

Act No. 99
Public Acts of 1989
Approved by the Governor
June 21, 1989
Filed with the Secretary of State
June 21, 1989

**STATE OF MICHIGAN
85TH LEGISLATURE
REGULAR SESSION OF 1989**

Introduced by Senator Arthurhultz

ENROLLED SENATE BILL No. 360

AN ACT to amend sections 6 and 7 of Act No. 319 of the Public Acts of 1975, entitled "An act to provide for the registration and regulation of off-road recreation vehicles; and to provide penalties," section 6 as amended by Act No. 91 of the Public Acts of 1986, being sections 257.1606 and 257.1607 of the Michigan Compiled Laws.

The People of the State of Michigan enact:

Section 1. Sections 6 and 7 of Act No. 319 of the Public Acts of 1975, section 6 as amended by Act No. 91 of the Public Acts of 1986, being sections 257.1606 and 257.1607 of the Michigan Compiled Laws, are amended to read as follows:

Sec. 6. (1) The owner of an ORV requiring registration by this state shall file an application for registration with the department on forms provided by the department. The application shall be signed by the owner of the vehicle, and shall be accompanied by a fee of \$9.00. Upon receipt of the application in approved form and upon payment of the appropriate fee, the department shall enter the application upon its records and shall issue to the applicant a certificate of registration containing the registration number awarded to the vehicle, the name and address of the owner, and other information as the department considers necessary. The certificate of registration shall be pocket-size, shall accompany the vehicle, shall be legible, and shall be made available for inspection by a law enforcement officer.

(2) The department shall issue to the applicant a registration decal. The assigned registration decal shall be permanently attached to the vehicle in the manner prescribed and in the location designated by the department of natural resources under rules promulgated by the commission pursuant to the administrative procedures act of 1969, Act No. 306 of the Public Acts of 1969, as amended, being sections 24.201 to 24.328 of the Michigan Compiled Laws, before the vehicle may legally operate in accordance with this act.

(3) If a check or draft in payment of the required fee is not paid on its first presentation, the department may suspend a certificate of registration if the fee remains unpaid after reasonable notice or demand. If the fee is still delinquent 15 days after the department gives notice to the person tendering the check or draft, a \$5.00 penalty shall be assessed and collected in addition to the fee.

(4) When the owner of a vehicle that is permitted to be operated on a highway pursuant to the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, as amended, being sections 257.1 to 257.923 of the Michigan Compiled Laws, desires registration to permit use of that vehicle as an ORV, the owner of the vehicle shall make application and payment of the appropriate fee as detailed in subsection (1). Upon receipt of application and proper fee, the department shall enter the application upon its records and shall provide the owner with a certificate of registration imprinted with the ORV registration number awarded to the vehicle and a registration decal. The assigned registration decal shall be permanently attached to the vehicle in the manner prescribed under the rules promulgated by the commission pursuant to Act No. 306 of the Public Acts of 1969, as amended, before the vehicle may be legally operated off the highway in accordance with this act.

(5) The department of natural resources may issue a temporary seasonal registration to a resident or nonresident owner of an ORV not otherwise registered under subsection (1) or section 13 for use of the ORV only at a state park where such use is permitted for a fee of \$10.00. The registration decal shall be valid only in a state park, shall be affixed to the vehicle, shall be nontransferable, and shall expire on December 31 of the year issued.

Sec. 7. The revenue received under this act shall be credited to the general fund of the state, except that funds received pursuant to section 6(5) shall be credited as part of state park fee and concession revenues and used for the administrative expenses incurred under section 6(5). From the revenues obtained pursuant to section 6, the legislature shall make an annual appropriation to the department of state for administration of the registration provisions of this act, and to the department of natural resources for purposes of constructing and maintaining trails and areas on lands under its control and restoration of public lands damaged by ORV use; acquiring and leasing of lands, easements, and rights of way to provide for additional trails and areas; policing; administration and implementation of a safety education and training program; conducting research to off-road vehicles and their effects and impact on this state and its environment; and acquiring equipment necessary to implement this act. The department of state and the department of natural resources shall include in their annual budget requests information detailing these programs. The budget requests shall not exceed anticipated revenues.

This act is ordered to take immediate effect.

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Secretary of the Senate.

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Clerk of the House of Representatives.

Approved

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Governor.