

# HOUSE BILL NO. 5831

June 04, 2020, Introduced by Rep. LaFave and referred to the Committee on Natural Resources and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending sections 1616, 9510, 35106, 35108, 36507, 40111, 40112,  
40118, 40903, 41105, 42106, 43510, 43513, 43516, 43558, 43560,  
46509, 48702b, 48703, 48738, 48739, 51504, 52908, 73110, 74122,  
76116, 80124, 80143, 80146, 80149, 80156, 80166, 80167, 80171,  
80205, 80208, 80215, 80319, 80322, 81112, 81122, 81129, 81132,  
81133, 81143, 81145, 81146, 81147, 82116, 82118, 82121, 82126b,  
82133, 82134, 82135, and 82158 (MCL 324.1616, 324.9510, 324.35106,



324.35108, 324.36507, 324.40111, 324.40112, 324.40118, 324.40903, 324.41105, 324.42106, 324.43510, 324.43513, 324.43516, 324.43558, 324.43560, 324.46509, 324.48702b, 324.48703, 324.48738, 324.48739, 324.51504, 324.52908, 324.73110, 324.74122, 324.76116, 324.80124, 324.80143, 324.80146, 324.80149, 324.80156, 324.80166, 324.80167, 324.80171, 324.80205, 324.80208, 324.80215, 324.80319, 324.80322, 324.81112, 324.81122, 324.81129, 324.81132, 324.81133, 324.81143, 324.81145, 324.81146, 324.81147, 324.82116, 324.82118, 324.82121, 324.82126b, 324.82133, 324.82134, 324.82135, and 324.82158), section 1616 as added by 2013 PA 37, section 35106 as added by 1995 PA 59, section 35108 as amended by 1996 PA 290, section 36507 as amended by 1996 PA 128, sections 40111 and 43513 as amended by 2018 PA 272, section 40112 as amended by 2015 PA 12, section 40118 as amended by 2017 PA 124, sections 40903, 41105, 42106, 43560, 46509, 48739, and 51504 as added by 1995 PA 57, sections 43510 and 43558 as amended by 2013 PA 108, section 43516 as amended by 2016 PA 461, section 48702b as added by 1996 PA 318, section 48703 as amended by 2018 PA 529, section 48738 as amended by 2014 PA 541, section 52908 as amended by 2001 PA 155, section 73110 as amended by 2013 PA 176, section 74122 as amended by 2010 PA 33, sections 76116, 80167, 80322, 81132, 81143, 81145, 81146, 82116, 82121, 82133, 82134, 82135, and 82158 as added by 1995 PA 58, section 80124 as amended by 2012 PA 294, section 80143 as added by 2012 PA 59, section 80146 as amended by 2020 PA 70, section 80149 as amended by 2007 PA 8, section 80156 as amended by 1996 PA 274, section 80166 as amended by 2012 PA 62, section 80171 as amended by 2014 PA 402, sections 80205 and 81129 as amended by 2018 PA 237, section 80208 as added by 2000 PA 229, section 80215 as amended by 2008 PA 178, section 80319 as amended by 2018 PA 678, section 81112 as amended by 2018



PA 519, section 81122 as amended by 2013 PA 119, section 81133 as amended by 2018 PA 206, section 81147 as amended by 2014 PA 147, section 82118 as amended by 2010 PA 371, and section 82126b as added by 1998 PA 461; and to repeal acts and parts of acts.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1616. (1) The department shall enforce the compact and  
2 shall do all things within the department's jurisdiction that are  
3 appropriate in order to effectuate the purposes and the intent of  
4 the compact.

5           (2) On behalf of this state, the department may do either of  
6 the following:

7           (a) Withdraw from the compact under article VIII of the  
8 compact.

9           (b) Adopt amendments to the compact under article IX of the  
10 compact.

11           (3) Pursuant to article IV(a) of the compact, if the  
12 department receives notice from the licensing authority of an  
13 issuing state that a resident of this state has failed to comply  
14 with the terms of a citation, the department shall suspend the  
15 license privileges of the resident.

16           (4) Pursuant to article IV(b) of the compact, if the  
17 department receives notice of conviction of a resident of this  
18 state from the licensing authority of an issuing state, the  
19 department shall suspend the license privileges of the resident if  
20 the conviction would have resulted in mandatory suspension of the  
21 license had it occurred in this state. The department may suspend  
22 the license privileges if the conviction could have resulted in  
23 discretionary suspension of the license had the conviction occurred  
24 in this state.



1 (5) Pursuant to article V(a) of the compact, if the department  
2 receives notice of the suspension of any person's license  
3 privileges by a participating state, the department shall determine  
4 whether the violation leading to the suspension would have led to  
5 the suspension of license privileges under this state's law in  
6 accordance with the compact manual. If the department determines  
7 that the person's license privileges would have been suspended, the  
8 department may suspend the person's license privileges for the same  
9 period as imposed by the participating state, but not to exceed the  
10 maximum period allowed by the law of this state.

11 (6) If the department suspends a person's license privileges  
12 pursuant to the compact, the department shall provide the person  
13 with an opportunity for an evidentiary hearing under the  
14 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to  
15 24.328, limited to the following grounds:

16 (a) Whether, under article IV(a) of the compact, the person  
17 failed to comply with the terms of a citation in another  
18 participating state.

19 (b) Whether, under article IV(b) of the compact, there was a  
20 conviction in another participating state and the conviction would  
21 have led to the suspension of license privileges under this state's  
22 law, the conviction is on appeal in the participating state, or the  
23 alleged violator is not the proper party.

24 (c) Whether, under article V of the compact, a participating  
25 state suspended the person's license privileges and the violation  
26 leading to the suspension would have led to the forfeiture of  
27 privileges under this state's law, the conviction is on appeal in  
28 the participating state, or the alleged violator is not the proper  
29 party.



1 (7) An evidentiary hearing shall be requested within 20 days  
2 after the department sends the person notice of the suspension. The  
3 person shall surrender to the department any licenses issued under  
4 part 435 to the person within 10 days after notice of the  
5 suspension is sent. The department shall, by first-class mail, send  
6 to any resident of this state at his or her last known address  
7 notice of the suspension, of the opportunity for an evidentiary  
8 hearing, and of the obligation to surrender licenses.

9 (8) A person who fails to surrender a license under subsection  
10 (7) is ~~guilty of a misdemeanor punishable by imprisonment for not~~  
11 ~~more than 90 days or a fine of not less than~~ **responsible for a**  
12 **state civil infraction and may be ordered to pay a civil fine of**  
13 **\$25.00.** ~~or more than \$250.00, or both.~~

14 (9) As used in this section, "compact" means the interstate  
15 wildlife violator compact provided for in section 1615. If a term  
16 defined in article II of the compact is used in this section, the  
17 definitions in article II of the compact apply to that term as used  
18 in this section.

19 Sec. 9510. **(1) A-Except as provided in subsection (2), a**  
20 person who violates this part or the rules promulgated under this  
21 part is guilty of a misdemeanor punishable by imprisonment for not  
22 more than 92 days or a fine of not more than \$500.00, or both.

23 **(2) A person who violates section 9502 is responsible for a**  
24 **state civil infraction and may be ordered to pay a civil fine of**  
25 **\$500.00.**

26 Sec. 35106. A person who lands an aircraft or operates a motor  
27 vehicle, motorboat, or other form of mechanical transport in a  
28 wilderness area, wild area, or natural area without the express  
29 written consent of the department is ~~guilty of a~~



1 ~~misdemeanor~~ **responsible for a state civil infraction and may be**  
 2 **ordered to pay a civil fine of \$500.00.**

3 Sec. 35108. The department shall post signs in appropriate  
 4 locations along the borders of a wilderness area, wild area, or  
 5 natural area. The signs shall give notice of the area's dedication  
 6 and may state those activities that are prohibited under section  
 7 35105 and those activities that are ~~punishable as a misdemeanor~~  
 8 ~~pursuant to~~ **state civil infractions under** section 35106.

9 Sec. 36507. A person who violates this part or who fails to  
 10 procure any permit required under this part is ~~guilty of a~~  
 11 ~~misdemeanor punishable by imprisonment for not more than 90 days,~~  
 12 ~~or a fine of not more than \$1,000.00 or less than~~ **responsible for a**  
 13 **state civil infraction and may be ordered to pay a civil fine of**  
 14 **\$100.00. ~~or both.~~**

15 Sec. 40111. (1) Except as otherwise provided in subsection (3)  
 16 or (5), this part, or in a department order authorized under  
 17 section 40107, an individual shall not take an animal from in or  
 18 upon a vehicle.

19 (2) Except as otherwise provided in subsection (3), (4), or  
 20 (5), this part, or ~~in~~ a department order authorized under section  
 21 40107, an individual shall not transport or possess a firearm in or  
 22 upon a vehicle, unless the firearm is unloaded and enclosed in a  
 23 case, unloaded and carried in the trunk of a vehicle, or unloaded  
 24 in a motorized boat **or the vehicle is on private property.**

25 (3) A person with a disability may transport or possess a  
 26 firearm in or upon a vehicle ~~, except for a car or truck,~~ on a  
 27 state licensed game bird hunting preserve if the firearm is  
 28 unloaded and the vehicle is operated at a speed of not greater than  
 29 10 miles per hour. A person with a disability may possess a loaded



1 firearm and may discharge that firearm to take an animal from in or  
2 upon a vehicle ~~, except for a car or truck,~~ on a state licensed  
3 game bird hunting preserve if the vehicle is not moving. The  
4 department may demand proof of eligibility under this subsection.  
5 An individual **acting under this subsection** shall possess proof of  
6 his or her eligibility under this subsection and furnish the proof  
7 upon the request of a peace officer.

8 (4) An individual may transport or possess an unloaded firearm  
9 in or upon a vehicle on a sporting clays range.

10 (5) An individual ~~holding a valid permit to hunt from a~~  
11 ~~standing vehicle under section 40114~~ may transport or possess an  
12 uncased firearm with a loaded magazine on a personal assistive  
13 mobility device if the action is open. An individual ~~holding a~~  
14 ~~valid permit to hunt from a standing vehicle under section 40114~~  
15 may possess a loaded firearm and may discharge that firearm to take  
16 game from a personal assistive mobility device if each of the  
17 following applies:

18 (a) The personal assistive mobility device is not moving.

19 (b) The individual holds a valid base license under section  
20 43523a, holds any other necessary license under part 435, and  
21 complies with all other laws and rules for the taking of game.

22 (6) An individual may transport or possess a bow or crossbow  
23 in or upon a vehicle while that vehicle is operated on public land  
24 or on a highway, road, or street in this state if the bow or  
25 crossbow is unloaded and uncocked, enclosed in a case, or carried  
26 in the trunk of a vehicle.

27 (7) An individual shall not hunt with a firearm within 150  
28 yards of an occupied building, dwelling, house, residence, or  
29 cabin, or any barn or other building used in connection with a farm



1 operation, without obtaining the written permission of the owner,  
2 renter, or occupant of the property.

3 (8) As used in this section:

4 (a) "Person with a disability" means a disabled person as that  
5 term is defined in section 19a of the Michigan vehicle code, 1949  
6 PA 300, MCL 257.19a, and who is in possession of 1 of the  
7 following:

8 (i) A certificate of identification or windshield placard  
9 issued to a disabled person, ~~under~~ **as described in** section 675 of  
10 the Michigan vehicle code, 1949 PA 300, MCL 257.675.

11 (ii) A special registration plate issued to a disabled person  
12 under section 803d of the Michigan vehicle code, 1949 PA 300, MCL  
13 257.803d.

14 (b) "Personal assistive mobility device" means any device,  
15 including, but not limited to, one that is battery-powered, that is  
16 designed solely for use by an individual with mobility impairment  
17 for locomotion and is considered an extension of the individual.

18 (c) "Uncocked" means the following:

19 (i) For a bow, that the bow is not in the drawn position.

20 (ii) For a crossbow, that the crossbow is not in the cocked  
21 position.

22 (d) "Unloaded" means the following:

23 (i) For a firearm, that the firearm does not have ammunition in  
24 the barrel, chamber, cylinder, clip, or magazine when the barrel,  
25 chamber, cylinder, clip, or magazine is part of or attached to the  
26 firearm.

27 (ii) For a bow, that an arrow is not nocked.

28 (iii) For a crossbow, that a bolt is not in the flight groove.

29 Sec. 40112. (1) An individual shall not obstruct or interfere



1 in the lawful taking of animals or fish by another individual.

2 (2) An individual violates this section ~~when~~**if** the individual  
3 intentionally or knowingly does any of the following:

4 (a) Drives or disturbs animals or fish for the purpose of  
5 disrupting a lawful taking.

6 (b) Blocks, impedes, or harasses another individual who is  
7 engaged in the process of lawfully taking an animal or fish.

8 (c) Uses a natural or artificial visual, aural, olfactory,  
9 gustatory, or physical stimulus or an unmanned vehicle or unmanned  
10 device that uses aerodynamic forces to achieve flight or that  
11 operates on the surface of the water or underwater, to affect  
12 animal or fish behavior in order to hinder or prevent the lawful  
13 taking of an animal or a fish.

14 (d) Erects barriers to deny ingress or egress to areas where  
15 the lawful taking of animals or fish may occur. This subdivision  
16 does not apply to an individual who erects barriers to prevent  
17 trespassing on his or her property.

18 (e) Interjects himself or herself into the line of fire of an  
19 individual lawfully taking wildlife.

20 (f) Affects the condition or placement of personal or public  
21 property intended for use in the lawful taking of an animal or a  
22 fish in order to impair the usefulness of the property or prevent  
23 the use of the property.

24 (g) Enters or remains upon private ~~lands~~**land** without the  
25 permission of the owner or the owner's agent, for the purpose of  
26 violating this section.

27 (h) Engages in any other act or behavior for the purpose of  
28 violating this section.

29 (3) Upon petition of an aggrieved person or an individual who



1 reasonably may be aggrieved by a violation of this section, a court  
 2 of competent jurisdiction, upon a showing that an individual ~~was~~  
 3 engaged in and threatens to continue to engage in illegal conduct  
 4 under this section, may enjoin that conduct.

5 (4) An individual who violates this section is ~~guilty of a~~  
 6 ~~misdemeanor punishable by imprisonment for not more than 93 days or~~  
 7 ~~a fine of not less than~~ **responsible for a state civil infraction**  
 8 **and may be ordered to pay a civil fine of \$500.00.** ~~or more than~~  
 9 ~~\$1,000.00, or both, and the costs of prosecution.~~ An individual who  
 10 violates this section a second or subsequent time is guilty of a  
 11 misdemeanor punishable by imprisonment for not more than 1 year or  
 12 a fine of not less than \$1,000.00 or more than \$2,500.00, or both,  
 13 and the costs of prosecution. In addition to the ~~penalties~~  
 14 **sanctions** provided for in this subsection, any permit or license  
 15 issued by the department authorizing the individual to take animals  
 16 or fish shall be revoked. A prosecution under this section does not  
 17 preclude prosecution or other action under any other criminal or  
 18 civil statute.

19 (5) This section does not apply to a peace officer while the  
 20 peace officer performs his or her lawful duties.

21 Sec. 40118. (1) An individual who violates this part, an order  
 22 or interim order issued under this part, or a condition of a permit  
 23 issued under this part, except for a violation specified in  
 24 subsections (2) to (18), is ~~guilty of a misdemeanor punishable by~~  
 25 ~~imprisonment for not more than 90 days, or a fine of not less than~~  
 26 **responsible for a state civil infraction and may be ordered to pay**  
 27 **a civil fine of \$50.00.** ~~or more than \$500.00, or both, and the~~  
 28 ~~costs of prosecution.~~ In addition, a permit issued by the  
 29 department under this part must be revoked pursuant to the



1 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to  
2 24.328.

3 (2) An individual who violates a provision of this part or an  
4 order or interim order issued under this part regarding the  
5 possession or taking of any game, except deer, bear, wild turkey,  
6 wolf, waterfowl, moose, or elk, is ~~guilty of a misdemeanor~~  
7 ~~punishable by imprisonment for not more than 90 days, or a fine of~~  
8 ~~not less than~~ **responsible for a state civil infraction and may be**  
9 **ordered to pay a civil fine of \$100.00. ~~or more than \$1,000.00, or~~**  
10 ~~both, and the costs of prosecution.~~

11 (3) Except as otherwise provided in this subsection, an  
12 individual who violates a provision of this part or an order or  
13 interim order issued under this part regarding the possession or  
14 taking of deer, bear, wild turkey, or wolf is ~~guilty of a~~  
15 ~~misdemeanor and shall be punished by imprisonment for not less than~~  
16 ~~5 days or more than 90 days, and a fine of not less than~~  
17 **responsible for a state civil infraction and may be ordered to pay**  
18 **a civil fine of \$200.00. ~~or more than \$1,000.00, and the costs of~~**  
19 ~~prosecution.~~ An individual shall not be ~~punished~~ **prosecuted** under  
20 this subsection for lawfully removing, capturing, or destroying a  
21 wolf under 2008 PA 290, MCL 324.95151 to 324.95155, or 2008 PA 318,  
22 MCL 324.95161 to 324.95167.

23 (4) An individual who violates a provision of this part or an  
24 order or interim order issued under this part regarding the  
25 possession or taking of elk is ~~guilty of a misdemeanor punishable~~  
26 ~~by imprisonment for not less than 30 days or more than 180 days, or~~  
27 ~~a fine of not less than~~ **responsible for a state civil infraction**  
28 **and may be ordered to pay a civil fine of \$500.00. ~~or more than~~**  
29 ~~\$2,000.00, or both, and the costs of prosecution.~~



1 (5) An individual who violates a provision of this part or an  
 2 order or interim order issued under this part regarding the  
 3 possession or taking of moose is ~~guilty of a misdemeanor punishable~~  
 4 ~~by imprisonment for not less than 90 days or more than 1 year and a~~  
 5 ~~fine of not less than~~ **responsible for a state civil infraction and**  
 6 **may be ordered to pay a civil fine of \$1,000.00. or more than**  
 7 ~~\$5,000.00, and the costs of prosecution.~~

8 (6) An individual who violates a provision of this part or an  
 9 order or interim order issued under this part regarding the  
 10 possession or taking of waterfowl is ~~guilty of a misdemeanor~~  
 11 ~~punishable by imprisonment for not more than 90 days or a fine of~~  
 12 ~~not less than~~ **responsible for a state civil infraction and may be**  
 13 **ordered to pay a civil fine of \$250.00. or more than \$500.00, or**  
 14 ~~both, and the costs of prosecution.~~ An individual who violates a  
 15 provision of this part or an order or interim order issued under  
 16 this part regarding the possession or taking of waterfowl a second  
 17 or subsequent time is guilty of a misdemeanor punishable by  
 18 imprisonment for not more than 90 days or a fine of \$500.00, or  
 19 both, and the costs of prosecution.

