

EATON COUNTY BOARD OF COMMISSIONERS

MEMBERS

Tim Barnes
Blake Mulder
Terrance Augustine
Brandon Haskell
Jeanne Pearl-Wright
Jane Whitacre
Mark J. Mudry
Joseph Brehler



MEMBERS

Brian Droscha
Dairus Reynnet
Wayne Ridge
Brian Lautzenheiser
Jim Mott
Jeremy Whittum
Barbara Rogers

1045 Independence Blvd, Charlotte, MI 48813

EATON COUNTY BOARD OF COMMISSIONERS/PUBLIC SAFETY COMMITTEE

THURSDAY, DECEMBER 2, 2021, 4:00 P.M.

BOARD OF COMMISSIONERS' ROOM, COUNTY COURTHOUSE, CHARLOTTE

AGENDA

1. Call to Order.
2. Pledge of Allegiance.
3. Agenda Additions and Changes.
4. Approval of November 4, 2021 Minutes.
5. Limited Public Comment.
6. Sheriff's Office Update.
7. Jail and Youth Facility Security System Project.
8. Monthly Reports.
 - Reimbursement
 - Jail Census
 - Court Security
9. Central Dispatch Update.
10. Emergency Services Update.
 - EMPG ARPA Grant
11. ORV Ordinance.
12. Miscellaneous.
13. Limited Public Comment.
14. Adjournment.

A quorum of the Board of Commissioners may be present at this meeting.

PUBLIC SAFETY COMMITTEE

THURSDAY, NOVEMBER 4, 2021

4:00 P.M.

MINUTES

MEMBERS PRESENT: Chairman Commissioner Tim Barnes, Commissioner Brian Droscha, Commissioner Brandon Haskell, Commissioner Mark Mudry, and Commissioner Dairus Reynnet

ABSENT: Vice-Chairman Commissioner Wayne Ridge and Commissioner Jane Whitacre

ALSO PRESENT: Chairman Jeremy Whittum, Controller John Fuentes, Undersheriff Jeff Cook, Deputy Dispatch Director Kelly Cunningham, Emergency Management Coordinator Ryan Wilkinson, Community Corrections Director Melanie Achenbach, and Jerri Nesbitt

The November 4, 2021 regular meeting of the Public Safety Committee was called to order at 4:00 p.m. by Chairman Barnes.

The Pledge of Allegiance was given by all, led by Commissioner Mudry.

AGENDA ADDITIONS AND CHANGES

There were no additions or changes to the agenda. Commissioner Haskell moved to approve the agenda as presented. Commissioner Droscha seconded. Motion carried unanimously.

APPROVAL OF MEETING MINUTES

Commissioner Mudry moved to approve the Minutes of the October 7, 2021 Public Safety Committee Meeting. Commissioner Reynnet seconded the motion. Motion carried unanimously.

LIMITED PUBLIC COMMENT

The following citizens came forward expressing support of an ORV ordinance: Mark Goodrich, Bellevue Village President; Dennis Dingman, Bellevue Township resident; Wayne Root, Assyria Hwy; Dan Loughan; and Theresa Root.

SHERIFF'S OFFICE UPDATE

Undersheriff Cook highlighted the major incidents that occurred in October 2021.

Controller Fuentes stated that bids for the Jail Security Enhancement and Upgrade project are due November 10, 2021. Further information will be reported at the next meeting.

MONTHLY REPORTS

Controller Fuentes presented the monthly reimbursement, jail census, and court security reports. Billings have been sent to the State for Michigan Department of Corrections and Parole Violator housing programs. There were no significant changes in the jail census. WRAP program participant numbers and MDOC inmate numbers decreased slightly. There were no unusual incidents to report from court security.

COMMUNITY CORRECTIONS APPOINTMENT

The Advisory Board has a vacancy that is held by representation from either the Circuit Court Probation Office or District Court Probation Office. The Advisory Board is recommending the appointment of Clinton Auer, Circuit Court Probation, to fill the vacancy. Commissioner Droscha made a motion to recommend approval of Mr. Auer to fill the vacancy to the Board of Commissioners. Commissioner Haskell seconded the motion. Motion carried unanimously.

COMMUNITY CORRECTIONS BYLAWS

Community Corrections Director Achenbach addressed the committee explaining recommended changes to the Bylaws. Presently the Bylaws state that the election of new officers would be held at the January meeting. Based on the current meeting scheduled, the recommended change would be to clarify that election of new officers take place at the first meeting of the calendar year. The recommended changes also include updates to comply with changes made to the Open Meetings Act. Commissioner Haskell recommended approval of the proposed changes to the Bylaws to the Board of Commissioners. Commissioner Droscha seconded the motion. Motion carried unanimously.

CENTRAL DISPATCH UPDATE

Central Dispatch Deputy Director Cunningham thanked Chairman Commissioner Barnes for the recent Air Med Transportation training and onsite demonstration. Law enforcement, Fire and EMS radio updates are continuing. Interviews for the new Deputy Director of Central Dispatch position are scheduled for November 19, 2021.

EMERGENCY SERVICES UPDATE

Emergency Management Coordinator Wilkinson reported the Campus Connections Group met and together have begun networking Emergency Services program efforts. The Active Assailant Conference was well attended and included briefings on incidents across the globe. Preparations are continuing on the Operation Silver Thaw 2021 Exercise that is scheduled for Tuesday, December 7, 2021. The exercise is all virtual with field operations being simulated. Participants include Eaton, Clinton, and Ingham Counties, Delta and Delhi Townships, Michigan State University and Lansing Police Departments.

ORV ORDINANCE UPDATE

Controller Fuentes reported that responses from the letter Chairman Commissioner Barnes sent to Township and Villages after the October meeting were received from Bellevue Township and Village, Brookfield Township, and the City of Lansing. Information received from the Road Commission is that they will exercise their authority to exempt certain roads throughout the County based on factors including traffic volumes, speed limits and other safety considerations. The actual roads to be exempted would need to be identified prior to scheduling a public hearing.

Differences in the ordinances of Barry and Ionia Counties treatment of designated roads were noted and discussed. In order to proceed, a proposed ordinance must be developed for purposes of conducting the required public hearing. Once a draft has been finalized, a Public Notice of the hearing by the Board of Commissioners must be posted for 45 days. Commissioner Droscha provided documentation from various sources not supporting the use of ORV's on roadways. Ms. Jennifer Dingman addressed the committee citing the safety features of ORV's and the requirement for obtaining an ORV Safety Course certificate. Discussion Held. Commissioner Droscha stated he did not feel the County should consider adopting an ORV ordinance for traffic safety reasons.

The Committee directed a draft ordinance, including proposed roads to be exempted by the Eaton County Road Commission, be prepared for consideration at the next regular meeting.

MISCELLANEOUS

It was reported the 2020 Annual Report from the Medical Examiner's Office was included in the materials for the Committee's review. The Medical Examiner can be scheduled to attend an upcoming meeting to review the report and answer questions.

LIMITED PUBLIC COMMENT

The following citizens addressed the committee expressing their support for an ORV ordinance, Danny Dunn, Nashville resident; Jessica and Dakota Angus, Bellevue Township; Dillon Walls, Bellevue Township; Ken, Bellevue Township. Dennis Dingman, Bellevue Township; Theresa Root, Assyria Hwy; and Mark Goodrich, Bellevue Village President readdressed the committee re-stating their support for an ordinance and responding to concerns expressed by the Committee during its discussion.

ADJOURNMENT

Chairman Commissioner Barnes adjourned the meeting at 5:10 p.m.

The next regularly scheduled meeting of the Public Safety Committee will be held on Thursday, December 2, 2021 at 4:00 p.m. in the Board of Commissioners' Room of the County Courthouse located at 1045 Independence Blvd., Charlotte, MI 48813.

