

HOUSE BILL No. 4183

February 7, 1991, Introduced by Rep. Alley and referred to the Committee on Conservation, Recreation and Environment.

A bill to amend section 14a of Act No. 74 of the Public Acts of 1968, entitled as amended

"An act to register and regulate snowmobiles; to provide for education and training programs; to provide for trails, areas, and facilities; to create a recreational snowmobile trail improvement fund; to provide for expenditure of appropriations; and to prescribe penalties,"

being section 257.1514a of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 14a of Act No. 74 of the Public Acts of
2 1968, being section 257.1514a of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 14a. (1) As used in this section, "commission" means
5 ~~natural resources~~ THE commission OF CONSERVATION AND
6 RECREATION.

7 (2) The commission may promulgate rules in accordance with
8 THE ADMINISTRATIVE PROCEDURES ACT OF 1969, Act No. 306 of the

1 Public Acts of 1969, as amended, being sections 24.201 to
2 ~~24.315~~ 24.328 of the MICHIGAN Compiled Laws, ~~of 1948,~~ to
3 govern the operation and conduct of snowmobiles, speed limits,
4 the times when a snowmobile may be used and to establish and des-
5 ignate areas where snowmobiles may be used in a manner which will
6 insure compatible use and best protection of the safety and gen-
7 eral welfare of the public on the frozen surface of public
8 waters.

9 (3) The department of natural resources on its own initia-
10 tive, or upon receipt of a certified resolution of the governing
11 body of a political subdivision, may initiate investigations into
12 the need for special rules to govern the operation of snowmobiles
13 on the frozen surface of public waters. When controls for an
14 activity are ~~deemed~~ CONSIDERED necessary, or amendment or
15 repeal of an existing rule is required, the commission shall pre-
16 pare a rule for consideration at a public hearing. Notice of the
17 public hearing shall be made in a newspaper of general circula-
18 tion in the area where the rules are to be imposed, amended or
19 repealed, at least 10 days before the hearing.

20 (4) After a hearing is held pursuant to subsection (3) the
21 proposed rule shall be submitted to the governing body of the
22 political subdivision in which the affected frozen waters lie.
23 The governing body shall inform the department that it approves
24 or disapproves of the proposed rule within 30 days after receiv-
25 ing the rule from the department of natural resources. If the
26 governing body disapproves the proposed rule, further action
27 shall not be taken. If the governing body approves the proposed

1 rule, it may enact an ordinance which shall be identical to the
2 proposed rule and the commission shall promulgate the rule. An
3 ordinance enacted pursuant to this subsection shall not be effec-
4 tive until the proposed rule is promulgated and effective in
5 accordance with Act No. 306 of the Public Acts of 1969, as
6 amended.

7 (5) An ordinance which is the same as a rule which is sus-
8 pended by the legislature, or amended or repealed by the commis-
9 sion, shall likewise be suspended, amended or repealed. The gov-
10 erning body, by majority vote, may repeal the ordinance at any
11 time.

12 (6) Local law enforcement officers may enforce ordinances
13 enacted pursuant to this section and state and county enforcement
14 officers shall enforce rules which are promulgated pursuant to
15 this section.

16 Section 2. This amendatory act shall not take effect unless
17 all of the following bills of the 86th Legislature are enacted
18 into law:

19 (a) Senate Bill No. ____ or House Bill No. 4177 (request
20 no. 00827'91).

21 (b) Senate Bill No. ____ or House Bill No. 4173 (request
22 no. 00827'91 a).