

SUBSTITUTE FOR  
HOUSE BILL NO. 5818

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending sections 82108 and 82120 (MCL 324.82108 and  
324.82120), as added by 1995 PA 58, and by adding sections 82107a  
and 82123a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 82107A. BY APRIL 1, 1999, THE DEPARTMENT, IN CONSULTA-  
2 TION WITH THE MICHIGAN SNOWMOBILE ADVISORY COMMITTEE, SHALL  
3 DEVELOP AND PRESENT TO THE LEGISLATURE A PLAN FOR STATE AND LOCAL  
4 LAW ENFORCEMENT.

5 Sec. 82108. (1) The ~~department shall design by May 1, 1995~~  
6 ~~the~~ minimum content of a comprehensive snowmobile safety educa-  
7 tion and training program ~~—, which—~~ shall include the preparation  
8 and dissemination of snowmobile information and safety advice to  
9 the public and training of operators. The content of the program

1 shall include provision for the training of youthful operators at  
2 least 12 but less than ~~17~~ 20 years of age and for the issuance  
3 of snowmobile safety certificates to those who successfully com-  
4 plete the training provided under the program. A person less  
5 than ~~17~~ 20 years of age who successfully completes a training  
6 program shall carry the safety certificate on his or her person  
7 whenever operating a snowmobile in this state. The department  
8 and the counties shall encourage persons ~~17~~ 20 years of age or  
9 over to take the program.

10 (2) The minimum content of a snowmobile safety education and  
11 training program shall include the following:

12 (a) Description of the snowmobile and its main parts.

13 (b) Description of machine controls, safety and operating  
14 procedures, and loading and towing procedures.

15 (c) General content of snowmobile and highway laws and  
16 rules.

17 (d) Safety hazards of operation, including possible hearing  
18 damage, and environmental consequences of snowmobile use.

19 (e) Performance and written tests.

20 (f) Familiarization with the snowmobile trail system in this  
21 state.

22 (G) SNOWMOBILE CODE OF ETHICS.

23 (3) The fee charged by a county for a training program shall  
24 be not more than \$5.00.

25 (4) In implementing a program that is established pursuant  
26 to this section, the department shall cooperate with private  
27 organizations and associations, private and public corporations,

1 schools, and local governmental units. The department shall  
2 consult with the department of state police and county sheriffs  
3 in regard to subject matter of a training program and performance  
4 testing that leads to certification of snowmobile operators.  
5 However, a county may expand the course content beyond the mini-  
6 mum requirements established by subsection (2).

7 (5) The department may designate any person it considers  
8 qualified to provide course instruction and to award snowmobile  
9 safety certificates.

10 (6) A person less than ~~17~~ 20 years of age who fails to  
11 have a safety certificate on his or her person is subject to a  
12 fine of not more than \$25.00.

13 (7) A person who has a valid safety certificate from another  
14 state or province shall not be required to complete the safety  
15 education and training program in this state.

16 Sec. 82120. (1) A parent or legal guardian shall not permit  
17 his or her child who is less than 12 years of age to operate a  
18 snowmobile without the direct supervision of an adult except on  
19 land owned or under the control of the parent or legal guardian.

20 (2) A person who is at least 12 but less than ~~17~~ 20 years  
21 of age may operate a snowmobile if 1 of the following conditions  
22 exist:

23 (a) The person is under the direct supervision of a person  
24 who is 21 years of age or older.

25 (b) The person has in his or her immediate possession a  
26 snowmobile safety certificate issued pursuant to a program  
27 conducted under section ~~82107~~ 82108.

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1 (c) The person is on land owned or under the control of his  
2 or her parent or legal guardian.

3 (d) The person possesses a snowmobile safety certificate  
4 issued to the person under the authority of a law of another  
5 state or province of Canada.

6 (3) A person who is operating a snowmobile pursuant to sub-  
7 section (2)(b) shall present the snowmobile safety certificate to  
8 any peace officer upon demand.

9 (4) Notwithstanding section 82119, an operator who is less  
10 than ~~12~~ 14 years of age shall not cross a highway or street.  
11 An operator who is at least ~~12~~ 14 years of age but less than  
12 ~~17~~ 20 years of age may cross a highway or street only if he or  
13 she has a valid snowmobile safety certificate in his or her imme-  
14 diate possession.

15 (5) The owner of a snowmobile shall not permit the snowmo-  
16 bile to be operated contrary to this section.

17 (6) When the judge of ~~a juvenile~~ THE FAMILY DIVISION OF  
18 CIRCUIT court determines that a person who is less than 17 years  
19 of age has violated this part, the judge shall immediately report  
20 the determination to the department. The department upon receiv-  
21 ing a notice of a determination pursuant to this subsection may  
22 suspend the snowmobile safety certificate without a hearing.

23 SEC. 82123A. A PERSON SHALL NOT OPERATE, OFFER FOR SALE, OR  
24 SELL A SNOWMOBILE MANUFACTURED AFTER JANUARY 1, 1999 THAT HAS A  
25 WIDTH GREATER THAN 48 INCHES.

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1       Enacting section 1. This amendatory act does not take  
2 effect unless Senate Bill No. 273 of the 89th Legislature is  
3 enacted into law.