

Act No. 205
Public Acts of 1993
Approved by the Governor
October 18, 1993
Filed with the Secretary of State
October 19, 1993

**STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1993**

Introduced by Senators Pridnia, Geake, Wartner, McManus, Koivisto, Gast and Gougeon

ENROLLED SENATE BILL No. 635

AN ACT to amend the title and section 14 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 257.1514 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

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

TITLE

An act to register and regulate snowmobiles; to provide for education and training programs; to provide for trails, areas, and facilities; to permit tort immunity for certain governmental agencies under certain circumstances; to create a recreational snowmobile trail improvement fund; to provide for expenditure of appropriations; and to prescribe penalties.

Sec. 14. (1) Any city, village, or township may pass an ordinance regulating the operation of snowmobiles if the ordinance meets substantially the minimum requirements of this act. A city, village, township, or county may not adopt an ordinance which:

- (a) Imposes a fee for a license.
- (b) Specifies accessory equipment to be carried on the snowmobile.
- (c) Requires a snowmobile operator to possess a motor vehicle driver's license.
- (d) Restricts operation of a snowmobile on the frozen surface of public waters or on lands owned by or under the control of the state except pursuant to section 14a.

(2) A board of county road commissioners, a county board of commissioners, and a county have no duty to maintain any highway under their jurisdiction in a condition reasonably safe and convenient for the operation of snowmobiles.

(3) Beginning on the effective date of the 1993 amendatory act that added this subsection, a board of county road commissioners, a county board of commissioners, and a county are immune from tort liability for injuries or damages sustained by any person arising in any way out of the operation or use of a snowmobile on maintained or unmaintained highways, shoulders, and rights-of-way over which the board of county road commissioners, the county board of commissioners, or the county has jurisdiction. The immunity provided by this subsection does not apply to actions which constitute gross negligence. Gross negligence is defined as conduct so reckless as to demonstrate a substantial lack of concern for whether an injury results.

This act is ordered to take immediate effect.

Secretary of the Senate.

Co-Clerk of the House of Representatives.

Approved -----

Governor.