

HOUSE BILL No. 5642

March 9, 1992, Introduced by Reps. Bender, McBryde, Bodem, Allen, Randall, DeLange, Van Singel and Anthony and referred to the Committee on Conservation, Recreation and Environment.

A bill to provide for the removal of certain dead animals from certain areas open to vehicular traffic in this state; and to prescribe the powers and duties of certain state agencies and officials.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) Except as otherwise provided in subsection (2),
2 notwithstanding any other provision of law, as soon as practical
3 after receiving notice from a person, the department of natural
4 resources shall remove the carcass of a deer, bear, elk, or moose
5 from the traveled portion or the shoulder of any public roadway
6 or bridge in this state.

7 (2) The department of natural resources may enter into a
8 contract with the governing body of any county that seeks to
9 undertake in that county the responsibilities of the department
10 provided under subsection (1).

1 (3) Contracts authorized under subsection (2) shall be
2 negotiated by the department of natural resources with individual
3 counties and shall provide reasonable compensation to a county in
4 exchange for the service provided by a county.

5 Sec. 2. As used in this act:

6 (a) "Person" means an individual, partnership, corporation,
7 association, governmental entity, or other legal entity.

8 (b) "Roadway" means the entire width between the boundary
9 lines of every way publicly maintained when any part is improved,
10 designed, or ordinarily used for public vehicular travel.

11 (c) "Shoulder" means that portion of the roadway that is
12 contiguous to the roadway and generally extends the contour of
13 the roadway and that is not designed for vehicular traffic but is
14 maintained for the temporary accommodation of disabled or stopped
15 vehicles otherwise permitted on the roadway.