

Act No. 465
Public Acts of 2008
Approved by the Governor
January 9, 2009
Filed with the Secretary of State
January 9, 2009
EFFECTIVE DATE: January 9, 2009

**STATE OF MICHIGAN
94TH LEGISLATURE
REGULAR SESSION OF 2008**

Introduced by Senator Allen

ENROLLED SENATE BILL No. 1581

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 82147 (MCL 324.82147), as amended by 2001 PA 148.

The People of the State of Michigan enact:

Sec. 82147. (1) Notwithstanding a court order issued under section 82127(1), (3), (4), or (5), section 15a(1), (3), (4), or (5) of former 1968 PA 74, sections 82141 to 82142, or a local ordinance substantially corresponding to section 82127(1) or (3), or sections 82141 to 82142, if a court has not ordered a person not to operate a snowmobile as authorized by this part, the secretary of state shall issue an order that the person not operate a snowmobile as follows:

(a) For 90 days, upon receiving a record of the conviction of the person for a violation of section 82127(3), section 15a(3) of former 1968 PA 74, a local ordinance substantially corresponding to section 82127(3), or a law of another state substantially corresponding to section 82127(3), if the person has no prior convictions within 7 years for a violation of section 82127(1), (3), (4), or (5), section 15a(1), (3), (4), or (5) of former 1968 PA 74, or section 15a of former 1968 PA 74, a local ordinance substantially corresponding to section 82127(1) or (3) or section 15a of former 1968 PA 74, or a law of another state substantially corresponding to section 82127(1), (3), (4), or (5) or section 15a of former 1968 PA 74.

(b) For 1 year for a violation of section 324, 413, or 414 of the Michigan penal code, 1931 PA 328, MCL 750.324, 750.413, and 750.414; or a violation of section 626(3) or (4) of the Michigan vehicle code, 1949 PA 300, MCL 257.626.

(c) For 6 months, if the person has the following convictions within a 7-year period, whether under the law of this state, a local ordinance substantially corresponding to a law of this state, or a law of another state substantially corresponding to a law of this state:

(i) One conviction under section 82127(1), section 15a(1) of former 1968 PA 74, or section 15a of former 1968 PA 74.

(ii) Two convictions under section 82127(3), section 15a(3) of former 1968 PA 74, or section 15a of former 1968 PA 74.

(iii) One conviction under section 82127(1) or section 15a(1) of former 1968 PA 74 and 1 conviction under section 82127(3), section 15a(3) of former 1968 PA 74, or section 15a of former 1968 PA 74.

(iv) One conviction under section 82127(4) or (5) or section 15a(4) or (5) of former 1968 PA 74 followed by 1 conviction under section 82127(3) or section 15a(3) of former 1968 PA 74.

(2) If the secretary of state receives records of more than 1 conviction or probate court or family division of circuit court disposition of a person resulting from the same incident, a suspension shall be imposed only for the violation to which the longest period of suspension applies under this section.

Enacting section 1. This amendatory act does not take effect unless Senate Bill No. 104 of the 94th Legislature is enacted into law.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Richard J. Brown

Clerk of the House of Representatives

Approved

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Governor