Commissioner Tim Barnes
Chairperson, Public Safety Committee



EATON COUNTY OFFICE OF THE SHERIFF

THOMAS L. REICH, SHERIFF

JEFFREY G. COOK, UNDERSHERIFF

ADAM MORRIS, CHIEF DEPUTY

1025 Independence Blvd • Charlotte MI 48813 • Phone 517-543-3512 • 517-372-8217 • Fax 517-543-2922

November 23, 2021

Mr. Blair Ballou, Director
Eaton County Road Commission
1112 Reynolds Road
Charlotte, MI 48813

Dear Blair,

Last night at about 5:15 pm I came across yet another Personal Injury crash at the intersection of Stewart road and Island Highway and immediately requested assistance. This was a major crash and I fully expected to find serious if not fatal injuries to the occupants of the rolled over vehicle. There were other civilians stopped at the scene just prior to my arrival, who assisted in rendering aid to the vehicle occupants as EMS and Fire responded. A young child passenger was crying out but thankfully, she was safely secured in her correctly installed car seat. The driver was pinned in his vehicle for a time but was freed by the quick responding Charlotte Fire department members. Both were immediately attended to Eaton Area EMS and appeared to have only non-life threatening injuries.

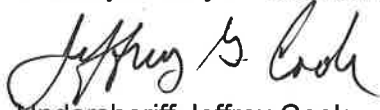
The all too familiar cause of the crash at this intersection was detailed by witnesses and the at-fault driver. A southbound vehicle driven by a person who is not from this area and travelling to Eaton Rapids, failed to stop for the stop sign and collided with an eastbound large SUV which became airborne and landed on its side about 50 yards into the field on the south east corner. Everyone at the scene that I spoke with was amazed that this crash didn't result in very serious or fatal injuries. The Charlotte Fire Chief was on scene and expressed concern noting that he has only been Chief for 6 weeks and this is the second major crash scene he has responded to at this intersection.

Over the past several years there has been significant concern expressed by citizens, particularly many that live nearby, of public safety at this intersection. Fire and EMS department members have also expressed their concern about the traffic control and safety of this intersection, and did so again last night at this serious crash scene. I'm sure you recall attending meetings with some of the Eaton Township Trustees and Supervisor about their concern regarding the number of crashes at or near this intersection. There has been discussion about the vision obstruction of Island Hwy traffic from the property on the North West corner of the intersection. There was significant discussion about installing rumble strips in the pavement on Stewart road to alert motorist's to the stop signs at Island Hwy (and M-50) and

also installing a flashing light at this intersection. As a result of these meetings, the ECRC installed a second stop sign (with yellow warning signs on the signs) on the opposite side of the road for both north and south bound traffic on Stewart Road.

The amount of traffic on Island Highway seems to be ever increasing and Stewart road is a popular route between Packard Highway and M-50 to either get to I-69, Meijer, or Eaton Rapids. We believe that installing a flashing 4-way red traffic stop light at this intersection and changing the traffic flow to a 4-way stop would be the most effective means of reducing these high speed life threatening vehicle crashes and increase public safety. We understand there is likely a state requirement of a traffic study to change the traffic flow and stop traffic on Island Highway at this intersection. We encourage you to initiate one based on a request to make this a 4-way stop intersection. We believe that at a minimum, installing a flashing red light signal for north and south bound travel on Stewart road and a yellow flashing light for Island Hwy should be done as soon as possible. This measure does not change the current traffic control at this intersection, but should increase the visibility and awareness of the intersection to motorists on Stewart road and help prevent or reduce the number of crashes until a 4 way stop light is approved.

Thank you for your attention to this matter,



Undersheriff Jeffrey Cook

cc::

Mr. Jeremy Whittum, Chairperson Eaton County Board of Commissioners

Mr. Tim Barnes, Chairperson Eaton County Board of Commissioners Public Safety Committee

Jail and Youth Facility Security System Replacement

Estimate based on Conditions Assessment Report, HOK, May 14, 2021

	Base	With - Watch Tour	With - YF integration (1)
Low End	1,254,717.32	27,378.67	(37,594.20)
High End	1,505,660.79	32,854.40	(45,113.04)

Actual Bids, November 10, 2021

	Base w/Watch Tour	Alternate #1 Analog cable removal
Accurate	2,010,568.00	29,000.00
Stanley	2,144,319.00	36,645.00

(1) After review by ECSO and YF, integration was not pursued due to video accessibility risks.



EATON COUNTY CONTROLLER/PERSONNEL

1045 Independence Blvd
Charlotte, MI 48813

(517) 543-2122
(517) 543-3331 Fax

John F. Fuentes, CPA
Controller/Administrator

Connie L. Sobie
Deputy
Controller/Administrator

NOTICE

Sealed bids were received at the office of the County Controller/Administrator at 1045 Independence Blvd. Charlotte, MI 48813, at 1:30PM, November 10th, 2021, for the *SAFETY AND SECURITY UPGRADE PROJECT AT THE JAIL AND YOUTH SERVICES FACILITY*.

This letter shall serve as **NOTICE OF RECOMMENDATION TO AWARD** to the best and lowest proposal received by:

- **Accurate Controls, Inc.**

As per Addendum No. 02 issued November 3rd, 2021:

- Eaton County will negotiate terms & conditions with the successful bidder based upon AIA standard contract between Owner/Contractor form AIA-A101. A draft of which was attached to the addendum.

The county commissioners reserve the right to reject any or all bids and to waive any irregularity of bids, should same be to the advantage of the county.

CONTROLLER/ADMINISTRATOR OF EATON COUNTY, MICHIGAN:

John F. Fuentes, CPA

JAIL COUNT SUMMARY

Nov-21

Day	Building Total	Eaton County Pop.	Female Inmates	MDOC	WRAP	% of Capacity	% of Eaton County Pop
1	194	161	22	12	20	52%	83%
2	190	158	22	12	19	51%	83%
3	186	155	20	12	19	50%	83%
4	185	163	22	4	18	49%	88%
5	195	168	23	8	18	52%	86%
6	194	167	24	8	18	52%	86%
7	194	167	24	8	18	52%	86%
8	194	167	24	8	18	52%	86%
9	186	160	22	8	18	50%	86%
10	178	152	20	8	18	48%	85%
11	176	151	21	9	16	47%	86%
12	178	153	21	9	16	48%	86%
13	183	158	22	10	15	49%	86%
14	187	162	20	10	15	50%	86%
15	184	159	19	10	15	49%	86%
16	183	156	19	10	17	49%	85%
17	181	154	20	10	17	48%	85%
18	177	149	20	11	17	47%	84%
19	170	144	18	10	16	45%	84%
20	166	147	19	3	16	44%	88%
21	165	146	19	3	16	44%	88%
22	168	149	17	3	16	45%	88%
23	167	147	19	4	16	45%	88%
24	169	148	18	5	16	45%	87%
25	172	151	18	5	16	46%	88%
26	174	153	18	5	16	47%	88%
27	172	151	18	5	16	46%	88%
28	175	154	18	5	16	47%	88%
29	177	155	17	6	16	47%	87%
30	171	149	17	6	16	46%	87%
31		0				0%	#DIV/0!

TOTAL

601

227

504

48%

41%

Bldg Total

5391

Avg/Day

180

Eaton Cty. Total

4646

Avg/Day

155

Housing Total

227

Avg/Day

8

Female Total

601

Avg/Day

20



Eaton County Central Dispatch

911 Courthouse Dr. | Charlotte MI 48813
Phone: 517-543-4913 | Fax: 517-543-3036

Kelley Cunningham, *Deputy Director*

Monthly Report: November 2021

- 11,686 total telephone calls
 - 4,207 on emergency lines
 - 7,479 on non-emergency lines
- 10 text-to-911 sessions
- 7,139 Incidents
 - 4,836 Law Enforcement
 - 1,469 EMS
 - 834 Fire
- 5 addresses issued

Training

- Telecommunicator Shaw attended Communication Training Officer School in Illinois.
- The supervisory team attended leadership training.

Technology and Radios

- Radio Manager Imeson and Supervisor D'Huyvetter have completed all Fire & EMS radio updates.
- Radio Manager Imeson has updated all Law Enforcement portable radios and is working to complete mobile and base radio updates.

