

**SUBSTITUTE FOR  
HOUSE BILL NO. 6261**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 82101, 82106, and 82118 (MCL 324.82101, 324.82106, and 324.82118), section 82101 as amended by 2008 PA 145, section 82106 as amended by 2008 PA 399, and section 82118 as amended by 2008 PA 400, and by adding section 82105c.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 82101. As used in this part:

2           (a) "Conviction" means a final conviction, the payment of a  
3 fine, a plea of guilty or nolo contendere if accepted by the court,  
4 or a finding of guilt or probate court disposition on a violation  
5 of this part, regardless of whether the penalty is rebated or  
6 suspended.

1 (b) "Dealer" means any person engaged in the sale, lease, or  
2 rental of snowmobiles as a regular business, other than an  
3 auctioneer as that term is defined in section 2901 of the  
4 occupational code, 1980 PA 299, MCL 339.2901.

5 (c) "Former section 15a" means section 15a of former 1968 PA  
6 74, as constituted prior to May 1, 1994.

7 (d) "Highly restricted personal information" means an  
8 individual's photograph or image, social security number, digitized  
9 signature, and medical and disability information.

10 (e) "Highway or street" means the entire width between the  
11 boundary lines of every way publicly maintained if any part thereof  
12 ~~OF IT~~ is open to ~~the use of the public~~ **USE** for ~~purposes of~~  
13 vehicular travel.

14 **(F) "HISTORIC SNOWMOBILE" MEANS A SNOWMOBILE THAT IS OVER 25**  
15 **YEARS OLD AND THAT IS OWNED SOLELY AS A COLLECTOR'S ITEM AND FOR**  
16 **OCCASIONAL USE AND FOR PARTICIPATION IN CLUB ACTIVITIES,**  
17 **EXHIBITIONS, TOURS, PARADES, AND SIMILAR USES, INCLUDING MECHANICAL**  
18 **TESTING.**

19 **(G)** ~~(f)~~ "In-kind contributions" means services and goods as  
20 approved by the department that are provided by a grant recipient  
21 toward completion of a department-approved local snowmobile program  
22 under section 82107.

23 **(H)** ~~(g)~~ "Law of another state" means a law or ordinance  
24 enacted by any of the following:

25 (i) Another state.

26 (ii) A local unit of government in another state.

27 (iii) Canada or a province or territory of Canada.

1           (iv) A local unit of government in a province or territory of  
2 Canada.

3           (I) ~~(h)~~—"Long-term incapacitating injury" means an injury that  
4 causes a person to be in a comatose, quadriplegic, hemiplegic, or  
5 paraplegic state, which state is likely to continue for 1 year or  
6 more.

7           (J) ~~(i)~~—"Operate" means to ride in or on and be in actual  
8 physical control of the operation of a snowmobile.

9           (K) ~~(j)~~—"Operator" means any person who operates a snowmobile.

10          (L) ~~(k)~~—"Owner" means any of the following:

11           (i) A person who holds the legal title to a snowmobile.

12           (ii) A vendee or lessee of a snowmobile that is the subject of  
13 an agreement for conditional sale or lease with the right of  
14 purchase upon performance of the conditions stated in the agreement  
15 and with an immediate right of possession vested in the conditional  
16 vendee or lessee.

17           (iii) A person renting a snowmobile or having the exclusive use  
18 of a snowmobile for more than 30 days.

19          (M) ~~(l)~~—"Peace officer" means any of the following:

20           (i) A sheriff.

21           (ii) A sheriff's deputy.

22           (iii) A deputy who is authorized by a sheriff to enforce this  
23 part and who has satisfactorily completed at least 40 hours of law  
24 enforcement training, including training specific to this part.

25           (iv) A village or township marshal.

26           (v) An officer of the police department of any municipality.

27           (vi) An officer of the Michigan state police.

1           (vii) The director and conservation officers employed by the  
2 department.

