

SENATE BILL No. 924

December 7, 2005, Introduced by Senators McMANUS, KUIPERS, JELINEK and GARCIA and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 74117 and 81116 (MCL 324.74117 and 324.81116), section 74117 as amended by 2003 PA 170 and section 81116 as amended by 2003 PA 111.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 74117. (1) The department may require park permits and
2 collect park permit fees for entry into a state park or portion of
3 a state park posted in the manner prescribed by this part. The
4 department shall prepare and distribute park permits to implement
5 this part.

6 (2) Except as otherwise provided in this section, an annual
7 park permit shall be issued and shall authorize the entry of the

1 motor vehicle to which it is originally attached within the
2 confines of any state park or recreation area during the calendar
3 year for which it is issued. The fee for the annual park permit is
4 as follows:

5 (a) Until January 1, 2007, for the owner of a resident motor
6 vehicle, \$24.00, except as follows:

7 (i) The fee for the owner of a resident motor vehicle who is 65
8 years of age or older is \$6.00.

9 (ii) The fee for the owner of a resident motor vehicle who, at
10 the time of purchase, is in possession of a food stamp card and
11 personal identification is \$18.00.

12 (b) Until January 1, 2007, for the owner of a nonresident
13 motor vehicle, \$29.00.

14 (3) A daily permit, valid for 1 day only, shall authorize the
15 entry of the motor vehicle to which it is originally attached
16 within the confines of a state park during the day for which it is
17 issued. The fee for a daily permit is as follows:

18 (a) Until January 1, 2007, for the owner of a resident motor
19 vehicle, \$6.00.

20 (b) Until January 1, 2007, for the owner of a nonresident
21 motor vehicle, \$8.00.

22 (4) A person who has obtained an annual motor vehicle permit
23 under this section for a recreational vehicle to be used as a
24 stationary primary camping shelter camped legally in and not moved
25 from a state park campground during the period of the camping stay
26 may obtain a duplicate motor vehicle permit for a towed second
27 motor vehicle present at the time of entry for a fee of \$6.00

1 effective for the duration of camping stay.

2 (5) The department shall provide ~~an annual report~~ to the
3 standing committees in the senate and house of representatives
4 along with the appropriate budget subcommittees that primarily
5 consider **ISSUES PERTAINING TO** natural resources ~~issues~~ **AN ANNUAL**
6 **REPORT** that details the revenue stream generated by the fee
7 structure under this section. This report shall be presented not
8 later than December 31 each year and shall include information on
9 the impact of the revenue stream on the Michigan state parks
10 endowment fund created in section 35a of article IX of the state
11 constitution of 1963 and provided for in section 74119, the use of
12 the general fund for funding the state park system, and other
13 relevant issues that impact funding needs for the state park
14 system.

15 ~~—— (6) A resident motor vehicle is a vehicle that is registered~~
16 ~~as a motor vehicle in this state.~~

17 (6) ~~(7)~~ This part applies only to the entry of motor
18 vehicles into the state parks and to the park permits authorized in
19 this part and does not obviate the necessity of obtaining
20 additional permits for special services or park privileges as
21 previously or subsequently may be required by law or by rules
22 promulgated by the department. The department shall designate each
23 person in the state authorized to sell park permits and shall
24 require as a condition of the designation that a surety bond be
25 furnished in an amount and in a form and with the surety as is
26 acceptable to the department. After being designated by the
27 ~~Department~~ **DEPARTMENT**, a person may issue park permits in

1 accordance with this part.

2 (7) ~~(8)~~ Commercial motor coaches or vans with a capacity of
3 more than 12 passengers are not eligible to enter a state park with
4 an annual park permit. Until January 1, 2007, the daily fee to
5 allow commercial motor coaches or vans with a capacity of over 12
6 passengers daily entry into a state park is \$15.00.

7 (8) ~~(9)~~ The department may add to the cost of a reservation
8 or a motor vehicle entrance or camping fee the charges that the
9 state incurs because of the use of a credit card.

10 (9) IF A PERSON'S ANNUAL PARK PERMIT IS LOST OR DESTROYED, THE
11 DEPARTMENT SHALL PROVIDE THAT PERSON WITH A REPLACEMENT PARK PERMIT
12 FREE OF CHARGE. THE DEPARTMENT MAY REQUIRE A PERSON REQUESTING A
13 REPLACEMENT PARK PERMIT TO SUPPLY SUFFICIENT EVIDENCE OF THE LOSS
14 OR DESTRUCTION OF THE ORIGINAL PARK PERMIT.

15 (10) It is the intent of the legislature that if, on September
16 30 of any state fiscal year, the amount of money in the
17 countercyclical budget and economic stabilization fund created in
18 section 351 of the management and budget act, 1984 PA 431, MCL
19 18.1351, exceeds \$250,000,000.00, then general fund/general purpose
20 support for state parks operations for the following state fiscal
21 year shall be equal to or exceed 50% of the revenues generated by
22 motor vehicle entrance fees under this section during the previous
23 state fiscal year.

24 (11) AS USED IN THIS SECTION, "RESIDENT MOTOR VEHICLE" MEANS A
25 VEHICLE THAT IS REGISTERED AS A MOTOR VEHICLE IN THIS STATE.

26 Sec. 81116. (1) The owner of an ORV requiring licensure under
27 this part shall file an application for a license with the

1 department or a dealer on forms provided by the department. If an
2 ORV is sold by a dealer, the application for a license shall be
3 submitted to the department by the dealer in the name of the owner.
4 The application shall be signed by the owner of the vehicle and
5 shall be accompanied by a fee of \$16.25. A person shall not file an
6 application for registration that contains false information. Upon
7 receipt of the application in approved form and upon payment of the
8 appropriate fee, the department or dealer shall issue to the
9 applicant a license which shall be valid for the 12-month period
10 for which it is issued. A license shall be issued for the 12-month
11 period beginning April 1 and ending March 31 each year.

12 (2) Dealers may purchase from the department ORV licenses for
13 resale to owners of vehicles requiring licensure under this part.
14 The department shall refund to dealers the purchase price of any
15 ORV licenses returned within 90 days after the end of the 12-month
16 period for which they were valid. The dealer shall maintain and
17 provide to the department records of ORV license sales on forms
18 provided by the department. In addition to the sale of ORV
19 licenses, a dealer engaged in the sale, lease, or rental of ORVs as
20 a regular business may sell any other license or permit authorized
21 by the department to be sold by other dealers under the statutes of
22 this state.

23 (3) The license shall be permanently attached to the vehicle
24 in the manner prescribed and in the location designated by the
25 department before the vehicle may legally be operated in accordance
26 with this part.

27 (4) If at the time of sale the purchaser certifies on a form

1 provided by the department that the purchased vehicle otherwise
2 requiring a license under this part will be used and stored outside
3 of this state and will not be returned by the purchaser to this
4 state for use, then a license is not required.

5 (5) IF A LICENSE ACQUIRED BY THE OWNER OF AN ORV IS LOST OR
6 DESTROYED, THE DEPARTMENT SHALL PROVIDE THAT PERSON WITH A
7 REPLACEMENT LICENSE FREE OF CHARGE. THE DEPARTMENT MAY REQUIRE A
8 PERSON REQUESTING A REPLACEMENT LICENSE TO SUPPLY SUFFICIENT
9 EVIDENCE OF THE LOSS OR DESTRUCTION OF THE ORIGINAL LICENSE.