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**TO:** The Detroit City Council

**FROM:** David Whitaker, Director  
Legislative Policy Division 

**DATE:** July 11, 2022

**RE:** **Report on Three-Wheel Vehicles and Policy Regulations**

The Honorable Council Member Coleman A. Young II directed the Legislative Policy Division to provide a report on policy regulations regarding three-wheel vehicles.

The State of Michigan via PA 240 of 2008, allows for specific counties in the Lower Peninsula, all of the counties in the Upper Peninsula, and the townships, cities, and villages in them to adopt ordinances authorizing the operation of ORVs<sup>1</sup> on the maintained portion of streets and roads.

The Act identifies an "eligible county" as Mason, Lake, Osceola, Clare, Gladwin, Arenac, or Bay county or a county lying north thereof, including all the counties of the Upper Peninsula. Further, the Act states that the legislative body of a municipality located in an "eligible county" may adopt an ordinance authorizing the operation of ORVs on the maintained portion of one or more streets within the municipality. Wayne County is not listed among the eligible counties that are permitted to draft an ordinance to allow the operation of ORVs on its streets.

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<sup>1</sup> Michigan law defines an ORV as any motor vehicle that can be operated cross-country (without benefit of a road or trail) over land, snow, and other natural terrain.

Therefore, the city of Detroit, which is seated in Wayne County, is not allowed to draft an ordinance approving the operation of ORVs on its roads, streets, and highways.

Due to the potential safety hazards in the operation of off-road vehicles (ORVs), the State of Michigan has enacted regulations to ensure public safety. The State of Michigan’s Handbook of ORV Laws,<sup>2</sup> includes the specifics on the minimum age limits to operate ORVs, the licenses and permits required for operation of ORVs, required safety gear, and limits on the areas that ORVs may be operated on.

Young riders also have additional requirements when operating ORVs. In the State of Michigan, *no one under the age of 16* may operate three-wheel ORVs independently and without a certificate. While four-wheeled off-road vehicles can be operated by individuals aged 10 years and above, but only on private land and under a guardian’s supervision. For an ORV to be allowed on a roadway, it must be driving at a speed of no more than 25 miles per hour; by a person not less than 12 years of age. Please review the following table for the operator regulations.

Summary of Young Operator Regulations

	Age of ORV Operators (years)			
	Under 10	10-11	12-15	16+
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 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

<sup>2</sup> [mi\\_handbook\\_entire.pdf \(kalkomey.com\)](#)

Allowed to cross street or highway <sup>3</sup>	NO	NO	YES If under visual supervision and with ORV certificate	YES
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- Age and engine size: For the safety of children and their comfort, a parent/guardian must match the child with an ORV that is appropriate for his or her size and experience level.

The State of Michigan requires operators of off-road vehicles to observe safety measures such as wearing appropriate gear and protective helmets. Off-road vehicles must be licensed by the State of Michigan, and the license incurs an annual fee of \$26.25. Additionally, to operate the vehicle on designated trails and routes, the individual must obtain a permit that is renewed annually. The trail permit costs the operator an additional \$10, but it is only required when using public trails and the permit is not required for operation on private parks.

However, there are local parks that offer ORV activities. Within 100 miles of the city, the Holly Oaks ORV Park offers recreational off-road vehicle operation by utilizing a sandy terrain. The park is 106 acres and is located at a former sand mining site and allows all types of off-road vehicles including dirt bikes and three-wheeled vehicles to operate within the park. The Mounds ORV Park just northeast of Flint is composed of 200 acres and is located in Mt. Morris, MI. The park is owned and operated by the Genesee County Parks and Recreation Commission.

Finally, given the restrictions in State statutes, in order to establish an ORV park in the city of Detroit, the Wayne County Commission would need to petition the State for permission to establish an ORV park within the borders of the city and receive the State’s approval. Without the State’s explicit approval, neither the County of Wayne nor the City of Detroit could independently establish an ORV park.

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<sup>3</sup> Detroit, which is seated in Wayne County, is not allowed to draft an ordinance approving the operation of ORVs on its roads, streets, and highways.

## References

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