3           (viii) A law enforcement officer who is certified ~~pursuant to~~  
4 **UNDER** the commission on law enforcement standards act, 1965 PA 203,  
5 MCL 28.601 to 28.616, ~~as long as~~ **PROVIDED** that officer is policing  
6 within his or her jurisdiction.

7           **(N)** ~~(m)~~-"Personal information" means information that  
8 identifies an individual, including an individual's driver  
9 identification number, name, address not including zip code, and  
10 telephone number, but does not include information on snowmobile  
11 operation or equipment-related violations or civil infractions,  
12 operator or snowmobile registration status, accidents, or other  
13 behaviorally-related information.

14           **(O)** ~~(n)~~-"Probate court or family division disposition" means  
15 the entry of a probate court order of disposition or family  
16 division order of disposition for a child found to be within the  
17 provisions of chapter XIIA of the probate code of 1939, 1939 PA  
18 288, MCL 712A.1 to 712A.32.

19           **(P)** ~~(o)~~-"Prosecuting attorney", except as the context requires  
20 otherwise, means the attorney general, the prosecuting attorney of  
21 a county, or the attorney representing a local unit of government.

22           **(Q)** ~~(p)~~-"Recreational snowmobile trail improvement subaccount"  
23 means the recreational snowmobile trail improvement subaccount of  
24 the snowmobile account created in section 82110.

25           **(R)** ~~(q)~~-"Right-of-way" means that portion of a highway or  
26 street less the roadway and any shoulder.

27           **(S)** ~~(r)~~-"Roadway" means that portion of a highway or street

1 improved, designated, or ordinarily used for vehicular travel. If a  
2 highway or street includes 2 or more separate roadways, the term  
3 roadway refers to any ~~such~~ roadway separately, but not to all ~~such~~  
4 **OF THE** roadways collectively.

5 (T) ~~(s)~~—"Shoulder" means that portion of a highway or street  
6 on either side of the roadway that is normally snowplowed for the  
7 safety and convenience of vehicular traffic.

8 (U) ~~(t)~~—"Snowmobile" means any motor-driven vehicle designed  
9 for travel primarily on snow or ice of a type that utilizes sled-  
10 type runners or skis, an endless belt tread, or any combination of  
11 these or other similar means of contact with the surface upon which  
12 it is operated, but is not a vehicle that must be registered under  
13 the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

14 (V) ~~(u)~~—"Snowmobile account" means the snowmobile account of  
15 the Michigan conservation and recreation legacy fund provided for  
16 in section 2025.

17 (W) ~~(v)~~—"Snowmobile registration fee subaccount" means the  
18 snowmobile registration fee subaccount of the snowmobile account  
19 created in section 82111.

20 (X) ~~(w)~~—"Zone 1" means all of the Upper Peninsula.

21 (Y) ~~(x)~~—"Zone 2" means all of that part of the Lower Peninsula  
22 north of a line beginning at and drawn from a point on the  
23 Michigan-Wisconsin boundary line due west of the westerly terminus  
24 of River road in Muskegon county; thence due east to the westerly  
25 terminus of River road; thence north and east along the center line  
26 of the River road to its intersection with highway M-120; thence  
27 northeasterly and easterly along the center line of highway M-120

1 to the junction of highway M-20; thence easterly along the center  
 2 line of M-20 to its junction with US-10 at the Midland-Bay county  
 3 line; thence easterly along the center line of the "business route"  
 4 of highway US-10 to the intersection of Garfield road in Bay  
 5 county; thence north along the center line of Garfield road to the  
 6 intersection of the Pinconning road; thence east along the center  
 7 line of Pinconning road to the intersection of the Seven Mile road;  
 8 thence north along the center of the Seven Mile road to the Bay-  
 9 Arenac county line; thence north along the center line of the  
 10 Lincoln School road (county road 25) in Arenac county to the  
 11 intersection of highway M-61; thence east along the center line of  
 12 highway M-61 to the junction of highway US-23; thence northerly and  
 13 easterly along the center line of highway US-23 to the center line  
 14 of the Au Gres river; thence southerly along the center line of the  
 15 river to its junction with Saginaw Bay of Lake Huron; thence north  
 16 78° east to the international boundary line between the United  
 17 States and the Dominion of Canada.

