



**House
Legislative
Analysis
Section**

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REGISTRATION OF CANOES

House Bill 4782 as enrolled
Second Analysis (7-10-89)

Sponsor: Rep. Ken DeBeaussiaert
**House Committee: Marine Affairs and Port
Development**
**First Senate Committee: Natural Resources and
Environmental Affairs**
**Second Senate Committee: State Affairs, Tourism, and
Transportation**

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 thing the act did was to institute registration of canoes (most canoes, that is; canoes that 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 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 do not benefit 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 canoes again be exempted from registration.

THE CONTENT OF THE BILL:

The bill would amend the Marine Safety Act to return the law regarding registration of canoes to what it was prior to enactment of Public Act 56 of 1988. Exempted from registration would be nonmotorized canoes and kayaks not used for commercial purposes, and noncommercial vessels of 16 feet or less which were propelled by hand. The secretary of state would refund the fee paid by someone who had registered one of these boats between March 14, 1988 (the day Public Act 56 was enacted) and the effective date of the bill. Within 90 days after the refund of the registration fee, the owner could request a refund of any tax paid under the act between the applicable dates.

The registration period for boats is at present three years, running from January 1 to December 31 of the third year. The bill would instead specify a registration period of April 1 to March 31 of the third year. Each currently issued certificate of number would remain effective until the March 31 following the December 31 on which it was originally scheduled to expire. A numbering renewal decal or other renewal device could be issued up to 90 days prior to the expiration of the certificate.

MCL 281.1032 et al.

FISCAL IMPLICATIONS:

The Department of State says that refunding the registration fee for canoeists and other paddlers could result in a one-time revenue loss of at most \$30,000 to \$40,000. The department had no estimate on the amount of use tax involved. (7-10-89)

ARGUMENTS:

For:

The bill would restore the exemptions from registration for canoes and small rowboats that existed prior to enactment of Public Act 56 of 1988. Non-livery canoe and rowboat owners add little to boating enforcement and development costs, and benefit little from the Marine Safety Fund. For the most part, other states do not register canoes; for Michigan to do so would undermine state efforts to attract canoeing tourists and canoeing-related events.

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 repealing canoe registration) can be worked out.

Against:

The bill would do better to postpone registration for canoes, rather than repeal it. That way, there would be adequate time for a more thorough discussion and evaluation of the matter.

H.B. 4782 (7-10-89)