

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.82125 Rules governing operation and conduct of snowmobiles; special rules; hearing; notice; corresponding ordinances; suspension, amendment, or repeal; enforcement.

Sec. 82125. (1) The department may promulgate rules to govern the operation and conduct of snowmobiles, speed limits, and the times when a snowmobile may be used and to establish and designate areas where snowmobiles may be used in a manner that will ensure compatible use and best protection of the safety and general welfare of the public on the frozen surface of public waters.

(2) The department, on its own initiative or upon receipt of a certified resolution of the governing body of a political subdivision, may initiate investigations into the need for special rules to govern the operation of snowmobiles on the frozen surface of public waters. If controls for an activity are considered necessary, or amendment or repeal of an existing rule is required, the department shall prepare a rule for consideration at a public hearing. Notice of the public hearing shall be published in a newspaper of general circulation in the area where the rules are to be imposed, amended, or repealed, at least 10 days before the hearing.

(3) After a hearing is held pursuant to subsection (2), the proposed rule shall be submitted to the governing body of the political subdivision in which the affected frozen waters lie. The governing body shall inform the department that it approves or disapproves of the proposed rule within 30 days after receiving the rule from the department. If the governing body disapproves the proposed rule, further action shall not be taken. If the governing body approves the proposed rule, it may enact an ordinance that is identical to the proposed rule and the department shall promulgate the rule. An ordinance enacted pursuant to this subsection is not effective until the proposed rule is promulgated and effective.

(4) An ordinance that is the same as a rule that is suspended by the legislature or amended or repealed by the department shall likewise be suspended, amended, or repealed. The governing body, by majority vote, may repeal the ordinance at any time.

(5) Local law enforcement officers may enforce ordinances enacted pursuant to this section, and state and county enforcement officers shall enforce rules that are promulgated pursuant to this section.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995.

Popular name: Act 451

Popular name: NREPA

Popular name: Snowmobiles