20 (7) An individual **judged responsible or** sentenced under  
 21 subsection (3), (14), or (15) shall not secure or possess a license  
 22 of any kind to hunt during the remainder of the year in which  
 23 convicted and the next 3 succeeding calendar years. An individual  
 24 ~~sentenced~~ **judged responsible** under subsection (11) shall not secure  
 25 or possess a license to hunt during the remainder of the year in  
 26 which convicted and the next succeeding calendar year, or longer in  
 27 the discretion of the court.

28 (8) In addition to the ~~penalties~~ **sanctions** provided for  
 29 violating this part or an order issued under this part, an



1 individual convicted of **or judged responsible for** the illegal  
 2 killing, possessing, purchasing, or selling of a bear or an  
 3 antlered white-tailed deer is subject to the following  
 4 ~~penalties:~~**sanctions:**

5 (a) For a first ~~offense,~~**violation**, the individual shall not  
 6 secure or possess a license of any kind to hunt for ~~an additional 2~~  
 7 calendar years. ~~after the penalties imposed under subsection (7).~~  
 8 **The 2 calendar years are in addition to and begin at the**  
 9 **termination of the sanctions imposed under subsection (7), if**  
 10 **applicable.**

11 (b) For a second or subsequent ~~offense,~~**violation**, the  
 12 individual shall not secure or possess a license of any kind to  
 13 hunt for ~~an additional 7~~ calendar years. ~~after the penalties~~  
 14 ~~imposed under subsection (7).~~**The 7 calendar years are in addition**  
 15 **to and begin at the termination of the sanctions imposed under**  
 16 **subsection (7), if applicable.**

17 (9) In addition to the ~~penalties~~**sanctions** provided for  
 18 violating this part or an order issued under this part, an  
 19 individual convicted of **or judged responsible for** the illegal  
 20 killing, possessing, purchasing, or selling of a wild turkey shall  
 21 not secure or possess a license of any kind to hunt for ~~an~~  
 22 ~~additional 2~~ calendar years. ~~after the penalties imposed under~~  
 23 ~~subsection (7).~~**The 2 calendar years are in addition to and begin at**  
 24 **the termination of the sanctions imposed under subsection (7), if**  
 25 **applicable.**

26 (10) An individual ~~sentenced~~**judged responsible** under  
 27 subsection (4) or (5) is subject to the following  
 28 ~~penalties:~~**sanctions:**

29 (a) For a first ~~offense,~~**violation**, the individual shall not



1 secure or possess a license of any kind to hunt for the remainder  
 2 of the year in which ~~convicted~~ **judged responsible** and the next 15  
 3 succeeding calendar years.

4 (b) For a second ~~offense,~~ **violation**, the individual shall not  
 5 secure or possess a license of any kind to hunt for the remainder  
 6 of that individual's life.

7 (11) An individual who violates section 40113(1) is ~~guilty of~~  
 8 ~~a misdemeanor punishable by imprisonment for not less than 5 days~~  
 9 ~~or more than 90 days, or a fine of not less than~~ **responsible for a**  
 10 **state civil infraction and may be ordered to pay a civil fine of**  
 11 **\$100.00. or more than \$500.00, or both, and the costs of**  
 12 ~~prosecution.~~

13 (12) An individual who violates section 40113(2) is ~~guilty of~~  
 14 ~~a misdemeanor punishable by imprisonment for not more than 90 days,~~  
 15 ~~or a fine of not less than~~ **responsible for a state civil infraction**  
 16 **and may be ordered to pay a civil fine of \$50.00. or more than**  
 17 **\$500.00, or both, and the costs of prosecution.**

18 (13) An individual who violates section 40113(3) is ~~guilty of~~  
 19 ~~a misdemeanor punishable by imprisonment for not less than 5 days~~  
 20 ~~or more than 90 days and a fine of not less than~~ **responsible for a**  
 21 **state civil infraction and may be ordered to pay a civil fine of**  
 22 **\$100.00. or more than \$500.00, and the costs of prosecution.**

23 (14) An individual who violates a provision of this part or an  
 24 order or interim order issued under this part regarding the taking  
 25 or possession of an animal that has been designated by the  
 26 department ~~to be~~ **as** a protected animal, other than an animal that  
 27 appears on a list ~~prepared under~~ **described in** section 36505, is  
 28 ~~guilty of a misdemeanor punishable by imprisonment for not more~~  
 29 ~~than 90 days or a fine of not less than~~ **responsible for a state**



1 **civil infraction and may be ordered to pay a civil fine of \$100.00.**  
 2 ~~or more than \$1,000.00, or both, and the costs of prosecution.~~

3 (15) An individual who buys or sells game or a protected  
 4 animal in violation of this part or an order or interim order  
 5 issued under this part is ~~guilty of a misdemeanor punishable by~~  
 6 ~~imprisonment for not more than 90 days or a fine of not more than~~  
 7 **responsible for a state civil infraction and may be ordered to pay**  
 8 **a civil fine of \$1,000.00** ~~, or both,~~ for the first ~~offense,~~  
 9 **violation**, and is guilty of a felony for each subsequent  
 10 ~~offense.violation.~~

11 (16) An individual who willfully violates a provision of this  
 12 part or an order or interim order issued under this part by using  
 13 an illegally constructed snare or cable restraint is ~~guilty of a~~  
 14 ~~misdemeanor punishable by imprisonment for not more than 90 days,~~  
 15 ~~or a fine of~~ **responsible for a state civil infraction and may be**  
 16 **ordered to pay a civil fine of \$1,000.00** for the first illegally  
 17 constructed snare or cable restraint and \$250.00 for each  
 18 subsequent illegally constructed snare or cable restraint. ~~, or~~  
 19 ~~both, and the costs of prosecution.~~

20 (17) An individual who violates a provision of this part or an  
 21 order or interim order issued under this part regarding the  
 22 importation of a cervid carcass or parts of a cervid carcass, other  
 23 than hides, deboned meat, quarters or other parts of a cervid that  
 24 do not have any part of the spinal column or head attached,  
 25 finished taxidermy products, cleaned teeth, antlers, or antlers  
 26 attached to a skullcap cleaned of brain and muscle tissue, from  
 27 another state or province is ~~guilty of a misdemeanor punishable by~~  
 28 ~~imprisonment for not more than 90 days or a fine of not less than~~  
 29 **responsible for a state civil infraction and may be ordered to pay**



1 **a civil fine of \$500.00.** ~~or more than \$2,000.00, or both, and the~~  
 2 ~~costs of prosecution.~~

3 (18) If an individual is **judged responsible for or** convicted  
 4 of a violation of this part or an order or interim order issued  
 5 under this part and it is alleged in the complaint and proved or  
 6 admitted at trial or ascertained by the court after **the judgment of**  
 7 **responsibility or** conviction that the individual ~~had been~~  
 8 ~~previously was~~ **judged responsible or** convicted 2 times within the  
 9 preceding 5 years for a violation of this part or an order or  
 10 interim order issued under this part, the individual is ~~guilty of a~~  
 11 ~~misdemeanor punishable by imprisonment for not less than 10 days or~~  
 12 ~~more than 180 days, and a fine of not less than~~ **responsible for a**  
 13 **state civil infraction and may be ordered to pay a civil fine of**  
 14 **\$500.00.** ~~or more than \$2,000.00, and costs of prosecution.~~

15 Sec. 40903. A person who violates this part, ~~upon conviction~~  
 16 ~~of a first offense, is guilty of a misdemeanor, punishable by~~  
 17 ~~imprisonment for not more than 90 days, or a fine of not less than~~  
 18 **is responsible for a state civil infraction and may be ordered to**  
 19 **pay a civil fine of \$25.00.** ~~or more than \$100.00 and the cost of~~  
 20 ~~prosecution, or both.~~

21 Sec. 41105. A person who takes or kills any fish, game, or  
 22 fur-bearing animal, or game bird, ~~contrary to~~ **in violation of** an  
 23 order or rule promulgated under this part, or who violates this  
 24 part, is ~~guilty of a misdemeanor, punishable for the first offense~~  
 25 ~~by imprisonment for not more than 60 days or a fine of not more~~  
 26 ~~than~~ **responsible for a state civil infraction and may be ordered to**  
 27 **pay a civil fine of \$100.00.** For each ~~offense-violation~~ that is  
 28 charged as a second or subsequent ~~offense,~~ **violation,** the person is  
 29 guilty of a misdemeanor, punishable by imprisonment for not less



1 than 20 days or more than 90 days, or a fine of not less than  
2 \$50.00 or more than \$250.00.

3 Sec. 42106. A person who violates this part or ~~any a~~ rule  
4 promulgated under section 42102 or 42104 ~~, upon conviction, is~~  
5 ~~guilty of a misdemeanor, punishable by imprisonment for not more~~  
6 ~~than 90 days, or a fine of not more than~~ **is responsible for a state**  
7 **civil infraction and may be ordered to pay a civil fine of \$100.00.**  
8 ~~and costs of prosecution, or both.~~

9 Sec. 43510. (1) Subject to subsection (2), except as provided  
10 in section 43513, and except for an individual hunting on a game  
11 bird hunting preserve licensed under part 417, an individual shall  
12 not carry or transport a firearm, slingshot, bow and arrow,  
13 crossbow, or a trap ~~while in any area frequented by wild animals~~  
14 **with the intent to take game** unless that individual has in his or  
15 her possession a license as required under this part.

16 (2) This act or a rule promulgated or order issued by the  
17 department or the commission under this act shall not be construed  
18 to prohibit an individual from transporting a pistol or carrying a  
19 loaded pistol, whether concealed or not, if either of the following  
20 applies:

21 (a) The individual has in his or her possession a license to  
22 carry a concealed pistol under 1927 PA 372, MCL 28.421 to 28.435.

23 (b) The individual is authorized under the circumstances to  
24 carry a concealed pistol without obtaining a license to carry a  
25 concealed pistol under 1927 PA 372, MCL 28.421 to 28.435, as  
26 provided for under any of the following:

27 (i) Section 12a of 1927 PA 372, MCL 28.432a.

28 (ii) Section 227, 227a, 231, or 231a of the Michigan penal  
29 code, 1931 PA 328, MCL 750.227, 750.227a, 750.231, and 750.231a.



1 (3) Subsection (2) does not authorize an individual to take or  
2 attempt to take a wild animal except as provided by law.

3 Sec. 43513. (1) An individual may carry, transport, or possess  
4 a firearm without a hunting license if the firearm is unloaded and  
5 either enclosed in a case or carried in a vehicle in a location  
6 that is not readily accessible to any occupant of the vehicle. An  
7 individual may carry, transport, or possess a slingshot, bow, or  
8 crossbow without a hunting license if the slingshot, bow, or  
9 crossbow is unloaded and uncocked, enclosed in a case, or carried  
10 in a vehicle in a location that is not readily accessible to any  
11 occupant of the vehicle.

12 (2) Regardless of whether the individual has a license or it  
13 is open season for the taking of game, an individual may carry,  
14 transport, possess, or discharge a firearm, a bow, or a crossbow  
15 **for self-defense or** if all of the following apply:

16 (a) The individual is not taking or attempting to take game  
17 but is engaged in 1 or more of the following activities:

18 (i) Target practice using an identifiable, artificially  
19 constructed target or targets.

20 (ii) Practice with silhouettes, plinking, skeet, or trap.

21 (iii) Sighting-in the firearm, bow, or crossbow.

22 (b) The individual is, or is accompanied by or has the  
23 permission of, either of the following:

24 (i) The owner of the property on which the activity under  
25 subdivision (a) is taking place.

26 (ii) The lessee of that property for a term of not less than 1  
27 year.

28 (c) The owner or lessee of the property does not receive  
29 remuneration for the activity under subdivision (a).



1 (3) An individual may carry, transport, or possess a firearm,  
2 slingshot, bow, or crossbow without a hunting license if the  
3 individual is hunting on a game bird hunting preserve licensed  
4 under part 417.

5 (4) An individual may carry or possess an unloaded weapon at  
6 any time if the individual is traveling to or from or participating  
7 in a historical reenactment.

8 (5) **A person who violates this section is guilty of a**  
9 **misdemeanor, punishable by imprisonment for not more than 90 days,**  
10 **or a fine of not less than \$25.00 or more than \$250.00 and the**  
11 **costs of prosecution, or both.**

12 (6) ~~(5)~~—As used in this section:

13 (a) "Uncocked" means the following:

14 (i) For a bow, that the bow is not in the drawn position.

15 (ii) For a crossbow, that the crossbow is not in the cocked  
16 position.

17 (iii) For a slingshot, that the slingshot is not in the drawn  
18 position.

19 (b) "Unloaded" means the following:

20 (i) For a firearm, that the firearm does not have ammunition in  
21 the barrel, chamber, cylinder, clip, or magazine when the barrel,  
22 chamber, cylinder, clip, or magazine is part of or attached to the  
23 firearm.

24 (ii) For a bow, that an arrow is not nocked.

25 (iii) For a crossbow, that a bolt is not in the flight groove.

26 (iv) For a slingshot, that the slingshot does not have  
27 ammunition in the projectile pocket.

28 Sec. 43516. ~~(1) Until March 1, 2018, an individual who has~~  
29 ~~been issued a hunting, fur harvester's, or fishing license shall~~



1 ~~carry the license and shall exhibit the license upon the demand of~~  
2 ~~a conservation officer, a law enforcement officer, a tribal~~  
3 ~~conservation officer who complies with subsection (6), or the owner~~  
4 ~~or occupant of the land if either or both of the following apply:~~

5 ~~(a) The individual is hunting, trapping, or fishing.~~

6 ~~(b) Subject to section 43510(2) and except as provided in~~  
7 ~~section 43513, the individual is in possession of a firearm or~~  
8 ~~other hunting or trapping apparatus or fishing apparatus in an area~~  
9 ~~frequented by wild animals or fish, respectively.~~

10 (1) ~~(2)~~ Subject to section 43510(2) and except as provided in  
11 section 43513, an individual shall not carry or possess afield a  
12 shotgun with buckshot, slug loads, or ball loads; a bow and arrow;  
13 a muzzle-loading rifle or black powder handgun; or a centerfire  
14 handgun or centerfire rifle during firearm deer season unless that  
15 individual has a valid deer license, with an unused kill tag, if  
16 issued, issued in his or her name. The individual shall exhibit an  
17 unused kill tag, if issued, upon the request of a conservation  
18 officer, a law enforcement officer, or the owner or occupant of the  
19 land.

20 (2) ~~(3)~~ Beginning March 1, 2018, ~~an~~ **An** individual who has been  
21 issued a hunting, fur harvester's, or fishing license shall carry  
22 the license or, if applicable, an electronic copy of the license  
23 and shall exhibit the license or, if applicable, an electronic copy  
24 of the license upon the demand of a conservation officer, a law  
25 enforcement officer, a tribal conservation officer who complies  
26 with subsection ~~(6)~~, **(5)**, or the owner or occupant of the land if  
27 either or both of the following apply:

28 (a) The individual is hunting, trapping, or fishing.

29 (b) Subject to section 43510(2) and except as provided in



1 section 43513, the individual is in possession of a firearm or  
 2 other hunting or trapping apparatus or fishing apparatus in an area  
 3 frequented by wild animals or fish, respectively.

4 **(3)** ~~(4)~~—An individual who displays an electronic copy of his  
 5 or her license using an electronic device as provided in subsection  
 6 ~~(3)~~ **(2)** is not presumed to have consented to a search of the  
 7 electronic device. This state, a law enforcement agency, a tribal  
 8 conservation officer who complies with subsection ~~(6)~~, **(5)**, an  
 9 employee of this state or a law enforcement agency, or the owner or  
 10 occupant of the land is not liable for damage to or loss of an  
 11 electronic device that occurs as a result of a conservation  
 12 officer, a tribal conservation officer who complies with subsection  
 13 ~~(6)~~, **(5)**, a law enforcement officer, or the owner or occupant of  
 14 the land viewing an electronic copy of a license in the manner  
 15 provided in this section, regardless of whether the conservation  
 16 officer, tribal conservation officer who complies with subsection  
 17 ~~(6)~~, **(5)**, law enforcement officer, or owner or occupant of the land  
 18 was in possession of the electronic device at the time the damage  
 19 or loss occurred.

20 **(4)** ~~(5)~~—The department shall continue to explore the expanded  
 21 use of electronic technology to provide additional services that  
 22 will enhance hunting and fishing experiences for individuals in  
 23 this state.

24 **(5)** ~~(6)~~—A tribal conservation officer under subsection ~~(1)~~,  
 25 ~~(3)~~, ~~or (4)~~ **(2) or (3)** must be in uniform, display proper  
 26 credentials, and be on official duty within the ceded territory of  
 27 the treaty of March 28, 1836, 7 Stat 491.

28 **(6)** ~~(7)~~—As used in this section, "tribal conservation officer"  
 29 means a conservation officer employed by the Great Lakes Indian



1 fish and wildlife commission, the Bay Mills Indian Community, the  
 2 Sault Ste. Marie Tribe of Chippewa Indians, the Little Traverse Bay  
 3 Bands of Odawa Indians, the Grand Traverse Band of Ottawa and  
 4 Chippewa Indians, or the Little River Band of Ottawa Indians.

5 Sec. 43558. (1) A person ~~is guilty of a misdemeanor if the~~  
 6 ~~person does~~ **shall not do** any of the following:

7 (a) ~~Makes~~ **Make** a false statement as to material facts for the  
 8 purpose of obtaining a license or ~~uses~~ **use** or ~~attempts~~ **attempt** to  
 9 use a license obtained by making a false statement.

10 (b) ~~Affixes~~ **Affix** to a license a date or time other than the  
 11 date or time issued.

12 (c) ~~Issues~~ **Issue** a license without receiving and remitting the  
 13 fee to the department.

14 (d) Without a license, ~~takes or possesses~~ **take or possess** a  
 15 wild animal, wild bird, or aquatic species, except aquatic insects.  
 16 This subdivision does not apply to a person less than 17 years of  
 17 age who without a license takes or possesses aquatic species.

18 (e) ~~Sells, loans, or permits~~ **Sell, loan, or permit** in any  
 19 manner another person to use the person's license or ~~uses~~ **use** or  
 20 ~~attempts~~ **attempt** to use another person's license.

21 (f) Falsely ~~makes, alters, forges, or counterfeits~~ **make,**  
 22 **alter, forge, or counterfeit** a sportcard or a hunting, fishing, or  
 23 fur harvester's license or ~~possesses~~ **possess** an altered, forged, or  
 24 counterfeited hunting, fishing, or fur harvester's license.