Operations

- Supervisor Francis D'Huyvetter has been promoted to Deputy Director effective January 2nd, 2022.
- The supervisor vacancy has been posted internally.
- Telecommunicator Neirink has successfully completed the training program.
- There are currently two (2) telecommunicators in the training program.
- There is one (1) applicant in the background phase of the hiring process.
- There currently is an open hiring process for one (1) telecommunicator vacancy.

Outreach

- Director Cunningham participated in the 2021 Crash Responder Safety Week press conference at Delta Township Fire Department.

Rave Report:

Usage & Outreach (11/01/2021 - 11/30/2021)	
Inbound 911 Calls	14,891
User-Initiated Tickets	8
Safety Profile Pops	355
Guardian Profile Pops	0
Tickets With Chat	178
Tickets With Chat Response	28
Tickets With Video Sharing	0
Notes Added	0
Tickets with Notes Available	0
Tickets with RapidSOS Location	11,100
Tickets with RapidSOS Data	4,832
Facility Profile Pops	157
Panic Button Activity	36
Safety Profiles Created	59
Facility Profiles Created And Approved	0
Pending Approvals	2
Total Safety Profiles Created	9,426

Yours Truly,



Kelley Cunningham
Director

Eaton County Central Dispatch

Police Calls For Service

November 2021				
Agency	Month To Date		Year To Date	
	Calls	%/Total	Calls	%/Total
Bellevue Police	15	0.3%	656	1.1%
Charlotte Police	676	14.0%	7,964	13.4%
Eaton County Sheriff	2,656	54.9%	32,941	55.5%
<i>Delta</i>	1,445	29.9%	18,578	31.3%
<i>Out County</i>	1,067	22.1%	12,837	21.6%
<i>Animal Control</i>	144	3.0%	1,729	2.9%
Eaton Rapids Police	264	5.5%	3,887	6.6%
Grand Ledge Police	353	7.3%	4,453	7.5%
Michigan State Police	631	13.0%	6,481	10.9%
Olivet Police	39	0.8%	368	0.6%
Potterville Police	191	3.9%	2,458	4.1%
Outside Agencies* ME, LANS	11	0.2%	112	0.2%
Total Police Calls	4,836	100.0%	59,320	100.0%

* Agencies Outside Eaton County

Eaton County Central Dispatch

Total Calls For Service

November 2021				
Type Agency	Month To Date		Year To Date	
	Calls	%/Total	Calls	%/Total
EMS	1,469	20.6%	14,823	18.1%
Fire	834	11.7%	7,632	9.3%
Police	4,836	67.7%	59,320	72.5%
Total Calls	7,139	100.0%	81,775	100.0%

Eaton County Central Dispatch

EMS Calls For Service

November 2021				
Agency	Month To Date		Year To Date	
	Calls	%/Total	Calls	%/Total
Benton Twp. EMS	92	6.3%	971	6.6%
Delta Twp. EMS	513	34.9%	5,052	34.1%
Eaton Area EMS	522	35.5%	5,481	37.0%
Grand Ledge EMS	166	11.3%	1,796	12.1%
Vermontville EMS	11	0.7%	177	1.2%
Windsor Twp. EMS	116	7.9%	1,060	7.2%
Outside Agencies* <i>DLHE, LIFE, LTEM, MARE, NEMS</i>	49	3.3%	286	1.9%
Total EMS Calls	1,469	100.0%	14,823	100.0%

* Agencies Outside Eaton County

Eaton County Central Dispatch

Fire Calls For Service

November 2021				
Agency	Month To Date		Year To Date	
	Calls	%/Total	Calls	%/Total
Bellevue Fire	24	2.9%	294	3.9%
Benton Twp. Fire	31	3.7%	280	3.7%
Charlotte Fire	117	14.0%	950	12.4%
Delta Fire	290	34.8%	2,699	35.4%
Eaton Rapids City	74	8.9%	668	8.8%
Eaton Rapids Twp.	76	9.1%	677	8.9%
Grand Ledge Fire	59	7.1%	621	8.1%
Hamlin Twp Fire	26	3.1%	168	2.2%
Olivet Fire	16	1.9%	244	3.2%
Roxand Twp. Fire	12	1.4%	144	1.9%
Sunfield Fire	29	3.5%	258	3.4%
Vermontville Fire	17	2.0%	166	2.2%
Windsor Fire	53	6.4%	358	4.7%
Outside Agencies*	10	1.2%	105	1.4%
<i>LTFD</i>				
Total Fire Calls	834	100.0%	7,632	100.0%

* Agencies Outside Eaton County

Eaton County 911 Phone Calls Received in 2021			
Month	911	Non-emergency	Total Calls
January	3,639	6,093	9,732
February	3,464	5,981	9,445
March	4,004	6,900	10,904
April	4,041	6,668	10,709
May	4,370	6,944	11,314
June	4,701	8,248	12,949
July	4,695	8,465	13,160
August	4,870	7,898	12,768
September	4,286	7,615	11,901
October	4,501	7,819	12,320
November	4,207	7,479	11,686
December			-
TOTAL	46,778	80,110	126,888

Eaton County New Builds

Date Issued	Certificate #	New Address	City	Zip Code	Permit Type
November 4, 2021	2021-102	1567 S CHESTER RD	CHARLOTTE	48813	ACCESSORY BUILDING
November 8, 2021	2021-103	775 S GUNNELL RD	EATON RAPIDS	48827	
November 16, 2021	2021-105	4804 S CANAL RD	LANSING	48917	NEW BUILD
November 16, 2021	2021-104	4802 S CANAL RD	LANSING	48917	NEW BUILD
November 16, 2021	2021-106	8942 HARTEL RD	GRAND LEDGE	48837	NEW BUILD



Silver Thaw 2021 Functional Exercise

Quick Look Report

Tuesday, December 7, 2021



Exercise Scope and Type

This exercise was a functional exercise planned for one day virtually for Emergency Operations Centers (EOCs) in the tri-county area (Clinton, Eaton, Ingham, City of Lansing, Delta Twp., Delhi Twp., LCC, MSU). Exercise play is limited to virtual EOCs.

Functional Exercise Defined

A functional exercise is an operations-based exercise designed to assess and evaluate capabilities and functions while in a realistic, real-time environment; however, movement of resources is simulated.

Exercise Schedule

Warm Start: Sunday, December 5, 2021

Warm Start Updates: Monday, December 6, 2021

- National Weather Service Exercise Webinar: 2:00 pm

Exercise Date: Tuesday, December 7, 2021

- Start of Exercise (StartEx): 8:00 am
- End of Exercise (EndEx): 3:00 pm
- EOC Hotwash: 3:00 pm – 3:30 pm

Exercise Objectives

- Conduct a systematic process in accordance with EOC SOPs/SOGs during the exercise that engages EOC stakeholders in the development of executable strategic level approaches for a new operations period.
- Assess EOC stakeholders and agency representatives' analysis and resolution of issues that arise in the EOC to improve operational coordination within two hours of receiving an inject.
- Evaluate the EOCs ability to communicate information to aid in decision-making, process resource requests, and increase situational awareness between the EOC and simulated field operations for the duration of the exercise.

Reference Material

- Emergency Operations Plan (EOP)
- Emergency Operations Center (EOC) Standard Operating Procedures/Standard Operating Guidelines (SOPs/SOGs)
- Region One Local Emergency Assurance Plan (R1 LEAP)



Exercise Participants

Participating Organizations
Tri-County Emergency Management Partners and their EOC staff members
City of Lansing Office of Emergency Management
Clinton County Emergency Services
Delta Township Fire Department
Delhi Township Fire Department
Eaton County Emergency Management
Ingham County Office of Homeland Security & Emergency Management
Lansing Community College
Michigan State University
Simulation Cell (SimCell)
Jackson County Emergency Management
Controllers/Evaluators
Federal Emergency Management Agency (FEMA) Region V
Hillsdale County Emergency Management
Livingston County Emergency Management
Shiawassee County Emergency Management
Subject Matter Experts
American Red Cross
Consumers Energy
District One Regional Medical Response Coalition (D1RMRC)
Lansing Board of Water & Light
National Weather Service

EATON COUNTY BOARD OF COMMISSIONERS

DECEMBER 15, 2021

**RESOLUTION TO APPROVE
EMERGENCY MANAGEMENT PERFORMANCE GRANTS AMERICAN
RESCUE PLAN
ACT (EMPG ARPA) GRANT AMENDMENT**

Introduced by the Public Safety Committee

WHEREAS, the County received Emergency Management Performance Grant funding the Federal Emergency Management Agency passed-through the Michigan State Police for the period of October 1, 2020 through September 30, 2021; and

WHEREAS, the Department of Emergency Management has been notified that additional funding of up to \$16,619, is available to for additional eligible expenditures for the same time period; and

WHEREAS, the grant would provide additional funding for the program manager's salary and fringe benefit costs.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners authorize the Department of Emergency Management to submit a grant amendment for an amount not to exceed \$16,619 for the period of October 1, 2020 to September 30, 2021; and

BE IT FURTHER RESOLVED, that the Controller be authorized to approve any necessary budget amendments to increase expenditures and increase grant revenue if the grant is approved by the State of Michigan; and

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners be authorized to sign any necessary documents.

