

HOUSE BILL No. 5582

January 30, 2002, Introduced by Reps. Shackleton, Allen, Mead, Pumford, Pappageorge, Bradstreet, Bovin, Adamini, Rich Brown and Kuipers and referred to the Committee on Transportation.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 82119 (MCL 324.82119), as added by 1995 PA
58.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 82119. A person shall not operate a snowmobile upon a
2 public highway, land used as an airport or street, or on a public
3 or private parking lot not specifically designated for the use of
4 snowmobiles except under the following conditions and
5 circumstances:

6 (a) A snowmobile may be operated on the right-of-way of a
7 public highway, except a limited access highway, if it is oper-
8 ated at the extreme right of the open portion of the right-of-way
9 and with the flow of traffic on the highway. However, a
10 snowmobile may be operated on the right-of-way of a public

1 highway against the flow of traffic if the right-of-way is a
2 snowmobile trail designated by the department in the plan devel-
3 oped pursuant to section 82106(2) and is approved by the state
4 transportation department and the department. Snowmobiles oper-
5 ated on the right-of-way of a public highway, as provided in this
6 subdivision, shall travel single file and shall not be operated
7 abreast except when overtaking and passing another snowmobile.
8 In the absence of a posted snowmobile speed limit, a snowmobile
9 operated on the right-of-way of a public highway, as provided in
10 this subdivision, shall be limited to the speed limit posted on
11 the public highway.

12 (b) A snowmobile may be operated on the roadway or shoulder
13 when necessary to cross a bridge or culvert if the snowmobile is
14 brought to a complete stop before entering onto the roadway or
15 shoulder and the driver yields the right-of-way to an approaching
16 vehicle on the highway.

17 (c) In a court action in this state where competent evidence
18 demonstrates that a vehicle that is permitted to be operated on a
19 highway pursuant to the Michigan vehicle code, ~~Act No. 300 of~~
20 ~~the Public Acts of 1949, being sections 257.1 to 257.923 of the~~
21 ~~Michigan Compiled Laws~~ 1949 PA 300, MCL 257.1 TO 257.923, is in
22 a collision with a snowmobile on a roadway, the driver of the
23 snowmobile involved in the collision shall be considered prima
24 facie negligent.

25 (d) A snowmobile may be operated across a public highway
26 other than a limited access highway, at right angles to the
27 highway, for the purpose of getting from 1 area to another when

1 the operation can be done in safety and another vehicle is not
2 crossing the highway at the same time in the same general area.
3 An operator shall bring his or her snowmobile to a complete stop
4 before proceeding across the public highway and shall yield the
5 right-of-way to all oncoming traffic.

6 (e) Snowmobiles may be operated on a highway in a county
7 road system that is not normally snowplowed for vehicular traffic
8 and on the plowed right-of-way or shoulder when no ~~right-of-way~~
9 GROOMED TRAIL exists ~~on~~ ADJACENT TO a snowplowed highway in the
10 county road system, outside the corporate limits of a city or
11 village, that is designated and marked for snowmobile use by the
12 county road commission having jurisdiction. ~~Upon the request of~~
13 ~~a county road commission that has designated all county roads~~
14 ~~outside the corporate limits of a city or village for snowmobile~~
15 ~~use, the state transportation department shall erect at county~~
16 ~~road commission expense and shall maintain, in accordance with~~
17 ~~the Michigan manual of uniform traffic control devices standards,~~
18 ~~the basic snowmobile sign unit together with a supplemental panel~~
19 ~~stating "permitted on right-of-way or shoulder of all~~
20 ~~(county name) roads Act 74 of P.A. 1968" at the county line on~~
21 ~~all state trunk line highways and county roads.~~ IN THE ABSENCE
22 OF A POSTED SNOWMOBILE SPEED LIMIT, A SNOWMOBILE OPERATED ON THE
23 PLOWED SHOULDER OF A COUNTY HIGHWAY, AS PROVIDED IN THIS SUBDIVI-
24 SION, SHALL BE LIMITED TO THE SPEED LIMIT POSTED ON THE ADJACENT
25 HIGHWAY.

26 (f) A ~~duly constituted~~ law enforcement officer of a local
27 unit of government or the state may authorize use of a snowmobile

1 on a public highway or street within his or her jurisdiction when
2 an emergency occurs and conventional motor vehicles cannot be
3 used for transportation due to snow or other extreme highway
4 conditions.

5 (g) A snowmobile may be operated on a highway or street for
6 a special event of limited duration conducted according to a pre-
7 arranged schedule only under permit from the governmental unit
8 having jurisdiction. The event may be conducted on the frozen
9 surface of public waters only under permit from the department.

10 (h) A city or village by ordinance may designate 1 or more
11 specific public highways or streets within its jurisdiction as
12 egress and ingress routes for the use of snowmobiles. A city or
13 village acting under the authority of this subdivision shall
14 erect and maintain, in accordance with the Michigan manual of
15 uniform traffic control devices standards, a sign unit giving
16 proper notice of the designation.