25 (g) ~~Uses~~ **Use** a tag furnished with a deer license, bear hunting  
 26 license, elk hunting license, or wild turkey hunting license more  
 27 than 1 time, or ~~attaches~~ **attach a tag** or ~~allows~~ **allow** a tag to be  
 28 attached to a deer, bear, elk, or turkey other than a deer, bear,  
 29 elk, or turkey lawfully killed by the person.



1           (h) Except as provided by law, ~~makes an application for,~~  
 2 ~~obtains, or purchases~~ **apply for, obtain, or purchase** more than 1  
 3 license for a hunting, fishing, or trapping season, not including a  
 4 limited fishing license, second deer license, antlerless deer  
 5 license, or other license specifically authorized by law, or if the  
 6 applicant's license has been lost or destroyed.

7           (i) ~~Applies for, obtains,~~ **Apply for, obtain,** or ~~purchases~~  
 8 **purchase** a license during a time that ~~when~~ the person is ineligible  
 9 to secure a license.

10           (j) Knowingly ~~obtains,~~ **obtain** or ~~attempts~~ **attempt** to obtain ~~r~~  
 11 a resident or a senior license if that person is not a resident of  
 12 this state.

13           (2) Except as provided in subsection (5), a person who  
 14 violates subsection (1) ~~shall be punished by imprisonment for not~~  
 15 ~~more than 90 days, or a fine of not less than~~ **is responsible for a**  
 16 **state civil infraction and may be ordered to pay a civil fine of**  
 17 **\$25.00. ~~or more than \$250.00 and the costs of prosecution, or both.~~**  
 18 In addition, the person shall surrender any license and license tag  
 19 that was wrongfully obtained.

20           (3) A person licensed to carry a firearm under this part is  
 21 prohibited from doing so while under the influence of a controlled  
 22 substance or alcohol or a combination of a controlled substance and  
 23 alcohol. A person who violates this subsection is ~~guilty of a~~  
 24 ~~misdemeanor, punishable by imprisonment for 90 days, or a fine of~~  
 25 **responsible for a state civil infraction and may be ordered to pay**  
 26 **a civil fine of \$500.00. ~~r or both.~~**

27           (4) An applicant for a license under this part who has  
 28 previously been **judged responsible for or** convicted of a violation  
 29 of the game and fish laws of this state may be required to file an



1 application with the department together with other information  
 2 that the department considers expedient. The license may be issued  
 3 by the department.

4 (5) A person who violates subsection (1)(d), upon a showing  
 5 that the person was ineligible to secure a license under court  
 6 order or other lawful authority, is ~~guilty of a misdemeanor,~~  
 7 ~~punishable by imprisonment for not more than 180 days, or a fine of~~  
 8 ~~not less than~~ **responsible for a state civil infraction and may be**  
 9 **ordered to pay a civil fine of \$500.00.** ~~and not more than~~  
 10 ~~\$2,500.00, or both, and the costs of prosecution.~~

11 Sec. 43560. A person who violates this part or a rule  
 12 promulgated under this part, for which violation a ~~penalty sanction~~  
 13 is not otherwise provided for in this part, is ~~guilty of a~~  
 14 ~~misdemeanor, punishable by imprisonment for not more than 90 days,~~  
 15 ~~or a fine of not less than~~ **responsible for a state civil infraction**  
 16 **and may be ordered to pay a civil fine of \$25.00.** ~~or more than~~  
 17 ~~\$250.00 and the costs of prosecution, or both.~~

18 Sec. 46509. (1) A person who violates this part is ~~guilty of a~~  
 19 ~~misdemeanor, punishable by imprisonment for not more than 30 days,~~  
 20 ~~or a fine of not less than~~ **responsible for a state civil infraction**  
 21 **and may be ordered to pay a civil fine of \$100.00.** ~~or more than~~  
 22 ~~\$500.00, or both, and costs of prosecution.~~

23 (2) Upon ~~conviction~~ **judging the defendant responsible** for the  
 24 violation of this part, the court shall order the defendant to  
 25 reimburse the governmental entity that removes or provides for the  
 26 removal of the fishing shanty from the water or ice an amount equal  
 27 to 3 times the cost of removal.

28 Sec. 48702b. (1) Upon petition of an aggrieved person or a  
 29 person who reasonably may be aggrieved by a violation of section



1 48702a, a court of competent jurisdiction, upon a showing that a  
 2 person was engaged in and threatens to continue to engage in  
 3 illegal conduct under section 48702a, may enjoin that conduct.

4 (2) A person who violates section 48702a is ~~guilty of a~~  
 5 ~~misdemeanor, punishable by imprisonment for not more than 93 days,~~  
 6 ~~or a fine of not less than~~ **responsible for a state civil infraction**  
 7 **and may be ordered to pay a civil fine of \$500.00.** ~~or more than~~  
 8 ~~\$1,000.00, or both, and the costs of prosecution.~~ A person who  
 9 violates section 48702a a second or subsequent time is guilty of a  
 10 misdemeanor, punishable by imprisonment for not more than 1 year,  
 11 or a fine of not less than \$1,000.00 or more than \$2,500.00, or  
 12 both, and the costs of prosecution. In addition to the ~~penalties~~  
 13 **sanctions** provided for in this subsection, any permit or license  
 14 issued by the department authorizing the person to take ~~aquatic~~  
 15 **aquatic** species shall be revoked. A prosecution under this  
 16 subsection does not preclude prosecution or other action under any  
 17 other criminal or civil statute.

18 (3) Section 48702a does not apply to a peace officer while the  
 19 peace officer performs his or her lawful duties.

20 Sec. 48703. (1) An individual shall not take, catch, or kill  
 21 or attempt to take, catch, or kill a fish in the waters of this  
 22 state with a grab hook, snag hook, or gaff hook, by the use of a  
 23 set or night line or a net or firearm or an explosive substance or  
 24 combination of substances that have a tendency to kill or stupefy  
 25 fish, or by any other means or device ~~other than~~ **except** a single  
 26 line or a single rod and line. ~~while~~ **The single line or single rod**  
 27 **and line shall be** held in the hand or under immediate control, ~~and~~  
 28 with a hook or hooks attached, baited with a natural or artificial  
 29 bait, ~~while being~~ **and** used for still fishing, ice fishing, casting,



1 or trolling for fish, which is a means of the fish taking the bait  
 2 or hook in the mouth. An individual shall not use more than 3  
 3 single lines or 3 single rods and lines, or a single line and a  
 4 single rod and line, and shall not attach more than 6 hooks on all  
 5 lines. The commission may decrease the number of rods per angler.  
 6 However, the commission shall not reduce the number of rods per  
 7 angler to less than 2. For the purposes of this part, a hook is a  
 8 single, double, or treble pointed hook. A hook, single, double, or  
 9 treble pointed, attached to a manufactured artificial bait is  
 10 counted as 1 hook. The commission may designate waters where a  
 11 treble hook and an artificial bait or lure having more than 1  
 12 single pointed hook must not be used during the periods the  
 13 commission designates.

14 ~~(2) An individual shall not set or use a tip-up or other~~  
 15 ~~similar device for the purpose of taking fish through the ice~~  
 16 ~~unless the name and address of the individual owning the tip-up or~~  
 17 ~~other similar device is marked in legible English on the tip-up or~~  
 18 ~~other similar device or securely fastened to it by a plate or tag.~~

19 (2) ~~(3)~~The commission may issue an order to regulate the  
 20 taking of fish with a spear, bow and arrow, or crossbow in the  
 21 waters of this state.

22 (3) ~~(4)~~The commission may issue an order to regulate the  
 23 taking of fish with nets in the waters of this state.

24 Sec. 48738. (1) A person who violates ~~this part or rules or~~  
 25 ~~orders issued to implement this part, if a penalty is not otherwise~~  
 26 ~~provided for that violation in this section, **section 48723 or who**~~  
 27 **violates section 48729 by offering for sale lamprey for bait in**  
 28 **fishing** is guilty of a misdemeanor punishable by imprisonment for  
 29 not more than 90 days or a fine of not more than \$500.00, or both.



1           (2) A person who violates this part or a rule or order issued  
 2 to implement this part, if a sanction is not otherwise provided for  
 3 that violation in this part, is responsible for a state civil  
 4 infraction and may be ordered to pay a civil fine of \$500.00.

5           (3) ~~(2)~~ A person ~~convicted of using~~ who uses dynamite,  
 6 nitroglycerin, any other explosive substance, lime, electricity, or  
 7 poison for the purpose of taking or killing fish, ~~convicted of~~  
 8 using who uses nets not authorized by law for taking game fish, or  
 9 ~~convicted of buying or selling~~ who buys or sells game fish or any  
 10 parts part of game fish is ~~guilty of a misdemeanor punishable by~~  
 11 ~~imprisonment for not more than 90 days or a fine of not less than~~  
 12 responsible for a state civil infraction and may be ordered to pay  
 13 a civil fine of \$250.00. ~~or more than \$1,000.00, or both.~~

14           (4) ~~(3)~~ A person who takes or possesses sturgeon in violation  
 15 of this part or rules or orders issued to implement this part is  
 16 ~~guilty of a misdemeanor and shall be punished by imprisonment for~~  
 17 ~~not less than 30 days or more than 180 days and a fine of not less~~  
 18 ~~than~~ responsible for a state civil infraction and may be ordered to  
 19 pay a civil fine of \$500.00. ~~or more than \$2,000.00, or both, and~~  
 20 ~~the costs of prosecution.~~

21           (5) ~~(4)~~ A person who knowingly violates section 48735(2) or  
 22 (4), or a rule or permit issued under section 48735(2) or (4), with  
 23 respect to a genetically engineered variant of a fish species is  
 24 guilty of a felony punishable by imprisonment for not more than 5  
 25 years or a fine of not more than \$250,000.00, or both. In addition,  
 26 the person is liable for any damages to the natural resources  
 27 resulting from the violation, including, but not limited to, costs  
 28 incurred to prevent or minimize such damages.

29           (6) ~~(5)~~ If a person is convicted of a violation of this part



1 or ~~rules or orders~~ **a rule promulgated or order** issued to implement  
 2 this part and it is alleged in the complaint and proved or admitted  
 3 at trial or ascertained by the court at the time of sentencing that  
 4 the person has been previously convicted 3 or more times of a  
 5 violation of this part within the 5 years immediately preceding the  
 6 last violation of this part, the person is guilty of a misdemeanor  
 7 punishable by imprisonment for not more than 90 days or a fine of  
 8 not more than \$1,000.00, or both, and the costs of prosecution.  
 9 This subsection does not apply to the following violations:

10 (a) Failing to possess or display a valid fishing license  
 11 issued ~~pursuant to~~ **under** part 435.

12 (b) Taking or possessing an overlimit of bluegill, sunfish,  
 13 crappie, perch, or nongame fish.

14 (c) Taking or possessing not more than 5 undersized fish.

15 (d) Fishing with too many lines.

16 (e) Failing to attach the person's name and address to tip-ups  
 17 or minnow traps.

18 (f) Fishing with lines not under immediate control.

19 **(7)** ~~(6)~~—In addition to the ~~penalties~~ **sanctions** provided in  
 20 this section, a fishing license issued to a person **judged**  
 21 **responsible or** sentenced pursuant to subsection ~~(2)~~, (3), (4), ~~or~~  
 22 (5), **or (6)** shall be revoked, and the person shall not be issued a  
 23 license during the remainder of the year in which convicted or  
 24 during the next 3 succeeding license years.

25 **(8)** ~~(7)~~—Subject to subsection ~~(8)~~, **(9)**, if any permit or  
 26 license under this part is ordered to be suspended or revoked under  
 27 section 41309 and if the department maintains a database of  
 28 suspensions or revocations of permits or licenses under this part,  
 29 the department shall not issue a permit or license under this part



1 to the person for the period provided in the order.

2 (9) ~~(8)~~—If a permit or license under this part is ordered to  
3 be suspended under section 41309, the suspension remains in effect  
4 until ~~all~~**both** of the following occur:

5 (a) The suspension period set forth in the court order has  
6 elapsed.

7 (b) The person pays the department a reinstatement fee of  
8 \$125.00.

9 (10) ~~(9)~~—Unless a person's permit or license is otherwise  
10 suspended, revoked, or denied, the permit or license is immediately  
11 reinstated on satisfaction of the requirements of subsection  
12 ~~(8)~~**(9)**.

13 Sec. 48739. (1) A person who snags fish in violation of this  
14 part is ~~guilty of a misdemeanor, punishable by imprisonment for not~~  
15 ~~more than 90 days, or a fine of not less than~~**responsible for a**  
16 **state civil infraction and may be ordered to pay a civil fine of**  
17 ~~\$250.00. or more than \$500.00, or both, and costs of prosecution.~~

18 (2) A person who is convicted of a second violation of  
19 snagging fish in violation of this part is guilty of a misdemeanor,  
20 punishable by imprisonment for not more than 90 days, or a fine of  
21 not less than \$500.00 or more than \$1,000.00, or both, and costs of  
22 prosecution. In addition, the court shall suspend a sports fishing  
23 license issued to a person sentenced under this subsection for not  
24 less than 2 years and order ~~that~~ the person ~~shall~~**not to** secure a  
25 fishing license during that 2-year period.

26 (3) A person who is convicted of a third or subsequent  
27 violation of snagging fish in violation of this part is guilty of a  
28 misdemeanor, punishable by imprisonment for not more than 90 days,  
29 or a fine of not less than \$1,000.00 or more than \$2,000.00, or



1 both, and costs of prosecution. In addition, the court shall  
 2 suspend a sports fishing license issued to a person sentenced under  
 3 this subsection for not less than 3 years and order ~~that~~ the person  
 4 shall ~~not~~ **to** secure a fishing license during that 3-year period.

5 (4) A person who possesses or sells in this state any  
 6 multipointed hook with a weight permanently attached is ~~guilty of a~~  
 7 ~~misdemeanor, punishable by imprisonment for not more than 90 days,~~  
 8 ~~or a fine of not less than~~ **responsible for a state civil infraction**  
 9 **and may be ordered to pay a civil fine of \$100.00. ~~or more than~~**  
 10 ~~\$300.00, or both, and costs of prosecution.~~

11 (5) A person who is convicted of a second violation of  
 12 subsection (4) is guilty of a misdemeanor, punishable by  
 13 imprisonment for not more than 90 days, or a fine of not less than  
 14 \$300.00 or more than \$500.00, or both, and costs of prosecution.

15 (6) A person who is convicted of a third or subsequent  
 16 violation of subsection (4) is guilty of a misdemeanor, punishable  
 17 by imprisonment for not more than 90 days, or a fine of not less  
 18 than \$500.00 or more than \$1,000.00, or both, and costs of  
 19 prosecution.

20 Sec. 51504. A person shall not do any of the following:

21 ~~(a) Dispose of a lighted match, cigarette, cigar, ashes or~~  
 22 ~~other flaming or glowing substances, or any other substance or~~  
 23 ~~thing that is likely to ignite a forest, brush, grass, or woods~~  
 24 ~~fire; or throw or drop from a moving vehicle any such object or~~  
 25 ~~substance.~~

26 **(a) ~~(b)~~ Set fire to, on fire,** or cause or procure the setting  
 27 on fire of, any flammable material on or adjacent to forest land  
 28 without taking reasonable precautions both before and while  
 29 ~~lighting~~ **setting** the fire and at all times after ~~the lighting of~~



1 **setting** the fire to prevent the escape of the fire; or leave the  
2 fire before it is extinguished.

3 (b) ~~(e)~~—Set a backfire or cause a backfire to be set, except  
4 under the direct supervision of an established fire control agency  
5 or unless ~~it can be established that~~ the setting of the backfire is  
6 necessary ~~for the purpose of saving~~ **to save** life or valuable  
7 property.

8 (c) ~~(d)~~—Destroy, break down, mutilate, or remove any fire  
9 control sign or poster erected by an established fire control  
10 agency in the administration of its lawful duties and authorities.

11 (d) ~~(e)~~—Use or operate on or adjacent to forest land, a  
12 welding torch, tar pot, or other device that may cause a fire,  
13 without clearing flammable material surrounding the operation or  
14 without taking other reasonable precautions necessary to ensure  
15 against the starting and spreading of fire.

16 (e) ~~(f)~~—Operate or cause to be operated any engine, other  
17 machinery, or powered vehicle not equipped with spark arresters or  
18 other suitable devices to prevent the escape of fire or sparks.

19 (f) ~~(g)~~—Discharge or cause to be discharged a gun firing  
20 incendiary or tracer bullets or tracer charge onto or across any  
21 forest land.

22 Sec. 52908. (1) ~~A~~ **The following apply to a** person who violates  
23 this part: ~~is guilty of a crime as follows:~~

24 (a) If the ~~damages are~~ **value of the property involved is** less  
25 than \$200.00, the person is ~~guilty of a misdemeanor punishable by~~  
26 ~~imprisonment for not more than 93 days or a fine of not more than~~  
27 **responsible for a state civil infraction and may be ordered to pay**  
28 **a civil fine of** \$500.00, or 3 times the aggregate value of the  
29 property involved, whichever is greater. ~~, or both imprisonment and~~



1 ~~a fine.~~

2 (b) If any of the following apply, the person is guilty of a  
3 misdemeanor punishable by imprisonment for not more than 1 year or  
4 a fine of not more than \$2,000.00 or 3 times the value of the  
5 property involved, whichever is greater, or both imprisonment and a  
6 fine:

7 (i) The value of the property involved is \$200.00 or more but  
8 less than \$1,000.00.

9 (ii) ~~The person violates value of the property involved is~~  
10 **described in** subdivision (a) and **the person** has 1 or more prior  
11 **judgments of responsibility or** convictions for committing or  
12 attempting to commit ~~an offense a violation~~ under this part.

13 (c) If any of the following apply, the person is guilty of a  
14 felony punishable by imprisonment for not more than 5 years or a  
15 fine of not more than \$10,000.00 or 3 times the value of the  
16 property involved, whichever is greater, or both imprisonment and a  
17 fine:

18 (i) The value of the property involved is \$1,000.00 or more but  
19 less than \$20,000.00.

20 (ii) ~~The person violates value of the property involved is~~  
21 **described in** subdivision (b) (i) and **the person** has 1 or more prior  
22 **judgments of responsibility or** convictions for violating or  
23 attempting to violate this part. For purposes of this subparagraph,  
24 however, a prior **judgment of responsibility or** conviction does not  
25 include a **judgment of responsibility or** conviction for a violation  
26 or attempted violation ~~of~~ **described in** subdivision (a) or (b) (ii).

27 (d) If any of the following apply, the person is guilty of a  
28 felony punishable by imprisonment for not more than 10 years or a  
29 fine of not more than \$15,000.00 or 3 times the value of the



1 property involved, whichever is greater, or both imprisonment and a  
2 fine:

3 (i) The property involved has a value of \$20,000.00 or more.

