

SENATE BILL No. 816

February 24, 2016, Introduced by Senators COLBECK, KOWALL, BIEDA and PROOS and referred to the Committee on Veterans, Military Affairs and Homeland Security.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 74116 and 78119 (MCL 324.74116 and 324.78119),
section 74116 as amended by 2016 PA 1 and section 78119 as amended
by 2013 PA 81.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 74116. (1) Subject to subsection (4), the operator of a
2 nonresident motor vehicle or commercial motor vehicle shall not
3 enter any state park with that motor vehicle unless a valid motor
4 vehicle park permit issued under section 74117 is affixed to the
5 lower right-hand corner of the windshield. An annual motor vehicle
6 park permit for a nonresident motor vehicle shall be affixed
7 permanently for that year. The department shall post signs at parks
8 that state that a motor vehicle park permit is required for entry
9 by a nonresident motor vehicle or commercial motor vehicle.

1 (2) Subject to subsection (4), the operator of a resident
2 motor vehicle shall not enter a state park with the resident motor
3 vehicle unless the recreation passport fee has been paid for that
4 motor vehicle. Payment of the recreation passport fee authorizes
5 entry into all state parks and recreation areas and designated
6 state-operated public boating access sites until expiration of the
7 motor vehicle registration.

8 (3) Subject to subsection (4), if the secretary of state
9 issues registration tabs or stickers as described in section 805 of
10 the Michigan vehicle code, 1949 PA 300, MCL 257.805, the operator
11 of a resident motor vehicle shall not enter a state park with the
12 resident motor vehicle unless the resident motor vehicle has a
13 registration tab or sticker marked as provided under that section
14 to show that the recreation passport fee has been paid.

15 (4) Subsections (1) to (3) do not apply under any of the
16 following circumstances:

17 (a) While the motor vehicle is being driven or parked within
18 an established federal, state, or county highway within a state
19 park.

20 (b) If the motor vehicle is used in the operation or
21 maintenance of a state park, is an emergency motor vehicle, is a
22 state owned or law enforcement motor vehicle, or is a private motor
23 vehicle being operated on official state business.

24 (c) If the motor vehicle is registered under section 803e(1)
25 of the Michigan vehicle code, 1949 PA 300, MCL 257.803e, and is
26 exempt under section 803e(6) of the Michigan vehicle code, 1949 PA
27 300, MCL 257.803e, from the registration tax, or if the motor

1 vehicle is registered under section 217d or 803f of the Michigan
2 vehicle code, 1949 PA 300, MCL 257.217d and 257.803f.

3 (D) IF THE OPERATOR OR A PASSENGER OF THE MOTOR VEHICLE
4 POSSESSES A VALID, GOVERNMENT-ISSUED VETERAN IDENTIFICATION, SUCH
5 AS AN OPERATOR LICENSE INDICATING HIS OR HER VETERAN STATUS AS
6 PROVIDED FOR IN SECTION 310 OF THE MICHIGAN VEHICLE CODE, 1949 PA
7 300, MCL 257.310. THAT INDIVIDUAL SHALL PRODUCE THE VETERAN
8 IDENTIFICATION IF REQUESTED BY A CONSERVATION OFFICER OR PARK AND
9 RECREATION OFFICER.

10 (E) ~~(d) At a state-operated public boating access site or a~~
11 state park where there is an opportunity to fish on a day that the
12 department has designated as a free winter fishing day or a free
13 fishing day under section 43534.

14 (F) ~~(e)~~ If and to the extent that the department waives the
15 requirements for department-sponsored events or other circumstances
16 as determined by the director or the director's designee.

17 Sec. 78119. (1) Subject to subsection (4), a person shall not
18 enter, in a nonresident motor vehicle or commercial motor vehicle,
19 a state-operated public boating access site designated under
20 section 78105(2) without a valid pass affixed to the lower right-
21 hand corner of the windshield. A seasonal pass shall be affixed
22 permanently for the season.

23 (2) Subject to subsection (4), the operator of a resident
24 motor vehicle shall not enter a state-operated public boating
25 access site designated under section 78105(2) with the resident
26 motor vehicle unless the recreation passport fee has been paid for
27 that motor vehicle. Payment of the recreation passport fee

1 authorizes entry into all state parks and recreation areas and
2 designated state-operated public boating access sites until
3 expiration of the motor vehicle registration.

4 (3) Subject to subsection (4), if the secretary of state
5 issues registration tabs or stickers as described in section 805 of
6 the Michigan vehicle code, 1949 PA 300, MCL 257.805, the operator
7 of a resident motor vehicle shall not enter a designated state-
8 operated public boating access site with the resident motor vehicle
9 unless the resident motor vehicle has a registration tab or sticker
10 marked as provided under that section to show that the recreation
11 passport fee has been paid.

12 (4) Subsections (1) to (3) do not apply under any of the
13 following circumstances:

14 (a) If the motor vehicle is used in the operation or
15 maintenance of the public boating access site, is an emergency
16 motor vehicle, is a state-owned or law enforcement motor vehicle,
17 or is a private motor vehicle being operated on official state
18 business.

19 (b) If the motor vehicle is registered under section 803e(1)
20 of the Michigan vehicle code, 1949 PA 300, MCL 257.803e, and is
21 exempt under section 803e(6) of the Michigan vehicle code, 1949 PA
22 300, MCL 257.803e, from the registration tax, or if the motor
23 vehicle is registered under section 217d or 803f of the Michigan
24 vehicle code, 1949 PA 300, MCL 257.217d and 257.803f.

25 (C) IF THE OPERATOR OR A PASSENGER OF THE MOTOR VEHICLE
26 POSSESSES A VALID, GOVERNMENT-ISSUED VETERAN IDENTIFICATION, SUCH
27 AS AN OPERATOR LICENSE INDICATING HIS OR HER VETERAN STATUS AS

1 PROVIDED FOR IN SECTION 310 OF THE MICHIGAN VEHICLE CODE, 1949 PA
2 300, MCL 257.310. THE INDIVIDUAL SHALL PRODUCE THE VETERAN
3 IDENTIFICATION IF REQUESTED BY A CONSERVATION OFFICER OR PARK AND
4 RECREATION OFFICER.

5 (D) AT A STATE-OPERATED PUBLIC BOATING ACCESS SITE WHERE THERE
6 IS AN OPPORTUNITY TO FISH ON A DAY THAT THE DEPARTMENT HAS
7 DESIGNATED AS A FREE WINTER FISHING DAY OR A FREE FISHING DAY UNDER
8 SECTION 43534.

9 (E) ~~(e)~~—If and to the extent the department waives the
10 requirements for department-sponsored events or other circumstances
11 as determined by the director or the director's designee.

12 (5) A person who violates subsection (1), (2), or (3) is
13 responsible for a state civil infraction and may be ordered to pay
14 a civil fine of not more than \$100.00. A person shall not be cited
15 for a violation of both subsections (2) and (3) for the same
16 incident.

17 (6) In any proceeding for the violation of this part or a rule
18 promulgated under this part, if a motor vehicle is found parked in
19 a designated state-operated public boating access site, the
20 registration plate displayed on the motor vehicle constitutes prima
21 facie evidence that the owner of the motor vehicle was the person
22 who parked or placed it at the location where it was found.

23 Enacting section 1. This amendatory act takes effect 90 days
24 after the date it is enacted into law.