18 (Z) ~~(y)~~—"Zone 3" means all of that part of the Lower Peninsula  
 19 south of the line described in subdivision ~~(x)~~-(Y).

20 **SEC. 82105C. (1) THE SECRETARY OF STATE MAY ISSUE TO THE OWNER**  
 21 **OF A HISTORIC SNOWMOBILE A HISTORIC SNOWMOBILE REGISTRATION DECAL**  
 22 **WHICH SHALL BEAR THE INSCRIPTION "HISTORIC SNOWMOBILE - MICHIGAN"**  
 23 **AND THE REGISTRATION NUMBER. THE REGISTRATION DECAL SHALL BE**  
 24 **AFFIXED ABOVE OR BELOW THE HEADLIGHT OR, IF THE HISTORIC SNOWMOBILE**  
 25 **WAS NOT ORIGINALLY EQUIPPED WITH A HEADLIGHT, ON THE FORWARD HALF**  
 26 **OF THE COWL ABOVE THE FOOTWELL OF THE HISTORIC SNOWMOBILE.**

27 (2) THE OWNER OF A HISTORIC SNOWMOBILE APPLYING FOR A HISTORIC

1 SNOWMOBILE REGISTRATION DECAL UNDER THIS SECTION SHALL PAY A FEE OF  
2 \$50.00 AND SHALL CERTIFY THAT THE SNOWMOBILE FOR WHICH THE  
3 REGISTRATION IS REQUESTED IS OWNED AND OPERATED SOLELY AS A  
4 HISTORIC SNOWMOBILE.

5 (3) A REGISTRATION ISSUED UNDER THIS SECTION IS VALID FOR THE  
6 PERIOD THE HISTORIC SNOWMOBILE IS OWNED BY THE OWNER AND IS  
7 NONTRANSFERABLE.

8 (4) THE SECRETARY OF STATE MAY REVOKE A REGISTRATION DECAL  
9 ISSUED UNDER THIS SECTION, FOR CAUSE SHOWN AND AFTER A HEARING, FOR  
10 FAILURE OF THE APPLICANT TO COMPLY WITH THIS SECTION OR FOR USE OF  
11 THE SNOWMOBILE FOR WHICH THE REGISTRATION WAS ISSUED FOR PURPOSES  
12 OTHER THAN THOSE ENUMERATED IN SECTION 82101(F).

13 (5) A HISTORIC SNOWMOBILE REGISTERED UNDER THIS SECTION IS  
14 EXEMPT FROM REGISTRATION UNDER SECTION 82105.

15 (6) THE SECRETARY OF STATE MAY PROMULGATE RULES TO IMPLEMENT  
16 THIS SECTION.

17 Sec. 82106. (1) Except as otherwise provided in this part,  
18 revenue received from the registration fees under this part shall  
19 be deposited as follows:

20 (a) ~~Seventeen~~-TWENTY-TWO dollars of each registration fee FOR  
21 A SNOWMOBILE AND \$8.00 OF EACH REGISTRATION FEE FOR A HISTORIC  
22 SNOWMOBILE shall be deposited into the snowmobile registration fee  
23 subaccount. However, if the balance of the snowmobile registration  
24 fee subaccount exceeds \$1,600,000.00 at any time, the state  
25 treasurer shall transfer all amounts in excess of \$1,600,000.00 to  
26 the recreational snowmobile trail improvement subaccount. From the  
27 revenue deposited in the snowmobile registration fee subaccount

1 under this part, the legislature shall make an annual appropriation  
2 as follows:

3 (i) Not more than \$3.00 ~~from~~**OF** each registration fee **FOR A**  
4 **SNOWMOBILE AND NOT MORE THAN \$3.00 FOR EACH REGISTRATION FEE FOR A**  
5 **HISTORIC SNOWMOBILE** collected during each fiscal year shall be  
6 appropriated to the department of state for administration of the  
7 registration provisions of this part. At the close of each state  
8 fiscal year, any money appropriated under this subparagraph but not  
9 expended shall be credited to the recreational snowmobile trail  
10 improvement subaccount. Additionally, if less than \$3.00 ~~from~~**OF**  
11 each registration fee is appropriated to the department of state,  
12 the state treasurer shall transfer the difference between \$3.00 and  
13 the amount appropriated from each registration fee to the  
14 recreational snowmobile trail improvement subaccount.