Michigan State Police
Emergency Management
and
Homeland Security
Division



Grant Agreement

FEDERAL AWARD IDENTIFICATION

SUBRECIPIENT NAME County of Eaton	GRANT NAME Emergency Management Performance Grants American Rescue Plan Act	CFDA NUMBER 97.042
SUBRECIPIENT IRS/VENDOR NUMBER 38-6004847	FEDERAL AWARD IDENTIFICATION NUMBER (FAIN) EMC-2021-EP-00006	FEDERAL AWARD DATE 9/02/2021
SUBRECIPIENT DUNS NUMBER 038626248	SUBAWARD PERFORMANCE PERIOD FROM 10/1/2020 TO 9/30/2021	
RESEARCH & DEVELOPMENT N/A	Funding	Total
	Federal Funds Obligated by this Action	\$16,619
INDIRECT COST RATE None on file	Total Federal Funds Obligated to Subrecipient	\$16,619
	Total Amount of Federal Award Committed	\$16,619

FEDERAL AWARD PROJECT DESCRIPTION

2021 Emergency Management Performance Grants American Rescue Plan Act

DETAILS

The 2021 EMPG ARPA allocation is 17.13% of the Subrecipient's emergency program manager's salary and fringe benefits. A cost-match is required under this program. The Federal share used towards the EMPG budget shall not exceed 50% of the total budget.

FEDERAL AWARING AGENCY

Federal Emergency Management Agency - GPD
400 C Street, SW, 3rd floor
Washington, D.C. 20472-3645

PASS-THROUGH ENTITY (RECIPIENT) NAME

Michigan State Police
Emergency Management and
Homeland Security Division
P.O. Box 30634
Lansing, MI 48909

STATE OF MICHIGAN

COUNTY OF EATON

ORV ORDINANCE

An ordinance authorizing and regulating the operation of Off Road Vehicles (ORVs) on roads in Eaton County, providing penalties for the violation thereof, and for the distribution of public funds resulting from those penalties pursuant to 2008 PA 240, as amended, which is incorporated by reference in its entirety.

THE COUNTY OF EATON ORDAINS:

Section 1. Definitions. As used in this ordinance, the following definitions shall apply:

- a) "County" means the County of Eaton.
- b) "Direct supervision" means the direct visual 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.
- c) "Driver's 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 PA 300, as amended, 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 the roadway and any shoulder of a road.
- 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-country travel without benefit of a road or trail, on or immediately over land, snow, ice, marsh, swampland, or other natural terrain. ORV includes, but is not limited to, a multitrack or multi-wheel drive vehicle, an ATV, a motorcycle or related 2-wheel vehicle, a vehicle with 3 or more wheels, an amphibious machine, a ground effect air cushion vehicle, or other means of transportation. ORV does not include a snowmobile, a farm vehicle being used for farming, a vehicle used for military, fire, emergency, or law enforcement purposes, a vehicle owned 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 the performance of its common function, or a registered aircraft.

- h) "Road" means a county primary road or county local road as described in Section 5 of 1951 PA 51, as amended, MCL 247.655.
- i) "Safety Certificate" means a certificate issued pursuant to 1994 PA 451, as amended, MCL 324.81130, or a comparable ORV safety certificate issued under the authority of another state or a province of Canada.

Section 2. Designated Roads.

An ORV may be operated only on the far right on the maintained portion of a road with these exceptions:

- a) All Roads within Delta Township.
- b) All Roads within Benton Township.
- c) All paved County primary roads identified on Appendix A, incorporated by reference. An ORV shall not operate on the County roads listed in Appendix A.
- d) An ORV may not be operated on the road surface, roadway, shoulder or right-of-way of any State or Federal highway, including but not limited to I-69, I-96, I-496, M-43, M-50, M-78, M-79, M-99, M-100, M-188 in Eaton County.
- e) A person operating an ORV on a designated County Road may cross an excluded road as indicated in paragraph (b) of this section for the sole purpose of continuing travel on the designated County Road. The crossing of the excluded road shall only be performed if the operation can be done safely and only at the right angle. The operator shall bring the vehicle to a complete stop before proceeding across the excluded road and shall yield the right-of-way to oncoming traffic.
- f) A township board of a township in the County may adopt an ordinance to close any roads within the boundaries of the township to the operation of ORVs permitted by the County, pursuant to MCL 324.81131 (4).
- g) Any road closed to the operation of an ORV by the County Road Commission pursuant to MCL 324.81131 (4).
- h) An ORV may not be operated on any City or Village road surface, roadway, shoulder or right-of-way in Eaton County, unless allowed by City or Village ordinance.
- i) An ORV may not be operated within any State Game Area located in Eaton County, except for those roads listed herein or unless allowed by the State Game Area.
- j) An ORV may not be operated on any linear trail park in Eaton County.

- k) Appendix A may be amended and/or replaced by action conforming to the passage of ordinances by the Eaton County Board of Commissioners upon passage of a resolution amending this ordinance.

Section 3. Operating Conditions. Except as set forth herein or otherwise provided by law, an ORV meeting all the following conditions may be operated on a designed road in the County:

- a) At a speed of no more than 25 miles per hour, or a lower posted ORV speed limit.
- b) With the flow of traffic.
- c) In a manner which does not interfere with traffic on the road.
- d) Traveling single file, except when overtaking and passing another ORV.
- e) While displaying a securely attached white-lighted headlight and red-lighted taillight with brake light at all times.
- f) By a person not less than 12 years of age.
- g) An ORV shall not be operated pursuant to this ordinance during the period of 30 minutes before sunset to 30 minutes after sunrise or when visibility is substantially reduced due to weather conditions unless displaying a lighted headlight and lighted taillight.
- h) A child who is less than 16 years of age shall not operate a 3-wheeled ORV.
- i) The ORV shall be equipped with a braking system that may be operated by hand or foot, capable of producing deceleration at 14 feet per second on level ground at a speed of 20 miles per hour; a red brake light, brighter than the taillight, visible from behind the vehicle when the brake is activated, and a throttle so designed that when the pressure used to advance the throttle is removed, the engine speed will immediately and automatically return to idle.
- j) The ORV shall be equipped with at least one mirror securely mounted and positioned on the ORV in such a manner to be able to clearly view traffic approaching from behind.
- k) Each operator and passenger must wear a crash helmet and protective eyewear approved by the United States Department of Transportation unless the vehicle is equipped with a roof that meets or exceeds standards for a crash helmet and the operator and each passenger is wearing a properly adjusted and fastened seat belt.
- l) While the ORV is equipped with a spark arrester type United States Forest Service approved muffler in good working order and in constant operation.
- m) Pursuant to noise emission standard defined by law.

- n) ORVs must not be operated in a manner that will cause damage to the road surface or shoulder. In this regard, prohibited activity includes but is not limited to actions such as “fishtailing” and spinning of tires that disperses gravel and creates ruts and other damage.