4 (ii) The ~~person violates~~ **value of the property involved is**  
5 **described in** subdivision (c) (i) and **the person** has 2 or more prior  
6 convictions **or judgments of responsibility** for committing or  
7 attempting to commit ~~an offense~~ **a violation** under this part. For  
8 purposes of this subparagraph, however, a prior **judgment of**  
9 **responsibility or** conviction does not include a **judgment of**  
10 **responsibility or** conviction for a violation or attempted violation  
11 ~~of~~ **described in** subdivision (a) or (b) (ii).

12 (2) The values of property ~~damaged~~ **involved** in separate  
13 incidents pursuant to a scheme or course of conduct within any 12-  
14 month period may be aggregated to determine the total value of  
15 property ~~damaged~~ **involved**.

16 (3) If the prosecuting attorney intends to seek an enhanced  
17 sentence based upon the defendant having 1 or more prior **judgments**  
18 **of responsibility or** convictions, the prosecuting attorney shall  
19 include on the complaint and information a statement listing the  
20 prior ~~conviction or convictions~~ **violations**. The existence of the  
21 defendant's prior ~~conviction or convictions~~ **violations** shall be  
22 determined by the court, without a jury, at sentencing or at a  
23 separate hearing for that purpose before sentencing. The existence  
24 of a prior ~~conviction~~ **violation** may be established by any evidence  
25 relevant for that purpose, including, but not limited to, 1 or more  
26 of the following:

27 (a) A copy of the judgment. ~~of conviction.~~

28 (b) A transcript of a prior trial, plea-taking, or sentencing.

29 (c) Information contained in a presentence report.



1 (d) The defendant's statement.

2 (4) If the sentence for a conviction under this section is  
3 enhanced by 1 or more prior convictions, those prior convictions  
4 shall not be used to further enhance the sentence for the  
5 conviction pursuant to section 10, 11, or 12 of chapter IX of the  
6 code of criminal procedure, 1927 PA 175, MCL 769.10, 769.11, and  
7 769.12.

8 (5) A person who forges a bill of sale or other evidence of  
9 title prescribed by the department or the department of agriculture  
10 **and rural development** or the federal agency that has jurisdiction  
11 is ~~guilty of a misdemeanor, punishable by imprisonment for not more~~  
12 ~~than 90 days, or a fine of not more than~~ **responsible for a state**  
13 **civil infraction and may be ordered to pay a civil fine of \$100.00.**  
14 ~~, or both.~~

15 (6) In addition to the ~~penalties~~ **sanctions** provided for in  
16 this section, a person who violates this part by illegally removing  
17 or cutting a plant is liable in a civil action filed by ~~the~~ **this**  
18 state or the property owner for up to 3 times the fair market value  
19 of the damage caused by the unlawful act or \$100.00, whichever is  
20 greater, and for court costs and attorney fees. Damages collected  
21 under this subsection shall be paid to the owner of the ~~lands~~ **land**  
22 from which the plants were illegally removed or, if removed from  
23 state owned ~~lands~~, **land**, to the state treasurer, who shall credit  
24 the deposit to the fund that was used to purchase the land on which  
25 the violation occurred.

26 (7) A person who violates this part by not having in his or  
27 her possession a current tax receipt or deed with respect to  
28 property, or a copy of the receipt or deed, indicating that the  
29 person owned the land from which the plants were taken shall not be



1 prosecuted under this part for that violation if he or she  
 2 subsequently produces a current tax receipt or deed showing that  
 3 person's ownership of the property from which the plants were  
 4 taken.

5 Sec. 73110. (1) Except as provided in subsection (2), ~~or (3),~~  
 6 **or (4)**, an individual who violates this part is ~~guilty of a~~  
 7 ~~misdemeanor punishable by imprisonment for not more than 90 days or~~  
 8 ~~a fine of not less than~~ **responsible for a state civil infraction**  
 9 **and may be ordered to pay a civil fine of \$100.00.** ~~or more than~~  
 10 ~~\$500.00, or both.~~

11 (2) **An individual who violates section 73103 is guilty of a**  
 12 **misdemeanor punishable by imprisonment for not more than 90 days or**  
 13 **a fine of not less than \$100.00 or more than \$500.00, or both.**

14 (3) ~~(2)~~ An individual who kills any protected animal, game, or  
 15 fish while violating this part is ~~guilty of a misdemeanor~~  
 16 ~~punishable by imprisonment for not more than 90 days or a fine of~~  
 17 ~~not less than~~ **responsible for a state civil infraction and may be**  
 18 **ordered to pay a civil fine of \$250.00.** ~~or more than \$750.00, or~~  
 19 ~~both.~~

20 ~~(3) An individual convicted of a second or subsequent~~  
 21 ~~violation of this part occurring within 3 years of a previous~~  
 22 ~~violation of this part shall be punished by imprisonment for not~~  
 23 ~~more than 90 days or a fine of not less than \$250.00 or more than~~  
 24 ~~\$1,000.00, or both. In addition, the court shall order the~~  
 25 ~~individual's license revoked if the individual is licensed to hunt,~~  
 26 ~~fish, or trap in this state, and shall order the individual not to~~  
 27 ~~seek or possess a license for the remainder of the calendar year in~~  
 28 ~~which the individual is convicted and during at least 1 succeeding~~  
 29 ~~calendar year. This subsection does not apply after September 30,~~



1 ~~2001.~~

2 (4) ~~This subsection applies beginning October 1, 2001.~~ An  
 3 individual convicted of a second or subsequent violation of this  
 4 part occurring within 3 years of a previous violation of this part  
 5 ~~shall be punished~~ **is guilty of a misdemeanor punishable** by  
 6 imprisonment for not more than 90 days or a fine of not less than  
 7 \$500.00 or more than \$1,500.00, or both. In addition, the court may  
 8 order the individual's license revoked if the individual is  
 9 licensed to hunt, fish, or trap in this state, and may order the  
 10 individual not to seek or possess a license for not more than 3  
 11 succeeding calendar years.

12 (5) The court may order an individual convicted of violating  
 13 this part to pay the costs of prosecution.

14 (6) The following may be seized and forfeited in the same  
 15 manner as provided in chapter 47 of the revised judicature act of  
 16 1961, 1961 PA 236, MCL 600.4701 to ~~600.4709~~ **600.4710**:

17 (a) A protected animal, a fur-bearing animal, game, or fish  
 18 taken while committing any violation of this part.

19 (b) Property in the possession of the defendant while  
 20 committing a second or subsequent violation of this part occurring  
 21 within 3 years of a previous violation of this part. This  
 22 subdivision does not apply to either of the following:

23 (i) Electronic hunting-dog-retrieval equipment.

24 (ii) A living or dead animal of any kind not described in  
 25 subdivision (a).

26 (7) The court shall order an individual **judged responsible for**  
 27 **or** convicted of violating this part to make restitution for any  
 28 damage arising out of the violation, including, but not limited to,  
 29 reimbursing this state for the value of any protected animal, fur-



1 bearing animal, game, or fish taken while violating this part as  
 2 provided in section 40119. However, the value of fish shall be  
 3 determined as provided in section 48740.

4 Sec. 74122. (1) A person who violates this part or a rule  
 5 promulgated under this part is guilty of a misdemeanor **punishable**  
 6 **by imprisonment for not more than 90 days or a fine of not more**  
 7 **than \$500.00, or both.** This subsection does not apply to violations  
 8 described in subsection (2) **or (3).**

9 (2) **A person who violates section 74121(b), if the violation**  
 10 **causes no damage and is a first violation of this part, is**  
 11 **responsible for a state civil infraction and may be ordered to pay**  
 12 **a civil fine of \$250.00.**

13 (3) ~~(2)~~—A person who violates section 74116(1), (2), or (3) is  
 14 responsible for a state civil infraction and may be ordered to pay  
 15 a civil fine of not more than \$100.00. A person shall not be cited  
 16 for a violation of both section 74116(2) and section 74116(3) for  
 17 the same incident.

18 (4) ~~(3)~~—In any proceeding for the violation of this part or a  
 19 rule promulgated under this part, if a motor vehicle is found  
 20 parked in a state park, the registration plate displayed on the  
 21 motor vehicle, ~~constitutes~~ **is** prima facie evidence that the owner  
 22 of the motor vehicle was the person who parked or placed it at the  
 23 location where it was found.

24 (5) ~~(4)~~—In addition to the ~~penalties~~ **sanctions** provided for in  
 25 subsection (1), a person ~~convicted of~~ **judged responsible for** an act  
 26 of vandalism to state park equipment, facilities, or resources  
 27 shall reimburse the department up to 3 times the amount of the  
 28 damage as determined by the court. All money collected pursuant to  
 29 this subsection shall be credited to the state park improvement



1 account.

2           Sec. 76116. (1) A person who violates section 76105 or 76106  
3 is ~~guilty of a misdemeanor, punishable by imprisonment for not more~~  
4 ~~than 30 days, or a fine of not more than~~ **responsible for a state**  
5 **civil infraction and may be ordered to pay a civil fine of \$100.00.**  
6 ~~, or both.~~

7           (2) A person who violates ~~sections 76107~~ **section 76107(2)** or  
8 76111 or a rule promulgated under this part is ~~guilty of a~~  
9 ~~misdemeanor. Unless another penalty is provided in this part, a~~  
10 ~~person convicted of a misdemeanor under this subsection is~~  
11 ~~punishable by imprisonment for not more than 6 months, or a fine of~~  
12 ~~not more than~~ **responsible for a state civil infraction and may be**  
13 **ordered to pay a civil fine of \$500.00.** ~~, or both.~~

14           Sec. 80124. (1) Except as otherwise provided in this section,  
15 the owner of a vessel required, ~~pursuant to~~ **under** sections 80122  
16 and 80123, to be numbered and to display a decal shall file an  
17 application for a certificate of number with the secretary of  
18 state. The secretary of state shall prescribe and furnish  
19 certificate of title application forms. If a vessel requiring a  
20 certificate of title under part 803 is sold by a dealer, that  
21 dealer shall combine the application for a certificate of number  
22 that is signed by the vessel owner with the application for a  
23 certificate of title. The dealer shall obtain the certificate of  
24 number in the name of the owner. The application for a certificate  
25 of number shall include a certification. The owner of the vessel  
26 shall sign the application or, if the application is filed  
27 electronically, provide information requested by the secretary of  
28 state to verify the owner's identity. A person shall not file an  
29 application for a certificate of number that contains false



1 information. A dealer who fails to submit an application as  
2 required by this section is ~~guilty of a misdemeanor, punishable by~~  
3 ~~imprisonment for not more than 90 days, or a fine of not more than~~  
4 **responsible for a state civil infraction and may be ordered to pay**  
5 **a civil fine of \$100.00. ,~~or both.~~**

6 (2) A dealer who submits an application for a certificate of  
7 number as provided in subsection (1) may issue to the owner of the  
8 vessel a 15-day permit, on ~~forms~~**a form** prescribed by the secretary  
9 of state, for ~~the use of the~~ vessel while the certificate of number  
10 is being issued.

11 (3) A dealer may issue a 15-day permit, on a form prescribed  
12 by the secretary of state, for ~~the use of a~~ vessel purchased in  
13 this state and delivered to the purchaser for removal to a place  
14 outside of this state, if the purchaser certifies by his or her  
15 signature that the vessel will be registered and primarily used and  
16 stored outside of this state and will not be returned to this state  
17 by the purchaser for use or storage. A certificate of number shall  
18 not be issued for a vessel ~~holding for which~~ a permit under this  
19 subsection **is in effect.**

20 (4) A 15-day permit issued under subsection (2) or (3) shall  
21 not be renewed or extended.

22 (5) A person shall operate or permit the operation of a vessel  
23 for which a 15-day permit has been issued under this section only  
24 if the permit is valid and displayed on the vessel as prescribed by  
25 rule promulgated by the department under this part.

26 (6) Except as otherwise provided in this section, an applicant  
27 shall pay the following fee at the time of application:

28 (a) ~~A~~15-day permit issued under subsection (3) ..... \$ 10.00



1	(b) Nonpowered vessels, other than nonmotorized canoes	
2	or kayaks .....	9.00
3	(c) Nonmotorized canoes or kayaks .....	5.00
4	(d) Motorboats less than 12 feet in length .....	14.00
5	(e) Motorboats 12 feet or over but less than 16 feet	
6	in length .....	17.00
7	(f) Motorboats 16 feet or over but less than 21 feet	
8	in length .....	42.00
9	(g) Motorboats 21 feet or over but less than 28 feet	
10	in length .....	115.00
11	(h) Motorboats 28 feet or over but less than 35 feet	
12	in length .....	168.00
13	(i) Motorboats 35 feet or over but less than 42 feet	
14	in length .....	244.00
15	(j) Motorboats 42 feet or over but less than 50 feet	
16	in length .....	280.00
17	(k) Motorboats 50 feet in length or over .....	448.00
18	(l) Pontoon vessels regardless of size .....	23.00
19	(m) Motorized canoes regardless of size .....	14.00
20	(n) Vessels licensed under part 473 .....	15.00
21	(o) Vessels carrying passengers for hire that are in	
22	compliance with part 445, or under federal law; and vessels	
23	carrying passengers and freight or freight only and owned	
24	within this state or hailing from a port within this state	45.00

25 (7) As used in this section, ~~"the length of a vessel"~~ **"length"**  
 26 means the distance from end to end over the deck, excluding the  
 27 longitudinal upward or downward curve of the deck, fore and aft.  
 28 ~~For~~ **However, for** a pontoon boat, length ~~of a vessel~~ means the  
 29 length of its deck, fore and aft.



1 (8) Payment of the fee specified in this section exempts the  
2 vessel from the tax imposed under the general property tax act,  
3 1893 PA 206, MCL 211.1 to 211.155.

4 (9) Upon receipt of an initial application for a certificate  
5 of number in approved form and payment of the required fee, the  
6 secretary of state shall enter the information upon the official  
7 records and issue to the applicant a certificate of number  
8 containing the number awarded to the vessel, the name and address  
9 of the owner, and other information that the secretary of state  
10 determines necessary. ~~The secretary of state shall issue a~~  
11 ~~certificate of number that is~~ **shall be** pocket size and legible.  
12 Except as provided in subsection (13), a person operating a vessel  
13 shall present that vessel's certificate of number to a peace  
14 officer upon the peace officer's request.

15 (10) If a check or draft payable to the secretary of state  
16 under this part is not paid on its first presentation, the fee or  
17 tax is delinquent as of the date the draft or check was tendered.  
18 The person tendering the check or draft remains liable for the  
19 payment of the fee or tax and a penalty.

20 ~~Upon determining that~~ **If** a fee or tax required by this  
21 part has not been paid and remains unpaid after reasonable notice  
22 and demand, the secretary of state may suspend a certificate of  
23 number **issued to the person required to pay the fee or tax.**

24 (12) If a person who tenders a check or draft described in  
25 subsection (10) fails to pay the fee or tax for which the check or  
26 draft was tendered within 15 days after the secretary of state  
27 gives ~~him or her~~ **the person** notice that the check or draft  
28 described in subsection (10) was not paid on its first  
29 presentation, the secretary of state shall assess and collect a



1 penalty of \$5.00 or 20% of the check or draft, whichever is larger,  
2 in addition to the fee or tax.

3 (13) The owner or authorized agent of the owner of a vessel  
4 less than 26 feet in length that is leased or rented to a person  
5 for noncommercial use for not more than 24 hours may retain, at the  
6 place from which the vessel departs or returns to the possession of  
7 the owner or the owner's representative, the certificate of number  
8 for that vessel if a copy of the lease or rental agreement is on  
9 the vessel. Upon the demand of a peace officer, the operator shall  
10 produce for inspection either the certificate of number or a copy  
11 of the lease or rental agreement for that vessel. The lease or  
12 rental agreement shall contain each of the following:

13 (a) The vessel number that appears on the certificate of  
14 number.

15 (b) The period of time for which the vessel is leased or  
16 rented.

17 (c) The signature of the vessel's owner or that person's  
18 authorized agent.

19 (d) The signature of the person leasing or renting the vessel.

20 (14) Upon receipt of a certificate of number for a vessel, the  
21 owner of that vessel shall paint on or attach in a permanent manner  
22 to each side of the forward half of the vessel the number  
23 identified in the certificate of number, in the manner prescribed  
24 by rules promulgated by the department. The secretary of state  
25 shall assign to the owner of vessels for rent or lease a block of  
26 numbers sufficient to number consecutively all of that owner's  
27 rental or lease vessels. The owner shall maintain the numbers in a  
28 legible condition. A vessel documented by the United States ~~east~~  
29 ~~guard~~ **Coast Guard** or a federal agency that is the successor to the



1 United States ~~east guard~~ **Coast Guard** is not required to display  
 2 numbers under this part but shall display a decal indicating  
 3 payment of the fee prescribed in subsection (6) ~~and~~ shall  
 4 otherwise be in compliance with this part. This subsection does not  
 5 apply to a nonpowered vessel 12 feet or less in length.

6 (15) Upon receipt of an application for a certificate of  
 7 number in an approved form and payment of the fee required by this  
 8 part, the secretary of state shall issue a decal that indicates  
 9 that the vessel is numbered in compliance with this part. The decal  
 10 shall be color-coded and dated to identify the year of its  
 11 expiration. The department shall promulgate a rule or rules to  
 12 establish the manner in which the decal is to be displayed. A  
 13 person who operates a vessel in violation of a rule promulgated to  
 14 implement this subsection is responsible for a state civil  
 15 infraction and may be ordered to pay a civil fine of not more than  
 16 \$500.00.

17 (16) A decal ~~is~~ **and certificate of number are** valid for a 3-  
 18 year period that begins on April 1 and expires on March 31 of the  
 19 third year. An original certificate of number may be issued up to  
 20 90 days before April 1. A numbering renewal decal or other renewal  
 21 device may be issued up to 90 days before the expiration of a  
 22 certificate.

23 (17) Upon receipt of a request for renewal of a decal and  
 24 payment of the fee prescribed in subsection (6), the secretary of  
 25 state shall issue to the applicant a decal as provided in  
 26 subsection (15). A person who operates a vessel for which no decal  
 27 was issued as required under this section or for which ~~a~~ **the** decal  
 28 has expired is responsible for a state civil infraction and may be  
 29 ordered to pay a civil fine of not more than \$500.00.



1 (18) The numbering system adopted under this part shall be in  
2 accordance with the standard system of numbering established by the  
3 secretary of the department in which the United States ~~coast guard~~  
4 **Coast Guard** operates.

