

SUBSTITUTE FOR
HOUSE BILL NO. 5989

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 80213 (MCL 324.80213), as added by 2000 PA 229.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 80213. (1) An individual who is required to complete a
2 boating safety course under this part and who operates a personal
3 watercraft on the waters of this state shall display his or her
4 boating safety certificate **OR, AT THE INDIVIDUAL'S OPTION, AN**
5 **ELECTRONIC COPY, IN A FORMAT APPROVED BY THE DEPARTMENT, OF THE**
6 **BOATING SAFETY CERTIFICATE** upon the demand of a peace officer who
7 identifies himself or herself as a peace officer. **NOT LATER THAN**
8 **MARCH 31, 2019, THE DEPARTMENT SHALL APPROVE 1 OR MORE FORMATS FOR**
9 **AN INDIVIDUAL TO DISPLAY AN ELECTRONIC COPY OF HIS OR HER BOATING**

1 **SAFETY CERTIFICATE.**

2 ~~—— (2) A person shall display only his or her own boating safety~~
 3 ~~certificate upon the demand of a peace officer under subsection~~
 4 ~~(1).~~

5 ~~—— (3) A person shall not display a fraudulent boating safety~~
 6 ~~certificate to a peace officer under subsection (1).~~

7 (2) ~~(4)~~ A peace officer shall not stop a personal watercraft
 8 solely for the purpose of determining whether the operator has in
 9 his or her possession ~~a~~ **EITHER OF THE FOLLOWING:**

10 (A) A boating safety certificate.

11 (B) AN ELECTRONIC COPY OF A BOATING SAFETY CERTIFICATE IN A
 12 FORMAT APPROVED BY THE DEPARTMENT.

13 (3) AN INDIVIDUAL WHO, UNDER SUBSECTION (1), DISPLAYS AN
 14 ELECTRONIC COPY OF HIS OR HER BOATING SAFETY CERTIFICATE USING AN
 15 ELECTRONIC DEVICE IS NOT PRESUMED TO HAVE CONSENTED TO A SEARCH OF
 16 THE ELECTRONIC DEVICE. THIS STATE, AN EMPLOYEE OF THIS STATE, A
 17 PEACE OFFICER, OR AN ENTITY EMPLOYING THE PEACE OFFICER IS NOT
 18 LIABLE FOR DAMAGE TO OR LOSS OF AN ELECTRONIC DEVICE THAT OCCURS AS
 19 A RESULT OF THE PEACE OFFICER'S VIEWING AN ELECTRONIC COPY OF A
 20 BOATING SAFETY CERTIFICATE UNDER SUBSECTION (1), REGARDLESS OF
 21 WHETHER THE PEACE OFFICER WAS IN POSSESSION OF THE ELECTRONIC
 22 DEVICE AT THE TIME THE DAMAGE OR LOSS OCCURRED.

23 Enacting section 1. This amendatory act takes effect 90 days
 24 after the date it is enacted into law.

25 Enacting section 2. This amendatory act does not take effect
 26 unless all of the following bills of the 99th Legislature are
 27 enacted into law:

- 1 (a) House Bill No. 5836.
- 2 (b) House Bill No. 5988.