Section 4. License; Safety Certificate. A person less than 18 years of age shall not operate an ORV on a road in the County unless the person is in possession of a valid driver’s license or unless the person is under the direct supervision of a parent or guardian and has in his or her immediate possession a Michigan issued ORV Safety Certificate or a comparable ORV Safety Certificate issued under the authority of another state or a providence of Canada.

Section 5. Registered Motor Vehicle. Unless a person possess a valid driver’s license, a person shall not operate an ORV on a road in the County if the ORV is registered as a motor vehicle, and either is more than 65 inches wide or has three wheels.

Section 6. Evidence. In a court action in this state, if competent evidence demonstrates that a vehicle that is permitted to operate on a road, street, or highway pursuant to the Michigan Vehicle Code was in a collision on a roadway with an ORV that is not registered under the Code, the operator of the ORV shall be considered prima facie negligent.

Section 7. Penalties. Any person who violates this ordinance is guilty of a municipal civil infraction, and shall pay a civil fine of not less than \$250.00 and not more than \$500.00. In addition, a court may order the person to pay full restitution for any damage to the environment, a road, or public or private property damaged as a result of a violation.

Section 8. ORV Fund. The County Treasurer shall deposit all fines and damages collected under this ordinance into a fund to be designated as the ORV Fund. The Eaton County Board of Commissioners shall appropriate revenue in the ORV Fund as follows:

- a) Fifty percent to the Eaton County Road Commission for repairing damage to roads and the environment that may have been caused by ORVs, and for posting signs indicating ORV speed limits, or indicating whether roads are open or closed to the operation of ORVs.
- b) Fifty percent to the Eaton County Sheriff for ORV enforcement and training.

Section 9. Master Map. The County shall maintain a master map of all roads under the jurisdiction of the Eaton County Road Commission upon which shall be indicated those roads and parts or sections thereof upon which the operation of ORVs is permitted and prohibited pursuant to the Ordinance. The County shall make such master map available for interested groups or organizations to make copies for distribution to the general public, but shall have no obligation to incur any expense associated with the making of such copies.

Section 10. Repealer Clause. All Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

Section 11. Savings Clause. This Ordinance shall in no manner affect pending litigation, either civil or criminal, founded or growing out of any Ordinance, Resolution, Order or parts thereof,

hereby repealed, and this Ordinance shall in no manner affect any rights, claims, privileges, immunities or causes of action of the County, or other person, either criminal or civil, that may have already occurred, accrued or grown out of any Ordinance, Resolution, Order or policy, or any part thereof, hereby repealed.

Section 12. Validity and Severability. Should any portion of this Ordinance be found invalid for any reason, such a holding shall not be construed as affecting the validity of the remaining portions of this Ordinance.

Section 13. Effective Date. This Ordinance shall be effective immediately after publication of notice of its adoption.

Section 14. Immunity Clause. Subject to section 5 of 1964 PA 170, MCL 691.1405, this state, a board of county road commissioners, a county board of commissioners, and a local unit of government are immune from tort liability from injuries or damages sustained by any person arising in any way out of the operation or use, on the maintained portion or unmaintained portion of a highway, road, or street, of an ORV. The immunity provided by this subsection does not apply to actions of an employee of this state, an employee of a board of county road commissioners, an employee of a county board of commissioners, or an employee of a local unit of government that constitute gross negligence. As used in this subsection, "gross negligence" means conduct so reckless as to demonstrate a substantial lack of concern for whether an injury results.

This Ordinance was adopted by action of the Eaton County Board of Commissioners on

_____.

EATON COUNTY

STATE HIGHWAYS



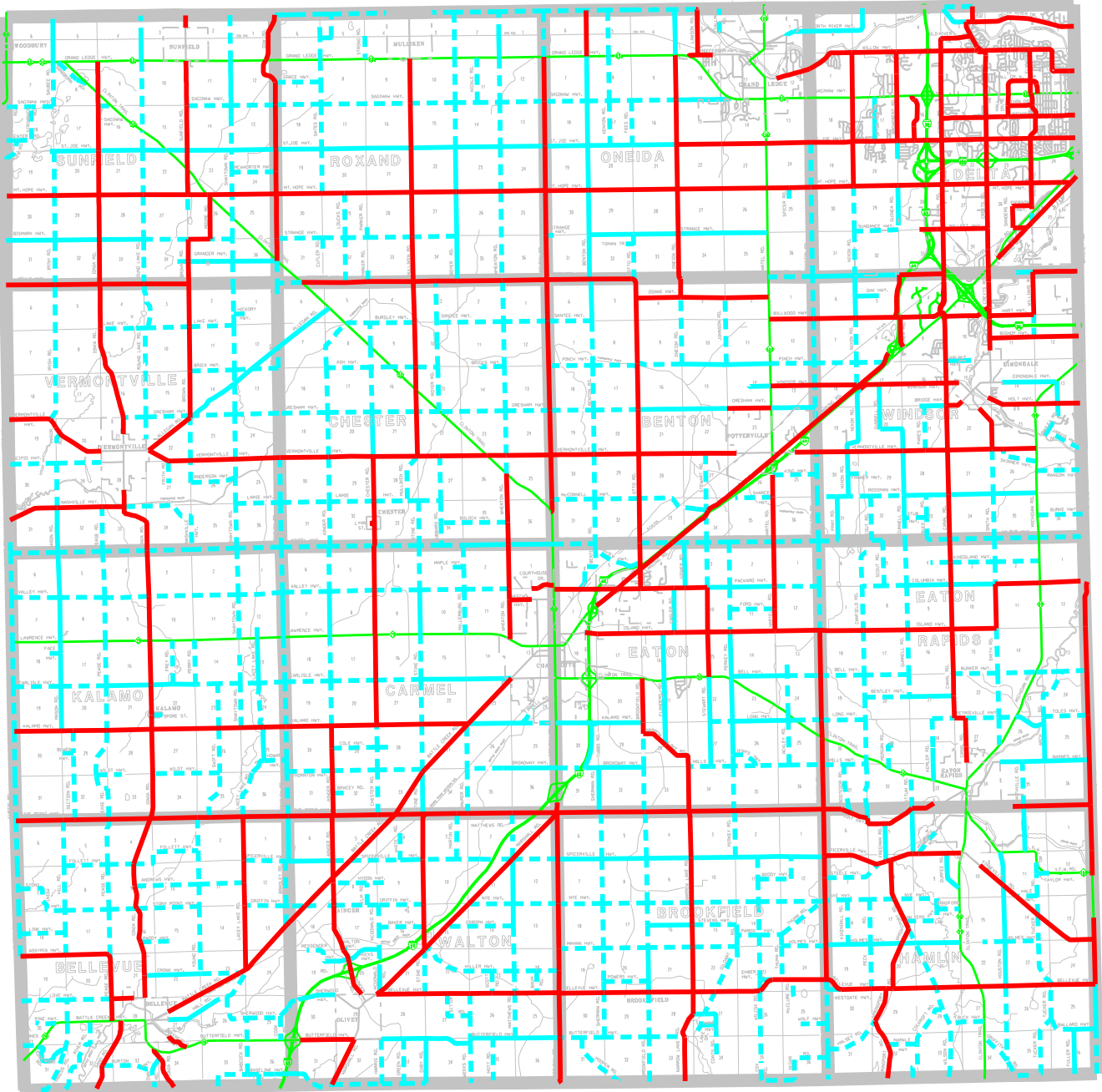
COUNTY PRIMARY ROADS



OTHER COUNTY ROADS



11/30/2021



NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.81131 Ordinance allowing disabled person to operate ORV; notice of public hearing; closure of county road to operation of ORVs; operation of ORVs on highway; operation of ORV with flow of traffic; maintaining county road or street or highway not required; immunity from tort liability; "gross negligence" defined; operator of ORV as prima facie negligent; violation as municipal civil infraction; deposit of fines; violation as state civil infraction.

Sec. 81131. (1) A municipality may pass an ordinance allowing a permanently disabled person to operate an ORV in that municipality.

