

HOUSE BILL No. 4627

April 13, 1989, Introduced by Reps. Ouwinga, Stacey, Hoffman, Weeks, Bandstra, Strand, Pitoniak, Willis Bullard, DeMars, Allen, Munsell, Pridnia, Crandall, Middaugh, Camp, Walberg and Krause and referred to the Committee on Conservation, Recreation and Environment.

A bill to amend section 15 of Act No. 74 of the Public Acts of 1968, entitled as amended

"An act to register and regulate snowmobiles; to provide for education and training programs; to provide for trails, areas, and facilities; to create a recreational snowmobile trail improvement fund; to provide for expenditure of appropriations; and to prescribe penalties,"

as amended by Act No. 402 of the Public Acts of 1980, being section 257.1515 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 15 of Act No. 74 of the Public Acts of
2 1968, as amended by Act No. 402 of the Public Acts of 1980, being
3 section 257.1515 of the Michigan Compiled Laws, is amended to
4 read as follows:

5 Sec. 15. A person shall not operate a snowmobile UNDER ANY
6 OF THE FOLLOWING CIRCUMSTANCES:

1 (a) At a rate of speed greater than is reasonable and proper
2 having due regard for conditions then existing.

3 (b) While under the influence of intoxicating liquor; a con-
4 trolled substance as defined in section 7104 of Act No. 368 of
5 the Public Acts of 1978, as amended, being section 333.7104 of
6 the Michigan Compiled Laws; or a combination of intoxicating
7 liquor and a controlled substance.

8 (c) During the hours from 1/2 hour after sunset to 1/2 hour
9 before sunrise without displaying a lighted headlight and a
10 lighted taillight.

11 (d) In a forest nursery, planting area, or public lands
12 posted or reasonably identifiable as an area of forest reproduc-
13 tion when growing stock may be damaged or POSTED OR REASONABLY
14 IDENTIFIABLE as a natural dedicated area which is in zone 2 or
15 zone 3.

16 (e) On the frozen surface of public waters within 100 feet
17 of a person, including a skater, not in or upon a snowmobile or
18 within 100 feet of a fishing shanty or shelter except at the min-
19 imum speed required to maintain forward movement of the snowmo-
20 bile or on an area which has been cleared of snow for skating
21 purposes unless the area is necessary for access to the public
22 water.

23 (f) ~~Unless it is equipped with~~ WITHOUT a muffler in good
24 working order and in constant operation from which noise emission
25 at 50 feet at right angles from vehicle path under full throttle
26 does not exceed 86 DBA, decibels on the "a" scale, on a sound
27 meter having characteristics defined by American standards

1 association S1, 4-1966 "general purpose sound meter". A
2 snowmobile manufactured after February 1, 1972, and sold or
3 offered for sale in this state shall not exceed 82 DBA of the
4 1970 society of automotive engineers code J-192. A snowmobile
5 manufactured after July 1, 1977, and sold or offered for sale in
6 this state shall not exceed 78 decibels of sound pressure at 50
7 feet as measured under the 1974 society of automobile engineers
8 code J-192a. This subdivision does not apply to a snowmobile
9 which is being used in an organized race on a course which is
10 used solely for racing.

11 (g) Within 100 feet of a dwelling between 12 midnight and 6
12 a.m., at a speed greater than minimum required to maintain for-
13 ward movement of the snowmobile.

14 (h) In or upon the lands of another without the written con-
15 sent of the owner OF THE LAND, OR the owner's agent or lessee,
16 when required by the recreational trespass act, ACT NO. 323 OF
17 THE PUBLIC ACTS OF 1976, BEING SECTIONS 317.171 TO 317.181 OF THE
18 MICHIGAN COMPILED LAWS.

19 (i) In an area on which public hunting is permitted during
20 the season open to the taking of deer with firearms from 7
21 a.m. to 11 a.m. and from 2 p.m. to 5 p.m., except during an emer-
22 gency, for law enforcement purposes, to go to and from a per-
23 manent residence or a hunting camp otherwise inaccessible by a
24 conventional wheeled vehicle or for the conduct of necessary work
25 functions involving land and timber survey, communication and
26 transmission line patrol, and timber harvest operations, or on

1 the person's own property or property under the person's control
2 or as an invited guest.

3 (j) While transporting on the snowmobile a bow, unless
4 unstrung, or a firearm, unless securely encased or equipped with,
5 and made inoperative by, a manufactured keylocked trigger housing
6 mechanism.

7 (k) On or across a cemetery or burial ground.

8 (l) Within 100 feet of a slide, ski, or skating area. A
9 snowmobile may enter such an area for the purpose of servicing
10 the area or for medical emergencies.

11 (m) On a railroad or railroad right of way, except railroad
12 PERSONNEL, public utility PERSONNEL, or law enforcement personnel
13 while in the performance of their duties. A PERSON MAY OPERATE A
14 SNOWMOBILE ON A RAILROAD RIGHT OF WAY RENDERED INOPERABLE AS A
15 RAILROAD RIGHT OF WAY AND DESIGNATED FOR SNOWMOBILE USE BY THE
16 PERSON OWNING THE RAILROAD RIGHT OF WAY.