

HOUSE BILL No. 4781

June 20, 2017, Introduced by Reps. Hughes, Kesto, Marino, Lucido and Leutheuser and referred to the Committee on Tourism and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 72105 (MCL 324.72105), as amended by 2014 PA 212.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 72105. **(1)** The department may operate and maintain a
2 trail that is located on state owned land or may enter into an
3 agreement with a council or 1 or more governmental agencies to
4 provide for the operation and maintenance of the trail. An
5 agreement entered into under this subsection may include provisions
6 for any of the following:

7 (a) Construction, maintenance, and operation of the trail.

8 (b) Enforcement of trail rules and regulations including
9 permitted uses of the trail.

1 (c) Other provisions consistent with this part.

2 (2) ALL OF THE FOLLOWING APPLY TO THE OPERATION OF AN ELECTRIC
3 BICYCLE ON A TRAIL SUBJECT TO THIS PART:

4 (A) AN INDIVIDUAL MAY OPERATE A CLASS 1 ELECTRIC BICYCLE ON A
5 LINEAR PAVED TRAIL THAT HAS AN ASPHALT, CRUSHED LIMESTONE, OR
6 SIMILAR SURFACE, OR A RAIL TRAIL. A LOCAL AUTHORITY OR AGENCY OF
7 THIS STATE HAVING JURISDICTION OVER A TRAIL DESCRIBED IN THIS
8 SUBDIVISION MAY REGULATE OR PROHIBIT THE OPERATION OF A CLASS 1
9 ELECTRIC BICYCLE ON THAT TRAIL.

10 (B) AN INDIVIDUAL MAY OPERATE A CLASS 2 OR CLASS 3 ELECTRIC
11 BICYCLE ON A LINEAR PAVED TRAIL THAT HAS AN ASPHALT, CRUSHED
12 LIMESTONE, OR SIMILAR SURFACE, OR A RAIL TRAIL IF AUTHORIZED BY THE
13 LOCAL AUTHORITY OR AGENCY OF THIS STATE HAVING JURISDICTION OVER
14 THE TRAIL.

15 (C) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBDIVISION, AN
16 INDIVIDUAL SHALL NOT OPERATE AN ELECTRIC BICYCLE ON A TRAIL THAT IS
17 SPECIFICALLY DESIGNATED AS NONMOTORIZED AND THAT HAS A NATURAL
18 SURFACE TREAD THAT IS MADE BY CLEARING AND GRADING THE NATIVE SOIL
19 WITH NO ADDED SURFACING MATERIALS. A LOCAL AUTHORITY OR AGENCY OF
20 THIS STATE HAVING JURISDICTION OVER A TRAIL DESCRIBED IN THIS
21 SUBDIVISION MAY ALLOW THE OPERATION OF AN ELECTRIC BICYCLE ON THAT
22 TRAIL.

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