(2) Subject to subsection (4), a county board of commissioners may adopt an ordinance authorizing the operation of ORVs on 1 or more county roads located within the county. Not less than 45 days before a public hearing on the ordinance, the county clerk shall send notice of the public hearing, by certified mail, to the county road commission, to the legislative body of each township and municipality located within the county, to the state transportation department if the road intersects a highway, and, if state forestland is located within the county, to the department. If the county is a southern county, before adopting an ordinance under this subsection, the county board of commissioners shall consult with the board of county road commissioners.

(3) Subject to subsection (4), the legislative body of a township or municipality may adopt an ordinance authorizing the operation of ORVs on 1 or more county roads located within the township or municipality, respectively. Not less than 28 days before a public hearing on the ordinance, the clerk of the township or municipality shall send notice of the public hearing, by certified mail, to the county road commission, to the county board of commissioners, to the legislative body of every other township and municipality located within the county, to the state transportation department if the road intersects a highway, and, if state forestland is located within the township or municipality, to the department. If the township or municipality is located in a southern county, before adopting an ordinance under this subsection, the legislative body of the township or municipality shall consult with the board of county road commissioners. This subsection does not apply to a township or municipality until 1 year after the effective date of the amendatory act that first authorized the county in which that township or municipality is located to adopt an ordinance under subsection (2).

(4) The board of county road commissioners may close a county road to the operation of ORVs otherwise authorized pursuant to subsection (2) or (3). A county road commission shall not under this subsection close more than 30% of the linear miles of county roads located within the county to the operation of ORVs otherwise authorized pursuant to subsection (2) or (3). The legislative body of a township or municipality may adopt an ordinance to close a county road located in the township or municipality to the operation of ORVs otherwise authorized pursuant to subsection (2). The legislative body of a village may adopt an ordinance to close a county road located in the village to the operation of ORVs otherwise authorized by the township pursuant to subsection (3). A county road may be closed to the operation of ORVs under this subsection only to protect the environment or if the operation of ORVs poses a particular and demonstrable threat to public safety.

(5) The legislative body of a municipality may adopt an ordinance authorizing the operation of ORVs on 1 or more streets within the municipality.

(6) The legislative body of a local unit of government may request the state transportation department to authorize the local unit of government to adopt an ordinance authorizing the operation of ORVs on a highway, other than an interstate highway, located within the local unit of government. The request shall describe how the authorization would meet the requirements of subsection (7). The state transportation department shall solicit comment on the request from the department, ORV clubs, and local units of government where the highway is located. The state transportation department shall consider comments received on the request before making a decision on the request. The state transportation department shall grant the request in whole or in part or deny the request not more than 60 days after the request is received. If the state transportation department grants a request in whole or in part under this subsection, the local unit of government that submitted the request may adopt an ordinance authorizing the operation of ORVs on the highway that was the subject of the request. A county may submit a request for authorization under this subsection on behalf of 1 or more local units of government located within that county if requested by those local units of government. Before January 1, 2015, the state transportation department may authorize the operation of ORVs on a highway as provided in this subsection and subsection (7) on the department's initiative and without having received a request from a local unit of government.

(7) The state transportation department shall authorize operation of an ORV under subsection (6) only on a highway that is not an interstate highway and that meets 1 or more of the following requirements:

(a) Serves as a connector between ORV areas, routes, or trails designated by the department or an ORV user group.

(b) Provides access to tourist attractions, food service establishments, fuel, motels, or other services.

(c) Serves as a connector between 2 segments of the same county road that run along discontinuous town lines and on which ORV use is authorized pursuant to subsection (2) or (3).

(d) Includes a bridge or culvert that allows an ORV to cross a river, stream, wetland, or gully that is not crossed by a street or county road on which ORVs are authorized to operate under subsection (2), (3), or (5).

(8) The state transportation department may close a highway to the operation of ORVs otherwise authorized pursuant to subsection (6) after written notice to the clerk of each local unit of government where the highway is located and the senate and house committees with primary responsibility for natural resources, recreation, and transportation. The notice shall be in writing and sent by first-class United States mail or personally delivered not less than 30 days before the adoption of the rule or order closing the highway. The notice shall set forth specific reasons for the closure.

(9) Subject to subsection (4), if a local unit of government adopts an ordinance pursuant to subsection (2), (3), or (5), a person may operate an ORV with the flow of traffic on the far right of the maintained portion of the street or county road covered by the ordinance. If the operation of ORVs on a highway is authorized pursuant to subsection (6), a person may operate an ORV with the flow of traffic as follows:

(a) On the right shoulder of the highway.

(b) If there is not a right shoulder or the right shoulder is not of adequate width, on the right unmaintained portion of the highway.

(c) On the far right of the right traffic lane of the highway, if necessary to cross a bridge or culvert and if the operator brings the ORV to a complete stop before entering and yields the right-of-way to an approaching vehicle on that traffic lane.

(10) A person shall not operate an ORV as authorized pursuant to subsection (2), (3), (5), or (6) 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 street, county road, or highway.

(11) Unless the person possesses a license as defined in section 25 of the Michigan vehicle code, 1949 PA 300, MCL 257.25, a person shall not operate an ORV as authorized pursuant to subsection (2), (3), (5), or (6) if the ORV is registered as a motor vehicle under chapter II of the Michigan vehicle code, 1949 PA 300, MCL 257.201 to 257.259, and either is more than 65 inches wide or has 3 wheels. ORVs operated as authorized pursuant to subsection (2), (3), (5), or (6) shall travel single file, except that an ORV may travel abreast of another ORV when it is overtaking and passing, or being overtaken and passed by, another ORV.

(12) A person shall not operate an ORV as authorized pursuant to this section without displaying a lighted headlight and lighted taillight.

(13) A person under 18 years of age shall not operate an ORV as authorized pursuant to this section unless the person is in possession of a valid driver license or under the direct supervision of a parent or guardian and the person has in his or her immediate possession an ORV safety certificate issued pursuant to this part or a comparable ORV safety certificate issued under the authority of another state or a province of Canada. A person under 12 years of age shall not operate an ORV as authorized pursuant to this section. The requirements of this subsection are in addition to any applicable requirements of section 81129.

(14) A township that has authorized the operation of ORVs on a county road under subsection (3) does not have a duty to maintain the maintained portion or unmaintained portion of the county road in a condition reasonably safe and convenient for the operation of ORVs. This state does not have a duty to maintain a highway in reasonable repair so that it is reasonably safe and convenient for the operation of ORVs except ORVs registered and operated as motor vehicles as provided in the code. A board of county road commissioners, a county board of commissioners, or a municipality does not have a duty to maintain the maintained portion or unmaintained portion of a county road or street under its jurisdiction in a condition reasonably safe and convenient for the operation of ORVs, except the following ORVs:

(a) ORVs registered and operated as motor vehicles as provided in the code.

(b) ORVs operated as authorized pursuant to subsection (1).

(15) Subject to section 5 of 1964 PA 170, MCL 691.1405, this state, a board of county road commissioners, a county board of commissioners, and a local unit of government are immune from tort liability for injuries or damages sustained by any person arising in any way out of the operation or use, on the maintained portion or unmaintained portion of a highway, road, or street, of an ORV that is not registered under the code or that is registered under the code but is operated as authorized pursuant to subsection (2), (3), (5), or (6). The immunity provided by this subsection does not apply to actions of an employee of this state,

an employee of a board of county road commissioners, an employee of a county board of commissioners, or an employee of a local unit of government that constitute gross negligence. As used in this subsection, "gross negligence" means conduct so reckless as to demonstrate a substantial lack of concern for whether an injury results.

(16) In a court action in this state, if competent evidence demonstrates that a vehicle that is permitted to operate on a road, street, or highway pursuant to the code was in a collision on a roadway with an ORV that is not registered under the code, the operator of the ORV shall be considered prima facie negligent.

(17) A violation of an ordinance described in this section is a municipal civil infraction. The ordinance may provide for a fine of not more than \$500.00 for a violation of the ordinance. In addition, the court shall order the defendant to pay the cost of repairing any damage to the environment, a street, county road, or highway, or public property as a result of the violation.