5 (19) An agency of this state, a political subdivision of this  
6 state, or a state supported college or university of this state  
7 that owns a vessel that is required to be numbered under this part  
8 shall register that vessel and upon payment of either of the  
9 following shall receive from the secretary of state a certificate  
10 of number for that vessel:

11 (a) A fee of \$3.00 for a vessel that is not used for  
12 recreational, commercial, or rental purposes.

13 (b) The fee required under subsection (6) for a vessel that is  
14 used for recreational, commercial, or rental purposes.

15 (20) The secretary of state shall, upon receipt of payment of  
16 the fee required under subsection (19), issue a certificate of  
17 number for each vessel subject to subsection (19).

18 (21) A vessel that is 30 years of age or older and not used  
19 other than in club activities, exhibitions, tours, parades, and  
20 other similar activities is a historic vessel. The secretary of  
21 state shall make available to the public application forms for  
22 certificates of number for historic vessels and, upon receipt of a  
23 completed application form and fee, shall number a historic vessel  
24 as a historic vessel. The fee for the numbering of a historic  
25 vessel is 1/3 of the otherwise applicable fee specified in  
26 subsection (6).

27 (22) The secretary of state shall refund to the owner of a  
28 vessel registered under this part all of the registration fee paid  
29 for that vessel under this section if ~~all~~**both** of the following



1 conditions are met during the period for which the registration fee  
2 was paid:

3 (a) The owner transfers or assigns title or interest in the  
4 registered vessel before placing the decal issued under subsection  
5 (15) on the vessel.

6 (b) The owner surrenders the unused decal to the secretary of  
7 state within 30 days after the date of transfer or assignment.

8 (23) The secretary of state shall refund to the surviving  
9 spouse of a deceased vessel owner the registration fee paid under  
10 this part, prorated on a monthly basis, upon receipt of the decal  
11 issued under subsection (15) or evidence satisfactory to the  
12 secretary of state that the decal issued under subsection (15) has  
13 been destroyed or voided.

14 (24) If the secretary of state computes a fee under this part  
15 that results in a figure other than a whole dollar amount, the  
16 secretary of state shall round the figure to the nearest whole  
17 dollar.

18 Sec. 80143. (1) The owner of a barge shall place ~~his or her~~  
19 **the owner's** name, address, and telephone number on a prominent  
20 place on the hull of the barge in letters that are light-  
21 reflective, in a contrasting color to the hull, and not less than 6  
22 inches in height.

23 (2) In addition to the other lighting requirements of this  
24 chapter and subject to subsection (3), the operator of a barge  
25 shall ensure that the barge is properly lit with 4 or more white  
26 lights during the period from sunset to sunrise and as practicable  
27 during all periods of limited visibility if any of the following  
28 apply:

29 (a) The barge projects into a restricted channel or into a



1 channel established by buoys.

2 (b) The barge is moored so that it reduces the available  
3 navigable width of a channel.

4 (c) The barge is not parallel to the bank or dock to which it  
5 is moored.

6 (d) The barge is moored as part of a group of 2 or more  
7 barges.

8 (3) The lights on a barge described in subsection (1) shall be  
9 placed as follows if either of the following applies:

10 (a) If the barge or group formation of barges is positioned so  
11 that vessels may navigate on 1 or more sides of the barge or group  
12 formation of barges, the lights shall be displayed on each outside  
13 corner of the barge or group formation of barges.

14 (b) If the barge projects from a group formation of barges,  
15 the lights shall be displayed on the corners of the projecting  
16 barge that are outboard of the group.

17 (4) Lights used under this section shall meet the requirements  
18 of R 281.1233 of the Michigan ~~administrative code~~ **Administrative**  
19 **Code** and shall be positioned in such a manner and be of sufficient  
20 intensity as to be visible from any direction for at least 1  
21 nautical mile at night under clear conditions.

22 (5) A group of barges shall not be moored together if the  
23 total width of ~~these~~ **the** barges would exceed 82 feet.

24 ~~The department or a local authority may order~~ **If** a vessel  
25 **is** moored in violation of this section ~~that~~ **and** poses a hazard to  
26 navigation, ~~to~~ **the department or a local unit of government may do**  
27 **the following:**

28 (a) **Order that the vessel** be immediately moved. ~~and, if~~

29 (b) **If** the vessel is not moved as ordered, ~~may move~~ **the vessel**



1 or cause the vessel to be moved. ~~, with the~~ **The** owner **is** subject to  
 2 the payment of costs under subsection (8).

3 (7) A person who violates this section is ~~guilty of a~~  
 4 ~~misdemeanor punishable by imprisonment for not more than 90 days or~~  
 5 ~~a fine of not more than~~ **responsible for a state civil infraction**  
 6 **and may be ordered to pay a civil fine of \$10,000.00. ~~, or both.~~**  
 7 For purposes of this subsection, each 24-hour period that a  
 8 violation exists constitutes a separate violation.

9 (8) The court shall order a person ~~convicted of~~ **judged**  
 10 **responsible for** violating this section to pay the actual and  
 11 reasonable costs incurred by this state or a local unit of  
 12 government in moving a vessel under subsection (6).

13 (9) As used in this section:

14 (a) "Barge" means a flat-bottomed displacement vessel that is  
 15 used to carry cargo or as a work platform, whether or not it  
 16 operates under its own power.

17 (b) "Operator" includes a person in command of a barge while  
 18 it is moored.

19 Sec. 80146. (1) The department may promulgate rules to  
 20 establish maximum vessel speed limits or to allow unlimited vessel  
 21 speed on the waters of this state.

22 (2) On waters of this state for which a vessel speed limit is  
 23 not established under subsection (1), for which the department has  
 24 not established an unlimited vessel speed limit, and for which  
 25 stricter speed restrictions are not established pursuant to another  
 26 act, the maximum speed limit is ~~55~~ **70** miles per hour, except as  
 27 follows:

28 (a) In an emergency as determined by local government  
 29 authority.



1 (b) For conservation officers and other peace officers when  
2 engaged in official duties.

3 (c) In the Great Lakes and Lake St. Clair, except for an area  
4 within 1 mile of the shoreline measured at a right angle from the  
5 shoreline.

6 (3) Upon receipt of a resolution by the governing body of a  
7 local unit of government having jurisdiction over waters of this  
8 state requesting a reduction in the maximum speed limit on those  
9 waters, the department, pursuant to sections 80108 and 80109 to  
10 80113, may establish a maximum speed limit not to exceed 40 miles  
11 per hour on those waters.

12 (4) Upon receipt of a resolution of the governing body of a  
13 county or municipality requesting a reduction in the maximum vessel  
14 speed limit to protect life and property during emergency  
15 conditions, the department, the county emergency management  
16 coordinator, or the county sheriff may establish a temporary  
17 reduced maximum vessel speed limit on waters of this state located  
18 in the county or municipality. In that case, the department,  
19 emergency management coordinator, or sheriff, respectively, shall  
20 do all of the following:

21 (a) Specify a maximum fine for violating the temporary speed  
22 limit. The maximum fine shall not be greater than \$100.00 for a  
23 first violation of a temporary speed limit established by that  
24 authority or \$500.00 for a second or subsequent violation.

25 (b) Notify the other authorities authorized to issue temporary  
26 speed limits under this subsection of the temporary speed limit.

27 (c) Post the temporary speed limit, the maximum fine, and a  
28 description of the affected waters on its website.

29 (d) Subject to section 80159, place buoys sufficient to advise



1 vessel operators of the temporary speed limit.

2 (5) A person who violates a temporary speed limit established  
3 by the department under subsection (4) is responsible for a state  
4 civil infraction and subject to a civil fine as specified pursuant  
5 to subsection (4). A person who violates a temporary speed limit  
6 established by an emergency management coordinator or sheriff is  
7 responsible for a municipal civil infraction and subject to a civil  
8 fine as specified pursuant to subsection (4).

9 (6) A temporary speed limit under subsection (4) shall remain  
10 in effect for not more than 14 days. A temporary speed limit may be  
11 reissued once per calendar year. However, a temporary speed limit  
12 may be reissued twice per calendar year if, before adopting the  
13 resolution requesting the second reissuance, the county or  
14 municipality submitted to the department an application and  
15 resolution for a temporary ordinance under section 80112a in lieu  
16 of the temporary speed limit under subsection (4). Temporary speed  
17 limits under subsection (4) shall only be in effect during the  
18 period from September 1 to June 20. However, a temporary speed  
19 limit may be in effect during the period from June 21 to June 30 if  
20 it is the first or second reissuance of a temporary speed limit and  
21 if, before adopting the resolution requesting that reissuance, the  
22 county or municipality submitted to the department an application  
23 and resolution for a temporary ordinance under section 80112a in  
24 lieu of the temporary speed limit under subsection (4).

25 (7) A temporary speed limit under subsection (4) shall not  
26 prohibit the use of any type of vessel.

27 (8) During a state of emergency or disaster declared by the  
28 governor pursuant to law, the governor may establish restricted  
29 wake zones if necessary and appropriate to address emergency or



1 disaster conditions.

2 (9) A person shall not operate a vessel on the waters of this  
3 state at a speed greater than slow-no wake speed or the minimum  
4 speed necessary for the vessel to maintain forward movement when  
5 within 100 feet of the shoreline where the water depth is less than  
6 3 feet, as determined by vertical measurement, except in navigable  
7 channels not otherwise posted.

8 (10) A person who violates subsection (2) or (3) is  
9 responsible for a state civil infraction and may be ordered to pay  
10 a civil fine of not more than \$500.00, unless 1 of the following  
11 conditions exists:

12 (a) The requirements of this section have been waived as  
13 described under subsection (11).

14 (b) The person violates this section in a manner that  
15 constitutes reckless operation of a vessel as described in section  
16 80147.

17 (11) The department may waive the requirements of this section  
18 and section 80156 for marine events authorized by the department  
19 under section 80164.

20 Sec. 80149. (1) A person operating a vessel on the waters of  
21 this state in areas not marked by well defined channels, canals,  
22 rivers, or stream courses shall operate the vessels in a counter-  
23 clockwise fashion to the extent that it is reasonably possible.  
24 ~~These persons and persons~~ **Such a person, or a person** being towed on  
25 water skis or on a water sled, kite, surfboard, or similar  
26 contrivance, shall maintain a distance of 100 feet from any dock,  
27 raft, buoyed or occupied bathing area, or vessel moored or at  
28 anchor, except when the vessel is proceeding at a slow-no wake  
29 speed or when ~~a water skiers are~~ **skier is** being picked up or



1 dropped off, if that operation is otherwise conducted with due  
 2 regard to the safety of persons and property and in ~~accordance~~  
 3 **compliance** with the laws of this state. Except as otherwise  
 4 provided in subsection (2), a person who violates this section is  
 5 ~~guilty of a misdemeanor.~~ **responsible for a state civil infraction**  
 6 **and may be ordered to pay a civil fine of \$500.00.**

7 (2) A person who violates this section while on any of the  
 8 following bodies of water in this state is responsible for a state  
 9 civil infraction and may be ordered to pay a civil fine of not more  
 10 than \$500.00:

- 11 (a) The Great Lakes.
- 12 (b) Lake St. Clair.
- 13 (c) The St. Clair ~~river.~~ **River.**

14 Sec. 80156. (1) Subject to subsection (2), a person shall not  
 15 operate a motorboat on the waters of this state unless the  
 16 motorboat is equipped and maintained with an effective muffler or  
 17 underwater exhaust system that does not produce sound levels in  
 18 excess of 90 dB(A) when subjected to a stationary sound level test  
 19 as prescribed by SAE J2005 or a sound level in excess of 75 dB(A)  
 20 when subjected to a shoreline sound level measurement procedure as  
 21 described by SAE J1970. The operator of a motorboat shall present  
 22 the motorboat for a sound level test as prescribed by SAE J2005  
 23 upon the request of a peace officer. If a motorboat is equipped  
 24 with more than 1 motor or engine, the test shall be performed with  
 25 all motors or engines operating. To determine whether a person is  
 26 violating this subsection, a peace officer may measure sound levels  
 27 pursuant to procedures prescribed in SAE J1970, issued 1991-92.

28 (2) The department may by rule establish a motorboat sound  
 29 level test and set a maximum decibel level or levels permitted for



1 motorboat operation that replace the tests and maximum decibel  
 2 levels permitted under subsection (1). If a test and maximum  
 3 decibel level or levels are established ~~pursuant to~~ **under** this  
 4 subsection, all of the following apply:

5 (a) A person shall not operate a motorboat on the waters of  
 6 this state if the motorboat produces sound levels that exceed the  
 7 maximum decibel level or levels established under this subsection.

8 (b) The operator of a motorboat shall present the motorboat  
 9 for the sound level test established pursuant to this subsection  
 10 upon the request of a peace officer.

11 (c) A motorboat equipped with more than 1 motor or engine  
 12 shall be tested with all motors or engines operating.

13 (3) A person shall not manufacture, sell, or offer for sale a  
 14 motorboat for use on the waters of this state unless that motorboat  
 15 is equipped and maintained with an effective muffler or underwater  
 16 exhaust system that complies with the applicable sound levels  
 17 permitted under subsection (1) or (2).

18 (4) Subsections (1) and (2) do not apply to any of the  
 19 following:

20 (a) A motorboat ~~tuning up or testing for or participating~~  
 21 **being tuned up, tested for, or operated** in official trials for  
 22 speed records or a sanctioned race conducted pursuant to a permit  
 23 issued by an appropriate unit of government.

24 (b) A motorboat being operated by a boat or marine engine  
 25 manufacturer for the purpose of testing or development.

26 (c) A motorboat that qualifies as an historic vessel.

27 (5) As used in this section, "dB(A)" means decibels on the "A"  
 28 scale on a sound meter having characteristics of a general purpose  
 29 sound meter as defined by American ~~national standards institute~~



1 **National Standards Institute** S1.4-1983.

2 (6) A person who violates this section is ~~guilty of a~~  
 3 ~~misdemeanor, punishable by imprisonment for not more than 90 days~~  
 4 ~~and~~ **responsible for a state civil infraction and may be ordered to**  
 5 **pay** a **civil** fine of not less than \$100.00 or more than \$500.00.  
 6 Additionally, before putting the motorboat back in use, a person  
 7 who violates this section is ~~required to~~ **must, at his or her**  
 8 **expense, install on the motorboat in violation** an effective muffler  
 9 or underwater exhaust system that meets the requirements of this  
 10 section. ~~on the motorboat in violation at his or her expense.~~

11 Sec. 80166. (1) Upon the direction of a peace officer acting  
 12 in the lawful performance of his or her duty, the operator of a  
 13 vessel moving on the waters of this state shall immediately bring  
 14 the vessel to a stop or maneuver it in a manner that permits the  
 15 peace officer to come beside the vessel. The operator of the vessel  
 16 shall do the following upon the request of the peace officer:

- 17 (a) Provide his or her correct name and address.  
 18 (b) Exhibit the certificate of number awarded for the vessel.  
 19 (c) If the vessel does not bear a decal described in section  
 20 80166a or an equivalent decal issued by or on behalf of another  
 21 state, submit to a reasonable inspection of the vessel and to a  
 22 reasonable inspection and test of the equipment of the vessel.

23 (2) A peace officer shall not stop and inspect a vessel  
 24 bearing the decal described in section 80166a or an equivalent  
 25 decal issued by or on behalf of another state during the period the  
 26 decal remains in effect unless that peace officer has a reasonable  
 27 suspicion that the vessel or the vessel's operator is in violation  
 28 of a marine law or is otherwise engaged in criminal activity.

29 (3) A person who is detained for a violation of this part or



1 of a local ordinance substantially corresponding to a provision of  
2 this part and who furnishes a peace officer false, forged,  
3 fictitious, or misleading verbal or written information identifying  
4 the person as another person is ~~guilty of a misdemeanor.~~**responsible**  
5 **for a state civil infraction and may be ordered to pay a civil fine**  
6 **of \$500.00.**

7 (4) A peace officer who observes a **criminal** marine law  
8 violation or the commission of ~~a~~**another** crime may immediately  
9 arrest the person without a warrant or issue to the person a  
10 written or verbal warning.

11 Sec. 80167. If a person is arrested without a warrant for any  
12 of the following, the arrested person shall, without unreasonable  
13 delay, be arraigned by a magistrate or judge who is within the  
14 county in which the offense charged is alleged to have been  
15 committed, who has jurisdiction of the offense, and who is nearest  
16 or most accessible with reference to the place where the arrest is  
17 made:

18 (a) The person is arrested upon a charge of negligent  
19 homicide.

20 (b) The person is arrested under section 80176(1), (3), (4),  
21 or (5), or a local ordinance substantially corresponding to section  
22 80176(1) or (3).

23 (c) The person is arrested under ~~section 80147 or a~~ local  
24 ordinance substantially corresponding to section 80147. If in the  
25 ~~existing~~ circumstances it does not appear that releasing the person  
26 pending the issuance of a warrant will constitute a public menace,  
27 the arresting officer may proceed as provided by section 80168.

28 Sec. 80171. **(1) A person who violates this part or a rule**  
29 **promulgated under this part, if the violation is a first violation**



1 of this part or a rule promulgated under this part or if the  
 2 violation is a violation of section 80124(9), 80153, or 80155, is  
 3 responsible for a state civil infraction and may be ordered to pay  
 4 a civil fine of \$500.00.

5 (2) Unless otherwise specified under this part, a ~~violation of~~  
 6 **person who violates** this part or rules promulgated under this part  
 7 is **guilty of** a misdemeanor **punishable by imprisonment for not more**  
 8 **than 90 days or a fine of not more than \$500.00, or both.**

9 (3) A political subdivision ~~having adopted~~ **adopting** a local  
 10 ordinance in conformity with this part may provide that any  
 11 violation of the ordinance is a misdemeanor. **However, the political**  
 12 **subdivision shall provide that a violation corresponding to a state**  
 13 **civil infraction under subsection (1) is a municipal civil**  
 14 **infraction.**

15 (4) ~~Any~~ **In addition to any other sanction, the court may order**  
 16 **a person judged responsible for or** convicted of reckless operation  
 17 of a vessel as defined in section 80147, or of operating a  
 18 motorboat while under the influence of alcoholic liquor or narcotic  
 19 drugs, or with any amount of a controlled substance listed in  
 20 schedule 1 under section 7212 of the public health code, 1978 PA  
 21 368, MCL 333.7212, or a rule promulgated under that section, or of  
 22 a controlled substance described in section 7214(a)(iv) of the  
 23 public health code, 1978 PA 368, MCL 333.7214, in his or her body,  
 24 in addition to any other penalty, ~~may be refused by the court~~  
 25 ~~having jurisdiction of the violation the right of operating any~~ **not**  
 26 **to operate a** motorboat on ~~any of the~~ waters of this state for a  
 27 period of not more than 2 years.

