



**House
Legislative
Analysis
Section**

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REGISTRATION OF CANOES

**House Bill 4782 (Substitute H-RECEIVED
First Analysis (5-15-89)**

JUN 06 1989

**Sponsor: Rep. Ken DeBeaussiaert
Committee: Marine Affairs and Port Development**

THE APPARENT PROBLEM:

Public Act 56 of 1988 (enrolled House Bill 5062) made a number of changes to the Marine Safety Act with regard to watercraft registration fees and their distribution. One of the things the act did was to institute registration of canoes (most canoes, that is; canoes which were motorized or part of a livery fleet were subject to registration under the prior law). Canoeing enthusiasts say they were not informed of this change when it was being proposed; indeed, many are just now discovering that since January 1, they are required to register their canoes. Lack of notice is not the only objection they raise, however: canoeists charge that they are not benefited commensurately under Marine Safety Fund distributions; that registration requirements will adversely affect tourism and the hosting of canoeing events, for only two other states require canoes to be registered; that it is unfair to register canoes while exempting sailboards; and, that registration numbers required to be affixed to canoes are unsightly, and, in the case of some high-tech low-friction materials, will not stick to the vessel. In consideration of the various objections, it has been suggested that registration of canoes and kayaks be postponed to provide time for discussion and evaluation of the matter.

THE CONTENT OF THE BILL:

The bill would amend the Marine Safety Act to, until January 1, 1990, exempt canoes under 12 feet long and kayaks from registration.

MCL 281.1032 and 281.1033

FISCAL IMPLICATIONS:

The Department of State says that the bill would have no fiscal implications. (5-12-89)

ARGUMENTS:

For:

The bill would postpone implementation of canoe registration for a year, thus affording time to consider canoeists' objections and various alternatives. Speedy enactment is important, because the canoeing season is already underway, along with the development of a travel bureau "Canoe Michigan" campaign.

Against:

There are good reasons to register canoes. Marine safety funds are used not only for harbor development and marine safety patrols (which admittedly are of little benefit to canoeists), but also for development of access sites and riverbank canoe landings. Canoeists should be subject to the same user-pay philosophy that other boaters are. Further, objections about overzealous enforcement and unsightly numbers can be met by enforcement policies that can accommodate concerns until canoeists are aware of new requirements or more limited legislation (that is, short

of suspending or repealing canoe registration) can be worked out.

Against:

Registration for canoes and kayaks is inappropriate, and therefore the bill should exempt them from registration, rather than postpone the registration requirement.

Against:

The bill is flawed. Although it evidently is meant to temporarily restore the canoe exemption that existed prior to enactment of Public Act 56, it instead would exempt only those canoes less than 12 feet in length. Although commencing January 1, 1990, canoes evidently are meant to be registered, the registration fee would apply only to canoes under 12 feet long. Further, the bill makes no provision for people who may have already registered their canoes, and leaves unanswered the question of whether and how they are to receive refunds.

POSITIONS:

The American Canoe Association supports the bill. (5-12-89)

The Birchbark Alliance supports the bill. (5-12-89)

The Great Lakes Kayaking Association supports the bill. (5-12-89)

The Michigan Rowers and Paddlers Coalition supports the bill. (5-12-89)

The Department of Natural Resources is still reviewing the bill and does not have a position at this time. (5-12-89)

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