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BILL ANALYSIS

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Senate Bill 1278 (as introduced 6-2-04)
Sponsor: Senator Patricia L. Birkholz
Committee: Natural Resources and Environmental Affairs

Date Completed: 6-7-04

CONTENT

The bill would amend Part 802 (Personal Watercraft) of the Natural Resources and Environmental Protection Act to include airboats in certain regulations and exceptions that apply to personal watercraft.

Currently, Part 802 applies to personal watercraft and associated equipment used on State waters. ("Personal watercraft" is defined as a vessel that uses a motor-driven propeller or an internal combustion engine powering a water jet pump as its primary source of propulsion; is designed without an open load carrying area that would retain water; and is designed to be operated by one or more people positioned on, rather than within, the confines of the hull.)

Under the bill, where specifically provided, Part 802 also would apply to airboats and associated equipment used on State waters. "Airboat" would be defined as a flat-bottomed vessel powered by an aircraft engine with a propeller projecting above the stern.

Part 802 prohibits a person from operating a personal watercraft on State waters where the water depth is less than two feet, unless the watercraft is being operated at slow no-wake speed, and/or the watercraft is being docked or launched. The bill would add airboats to the prohibition and exceptions.

Also, a person may not operate a personal watercraft on State waters outside of a channel or in an area where aquatic rooted vegetation is visible above the water's surface in the deltaic wetlands of a lake that is between 32 square miles and 144 square miles in area. The bill would add airboats to this prohibition.

Under Part 802, a person who operates a personal watercraft must comply with Part 801 (Water Safety), except as otherwise provided in Part 802. Under the bill, a person who operated an airboat also would have to comply with Part 801, except as otherwise provided in Part 802.

Part 802 does not apply to personal watercraft that is owned by another state or its political subdivisions, or to watercraft used principally for governmental purposes that is marked as such. The bill would add airboats to these exceptions. Also, under the bill, Part 802 would not apply to an airboat used for surveying, dredging, or other water-based commercial efforts permitted or mandated by State or Federal statute.

In addition, the bill would amend the heading to Part 802 to read "Personal Watercraft and Airboats".

MCL 324.80201 et al.

Legislative Analyst: Claire Layman

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Jessica Runnels
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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.