28 Sec. 80205. (1) A person shall not operate a personal  
 29 watercraft on the waters of this state unless each person riding on



1 or being towed behind the personal watercraft is wearing a type I,  
2 type II, or type III personal flotation device as described in R  
3 281.1234 of the Michigan Administrative Code.

4 (2) A person shall not operate a personal watercraft on the  
5 waters of this state unless each person on board the personal  
6 watercraft is wearing a personal flotation device that is not  
7 inflatable.

8 (3) A person shall not operate a personal watercraft on the  
9 waters of this state if a child who is under 7 years of age is on  
10 board or being towed behind the personal watercraft unless the  
11 child is in the company of his or her parent or guardian or a  
12 designee of the parent or guardian.

13 (4) While operating a personal watercraft equipped by the  
14 manufacturer with a lanyard-type engine cutoff switch on the waters  
15 of this state, a person shall have the lanyard attached to his or  
16 her person, clothing, or personal flotation device as is  
17 appropriate for the personal watercraft. **A person who violates this**  
18 **subsection, if the violation is the person's first violation of**  
19 **this part or a rule promulgated under this part, is responsible for**  
20 **a state civil infraction and may be ordered to pay a civil fine of**  
21 **\$100.00.**

22 (5) A person shall not operate a personal watercraft on the  
23 waters of this state during the period that begins at sunset and  
24 ends at 8 a.m. As used in this subsection, "sunset" means that time  
25 as determined by the National Weather Service.

26 (6) A person operating a personal watercraft on the waters of  
27 this state shall not cross within 150 feet behind another vessel,  
28 other than a personal watercraft, unless the person is operating  
29 the personal watercraft at slow-no wake speed. A person who



1 violates this subsection is responsible for a state civil  
2 infraction and may be ordered to pay a civil fine of not more than  
3 \$500.00.

4 (7) A person shall not operate a personal watercraft on the  
5 waters of this state where the water depth is less than 2 feet, as  
6 determined by vertical measurement, unless 1 or both of the  
7 following circumstances exist:

8 (a) The personal watercraft is being operated at slow-no wake  
9 speed.

10 (b) The personal watercraft is being docked or launched.

11 (8) A person who violates subsection (7) is responsible for a  
12 state civil infraction and may be ordered to pay a civil fine of  
13 not more than \$500.00.

14 (9) A person shall operate a personal watercraft in a  
15 reasonable and prudent manner. A maneuver that unreasonably or  
16 unnecessarily endangers life, limb, or property, including, but not  
17 limited to, all of the following, constitutes reckless operation of  
18 a personal watercraft under section 80208:

19 (a) Weaving through congested vessel traffic.

20 (b) Jumping the wake of another vessel unreasonably or  
21 unnecessarily close to the other vessel or when visibility around  
22 the other vessel is obstructed.

23 (c) Waiting until the last possible moment before swerving to  
24 avoid a collision.

25 (10) A person shall not operate a personal watercraft on the  
26 waters of this state carrying more persons than the personal  
27 watercraft is designed to carry.

28 (11) A violation of subsection (10) is prima facie evidence of  
29 reckless operation of a watercraft under section 80208.



1 (12) A person operating a personal watercraft in excess of the  
 2 speeds established under part 801 is **responsible for or** guilty of  
 3 reckless operation of a personal watercraft under section 80208.

4 (13) This section does not apply to a performer engaged in a  
 5 professional exhibition or a person preparing to participate or  
 6 participating in a regatta, race, marine parade, tournament, or  
 7 exhibition held in compliance with section 80164 under a permit  
 8 issued by the department and at the time and place specified in the  
 9 permit.

10 (14) **Except as provided in subsection (4), a person who**  
 11 **violates this section is subject to section 80219.**

12 Sec. 80208. (1) If a person carelessly and heedlessly operates  
 13 a personal watercraft upon the waters of this state in disregard of  
 14 the rights or safety of others, without due caution and  
 15 circumspection, or at a rate of speed or in a manner that endangers  
 16 or is likely to endanger a person or property, that person is  
 17 **responsible for or** guilty of reckless operation of a personal  
 18 watercraft. ~~and is subject to the penalties described in subsection~~  
 19 ~~(2) or (3), or both, as applicable.~~

20 (2) Upon a person's **judgment of responsibility or** conviction  
 21 under this section, the court may issue an order prohibiting the  
 22 person from operating a personal watercraft on the waters of this  
 23 state for a period of not more than 2 years and shall order the  
 24 person to participate in and complete a boating safety course. An  
 25 order issued pursuant to this subsection is in addition to any  
 26 other ~~penalty~~ **sanction** authorized under **this** section. ~~80219 or~~  
 27 ~~subsection (3).~~

28 (3) **A person who violates this section, if the violation is a**  
 29 **first violation of this part or a rule promulgated under this part,**



1 is responsible for a state civil infraction and may be ordered to  
2 pay a civil fine of \$100.00.

3 (4) Except as provided in subsections (3) and (5), a person  
4 who violates this section is subject to section 80219.

5 (5) ~~(3)~~—A person who violates this section twice within a 3-  
6 year period is guilty of a misdemeanor punishable by imprisonment  
7 for not more than 90 days or a fine of not more than \$1,000.00, or  
8 both. A person who violates this section 3 or more times within a  
9 5-year period is guilty of a misdemeanor punishable by imprisonment  
10 for not more than 90 days or a fine of not more than \$2,000.00, or  
11 both. Upon a person's second or subsequent conviction under this  
12 section, the court may issue an order impounding the personal  
13 watercraft that the person was operating at the time the person  
14 violated subsection (1) for a period of not more than 1 year, if  
15 either of the following ~~conditions exists:~~**applies:**

16 (a) The person is an owner of the personal watercraft.

17 (b) The person is the minor child of an owner of the personal  
18 watercraft.

19 (6) ~~(4)~~—The cost of storage for an impoundment ordered under  
20 subsection ~~(3)~~—(5) shall be paid by the owner of the personal  
21 watercraft.

22 Sec. 80215. ~~(1) Until October 1, 2011, except as provided in~~  
23 ~~subsection (2), a person under the age of 14 shall not operate a~~  
24 ~~personal watercraft on the waters of this state.~~

25 ~~(2) Until October 1, 2011, a person who is 12 or more and less~~  
26 ~~than 14 years of age may operate a personal watercraft on the~~  
27 ~~waters of this state if all of the following circumstances exist:~~

28 ~~(a) The person is accompanied solely by the person's parent or~~  
29 ~~legal guardian.~~



1       ~~(b) Both the person and the parent or legal guardian have~~  
2 ~~obtained a boating safety certificate.~~

3       ~~(c) The personal watercraft is equipped by the manufacturer~~  
4 ~~with a lanyard-type engine cutoff switch, and the parent or legal~~  
5 ~~guardian has the lanyard attached to his or her person, clothing,~~  
6 ~~or personal flotation device.~~

7       ~~(d) The personal watercraft is designed to carry not less than~~  
8 ~~2 persons.~~

9       (1) ~~(3)~~ A person who ~~was born after December 31, 1978~~ **is 21**  
10 **years of age or less** shall not operate a personal watercraft upon  
11 the waters of this state unless he or she first obtains a boating  
12 safety certificate.

13       (2) ~~(4) Beginning October 1, 2011, a person under the age of~~  
14 ~~16~~ **A person who is less than 14 years of age** shall not operate a  
15 personal watercraft on the waters of this state. **A person who is 14**  
16 **or 15 years of age shall not operate a personal watercraft on the**  
17 **waters of this state** unless ~~the person is not less than 14 years of~~  
18 ~~age and 1 of the following circumstances applies:~~

19       (a) The person is riding the personal watercraft with his or  
20 her parent or guardian or an individual 21 years of age or older  
21 designated by the parent or guardian.

22       (b) The person is operating or riding a personal watercraft at  
23 a distance of not more than 100 feet from his or her parent or  
24 guardian or an individual 21 years of age or older designated by  
25 the parent or guardian.

26       (3) ~~(5)~~ The owner of a personal watercraft or a person having  
27 charge over or control of a personal watercraft shall not **knowingly**  
28 authorize or knowingly permit the personal watercraft to be  
29 operated in violation of this section.



1           (4) ~~(6)~~—This section does not apply to a performer engaged in  
 2 a professional exhibition or a person preparing to participate or  
 3 participating in a regatta, race, marine parade, tournament, or  
 4 exhibition held in compliance with section 80164 under a permit  
 5 issued by the department and at the time and place specified in the  
 6 permit.

7           (5) ~~(7)~~—The amendatory act that added ~~subdivisions (4) (a)~~  
 8 **subsection (2) (a)** and (b) shall be known and may be cited as  
 9 "Ashleigh Iserman's Law".

10           Sec. 80319. (1) A person shall not do any of the following:

11           (a) Reproduce, alter, counterfeit, forge, or duplicate a  
 12 certificate of title, or a manufacturer's or importer's  
 13 certificate, to a watercraft, an assignment of either, or a  
 14 cancellation of a lien on a watercraft.

15           (b) Hold or use a certificate, assignment, or cancellation  
 16 **described in subdivision (a)** knowing it is reproduced, altered,  
 17 counterfeited, forged, or duplicated.

18           (c) Procure or attempt to procure a certificate of title to a  
 19 watercraft, or pass or attempt to pass a certificate of title or an  
 20 assignment of title to a watercraft, knowing or having reason to  
 21 believe that the watercraft is stolen.

22           (d) Sell or offer for sale in this state a watercraft on which  
 23 the manufacturer's or assigned hull identification number is  
 24 destroyed, removed, covered, altered, or defaced, with knowledge of  
 25 the destruction, removal, covering, alteration, or defacement of  
 26 the manufacturer's or assigned hull identification number.

27           (e) Use a false or fictitious name, give a false or fictitious  
 28 address, or make a false statement in an application or certificate  
 29 required under this part, or in a bill of sale or sworn statement



1 of ownership, or otherwise commit a fraud in an application.

2 (f) Fraudulently indicate on a certificate of title that there  
3 is no security interest on record for a watercraft.

4 (g) Forge or counterfeit a letter, receipt, or other document  
5 from the holder of a security interest in a watercraft indicating  
6 that the security interest has been released.

7 (h) Sell or transfer a watercraft without delivering to the  
8 purchaser or transferee of the watercraft a certificate of title,  
9 or a manufacturer's or importer's certificate to the watercraft,  
10 assigned to the purchaser as provided for in this part.

11 ~~(2) A person who violates this section is guilty of a~~  
12 ~~misdemeanor, punishable by imprisonment for not more than 1 year,~~  
13 ~~or a fine of not more than \$5,000.00, or both.~~

14 (2) ~~(3)~~A person who is convicted of a violation of subsection  
15 (1)(f) or (g), in addition to any other penalty, shall pay  
16 restitution to the holder of a security interest in the watercraft  
17 in the amount of the outstanding lien on the watercraft.

18 Sec. 80322. A person who violates sections 80301 to 80319 or  
19 rules promulgated under this part is guilty of a ~~misdemeanor, and~~  
20 ~~shall be imprisoned~~ **felony punishable by imprisonment** for not more  
21 than ~~90 days, or fined not more than \$100.00, or both.~~ **15 years.**

22 Sec. 81112. (1) An ORV certificate of title shall be  
23 manufactured in a manner to prevent as nearly as possible the  
24 reproduction, alteration, counterfeiting, forging, or duplication  
25 of the certificate without ready detection. An ORV certificate of  
26 title shall contain on its face the information set forth in the  
27 application, including a notation of all secured interests in the  
28 ORV, the date on which the application was filed, and other  
29 information required by the department of state.



1 (2) The department of state shall prescribe a uniform method  
2 of numbering ORV certificates of title.

3 (3) An ORV certificate of title shall contain a form for  
4 assignment and warranty of title by the owner with space for the  
5 notation of a security interest in the ORV. The ORV certificate of  
6 title may also contain other forms that the department of state  
7 considers necessary to facilitate the effective administration of  
8 this part. The certificate shall bear the coat of arms of this  
9 state.

10 (4) A person shall not do any of the following:

11 (a) Reproduce, alter, counterfeit, forge, or duplicate an ORV  
12 certificate of title or hold or use an ORV certificate of title  
13 knowing it is reproduced, altered, counterfeited, forged, or  
14 duplicated.

15 (b) Fraudulently indicate on an ORV certificate of title that  
16 there is no security interest on record for the ORV.

17 (c) Forge or counterfeit a letter, receipt, or other document  
18 from the holder of a security interest in an ORV indicating that  
19 the security interest has been released.

20 (5) A person who violates subsection (4) is subject to the  
21 following: ~~penalties:~~

22 (a) If the intent of the violation was to commit or aid in the  
23 commission of an offense punishable by imprisonment for 1 or more  
24 years, the person committing the violation is ~~guilty of a~~  
25 ~~misdemeanor punishable by imprisonment for a period equal to that~~  
26 ~~which could be imposed for the commission of the offense the person~~  
27 ~~had the intent to aid or commit or a fine of not more than~~  
28 **responsible for a state civil infraction and may be ordered to pay**  
29 **a civil fine of \$5,000.00. ~~, or both.~~**



1 (b) If the intent of the violation was to commit or aid in the  
 2 commission of an offense punishable by imprisonment for not more  
 3 than 1 year, the person committing the violation is ~~guilty of a~~  
 4 ~~misdemeanor punishable by imprisonment for not more than 1 year or~~  
 5 ~~a fine of not more than~~ **responsible for a state civil infraction**  
 6 **and may be ordered to pay a civil fine of \$1,000.00. , or both.**

7 (6) A person who is ~~convicted of~~ **judged responsible for** a  
 8 violation of subsection (4)(b) or (c), in addition to any other  
 9 ~~penalty, sanction,~~ shall pay restitution to the holder of a  
 10 security interest in the ORV in the amount of the outstanding lien  
 11 on the ORV.

12 Sec. 81122. (1) A person shall not operate an ORV that is not  
 13 registered under the code upon a street, county road, or highway,  
 14 except as provided in section 81131 or under the following  
 15 conditions and circumstances:

16 (a) The operator of a vehicle may cross a street, county road,  
 17 or highway, other than a limited access highway, at right angles,  
 18 ~~for the purpose of getting to travel~~ from 1 area to another, if the  
 19 operation can be done in safety. The operator shall bring the  
 20 vehicle to a complete stop before proceeding across a street,  
 21 county road, or highway, and shall yield the right-of-way to  
 22 oncoming traffic.

23 (b) A vehicle may be operated on a street, county road, or  
 24 highway for a special event of limited duration and conducted  
 25 according to a prearranged schedule ~~only~~ under permit from the  
 26 governmental unit having jurisdiction. Subject to subsection (2), a  
 27 special event involving ORVs may be conducted on the frozen surface  
 28 of public waters only under permit from the department.

29 (c) A farmer, employee of a farmer, or family member of a



1 farmer who is at least 16 years of age may operate an ORV on a  
 2 street, county road, or highway while traveling to or from the  
 3 farmer's residence or work location or field during the course of  
 4 farming operations. An ORV shall not be operated pursuant to this  
 5 subdivision during the period of 30 minutes before sunset to 30  
 6 minutes after sunrise or when visibility is substantially reduced  
 7 due to weather conditions. The individual shall operate the ORV in  
 8 the same manner and on the same portion of the street, county road,  
 9 or highway as required under section 81131(9). The state  
 10 transportation department and all of its employees are immune from  
 11 tort liability for injury or damages sustained by any person  
 12 arising in any way ~~by reason of~~ **from** the operation or use of an ORV  
 13 for the limited purposes allowed under this subdivision. An  
 14 operator of an ORV under this subdivision shall ~~have attached to~~  
 15 ~~the ORV a flag~~ **ensure that a triangle** made of reflective material  
 16 **is attached to the back of the ORV.** ~~The flag shall extend not less~~  
 17 ~~than 8 feet from the surface of the street, county road, or highway~~  
 18 ~~and not less than 4 feet above the top of the ORV. The flag~~ **Each**  
 19 **side of the triangle** shall be not less than 12 inches high ~~by 18~~  
 20 ~~inches long and not measure less than 100 square inches.~~ **long.**

21 (2) The department shall not require a permit under this part  
 22 merely for organized group recreational ORV riding on department  
 23 lands, or for an ORV event on the frozen surface of public waters,  
 24 if conducted in compliance with applicable statutes, rules, and  
 25 orders. ~~Within 90 days after the effective date of the amendatory~~  
 26 ~~act from the 2013-2014 legislative session that added this~~  
 27 ~~subsection,~~ **By December 24, 2014,** the department shall develop and  
 28 establish, in consultation with representatives of the Michigan  
 29 snowmobile and trails advisory committee and other interested



1 parties, policy criteria for determining circumstances under which  
 2 notice to the department or a permit is required for ORV events on  
 3 department lands.

4 (3) In a court action ~~in this state~~ if competent evidence  
 5 demonstrates that a vehicle that is permitted to operate on a  
 6 highway pursuant to the code is in a collision on a roadway with an  
 7 ORV that is not registered under the code, the operator of the ORV  
 8 involved in the collision shall be considered prima facie  
 9 negligent.

10 Sec. 81129. (1) ~~Subject~~ **Subsections (2), (3), (5), (6), (12),**  
 11 **(13), and (15) are subject** to subsection (17). ~~—a~~

12 (2) **A** parent or legal guardian of a child less than 16 years  
 13 of age shall not permit the child to operate an ORV unless the  
 14 child is under the direct visual supervision of an adult and the  
 15 child has an ORV safety certificate in his or her immediate  
 16 possession.

17 (3) ~~(2) Subject to subsection (17), a~~ **A** parent or legal  
 18 guardian of a child less than 12 years of age shall not permit the  
 19 child to operate an ATV with 4 or more wheels unless the child is  
 20 not less than 10 years of age and is on private land. ~~owned by a~~  
 21 ~~parent or legal guardian of the child.~~ This subsection does not  
 22 apply to the operation of an ATV used in agricultural operations.

23 (4) ~~(3)~~ **A** parent or legal guardian of a child less than 16  
 24 years of age shall not permit the child to operate a 3-wheeled ATV.

25 (5) ~~(4) Subject to subsection (17), the~~ **The** owner or person in  
 26 charge of an ORV shall not knowingly permit the vehicle to be  
 27 operated by a child less than 16 years of age unless the child is  
 28 under the direct visual supervision of an adult and the child has  
 29 an ORV safety certificate in his or her immediate possession.



1           (6) ~~(5) Subject to subsection (17), the~~ **The** owner or person in  
 2 charge of an ATV with 4 or more wheels shall not knowingly permit  
 3 the vehicle to be operated by a child less than 12 years of age  
 4 unless the child is not less than 10 years of age and is on private  
 5 land. ~~owned by a parent or legal guardian of the child.~~ This  
 6 subsection does not apply to the operation of an ATV used in  
 7 agricultural operations.

