

HOUSE BILL No. 5590

November 12, 2009, Introduced by Reps. LeBlanc, Genetski, Mayes and Sheltroun and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 80166 (MCL 324.80166), as amended by 2002 PA 636.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 80166. (1) Upon the direction of a peace officer acting
2 in the lawful performance of his or her duty, the operator of a
3 vessel moving on the waters of this state shall immediately bring
4 the vessel to a stop or maneuver it in a manner that permits the
5 peace officer to come beside the vessel. The operator of the vessel
6 shall do the following upon the request of the peace officer:
- 7 (a) Provide his or her correct name and address.
 - 8 (b) Exhibit the certificate of number awarded for the vessel.
 - 9 (c) If the vessel does not bear a decal described in section

1 80166a or an equivalent decal issued by or on behalf of another
2 state, submit to a reasonable inspection of the vessel and to a
3 reasonable inspection and test of the equipment of the vessel.

4 (2) ~~Except for inspection of a vessel to determine the number~~
5 ~~and adequacy of personal flotation devices on that vessel, a~~ **A**
6 peace officer shall not stop and inspect a vessel bearing the decal
7 described in section 80166a or an equivalent decal issued by or on
8 behalf of another state during the period the decal remains in
9 effect unless that peace officer has a ~~reasonable~~ **REASONABLY**
10 **ARTICULABLE** suspicion that the vessel or the vessel's operator is
11 in violation of a marine law **OR IS OTHERWISE ENGAGED IN CRIMINAL**
12 **ACTIVITY**.

13 (3) A person who is detained for a violation of this part or
14 of a local ordinance substantially corresponding to a provision of
15 this part and who furnishes a peace officer false, forged,
16 fictitious, or misleading verbal or written information identifying
17 the person as another person is guilty of a misdemeanor.

18 (4) A peace officer who observes a marine law violation **OR THE**
19 **COMMISSION OF A CRIME** may immediately arrest the person without a
20 warrant or issue to the person a written or verbal warning.