

Act No. 402  
Public Acts of 2018  
Approved by the Governor  
December 19, 2018  
Filed with the Secretary of State  
December 19, 2018  
EFFECTIVE DATE: March 19, 2019

**STATE OF MICHIGAN  
99TH LEGISLATURE  
REGULAR SESSION OF 2018**

**Introduced by Reps. Bellino, Marino and LaFave**

# **ENROLLED HOUSE BILL No. 5989**

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 protect the people's right to hunt and fish; 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 80213 (MCL 324.80213), as added by 2000 PA 229.

*The People of the State of Michigan enact:*

Sec. 80213. (1) An individual who is required to complete a boating safety course under this part and who operates a personal watercraft on the waters of this state shall display his or her boating safety certificate or, at the individual's option, an electronic copy, in a format approved by the department, of the boating safety certificate upon the demand of a peace officer who identifies himself or herself as a peace officer. Not later than March 31, 2019, the department shall approve 1 or more formats for an individual to display an electronic copy of his or her boating safety certificate.

(2) A peace officer shall not stop a personal watercraft solely for the purpose of determining whether the operator has in his or her possession either of the following:

(a) A boating safety certificate.

(b) An electronic copy of a boating safety certificate in a format approved by the department.

(3) An individual who, under subsection (1), displays an electronic copy of his or her boating safety certificate using an electronic device is not presumed to have consented to a search of the electronic device. This state, an employee of this state, a peace officer, or an entity employing the peace officer is not liable for damage to or loss of an electronic device that occurs as a result of the peace officer's viewing an electronic copy of a boating safety certificate under subsection (1), regardless of whether the peace officer was in possession of the electronic device at the time the damage or loss occurred.

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

Enacting section 2. This amendatory act does not take effect unless all of the following bills of the 99th Legislature are enacted into law:

(a) House Bill No. 5836.

(b) House Bill No. 5988.

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved .....

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Governor