8           (7) ~~(6)~~ The owner or person in charge of a 3-wheeled ATV shall  
 9 not knowingly permit the vehicle to be operated by a child less  
 10 than 16 years of age.

11           ~~(7) The owner or person in charge of an ORV shall not~~  
 12 ~~knowingly permit the vehicle to be operated by an individual who is~~  
 13 ~~incompetent to operate the vehicle because of mental or physical~~  
 14 ~~disability.~~

15           (8) The department shall implement a comprehensive program for  
 16 the training of ORV operators and the preparation and dissemination  
 17 of ORV information and safety advice to the public. The program  
 18 shall provide for the training of youthful operators and for the  
 19 issuance of ORV safety certificates to those who successfully  
 20 complete the training and may include separate instruction for each  
 21 type of ORV.

22           (9) In implementing a program under subsection (8), the  
 23 department shall cooperate with private organizations and  
 24 associations, private and public corporations, the department of  
 25 education, the department of state, and local governmental units.  
 26 The department shall consult with ORV and environmental  
 27 organizations and associations in regard to the subject matter of a  
 28 training program and performance testing that leads to  
 29 certification of ORV operators.



1 (10) The department may designate a qualified individual to  
2 provide course instruction and to award ORV safety certificates.

3 (11) The department may promulgate rules to implement  
4 subsections (8) to (10) and (17).

5 (12) ~~Subject to subsection (17), a~~ **A** child who is less than 16  
6 years of age shall not operate an ORV unless the child is under the  
7 direct visual supervision of an adult and the child has an ORV  
8 safety certificate in his or her immediate possession.

9 (13) ~~Subject to subsection (17), a~~ **A** child who is less than 12  
10 years of age shall not operate an ATV with 4 or more wheels unless  
11 the child is not less than 10 years of age and is on private land  
12 owned by a parent or legal guardian of the child. This subsection  
13 does not apply to the operation of an ATV in agricultural  
14 operations.

15 (14) A child who is less than 16 years of age shall not  
16 operate a 3-wheeled ATV.

17 (15) ~~Subject to subsection (17), when~~ **When** operating an ORV, a  
18 child who is less than 16 years of age shall present the ORV safety  
19 certificate to a peace officer upon demand.

20 (16) Notwithstanding any other provision of this section, an  
21 operator who is less than 12 years of age shall not cross a street,  
22 county road, or highway. An operator who is ~~not less than~~ 12 years  
23 of age **or more** but less than 16 years of age may cross a street,  
24 county road, or highway or operate an ORV pursuant to section  
25 81131(9) if the operator has an ORV safety certificate in his or  
26 her immediate possession and meets any other requirements under  
27 this section for operation of the vehicle.

28 (17) The requirement that a child possess an ORV safety  
29 certificate to operate an ORV, and the requirement that a child who



1 is less than 12 years of age not operate an ATV with 4 or more  
2 wheels unless the child is not less than 10 years of age and is on  
3 private land owned by a parent or legal guardian of the child, do  
4 not apply if all of the following requirements are met:

5 (a) The child is participating in an organized ORV riding or  
6 racing event held on land not owned by this state.

7 (b) The child's parent or legal guardian has provided the  
8 event organizer with written permission for the child to  
9 participate in the event.

10 (c) The event organizer has not less than \$500,000.00  
11 liability insurance coverage for the event.

12 (d) A physician or physician's assistant licensed or otherwise  
13 authorized under part 170 or 175 of the public health code, 1978 PA  
14 368, MCL 333.17001 to 333.17084 and 333.17501 to 333.17556, or a  
15 paramedic or emergency medical technician licensed under part 209  
16 of the public health code, 1978 PA 368, MCL 333.20901 to 333.20979,  
17 is present at the site of the event or available on call.

18 (e) The event is at all times under the direct visual  
19 supervision of adult staff of the event organizer and a staff  
20 member serves as a flagger to warn participants if another  
21 participant is injured or an ORV is inoperable in the ORV operating  
22 area.

23 (f) Fencing or another means of crowd control is used to keep  
24 spectators out of the ORV operating area.

25 (g) If the event is on a closed course, dust is controlled in  
26 the ORV operating area and the riding surface in the ORV operating  
27 area is otherwise properly prepared.

28 (h) Three-wheeled ATVs are not used by participants.

29 (i) Any ATVs used by participants are equipped with a side



1 step bar or comparable safety equipment and with a tether kill  
2 switch, and the tether is used by all participants.

3 (j) Each participant in the event wears a crash helmet  
4 approved by the United States ~~department of transportation,~~  
5 **Department of Transportation**, a protective long-sleeved shirt or  
6 jacket, long pants, boots, and protective gloves.

7 (k) Any other applicable requirements of this part or rules  
8 promulgated under this part are met.

9 (18) If a child less than 16 years of age participates and is  
10 **killed or** injured in an organized ORV riding or racing event, the  
11 organizer of the event shall, within 30 days after the event,  
12 submit to the department a report on a form developed by the  
13 department. The report shall include all of the following  
14 information, as applicable:

15 (a) Whether any participant less than 16 years of age was  
16 killed or suffered an injury resulting in transportation to a  
17 hospital as a result of an ORV accident at the event.

18 (b) The age of the child.

19 (c) Whether the child had been issued an ORV safety  
20 certificate.

21 (d) The type of ORV operated.

22 (e) A description of the accident and injury.

23 (19) The requirements of this section are in addition to any  
24 applicable requirements of section 81131(13).

25 Sec. 81132. (1) The department may promulgate rules governing  
26 the operation and conduct of ORVs, vehicle speed limits, use of  
27 vehicles by day and hour, and the establishment and designation of  
28 areas within which vehicles may be used in a manner compatible  
29 with, and that will best protect, the public safety and general



1 welfare on the frozen surface of public waters, and that will  
 2 preserve the submerged marshlands adjacent to the borders of the  
 3 Great Lakes, ~~lake~~**Lake** St. Clair, and the navigable inland waters  
 4 of the state.

5 (2) The department, on its own initiative or upon receipt of a  
 6 certified resolution of the governing body of a local unit of  
 7 government, may ~~initiate investigations into~~**investigate** the need  
 8 for special rules governing the operation of vehicles on the frozen  
 9 surface of public waters and the submerged marshlands adjacent to  
 10 the borders of the Great Lakes, ~~lake~~**Lake** St. Clair, and the  
 11 navigable inland waters of the state. If **the department determines**  
 12 **that** controls for that activity ~~are considered necessary, or when~~  
 13 **or** the amendment or rescission of an existing rule is required, a  
 14 ~~rule shall be prepared.~~**the department shall prepare a proposed**  
 15 **rule.** Notice of a public hearing shall be ~~made~~**given** not less than  
 16 10 days ~~prior to~~**before** the hearing, in a newspaper of general  
 17 circulation in the area within which the rules are to be imposed,  
 18 amended, or rescinded.

19 (3) ~~The~~**After conducting a public hearing under subsection**  
 20 **(2), the department shall submit the** proposed rule ~~shall then be~~  
 21 ~~submitted~~ to the governing body of the political subdivision in  
 22 which the affected frozen waters or marshes lie. Within 30 ~~calendar~~  
 23 days, the governing body shall inform the department that it  
 24 approves or disapproves of the proposed rule. If the governing body  
 25 disapproves the proposed rule, further action shall not be taken.  
 26 If the governing body approves the proposed rule, ~~a local ordinance~~  
 27 ~~may be enacted which shall be identical to the rule, and which~~  
 28 ~~ordinance shall not be effective until the rule is in effect in~~  
 29 ~~accordance with law. The department shall then promulgate the~~



1 ~~rule.~~ **the governing body may adopt an ordinance. The ordinance shall**  
 2 **be identical to the rule. If the violation of the rule is a state**  
 3 **civil infraction, the violation of the ordinance shall be a**  
 4 **municipal civil infraction. After the adoption of the ordinance,**  
 5 **the department shall promulgate the rule. The ordinance does not**  
 6 **take effect until the rule takes effect.**

7 (4) ~~When~~ **If** an ordinance is enacted ~~adopted~~ under the  
 8 authority of a rule, and that rule is subsequently suspended by the  
 9 legislature, or amended or rescinded by the department, the  
 10 ordinance shall also be suspended, amended, or repealed **by the**  
 11 **governing body of the political subdivision.**

12 (5) A local law enforcement officer may enforce an ordinance  
 13 enacted pursuant to this section, and a state law enforcement  
 14 officer shall enforce a rule promulgated under this section.

15 Sec. 81133. (1) An individual shall not operate an ORV **under**  
 16 **any of the following circumstances:**

17 (a) At a rate of speed greater than is reasonable and proper,  
 18 or in a careless manner, having due regard for conditions then  
 19 existing.

20 (b) During the hours of 1/2 hour after sunset to 1/2 hour  
 21 before sunrise without displaying a lighted headlight and lighted  
 22 taillight. The requirements of this subdivision are in addition to  
 23 any applicable requirements of section 81131(12).

24 (c) ~~Unless~~ **If** the vehicle is **not** equipped with a braking  
 25 system that may be operated by hand or foot, capable of producing  
 26 deceleration at 14 feet per second on level ground at a speed of 20  
 27 miles per hour; a brake light, brighter than the taillight, visible  
 28 from behind the vehicle when the brake is activated, if the vehicle  
 29 is operated during the hours of 1/2 hour after sunset and 1/2 hour



1 before sunrise; and a throttle so designed that when the pressure  
2 used to advance the throttle is removed, the engine speed will  
3 immediately and automatically return to idle.

4 (d) In a state game area or state park or recreation area,  
5 except on roads, trails, or areas designated for this purpose,  
6 notwithstanding section 72118; on other state-owned lands under the  
7 control of the department where the operation would be in violation  
8 of rules promulgated by the department; in a forest nursery or  
9 planting area; on public lands posted or reasonably identifiable as  
10 an area of forest reproduction, and when growing stock may be  
11 damaged; in a dedicated natural area of the department; or in any  
12 area in such a manner as to create an erosive condition, or to  
13 injure, damage, or destroy trees or growing crops. However, the  
14 department may permit an owner and guests of the owner to use an  
15 ORV within the boundaries of a state forest in order to access the  
16 owner's property.

17 (e) On the frozen surface of public waters within 100 feet of  
18 an individual not in or upon a vehicle, or within 100 feet of a  
19 fishing shanty or shelter or an area that is cleared of snow for  
20 skating purposes, except at the minimum speed required to maintain  
21 controlled forward movement of the vehicle, or as may be authorized  
22 by permit in special events.

23 (f) ~~Unless~~**If** the vehicle is **not** equipped with a spark  
24 arrester type United States Forest Service approved muffler, in  
25 good working order and in constant operation. Exhaust noise  
26 emission shall not exceed 86 Db(A) or 82 Db(A) on a vehicle  
27 manufactured after January 1, 1986, when the vehicle is under full  
28 throttle, traveling in second gear, and measured 50 feet at right  
29 angles from the vehicle path with a sound level meter that meets



1 the requirement of ANSI S1.4 1983, using procedure and ancillary  
2 equipment therein described; or 99 Db(A) or 94 Db(A) on a vehicle  
3 manufactured after January 1, 1986, or that level comparable to the  
4 current sound level as provided for by the United States  
5 Environmental Protection Agency when tested according to the  
6 provisions of the current SAE J1287, June 86 test procedure for  
7 exhaust levels of stationary motorcycles, using sound level meters  
8 and ancillary equipment therein described. A vehicle subject to  
9 this part, manufactured or assembled after December 31, 1972 and  
10 used, sold, or offered for sale in this state, shall conform to the  
11 noise emission levels established by the United States  
12 Environmental Protection Agency under the noise control act of  
13 1972, 42 USC 4901 to 4918.

14 (g) Within 100 feet of a dwelling at a speed greater than the  
15 minimum required to maintain controlled forward movement of the  
16 vehicle, except under any of the following circumstances:

17 (i) On property owned by or under the operator's control or on  
18 which the operator is an invited guest.

19 (ii) On a forest road or forest trail if the forest road or  
20 forest trail is maintained by or under the jurisdiction of the  
21 department.

22 (iii) On a street, county road, or highway on which ORV use is  
23 authorized under section 81131(2), (3), (5), or (6).

24 (h) In or upon the lands of another without the written  
25 consent of the owner, the owner's agent, or a lessee, when required  
26 by part 731. The operator of the vehicle is liable for damage to  
27 private property caused by operation of the vehicle, including, but  
28 not limited to, damage to trees, shrubs, or growing crops, injury  
29 to other living creatures, or erosive or other ecological damage.



1 The owner of the private property may recover from the individual  
2 responsible nominal damages of not less than the amount of damage  
3 or injury. Failure to post private property or fence or otherwise  
4 enclose in a manner to exclude intruders or of the private property  
5 owner or other authorized person to personally communicate against  
6 trespass does not imply consent to ORV use.

7 (i) In an area on which public hunting is permitted during the  
8 regular November firearm deer season, from 7 a.m. to 11 a.m. and  
9 from 2 p.m. to 5 p.m., except as follows:

10 (i) During an emergency.

11 (ii) For law enforcement purposes.

12 (iii) To go to and from a permanent residence or a hunting camp  
13 otherwise inaccessible by a conventional wheeled vehicle.

14 (iv) To remove legally harvested deer, bear, or elk from public  
15 land. An individual shall operate an ORV under this subparagraph at  
16 a speed not exceeding 5 miles per hour, using the most direct route  
17 that complies with subdivision (n).

18 (v) To conduct necessary work functions involving land and  
19 timber survey, communication and transmission line patrol, or  
20 timber harvest operations.

21 (vi) On property owned or under control of the operator or on  
22 which the operator is an invited guest.

23 (vii) While operating a vehicle registered under the code on a  
24 private road capable of sustaining automobile traffic or a street,  
25 county road, or highway.

26 (viii) If the individual holds a valid permit to hunt from a  
27 standing vehicle issued under part 401 or is a person with a  
28 disability using an ORV to access public lands for purposes of  
29 hunting or fishing through use of a designated trail or forest



1 road. An individual holding a valid permit to hunt from a standing  
 2 vehicle issued under part 401, or a person with a disability using  
 3 an ORV to access public lands for purposes of hunting or fishing,  
 4 may display a flag, the color of which the department shall  
 5 determine, to identify himself or herself as a person with a  
 6 disability or an individual holding a permit to hunt from a  
 7 standing vehicle under part 401.

8 (j) Except as otherwise provided in section 40111, **on public**  
 9 **property** while transporting on the vehicle a bow unless unstrung or  
 10 encased, or a firearm unless unloaded and securely encased, or  
 11 equipped with and made inoperative by a manufactured keylocked  
 12 trigger housing mechanism.

13 (k) On or across a cemetery or burial ground, or land used as  
 14 an airport.

15 (l) Within 100 feet of a slide, ski, or skating area, unless  
 16 the vehicle is being used for the purpose of servicing the area or  
 17 is being operated pursuant to section 81131(2), (3), (5), or (6).

18 (m) On an operating or nonabandoned railroad or railroad  
 19 right-of-way, or public utility right-of-way, other than for the  
 20 purpose of crossing at a clearly established site intended for  
 21 vehicular traffic, except railroad, public utility, or law  
 22 enforcement personnel while in performance of their duties, and  
 23 except if the right-of-way is designated as provided for in section  
 24 81127.

25 (n) In or upon the waters of any stream, river, bog, wetland,  
 26 swamp, marsh, or quagmire except ~~over~~**as described in either of the**  
 27 **following:**

28 (i) **Over** a bridge, culvert, or similar structure.

29 (ii) **In the case of a river or stream, at a 90-degree angle to**



1 the midline of the river or stream and in a manner that is least  
2 damaging to the environment.

3 (o) To hunt, pursue, worry, kill, or attempt to hunt, pursue,  
4 worry, or kill an animal, whether wild or domesticated.

5 (p) In a manner so as to leave behind litter or other debris.

6 (q) On public land, in a manner contrary to operating  
7 regulations.

8 (r) While transporting or possessing, in or on the vehicle,  
9 alcoholic liquor in a container that is open or uncapped or upon  
10 which the seal is broken, except under either of the following  
11 circumstances:

12 (i) The container is in a trunk or compartment separate from  
13 the passenger compartment of the vehicle.

14 (ii) If the vehicle does not have a trunk or compartment  
15 separate from the passenger compartment, the container is encased  
16 or enclosed.

17 ~~(s) While transporting any passenger in or upon an ORV unless~~  
18 ~~the manufacturing standards for the vehicle make provisions for~~  
19 ~~transporting passengers.~~

20 ~~(t) On adjacent private land, in an area zoned residential,~~  
21 ~~within 300 feet of a dwelling at a speed greater than the minimum~~  
22 ~~required to maintain controlled forward movement of the vehicle~~  
23 ~~except under any of the following circumstances:~~

24 ~~(i) On a forest road or forest trail if the forest road or~~  
25 ~~forest trail is maintained by or under the jurisdiction of the~~  
26 ~~department.~~

27 ~~(ii) On a street, county road, or highway on which ORV use is~~  
28 ~~authorized under section 81131(2), (3), (5), or (6).~~

29 (s) ~~(u)~~ On a forest trail if the ORV is greater than 50 inches



1 in width.

2 (2) An individual who is operating or is a passenger on an ORV  
3 shall wear a crash helmet and protective eyewear that are approved  
4 by the United States Department of Transportation. This subsection  
5 does not apply to any of the following:

6 (a) An individual who owns the property on which the ORV is  
7 operating, is a family member of the owner and resides at that  
8 property, or is an invited guest of an individual who owns the  
9 property. An exception under this subdivision does not apply to any  
10 of the following:

11 (i) An individual less than 16 years of age.

12 (ii) An individual 16 or 17 years of age, unless the individual  
13 has consent from his or her parent or guardian to ride without a  
14 crash helmet.

15 (iii) An individual participating in an organized ORV riding or  
16 racing event if an individual who owns the property receives  
17 consideration for use of the property for operating ORVs.

18 (b) An individual wearing a properly adjusted and fastened  
19 safety belt if the ORV is equipped with a roof that meets or  
20 exceeds United States Department of Transportation standards for a  
21 crash helmet.

22 (c) An ORV operated on a state-licensed game bird hunting  
23 preserve at a speed of not greater than 10 miles per hour.

24 (d) An ORV operated for the purpose of towing a fishing shanty  
25 or supply shed over the frozen surface of public waters at the  
26 minimum speed required to maintain controlled forward movement of  
27 the vehicle or while traveling to and from a fishing shanty at a  
28 speed of not greater than 10 miles per hour. An owner of private  
29 property is not liable for personal injuries, including death, to



1 an individual who operates an ORV as described in this subdivision  
 2 without wearing a helmet while traveling on the owner's property.

