



SENATE BILL No. 313

February 2, 1993, Introduced by Senators GEAKE, EHLERS, WARTNER, EMMONS, SCHWARZ, ARTHURHULTZ, CISKY, PRIDNIA, KELLY, MC MANUS and CHERRY and referred to the Committee on Local Government and Urban Development.

A bill to amend section 8 of Act No. 90 of the Public Acts of 1913, entitled as amended

"An act authorizing and empowering the boards of supervisors of counties to purchase, acquire by condemnation, accept gifts and devises of real estate for, and to improve and maintain public parks and zoological gardens, airports and landing fields, and to contribute to the improvement and maintenance of public parks and public zoological gardens, airports and landing fields, owned or held in trust by cities, villages or townships or used for the benefit of the public; to authorize the making of reasonable rules and regulations relative to the public use of park property; and to provide penalties for violations of such rules and regulations,"

as amended by Act No. 359 of the Public Acts of 1982, being section 123.68 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 8 of Act No. 90 of the Public Acts of
2 1913, as amended by Act No. 359 of the Public Acts of 1982, being
3 section 123.68 of the Michigan Compiled Laws, is amended to read
4 as follows:

1 Sec. 8. A person who violates ~~the~~ A posted ~~rules and~~
2 ~~regulations~~ RULE OR REGULATION made pursuant to section 6 or 6a
3 is guilty of a misdemeanor, punishable by imprisonment for not
4 more than 90 days or work in a park ~~clean-up~~ CLEANUP program as
5 an alternative to the imprisonment, or BY a fine of not more than
6 \$500.00, or both. IF THE USE OF A MOTORIZED VEHICLE ON A RECREA-
7 TIONAL TRAIL RESERVED FOR NONMOTORIZED TRAVEL IS AN ELEMENT OF
8 THE VIOLATION OF A RULE OR REGULATION MADE PURSUANT TO SECTION 6,
9 ALL OF THE FOLLOWING APPLY:

10 (A) IN ADDITION TO THE OTHER SANCTIONS PROVIDED FOR IN THIS
11 SECTION, A COURT OF COMPETENT JURISDICTION MAY ORDER A PERSON TO
12 RESTORE, AS NEARLY AS POSSIBLE, ANY LAND, WATER, STREAM BANK,
13 STREAMBED, OR OTHER NATURAL OR GEOGRAPHIC FORMATION DAMAGED BY
14 THE VIOLATION OF THE RULE OR REGULATION TO THE CONDITION IT WAS
15 IN BEFORE THE VIOLATION OCCURRED.

16 (B) A PEACE OFFICER MAY IMPOUND THE MOTORIZED VEHICLE.

17 (C) A COURT OF COMPETENT JURISDICTION MAY ORDER THE MOTOR-
18 IZED VEHICLE AND ANY PERSONAL PROPERTY ON THE MOTORIZED VEHICLE
19 SEIZED AS A RESULT OF THE VIOLATION RETURNED TO THE OWNER OR, IN
20 ADDITION TO THE OTHER SANCTIONS PROVIDED FOR IN THIS SECTION AND
21 UPON RECOMMENDATION OF THE COUNTY PROSECUTING ATTORNEY, FORFEITED
22 TO THE COUNTY PARK TRUSTEES.