV. There is no size requirement for this flag.
- ◆ Operation of the ORV is still subject to licensing and all other requirements and restrictions, and operation must be at a speed and in a manner that does not degrade the environment. These privileges may extend to one companion of the disabled person serving as an operator or passenger of the disabled person's ORV if the ORV is designed for passenger use.