

Senate Fiscal Agency  
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**SFA****BILL ANALYSIS**

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House Bill 5717 (as passed by the House)  
Sponsor: Representative James McNutt  
House Committee: Conservation, Environment and Recreation  
Senate Committee: Natural Resources and Environmental Affairs

Date Completed: 9-11-98

## **CONTENT**

**The bill would add new provisions to Part 821 (Snowmobiles) of the Natural Resources and Environmental Protection Act to establish civil and criminal penalties, including prohibiting a person from operating a snowmobile in the State for up to two years, for the reckless operation of snowmobiles. The penalty provisions would apply to operating on a highway, public trail, frozen surface of a public lake, stream, river, pond, or another public place, including an area designated for snowmobile or motor vehicle parking.**

### Civil Infraction

A person who operated a snowmobile in a careless or negligent manner that was likely to endanger any person or property would be responsible for a State civil infraction.

### Criminal Penalties

A person who operated a snowmobile in willful or wanton disregard for the safety of persons or property would be guilty of a misdemeanor punishable by imprisonment for not more than 90 days and/or a fine of up to \$500.

A person who, by operating a snowmobile in a careless or negligent manner, but not willfully or wantonly, injured so as to cripple or cause the death of another person would be guilty of a misdemeanor punishable by imprisonment for not more than two years and/or a fine of up to \$2,000.

A person who, by operating a snowmobile in a careless and heedless manner in willful and wanton disregard of the rights or safety of others, or without due caution and circumspection and at a speed or in a manner so as to endanger or be likely to endanger any person or property, injured so as to cripple another person, but did not cause the death of another, would be guilty of felonious operation, punishable by imprisonment for not more than two years and/or a fine of up to \$2,000.

Upon a person's conviction under these provisions, the court could issue an order prohibiting a person from operating a snowmobile in the State for at least two years in the discretion of the court. An order issued under this provision would be in addition to any other penalty authorized under Part 821.

Proposed MCL 324.82126a-324.82126c

Legislative Analyst: L. Arasim

### **FISCAL IMPACT**

The bill would have an indeterminate fiscal impact on State and local government. There are no data to indicate how many people could be convicted of operating a snowmobile in a willful or wanton disregard for safety of others manner, operating a snowmobile in a careless or negligent manner

resulting in injury, or operating a snowmobile in a careless and heedless manner endangering property or causing injury. The misdemeanors and felony (respectively) proposed by this legislation could increase costs of incarceration and/or increase the receipt of fine revenue for State and local government.

Fiscal Analyst: K. Firestone

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.