(18) The treasurer of the local unit of government shall deposit fines collected by that local unit of government under section 8379 of the revised judicature act of 1961, 1961 PA 236, MCL 600.8379, and subsection (17) and damages collected under subsection (17) into a fund to be designated as the "ORV fund". The legislative body of the local unit of government shall appropriate revenue in the ORV fund as follows:

(a) Fifty percent to the county sheriff or police department responsible for law enforcement in the local unit of government for ORV enforcement and training.

(b) Fifty percent to the board of county road commissioners or, in the case of a city or village, to the department responsible for street maintenance in the city or village. However, if a fine was collected for a violation of an ordinance adopted under subsection (6), 50% of the fine revenue shall be appropriated to the state transportation department. Revenue appropriated under this subdivision shall be used for repairing damage to streets, county roads, or highways and the environment that may have been caused by ORVs and for posting signs indicating ORV speed limits or indicating whether streets, county roads, or highways are open or closed to the operation of ORVs under this section.

(19) A person who violates a rule promulgated or order issued under subsection (6) is responsible for a state civil infraction and may be ordered to pay a civil fine of not more than \$500.00. In addition, the court shall order the defendant to pay the cost of repairing any damage to the environment, a highway, or public property as a result of the violation.

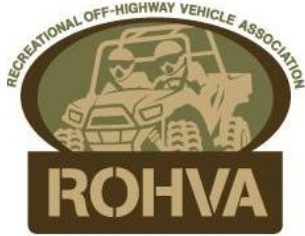
History: Add. 1995, Act 58, Imd. Eff. May 24, 1995;—Am. 2008, Act 240, Imd. Eff. July 17, 2008;—Am. 2009, Act 175, Imd. Eff. Dec. 15, 2009;—Am. 2011, Act 107, Imd. Eff. July 19, 2011;—Am. 2013, Act 117, Imd. Eff. Sept. 25, 2013;—Am. 2013, Act 118, Imd. Eff. Sept. 25, 2013.

Popular name: Act 451

Popular name: NREPA

Popular name: Off-Road Vehicle Act

Popular name: ORV



November 23, 2021

Eaton County Board of Commissioners
1045 Independence Boulevard
Charlotte, MI 48813

Re: Proposed off-road vehicle ordinance – ROHVA opposes on-road ROV use

Dear Commissioners:

The Recreational Off-Highway Vehicle Association (ROHVA) is a national, not-for-profit trade association formed to promote the safe and responsible use of recreational off-highway vehicles (ROVs – sometimes referred to as side-by-sides or UTVs) manufactured or distributed in North America. ROHVA is also accredited by the American National Standards Institute (ANSI) to serve as the Standards Developing Organization for ROVs.¹

ROHVA has learned that Eaton County is drafting a proposed ordinance to pave the way for townships within the County to allow off-road vehicles on public roads. As a proposed ordinance is developed and you listen to feedback, we would like to take this opportunity to provide you with our industry position. **ROHVA opposes ROV use on roads, except for roads that are part of a designated trail system or unimproved ways** (including logging roads and woodland trails).

ROVs are designed, manufactured, and sold for off-highway use only. The application of any *on-road* requirements to ROVs would falsely signal to consumers that on-road use of ROVs is somehow safe. It is not. ROHVA is opposed to on-road use of ROVs regardless of equipment requirements. Riding on public roads introduces the possibility of the ROV colliding with a car or truck, an obviously dangerous situation which would be compounded by faster moving automobiles coming upon slower moving ROVs. Automobiles and other on-highway vehicles are manufactured and certified to meet Federal Motor Vehicle Safety Standards (FMVSS), which consist of detailed compliance requirements based on extensive safety testing specific to on-road use. In contrast, ROVs are not intended to be used on-highway, and are not designed, equipped or tested to meet FMVSS. Permitting street use of ROVs -- including modified vehicles -- runs contrary to manufacturers' intended proper use and contrary to federal safety requirements. ROHVA urges that on-highway use of ROVs be prohibited and that law enforcement efforts be strengthened to eliminate this dangerous practice.

¹ An ROV is a motorized off-highway vehicle that is compliant with the ANSI/ROHVA 1 standard. More information on the standard can be found at <https://rohva.org/ansi-standard/>. ROVs are designed to travel on four or more tires, intended by the manufacturer for use by one or more persons and having the following characteristics: a steering wheel for steering control; a Roll Over Protective Structure complying with ANSI/ROHVA-1; an Occupant Retention System complying with ANSI/ROHVA-1; non-straddle seating; maximum speed capability greater than 30 mph; less than 80 inches in overall width, exclusive of accessories; and engine displacement of less than 1,000cc. Current models are designed with seats for a driver and one or more passengers.

Thank you for your consideration of these comments. Should you have any questions, please contact me at 703-416-0444 ext. 3202.

Sincerely,

A handwritten signature in blue ink, reading "Scott P. Schloegel". The signature is written in a cursive, flowing style.

Scott P. Schloegel
Senior Vice President, Government Relations



November 23, 2021

Eaton County Board of Commissioners
1045 Independence Boulevard
Charlotte, MI 48813

Re: Proposed off-road vehicle ordinance – SVIA opposes on-road ATV use

Dear Commissioners:

The Specialty Vehicle Institute of America (SVIA) is the national not-for-profit trade association representing manufacturers, dealers, and distributors of all-terrain vehicles (ATVs) in the United States. SVIA's primary goal is to promote safe and responsible use of ATVs.

SVIA has learned that Eaton County is drafting a proposed ordinance to pave the way for townships within the County to allow off-road vehicles on public roads. As a proposed ordinance is developed and you listen to feedback, we would like to take this opportunity to provide you with our industry position. **SVIA opposes ATV use on roads, except for roads that are part of a designated trail system or unimproved ways** (including logging roads and woodland trails).

Tens of millions of ATV users ride in a safe and appropriate manner every day. In addition to their popularity for outdoor recreational use, ATVs are indispensable tools for farmers, law enforcement officials, the military and others. ATVs are designed, manufactured, and sold for off-highway use only. The application of any *on-road* requirements to ATVs would falsely signal to consumers that on-road use of ATVs is somehow safe. It is not. SVIA is opposed to on-road use regardless of additional equipment requirements. On-road ATV riders face increased risk from collisions with motor vehicles. ATVs also handle poorly on paved surfaces, for which they are not designed or manufactured.

Automobiles and other on-highway vehicles are manufactured and certified to meet Federal Motor Vehicle Safety Standards (FMVSS) which consist of detailed compliance requirements based on extensive safety testing specific to on-road use. In contrast, ATVs are not intended to be used on-highway, and are not designed, equipped or tested to meet FMVSS. Permitting on-road use of ATVs – including modified vehicles – runs contrary to manufacturers' intended proper use and contrary to federal safety requirements.

The majority of ATV accidents and related injuries are caused by misuse. Studies and investigations of ATV-related injuries over time demonstrate that a large majority of ATV-related injuries and fatalities involve behaviors that the ATV industry warns against in its rider education programs, product literature, and on its vehicle warning labels. Such behaviors include operating ATVs on paved roads, operating without a helmet or other protective safety gear, carrying passengers on single-rider ATVs, children riding adult-sized ATVs, and operating under the influence of alcohol.

According to the Consumer Product Safety Commission (CPSC), ATV fatalities on public roads comprise a significant portion of total ATV-related fatalities. CPSC's *2020 Report of Deaths and Injuries Involving Off-Highway Vehicles with More than Two Wheels* (including data from previous reports) found that overall ATV-related fatalities declined most years from 2007 through 2017 (the latest year of complete data available from CPSC). However, during that same period, on-road fatalities generally remained

steady or increased. On-road fatalities in 2017 were 57% of total ATV-related fatalities – a disproportionately high number given that off-road use far outweighs on-road use.

If ATVs could be kept off public roads, as urged by SVIA and as proposed in our model State ATV legislation¹, a significant number of ATV-related injuries and deaths would be prevented.

Thank you very much for your consideration of these comments. Should you have any questions, please contact me at 703-416-0444 ext. 3202.