3 (3) Each person who participates in the sport of ORV riding  
 4 accepts the risks associated with that sport insofar as the dangers  
 5 are inherent. Those risks include, but are not limited to, injuries  
 6 to persons or property that can result from variations in terrain;  
 7 defects in traffic lanes; surface or subsurface snow or ice  
 8 conditions; bare spots; rocks, trees, and other forms of natural  
 9 growth or debris; and collisions with fill material, decks,  
 10 bridges, signs, fences, trail maintenance equipment, or other ORVs.  
 11 Those risks do not include injuries to persons or property that  
 12 result from the use of an ORV by another person in a careless or  
 13 negligent manner likely to endanger person or property. When an ORV  
 14 is operated in the vicinity of a railroad right-of-way, each person  
 15 who participates in the sport of ORV riding additionally assumes  
 16 risks including, but not limited to, entanglement with railroad  
 17 tracks, switches, and ties and collisions with trains and train-  
 18 related equipment and facilities.

19 Sec. 81143. (1) The operator of a vehicle involved in an  
 20 accident resulting in injuries to, or the death of, a person, or  
 21 resulting in property damage in an estimated amount of \$100.00 or  
 22 more ~~—~~shall immediately, by the quickest available means of  
 23 communication, notify a state police officer, or the sheriff's  
 24 office of the county in which the accident occurred. The police  
 25 agency receiving the notice shall complete a report of the accident  
 26 on forms prescribed by the director of the department of state  
 27 police and forward the report to the department of state police and  
 28 the department.

29 ~~(2) A medical facility to which a person injured in an~~



1 ~~accident involving an ORV is transported shall report the accident~~  
 2 ~~to the department of state police.~~

3 (2) ~~(3)~~The department of state police, in cooperation with  
 4 the department, shall collect and evaluate information concerning  
 5 accidents involving ORVs.

6 (3) ~~(4)~~The operator of a vehicle involved in an accident upon  
 7 public or private property resulting in injury to or the death of a  
 8 person shall immediately stop at the scene of ~~an~~**the** accident and  
 9 shall render to any person injured in the accident reasonable  
 10 assistance in securing medical aid or transportation.

11 Sec. 81145. (1) ~~Law~~**A law** enforcement ~~officers~~**officer** may  
 12 issue ~~an~~ appearance ~~tickets for violations~~**ticket for a violation**  
 13 of this part **that is a minor offense**, pursuant to sections ~~9a-9c~~ to  
 14 9g of chapter 4 of Act No. 175 of the Public Acts of 1927, being  
 15 sections 764.9a to 764.9g of the Michigan Compiled Laws.**IV of the**  
 16 **code of criminal procedure, 1927 PA 175, MCL 764.9c to 764.9g.**

17 (2) In a proceeding for a violation of this part involving  
 18 prohibited operation or conduct, the registration number or  
 19 numbered decal or vehicle identification number displayed on an ORV  
 20 ~~shall constitute~~**is** prima facie evidence that the owner of the  
 21 vehicle was the person operating the vehicle at the time of the  
 22 ~~offense;~~**violation;** unless the owner identifies the operator to law  
 23 enforcement officials, the vehicle was reported as stolen at the  
 24 time of the violation, or that the vehicle was stolen or not in use  
 25 at the time of the violation.

26 Sec. 81146. (1) ~~An~~**If the** operator of an ORV ~~, who~~ is given by  
 27 hand, voice, emergency light, or siren a visual or audible signal  
 28 by a law enforcement officer, acting in the lawful performance of  
 29 his or her duty, directing the operator to bring the vehicle to a



1 stop, and ~~who~~ **the operator** willfully fails to obey the signal by  
 2 increasing speed, extinguishing lights, or otherwise attempting to  
 3 flee or elude the officer, **the operator** is ~~guilty of a misdemeanor.~~  
 4 ~~The~~ **responsible for a state civil infraction and may be ordered to**  
 5 **pay a civil fine of \$50.00. This subsection does not apply unless**  
 6 **the** officer giving the signal ~~shall be~~ **is** in uniform, ~~and the~~  
 7 officer's vehicle ~~shall be~~ **is** easily identifiable as an official  
 8 law enforcement vehicle.

9 (2) The operator of a vehicle on the private premises of  
 10 another, when visibly hailed by the owner or the owner's authorized  
 11 agent, shall bring the vehicle to an immediate stop and provide  
 12 personal identification. ~~Refusal~~ **An operator who refuses** to obey  
 13 such a request to stop or ~~subsequent escape or attempt~~ **who**  
 14 **subsequently escapes or attempts** to escape is a  
 15 ~~misdemeanor.~~ **responsible for a state civil infraction and may be**  
 16 **ordered to pay a civil fine of \$50.00.**

17 Sec. 81147. (1) ~~Except as otherwise provided in this part, a~~ **A**  
 18 person who violates ~~this part~~ **section 81129(3) or (6), 81133(1)(j),**  
 19 **or 81143(1) or (3)** is guilty of a misdemeanor punishable by  
 20 imprisonment for not more than 90 days or a fine of not less than  
 21 \$50.00 or more than \$1,000.00, or both, for each violation.

22 (2) **Except as otherwise provided in this part, a person who**  
 23 **violates this part is responsible for a state civil infraction and**  
 24 **may be ordered to pay a civil fine of \$50.00 for each violation.**

25 (3) ~~(2)~~ **A person who violates section 81133(1)(d) by operating**  
 26 an ORV in ~~such a manner as to create~~ **that creates** an erosive  
 27 condition or who violates section 81133(1)(h) or (n) is ~~guilty of a~~  
 28 ~~misdemeanor punishable by imprisonment for not more than 90 days or~~  
 29 ~~a fine of not less than~~ **responsible for a state civil infraction**



1 **and may be ordered to pay a civil fine of \$250.00** ~~or more than~~  
 2 ~~\$1,000.00, or both,~~ for each violation.

3 (4) ~~(3)~~—A person who violates section 81105, 81107, 81115,  
 4 81116, 81121, 81130, 81133(1)(b), (c), (e), (f), (g), (i), (k), or  
 5 (l), or 81133(2) is responsible for a state civil infraction and may  
 6 be ordered to pay a civil fine of not more than \$500.00.

7 (5) ~~(4)~~—A person shall not remove, deface, or destroy a sign  
 8 or marker placed by the department indicating the boundaries of an  
 9 ORV trail or area or that marks a route.

10 (6) ~~(5)~~—In addition to the ~~penalties~~ **sanctions** otherwise  
 11 provided under this part, a court of competent jurisdiction may  
 12 order a person to restore, as nearly as possible, any land, water,  
 13 stream bank, streambed, or other natural or geographic formation  
 14 damaged by the violation of this part to the condition it was in  
 15 before the violation occurred.

16 (7) ~~(6)~~ ~~The department or any other~~ **A** peace officer may  
 17 impound the ORV of a person who commits a violation of this part  
 18 that is punishable as a misdemeanor or who causes damage to the  
 19 particular area in which the ORV was used in the commission of the  
 20 violation.

21 (8) ~~(7)~~—Upon conviction of a person for **a** violation described  
 22 in subsection ~~(6)~~, ~~(7)~~, a court of competent jurisdiction may order  
 23 the ORV and any personal property on the ORV seized as a result of  
 24 the violation returned to the owner or, upon recommendation of the  
 25 local prosecuting attorney, turned over to the department. An ORV  
 26 or any other property turned over to the department under this  
 27 subsection shall be disposed of in the manner provided for  
 28 condemnation of property in part 16. The proceeds realized by the  
 29 department under this subsection shall first be used to restore



1 areas damaged by ORV use, and any balance shall be deposited in the  
2 off-road vehicle account.

3 Sec. 82116. (1) A snowmobile that is manufactured after  
4 December 1, 1972 for sale in this state shall have an identifying  
5 number that is stamped into the frame of the snowmobile or into a  
6 plate affixed to the frame and is unique from an identifying number  
7 on any other snowmobile. The number shall be stamped in a place  
8 where it is easily visible with a minimum of physical effort and it  
9 shall be termed the vehicle number. A manufacturer shall furnish to  
10 a requesting police agency, to the department of state, and to the  
11 department information as to the location of vehicle numbers on  
12 snowmobiles it produces. The vehicle number shall be printed on the  
13 certificate of registration issued by the department of state to  
14 the owner.

15 (2) ~~Possession of~~ **A person who possesses** a snowmobile with an  
16 altered, defaced, or obliterated vehicle number is ~~a misdemeanor,~~  
17 ~~punishable by imprisonment for not more than 1 year, or by a fine~~  
18 ~~of not more than~~ **responsible for a state civil infraction and may**  
19 **be ordered to pay a civil fine of \$1,000.00. , or both.**

20 Sec. 82118. (1) In addition to registration of a snowmobile  
21 under section 82105 or registration in another state or province,  
22 except as otherwise provided in this section, a person ~~who desires~~  
23 ~~to~~ **shall not** operate a snowmobile in this state ~~shall purchase~~  
24 **without** a Michigan snowmobile trail permit sticker **as provided**  
25 **under subsection (4)**. The Michigan snowmobile trail permit issued  
26 under this section ~~shall be~~ **is** valid for a period of 1 year ~~which~~  
27 **that** begins on October 1 and ends on the following September 30.  
28 The fee for the permit ~~shall be~~ **is** as follows:

29 ~~(a) For permits valid for the 1-year period beginning October~~



1 ~~1, 2009 or October 1, 2010, \$35.00.~~

2 (a) ~~(b)~~ For ~~permits~~ **a permit** valid for the 1-year period  
3 beginning October 1, ~~2011, 2012, 2013, 2014, or 2015,~~ **2020,**  
4 **\$48.00.**

5 (b) ~~(c)~~ For ~~permits~~ **a permit** valid for the 1-year period  
6 beginning October 1, ~~2016~~ **2021** and every fifth year thereafter, the  
7 state treasurer shall adjust the current permit fee by an amount  
8 determined by the state treasurer to reflect the cumulative  
9 percentage change in the ~~consumer price index~~ **Consumer Price Index**  
10 during the most recent 5-year period for which ~~consumer price index~~  
11 **Consumer Price Index** statistics are available, rounded to the  
12 nearest dollar. A fee adjusted by the state treasurer under this  
13 subdivision shall remain in effect for 5 years. As used in this  
14 subdivision, ~~"consumer price index"~~ **"Consumer Price Index"** means  
15 the most comprehensive index of consumer prices available for this  
16 state from the ~~bureau of labor statistics of the United States~~  
17 ~~department of labor.~~ **Bureau of Labor Statistics of the United States**  
18 **Department of Labor.**

19 (2) Revenue from the trail permit fee shall be allocated as  
20 follows:

21 (a) 50 cents shall be retained by the department for  
22 administrative costs.

23 (b) \$1.00 shall be retained by the agent selling the permit.

24 (c) The balance shall be deposited in the recreational  
25 snowmobile trail improvement subaccount.

26 (3) The department shall make the sale of trail permits  
27 available on its website. For each trail permit sold through the  
28 website, the amount otherwise credited to an agent under subsection  
29 (2) shall instead be credited to the recreational snowmobile trail



1 improvement subaccount.

2 (4) The trail permit sticker shall be permanently affixed to  
3 the snowmobile directly above or below the headlight of the  
4 snowmobile.

5 (5) The department may contract with a person to act as an  
6 agent for the purpose of issuing Michigan snowmobile trail permits.  
7 The department shall sell the permits to agents in bulk. An agent  
8 may obtain a refund from the department for any permits that are  
9 not sold.

10 (6) An agent who uses or allows the use of a permit by anyone  
11 except the snowmobile user to whom the permit is sold is ~~guilty of~~  
12 ~~a misdemeanor, punishable by a fine of~~ **responsible for a state**  
13 **civil infraction and may be ordered to pay a civil fine of** \$50.00  
14 for each instance of such use or allowed use.

15 (7) The department of state may suspend a certificate of  
16 registration if the department of state determines that the  
17 required fee has not been paid and remains unpaid after reasonable  
18 notice or demand. In addition to the required fee, a \$10.00 penalty  
19 shall be assessed and collected against any person who tenders an  
20 insufficient check or draft in payment of the fee.

21 (8) A snowmobile used solely for transportation on the frozen  
22 surface of public waters for the purpose of ice fishing is exempt  
23 from the requirement of purchasing and displaying a snowmobile  
24 trail permit sticker under this section.

25 (9) A person shall not charge a fee for a snowmobile trail  
26 permit in an amount that is greater than the fee printed on the  
27 face of the permit.

28 (10) To obtain a snowmobile trail permit, an applicant shall  
29 provide all information required on the permit application.



1 (11) A person who fails to secure a permit under this section  
 2 or who violates subsection (4) is responsible for a state civil  
 3 infraction and may be ordered to pay a civil fine of not more than  
 4 \$100.00.

5 (12) The department shall, by June 1 of each year, report to  
 6 the members of the appropriate standing committees and  
 7 appropriations subcommittees of the house and senate, a detailed  
 8 expenditure plan pertaining to the ~~additional~~ funds generated by  
 9 this ~~act~~. **part**. The plan shall include information as to how funds  
 10 were expended in the prior year.

11 (13) This section does not apply to a historic snowmobile  
 12 registered under section 82105c.

13 Sec. 82121. A **person shall not use a** snowmobile ~~shall not be~~  
 14 ~~used to~~ hunt, pursue, worry, or kill ~~a wild bird or an~~ animal.

15 Sec. 82126b. (1) A person shall not operate a snowmobile upon  
 16 a highway, public trail, frozen surface of a public lake, stream,  
 17 river, pond, or another public place, including, but not limited  
 18 to, an area designated for the parking of snowmobiles or other  
 19 motor vehicles, in willful or wanton disregard for the safety of  
 20 persons or property.

21 (2) A person who violates subsection (1) is ~~guilty of a~~  
 22 ~~misdemeanor punishable by a fine of not more than~~ **responsible for a**  
 23 **state civil infraction and may be ordered to pay a civil fine of**  
 24 \$250.00.

25 Sec. 82133. (1) **A person who violates section 82117, 82121, or**  
 26 **82132 is guilty of a misdemeanor punishable by imprisonment for not**  
 27 **more than 90 days or a fine of not more than \$500.00, or both.**

28 (2) Except as otherwise provided in this part, a person who  
 29 violates this part is ~~guilty of a misdemeanor~~. **subject to the**



1 following sanctions:

2 (a) For a first violation of this part, the person is  
3 responsible for a state civil infraction and may be ordered to pay  
4 a civil fine of \$500.00.

5 (b) For a second or subsequent violation of this part, the  
6 person is guilty of a misdemeanor punishable by imprisonment for  
7 not more than 90 days or a fine of not more than \$500.00, or both.

8 Sec. 82134. (1) A ~~peace or police law enforcement~~ officer may  
9 issue ~~an appearance tickets for violations~~ **ticket for a violation**  
10 of this part **that is a minor offense** pursuant to sections ~~9a to 9e~~  
11 **9c to 9g** of chapter 4-IV of the code of criminal procedure, Act No.  
12 ~~175 of the Public Acts of 1927, being sections 764.9a to 764.9e of~~  
13 ~~the Michigan Compiled Laws.1927 PA 175, MCL 764.9c to 764.9g.~~

14 (2) In a proceeding for a violation of this part involving  
15 prohibited operation or conduct, the registration number displayed  
16 on a snowmobile ~~constitutes~~ **is** prima facie evidence that the owner  
17 of the snowmobile was the person operating the snowmobile at the  
18 time of the ~~offense.~~ **violation.**

19 Sec. 82135. (1) ~~An~~ **If the** operator of a snowmobile ~~who is~~  
20 given by hand, voice, emergency light, or siren a visual or audible  
21 signal by a peace, police, or conservation officer, acting in the  
22 lawful performance of his or her duty, directing the operator to  
23 bring his or her snowmobile to a stop, and ~~who~~ **the operator**  
24 willfully fails to obey the direction by increasing his or her  
25 speed or extinguishing his or her lights, or ~~who~~ otherwise ~~attempts~~  
26 **attempting** to flee or elude the officer, **the operator** is ~~guilty of~~  
27 ~~a misdemeanor. The~~ **responsible for a state civil infraction and may**  
28 **be ordered to pay a civil fine of \$500.00. This subsection does not**  
29 **apply unless the** officer giving the signal ~~shall be~~ **is** in uniform.



1 A vehicle or snowmobile ~~which~~**that** is used by an officer at night  
 2 for purposes of enforcing this part ~~shall~~**must** be identified as an  
 3 official law enforcement vehicle or snowmobile.

4 Sec. 82158. (1) ~~The~~**If the** operator or **other** person in charge  
 5 of a snowmobile being used or operated in this state ~~, who~~ is by  
 6 hand, voice, emergency light or siren, or a visual or audible  
 7 signal directed to bring his or her snowmobile to a stop by any  
 8 peace, police, or conservation officer who is in uniform and  
 9 empowered to enforce this part or the provisions of a local  
 10 ordinance or rules established under this part, **the person** shall  
 11 immediately bring the snowmobile to a stop or maneuver it in a  
 12 manner that permits the officer to come alongside. A vehicle or  
 13 snowmobile that is used by an officer at night for purposes of  
 14 enforcing this part shall be identified as an official law  
 15 enforcement vehicle or snowmobile. The operator or person in charge  
 16 of the snowmobile and any other person on board shall give his or  
 17 her correct name and address, exhibit the certificate of  
 18 registration awarded for the snowmobile, and submit to a reasonable  
 19 inspection of the snowmobile and to a reasonable inspection and  
 20 test of the equipment of the snowmobile.

21 (2) A person who willfully fails to obey the direction **under**  
 22 **subsection (1)** by increasing his or her speed or extinguishing his  
 23 or her lights, or who otherwise attempts to flee or elude the  
 24 officer, is ~~guilty of a misdemeanor.~~**subject to the sanction**  
 25 **provided in section 82123.**

26 (3) A person who is detained for a violation of this part or  
 27 of a local ordinance substantially corresponding to a provision of  
 28 this part and who furnishes a peace officer false, forged,  
 29 fictitious, or misleading verbal or written information identifying



1 the person as another person is ~~guilty of a misdemeanor~~. **responsible**  
2 **for a state civil infraction and may be ordered to pay a civil fine**  
3 **of \$500.00.**

4 (4) A peace officer who observes a **criminal** violation by a  
5 person of this part or of a local ordinance or rule established  
6 under this part may arrest the person without a warrant.

7 Enacting section 1. Sections 80148 and 80198 of the natural  
8 resources and environmental protection act, 1994 PA 451, MCL  
9 324.80148 and 324.80198, are repealed.

10 Enacting section 2. This amendatory act takes effect 90 days  
11 after the date it is enacted into law.