15 (ii) ~~From~~**FOURTEEN DOLLARS OF** each fee for a registration **FOR A**  
16 **SNOWMOBILE** paid before July 1, 2009, ~~\$14.00~~ or ~~from~~**\$19.00 OF** each  
17 fee for a registration **FOR A SNOWMOBILE** paid on or after July 1,  
18 2009, ~~\$19.00~~**AND \$5.00 OF EACH FEE FOR A REGISTRATION FOR A**  
19 **HISTORIC SNOWMOBILE** shall be appropriated to the department for  
20 purposes set forth in section 82107, including financial assistance  
21 to county sheriff departments and local law enforcement agencies  
22 for local snowmobile programs. Any money appropriated but not  
23 expended under this subparagraph shall be credited each year to the  
24 snowmobile registration fee subaccount.

25 (b) ~~From~~**FIVE DOLLARS OF** each fee for a registration **FOR A**  
26 **SNOWMOBILE** paid before July 1, 2009, ~~\$5.00~~**AND \$42.00 OF EACH FEE**  
27 **FOR REGISTRATION OF A HISTORIC SNOWMOBILE** shall be deposited in the



1 recreational snowmobile trail improvement subaccount and shall be  
2 administered by the department for the purposes of planning,  
3 construction, maintenance, and acquisition of trails and areas for  
4 the use of snowmobiles, or access to those trails and areas, and  
5 basic snowmobile facilities.

6 (c) From each fee for a registration **FOR A SNOWMOBILE OTHER**  
7 **THAN A HISTORIC SNOWMOBILE** paid on or after July 1, 2009, \$8.00  
8 shall be deposited into the permanent snowmobile trail easement  
9 subaccount under section 82110a. This money is intended to  
10 supplement other money expended for snowmobile-related activities  
11 of the department and not as a replacement for those expenditures.

12 (2) The department shall designate a state recreational trail  
13 coordinator and shall maintain a comprehensive plan for  
14 implementing a statewide recreational and snowmobile trails system.  
15 The comprehensive plan shall be reviewed and updated each year by  
16 the department.

17 (3) The money appropriated under this section to the  
18 department for snowmobile trails and areas, for access to those  
19 trails or areas, and for basic snowmobile facilities may be  
20 expended for the acquisition, development, and maintenance on any  
21 land in the state. This money may be used to purchase lands or  
22 secure easements, leases, permits, or other appropriate agreements  
23 permitting use of private property for snowmobile trails, basic  
24 facilities, and areas which may be used by bicyclists, hikers,  
25 equestrians, and other nonconflicting off-season recreational trail  
26 users, if the easements, leases, permits, or other agreements  
27 provide public access to the trail, use areas, and support

1 facilities.

2 (4) Recreational trail facilities or major improvements shall  
3 not be constructed on private land unless a written agreement in  
4 the form of an easement, lease, or permit for a public trail right-  
5 of-way having a term of not less than 5 years is made between the  
6 owner of the land and the department.

7 (5) The money appropriated under this section shall be  
8 expended in a manner and as part of the overall plan of the  
9 department for an interconnecting network of statewide snowmobile  
10 trails and use areas giving consideration to expected snowfall and  
11 availability for use with adequate snow cover. Consideration shall  
12 be given in the plan for alternative nonconflicting off-season  
13 recreational uses of snowmobile trails.