Sincerely,



Scott P. Schloegel
Senior Vice President, Government Relations

¹ <https://svia.org/model-state-legislation/>

CRASH SUMMARY REPORT

Barry Co. - ORV

Created on November 5, 2021

Created by Brian Sine

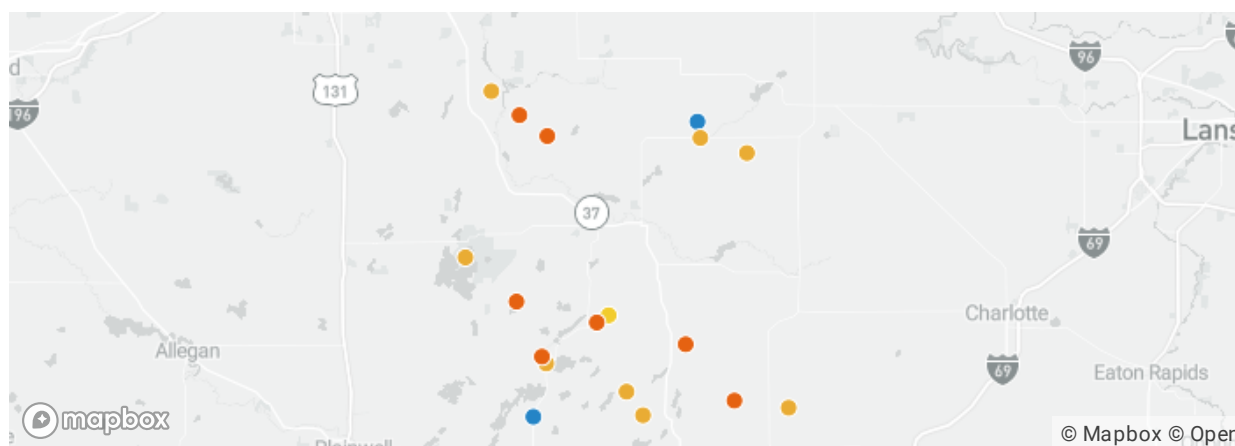
Data extents: April 8, 2011 to July 22, 2021



Applied Filters

Counties (Geo) = Barry Crash Date (Year) ≤ 2011 - 2021 Vehicle Type = Off Road Vehicle (ATV)

Non-Traffic Crash Indicator = No



Total Crashes	18	Fatal Crashes	0
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Summary	Crash Level	
Total Crashes	18	100.00%
Injury Crashes	16	88.89%
Property Damage Crashes	2	11.11%
+ 2 more	0	0%

Injuries	Crash Level	
No Injury (O)	9	50.00%
Suspected Minor Injury (B)	9	50.00%
Suspected Serious Injury (A)	7	38.89%
Possible Injury (C)	1	5.56%
Fatal Injury (K)	0	0.00%

Crash Date & Time (Year)	Crash Level	
2021	1	5.56%
2020	6	33.33%
2019	1	5.56%
2018	2	11.11%

2017	4	22.22%
2015	1	5.56%
2012	1	5.56%
2011	2	11.11%
+ 3 more	0	0%

Highway Class	Crash Level	
Road, City str or Unknown	16	88.89%
M Route	2	11.11%
+ 6 more	0	0%

Relation to Roadway	Crash Level	
On the Road	14	77.78%
Outside of Shoulder/Curb	2	11.11%
Shoulder	2	11.11%
+ 10 more	0	0%

Crash Type	Crash Level	
Single Motor Vehicle	14	77.78%
Sideswipe-Same	2	11.11%
Angle	1	5.56%
Rear End	1	5.56%
+ 8 more	0	0%

Alcohol Involved	Crash Level	
No	14	77.78%
Yes	4	22.22%

Drug Involved	Crash Level	
No	18	100.00%
Yes	0	0.00%

Distracted Driver Involved	Crash Level	
No	16	88.89%
Yes	2	11.11%

Young Driver Age	Crash Level	
None	14	77.78%
15	2	11.11%
18 - 20	1	5.56%

21 - 24	1	5.56%
+ 2 more	0	0%

Elderly Driver Age	Crash Level	
None	16	88.89%
65 - 74	1	5.56%
75 - 84	1	5.56%
+ 2 more	0	0%

CRASH SUMMARY REPORT

Ionia Co. - ORV

Created on November 5, 2021

Created by Brian Sine

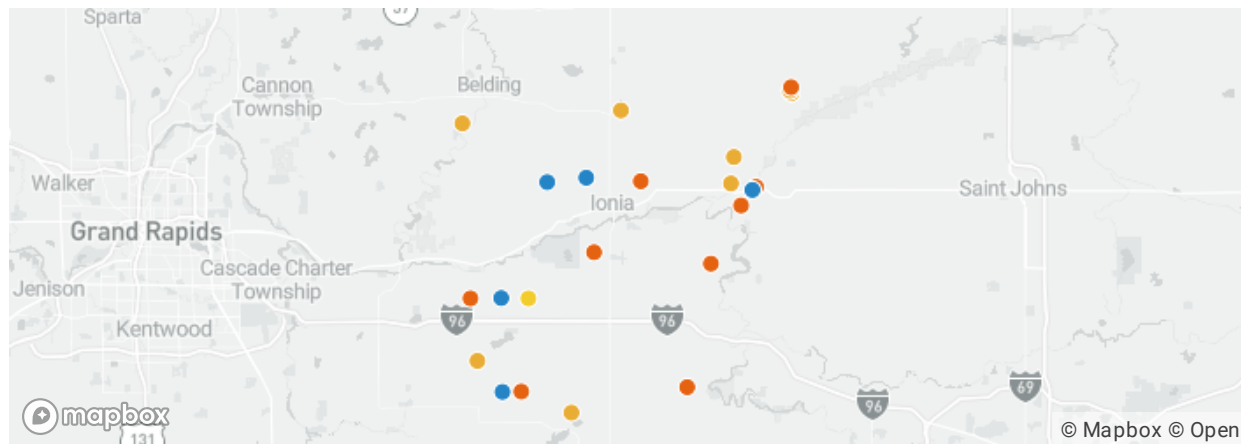
Data extents: June 21, 2011 to July 23, 2021



Applied Filters

Counties (Geo) = Ionia Crash Date (Year) ≤ 2011 - 2021 Vehicle Type = Off Road Vehicle (ATV)

Non-Traffic Crash Indicator = No



Total Crashes	23	Fatal Crashes	0
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Summary	Crash Level	
Total Crashes	23	100.00%
Injury Crashes	18	78.26%
Property Damage Crashes	5	21.74%
+ 2 more	0	0%

Injuries	Crash Level	
No Injury (O)	11	47.83%
Suspected Minor Injury (B)	10	43.48%
Suspected Serious Injury (A)	9	39.13%
Possible Injury (C)	1	4.35%
Fatal Injury (K)	0	0.00%

Crash Date & Time (Year)	Crash Level	
2021	1	4.35%
2020	4	17.39%
2019	1	4.35%
2018	1	4.35%

2017	2	8.70%
2016	2	8.70%
2015	2	8.70%
2014	2	8.70%
+ 3 more	8	34.79%

Highway Class	Crash Level	
Road, City str or Unknown	22	95.65%
M Route	1	4.35%
+ 6 more	0	0%

Relation to Roadway	Crash Level	
On the Road	16	69.57%
Outside of Shoulder/Curb	4	17.39%
Shoulder	3	13.04%
+ 10 more	0	0%

Crash Type	Crash Level	
Single Motor Vehicle	15	65.22%
Angle	6	26.09%
Sideswipe-Opposite	1	4.35%
Sideswipe-Same	1	4.35%
+ 8 more	0	0%

Alcohol Involved	Crash Level	
No	17	73.91%
Yes	6	26.09%

Drug Involved	Crash Level	
No	23	100.00%
Yes	0	0.00%

Distracted Driver Involved	Crash Level	
No	22	95.65%
Yes	1	4.35%

Young Driver Age	Crash Level	
None	16	69.57%
18 - 20	5	21.74%
17	1	4.35%

21 - 24	1	4.35%
+ 2 more	0	0%

Elderly Driver Age	Crash Level	
None	20	86.96%
60 - 64	2	8.70%
65 - 74	1	4.35%
+ 2 more	0	0%