

SUBSTITUTE FOR
SENATE BILL NO. 1278

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 80101 (MCL 324.80101), as added by 1995 PA
58, and by adding section 80108a; and to repeal acts and parts of
acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 80101. As used in this part:

2 (a) "Airboat" means a motorboat that is propelled, wholly or
3 in part, by a propeller projecting above the water surface.

4 (b) ~~-(a)-~~ "Anchored rafts" means all types of nonpowered
5 rafts used for recreational purposes that are anchored seasonally
6 on waters of this state.

7 (c) ~~-(b)-~~ "Associated equipment" means any of the following
8 that are not radio equipment:

9 (i) An original system, part, or component of a boat at the

1 time that boat was manufactured, or a similar part or component
2 manufactured or sold for replacement.

3 (ii) Repair or improvement of an original or replacement
4 system, part, or component.

5 (iii) An accessory or equipment for, or appurtenance to, a
6 boat.

7 (iv) A marine safety article, accessory, or equipment
8 intended for use by a person on board a boat.

9 (d) ~~-(e)-~~ "Boat" means a vessel.

10 (e) ~~-(d)-~~ "Boat livery" means a business that holds a vessel
11 for renting, leasing, or chartering.

12 (f) ~~-(e)-~~ "Controlled substance" means that term as defined
13 in section 7104 of the public health code, ~~Act No. 368 of the~~
14 ~~Public Acts of 1978, being section 333.7104 of the Michigan~~
15 ~~Compiled Laws~~ 1978 PA 368, MCL 333.7104.

16 (g) ~~-(f)-~~ "Conviction" means a final conviction, the payment
17 of a fine, a plea of guilty or nolo contendere if accepted by the
18 court, a finding of guilt, or a probate court disposition on a
19 violation of this part, regardless of whether the penalty is
20 rebated or suspended.

21 **Sec. 80108a. (1) A person shall not operate an airboat on**
22 **the waters of this state within 450 feet of a residence between**
23 **the hours of 11 p.m. and 6 a.m. at a speed in excess of the**
24 **minimum speed required to maintain forward movement.**

25 (2) Subsection (1) does not apply to any of the following:

26 (a) The operation of an airboat in an emergency when
27 necessary to protect public safety.

1 (b) The operation of an airboat so as to free the airboat
2 when it has run aground.

3 (c) The operation of an airboat for a governmental purpose if
4 the airboat is clearly marked and identified as being used for a
5 governmental purpose.

6 Enacting section 1. Section 80108a of the natural resources
7 and environmental protection act, 1994 PA 451, MCL 324.80108a, is
8 repealed effective May 1, 2007.