

# HOUSE BILL No. 4408

March 19, 2003, Introduced by Reps. Bradstreet, Sheltroun, Tabor, Nitz, Caswell, Garfield and Shackleton and referred to the Committee on Conservation and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending section 82101 (MCL 324.82101), as amended by 1997 PA 102.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 82101. As used in this part:

2       (a) "Conviction" means a final conviction, the payment of a  
3 fine, a plea of guilty or nolo contendere if accepted by the  
4 court, or a finding of guilt or probate court disposition on a  
5 violation of this part, regardless of whether the penalty is  
6 rebated or suspended.

7       (b) "Dealer" means any person engaged in the sale, lease, or  
8 rental of snowmobiles as a regular business.

9       (c) "Former section 15a" means section 15a of former 1968 PA  
10 74, as constituted prior to May 1, 1994.

1 (d) "Highly restricted personal information" means an  
2 individual's photograph or image, social security number,  
3 digitized signature, and medical and disability information.

4 (e) "Highway or street" means the entire width between the  
5 boundary lines of every way publicly maintained if any part  
6 thereof is open to the use of the public for purposes of  
7 vehicular travel.

8 (f) "Law of another state" means a law or ordinance enacted  
9 by another state or by a local unit of government in another  
10 state.

11 (g) "Long-term incapacitating injury" means an injury that  
12 causes a person to be in a comatose, quadriplegic, hemiplegic, or  
13 paraplegic state, which state is likely to continue for 1 year or  
14 more.

15 (h) "Operate" means to ride in or on and be in actual  
16 physical control of the operation of a snowmobile.

17 (i) "Operator" means any person who operates or is in actual  
18 physical control of a snowmobile.

19 (j) "Owner" means any of the following:

20 (i) A person who holds the legal title to a snowmobile.

21 (ii) A vendee or lessee of a snowmobile that is the subject  
22 of an agreement for conditional sale or lease with the right of  
23 purchase upon performance of the conditions stated in the  
24 agreement and with an immediate right of possession vested in the  
25 conditional vendee or lessee.

26 (iii) A person renting a snowmobile or having the exclusive  
27 use of a snowmobile for more than 30 days.

1       (k) "Peace officer" means any of the following:

2       (i) A sheriff.

3       (ii) A sheriff's deputy.

4       (iii) A deputy who is authorized by a sheriff to enforce this  
5 part and who has satisfactorily completed at least 40 hours of  
6 law enforcement training, including training specific to this  
7 part.

8       (iv) A village or township marshal.

9       (v) An officer of the police department of any municipality.

10      (vi) An officer of the Michigan state police.

11      (vii) The director and conservation officers employed by the  
12 department.

13      (l) ~~-(k)-~~ "Personal information" means information that  
14 identifies an individual, including an individual's driver  
15 identification number, name, address not including zip code, and  
16 telephone number, but does not include information on snowmobile  
17 operation or equipment-related violations or civil infractions,  
18 operator or snowmobile registration status, accidents, or other  
19 behaviorally-related information.

20      (m) ~~-(l)-~~ "Probate court or family division disposition"  
21 means the entry of a probate court order of disposition or family  
22 division order of disposition for a child found to be within the  
23 provisions of chapter XIIIA of 1939 PA 288, MCL 712A.1 to  
24 712A.32.

25      (n) ~~-(m)-~~ "Prosecuting attorney", except as the context  
26 requires otherwise, means the attorney general, the prosecuting  
27 attorney of a county, or the attorney representing a local unit

1 of government.

2       **(o)** ~~-(n)-~~ "Right-of-way" means that portion of a highway or  
3 street less the roadway and any shoulder.

4       **(p)** ~~-(o)-~~ "Roadway" means that portion of a highway or street  
5 improved, designated, or ordinarily used for vehicular travel.  
6 If a highway or street includes 2 or more separate roadways, the  
7 term roadway refers to any such roadway separately, but not to  
8 all such roadways collectively.

9       **(q)** ~~-(p)-~~ "Shoulder" means that portion of a highway or  
10 street on either side of the roadway that is normally snowplowed  
11 for the safety and convenience of vehicular traffic.

12       **(r)** ~~-(q)-~~ "Snowmobile" means any motor-driven vehicle  
13 designed for travel primarily on snow or ice of a type that  
14 utilizes sled-type runners or skis, an endless belt tread, or any  
15 combination of these or other similar means of contact with the  
16 surface upon which it is operated, but is not a vehicle that must  
17 be registered under the Michigan vehicle code, 1949 PA 300, MCL  
18 257.1 to 257.923.

19       **(s)** ~~-(r)-~~ "Zone 1" means all of the Upper Peninsula.

20       **(t)** ~~-(s)-~~ "Zone 2" means all of that part of the Lower  
21 Peninsula north of a line beginning at and drawn from a point on  
22 the Michigan-Wisconsin boundary line due west of the westerly  
23 terminus of river road in Muskegon county; thence due east to the  
24 westerly terminus of river road; thence north and east along the  
25 center line of the river road to its intersection with highway  
26 M-120; thence northeasterly and easterly along the center line of  
27 highway M-120 to the junction of highway M-20; thence easterly

1 along the center line of M-20 to its junction with US-10 at the  
2 Midland-Bay county line; thence easterly along the center line of  
3 the "business route" of highway US-10 to the intersection of  
4 Garfield road in Bay county; thence north along the center line  
5 of Garfield road to the intersection of the Pinconning road;  
6 thence east along the center line of Pinconning road to the  
7 intersection of the Seven Mile road; thence north along the  
8 center of the Seven Mile road to the Bay-Arenac county line;  
9 thence north along the center line of the Lincoln School road  
10 (county road 25) in Arenac county to the intersection of highway  
11 M-61; thence east along the center line of highway M-61 to the  
12 junction of highway US-23; thence northerly and easterly along  
13 the center line of highway US-23 to the center line of the Au  
14 Gres river; thence southerly along the center line of the river  
15 to its junction with Saginaw Bay of Lake Huron; thence north 78°  
16 east to the international boundary line between the United States  
17 and the Dominion of Canada.

18       (u) ~~-(t)-~~ "Zone 3" means all of that part of the Lower  
19 Peninsula south of the line described in subdivision ~~-(s)-~~ **(t)**.