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BILL



ANALYSIS

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Senate Bill 415 (as enrolled)

**PUBLIC ACT 175 of 2005**

Sponsor: Senator Michelle A. McManus

Senate Committee: Agriculture, Forestry and Tourism

House Committee: Conservation, Forestry, and Outdoor Recreation

Date Completed: 12-21-06

**RATIONALE**

Due to Michigan's geography, outdoor recreational activities, including snowmobiling, constitute a significant component of the State's economy. Because the State sits adjacent to several other states and Canadian provinces in which snowmobiling is a common activity, it was suggested that the Department of Natural Resources (DNR) should seek to enter into agreements with its counterpart agencies in other states and Canada to share records related to snowmobiling violations.

controlled substance or with an unlawful blood alcohol content (BAC).

- One conviction of operating a snowmobile while under the influence or with an unlawful BAC and causing the death or a serious impairment of a body function of another person.
- Any combination of three convictions within 10 years of a violation listed above.

The record-sharing agreements under the bill involve the convictions described above.

**CONTENT**

**The bill amended Part 821 (Snowmobiles) of the Natural Resources and Environmental Protection Act to require the DNR to seek to enter into agreements with the appropriate agencies of other states, Canada, and provinces and territories of Canada for the sharing of records of convictions involving certain snowmobiling offenses.**

The bill revised the definition of "law of another state". The term previously meant a law or ordinance enacted by another state or by a local unit of government in another state. Under the bill, the term also includes a law or ordinance enacted by Canada or a province or territory of Canada, or by a local unit of government in a Canadian province or territory.

The bill also defines "recreational snowmobile trail improvement subaccount", "snowmobile account", and "snowmobile registration fee subaccount". (Those accounts were established in the Constitution and the Act as a result of House Joint Resolution (H.J.R.) Z, which the voters approved at the November 7, 2006, general election. The Recreational Snowmobile Trail Improvement subaccount and the Snowmobile Registration Fee subaccount existed previously as separate funds. Under H.J.R. Z, the funds were established as subaccounts within the Snowmobile account of an umbrella fund called the Michigan Conservation and Recreation Legacy Fund.)

The bill took effect on October 12, 2005.

Part 821 requires the Secretary of State to issue an order, with no expiration date, that a person not operate a snowmobile, when the Secretary of State receives the appropriate records of conviction of the following:

- Two convictions of a felony involving the use of a snowmobile within seven years.
- Any combination of two convictions within seven years of operating a snowmobile while under the influence of alcohol or a

MCL 324.82101 & 324.82148

## **ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

### **Supporting Argument**

Because the Great Lakes region offers numerous snowmobiling opportunities, residents prohibited from operating snowmobiles in their own states might be likely to travel to other states or Canada to engage in snowmobiling. If the DNR successfully enters into record-sharing agreements, they should prevent individuals who have shown themselves to be irresponsible or dangerous operators from putting people at risk by simply crossing state or national lines. If the agreements related to snowmobile violations are effective, the information-sharing requirement could be expanded in the future to include other violations related to recreation.

Legislative Analyst: Julie Cassidy

## **FISCAL IMPACT**

The bill will have an indeterminate fiscal impact on the State. The sharing of conviction records could increase costs for both the Department of Natural Resources and the Department of State for staff time, resources, and information technology due to collaboration with other states in tracking violators and updating snowmobile registrations and permits.

Fiscal Analyst: Joe Carrasco  
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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.