14 Sec. 82118. (1) In addition to registration of a snowmobile  
15 ~~pursuant to~~ **UNDER** section 82105 or registration in another state or  
16 province, except as otherwise provided in this section, a person  
17 who desires to operate a snowmobile in this state shall purchase a  
18 Michigan snowmobile trail permit sticker. The Michigan snowmobile  
19 trail permit issued under this section shall be valid for a period  
20 of 1 year which begins on October 1 and ends on the following  
21 September 30. The fee for the permit shall be as follows:

22 (a) For permits valid for the 1-year period beginning October  
23 1, 2009 or October 1, 2010, \$35.00.

24 (b) For permits valid for the 1-year period beginning October  
25 1, 2011, 2012, 2013, 2014, or 2015, \$45.00.

26 (c) For permits valid for the 1-year period beginning October  
27 1, 2016 and every fifth year thereafter, the state treasurer shall

1 adjust the current permit fee by an amount determined by the state  
2 treasurer to reflect the cumulative percentage change in the  
3 consumer price index during the most recent 5-year period for which  
4 consumer price index statistics are available, rounded to the  
5 nearest dollar. A fee adjusted by the state treasurer under this  
6 subdivision shall remain in effect for 5 years. As used in this  
7 subdivision, "consumer price index" means the most comprehensive  
8 index of consumer prices available for this state from the bureau  
9 of labor statistics of the United States department of labor.

10 (2) Revenue from the trail permit fee shall be allocated as  
11 follows:

12 (a) 50 cents shall be retained by the department for  
13 administrative costs.

14 (b) \$1.00 shall be retained by the agent selling the permit.

15 (c) The balance shall be deposited in the recreational  
16 snowmobile trail improvement subaccount.

17 (3) The department shall make the sale of trail permits  
18 available on its website. For each trail permit sold through the  
19 website, the amount otherwise credited to an agent under subsection  
20 (2) shall instead be credited to the recreational snowmobile trail  
21 improvement subaccount.

22 (4) The trail permit sticker shall be permanently affixed to  
23 the snowmobile directly above or below the headlight of the  
24 snowmobile.

25 (5) The department may contract with a person to act as an  
26 agent for the purpose of issuing Michigan snowmobile trail permits.  
27 The department shall sell the permits to agents in bulk. An agent

1 may obtain a refund from the department for any permits that are  
2 not sold.

3 (6) An agent who uses or allows the use of a permit by anyone  
4 except the snowmobile user to whom the permit is sold is guilty of  
5 a misdemeanor, punishable by a fine of \$50.00 for each instance of  
6 such use or allowed use.

7 (7) The department of state may suspend a certificate of  
8 registration if the department of state determines that the  
9 required fee has not been paid and remains unpaid after reasonable  
10 notice or demand. In addition to the required fee, a \$10.00 penalty  
11 shall be assessed and collected against any person who tenders an  
12 insufficient check or draft in payment of the fee.

13 (8) A snowmobile used solely for transportation on the frozen  
14 surface of public waters for the purpose of ice fishing is exempt  
15 from the requirement of purchasing and displaying a snowmobile  
16 trail permit sticker under this section.

17 (9) A person shall not charge a fee for a snowmobile trail  
18 permit in an amount that is greater than the fee printed on the  
19 face of the permit.

20 (10) To obtain a snowmobile trail permit, an applicant shall  
21 provide all information required on the permit application.

22 (11) A person who fails to secure a permit under this section  
23 or who violates subsection (4) is responsible for a state civil  
24 infraction and may be ordered to pay a civil fine of not more than  
25 \$100.00.

26 (12) The department shall, by June 1 of each year, report to  
27 the members of the appropriate standing committees and

1 appropriations subcommittees of the house and senate, a detailed  
2 expenditure plan pertaining to the additional funds generated by  
3 this act. The plan shall include information as to how funds were  
4 expended in the prior year.

5           (13) THIS SECTION DOES NOT APPLY TO A HISTORIC SNOWMOBILE  
6 REGISTERED UNDER SECTION 82105C.