

[No. 15]

(HB 4409)

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending section 82118 (MCL 324.82118), as amended by 1996 PA 183.

The People of the State of Michigan enact:

324.82118 Michigan snowmobile trail permit.

Sec. 82118. (1) In addition to registration of a snowmobile pursuant to section 82105 or registration in another state or province, beginning October 1, 1994, except as otherwise provided in this section, a person who desires to operate a snowmobile in this state shall purchase a Michigan snowmobile trail permit sticker. The Michigan snowmobile trail permit issued under this section shall be valid for a period of 1 year which begins on October 1 and ends on the following September 30. The fee for the permit shall be the following amount for the periods indicated:

- (a) \$10.00 until June 30, 2001.
- (b) \$20.00 beginning June 30, 2001 through June 30, 2004.
- (c) \$25.00 beginning July 1, 2004.
- (2) Revenue from the trail permit fee shall be allocated as follows:
 - (a) Until June 30, 2001:
 - (i) \$9.00 to the recreational snowmobile trail improvement fund.
 - (ii) 50 cents shall be retained by the department for administrative costs.
 - (iii) 50 cents shall be retained by the agent selling the permit.
 - (b) Beginning June 30, 2001 through June 30, 2004:
 - (i) \$18.75 to the recreational snowmobile trail improvement fund.
 - (ii) 50 cents shall be retained by the department for administrative costs.
 - (iii) 75 cents shall be retained by the agent selling the permit.
 - (c) Beginning July 1, 2004:
 - (i) \$23.50 to the recreational snowmobile trail improvement fund.
 - (ii) 50 cents shall be retained by the department for administrative costs.
 - (iii) \$1.00 shall be retained by the agent selling the permit.

(3) Beginning October 1, 2001, the department shall make the sale of trail permits available on its website. For each trail permit sold through the website, the amount otherwise credited to an agent under subsection (2) shall instead be credited to the recreational snowmobile trail improvement fund.

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

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(5) The department may contract with a person to act as an agent for the purpose of issuing Michigan snowmobile trail permits. The department shall sell the permits to agents in bulk. Agents may obtain a refund from the department for any permits that are not sold.

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

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

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

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

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

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

(12) The department of natural resources shall, by June 1 of each year, report to the members of the appropriate standing committee and appropriations subcommittees of the house and senate, a detailed expenditure plan pertaining to the additional funds generated by this act. The plan shall include information as to how funds were expended in the prior year.

Conditional effective date.

Enacting section 1. This amendatory act does not take effect unless House Bill No. 4538 of the 91st Legislature is enacted into law.

This act is ordered to take immediate effect.

Approved June 11, 2001.

Filed with Secretary of State June 12, 2001.

Compiler's note: House Bill No. 4538, referred to in enacting section 1, was filed with the Secretary of State June 12, 2001, and became P.A. 2001, No. 16, Imd. Eff. June 12, 2001.
