

HOUSE BILL No. 4979

July 13, 1989, Introduced by Reps. Alley, DeMars, Middaugh, Pridnia, Weeks, Niederstadt, Hart, DeBeaussiaert, Hickner, Pitoniak, Varga, Stupak and Profit and referred to the Committee on Conservation, Recreation and Environment.

A bill to amend the title and section 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,"

being section 257.1607 of the Michigan Compiled Laws; and to add section 6a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and section 7 of Act No. 319 of the
2 Public Acts of 1975, being section 257.1607 of the Michigan
3 Compiled Laws, are amended and section 6a is added to read as
4 follows:

5 TITLE

6 An act to provide for the registration and regulation of
7 off-road recreation vehicles; TO CREATE CERTAIN FUNDS; and to
8 provide penalties.

1 SEC. 6A. (1) THE RECREATIONAL ORV TRAIL IMPROVEMENT FUND IS
2 CREATED IN THE STATE TREASURY. THE FUND SHALL BE ADMINISTERED BY
3 THE DEPARTMENT OF NATURAL RESOURCES AND SHALL BE USED SOLELY FOR
4 THE IMPROVEMENT, MAINTENANCE, AND CONSTRUCTION OF ORV TRAILS.

5 (2) AFTER DEDUCTING THE AMOUNTS REQUIRED PURSUANT TO SECTION
6 7, THE REMAINING REVENUE FROM EACH FEE COLLECTED UNDER SECTION 6
7 SHALL BE DEPOSITED IN THE FUND.

8 (3) THE DEPARTMENT OF NATURAL RESOURCES SHALL PROMULGATE
9 RULES FOR THE ADMINISTRATION OF THE FUND PURSUANT TO THE ADMINIS-
10 TRATIVE PROCEDURES ACT OF 1969, ACT NO. 306 OF THE PUBLIC ACTS OF
11 1969, BEING SECTIONS 24.201 TO 24.328 OF THE MICHIGAN COMPILED
12 LAWS.

13 (4) ALL FUNDS ALLOCATED UNDER THIS ACT SHALL BE FOR PROJECTS
14 WHICH ARE OPEN TO THE PUBLIC.

15 (5) ANY MONEY REMAINING IN THE RECREATIONAL ORV TRAIL
16 IMPROVEMENT FUND AT THE END OF A FISCAL YEAR SHALL BE CARRIED
17 OVER IN THE FUND TO THE NEXT AND SUCCEEDING FISCAL YEARS AND
18 SHALL ONLY BE USED FOR THE PURPOSES STATED IN THIS SECTION.

19 Sec. 7. ~~The~~ EXCEPT AS OTHERWISE PROVIDED IN SECTION 6A,
20 THE revenue received under this act shall be credited to the gen-
21 eral fund of the state. From the revenues obtained pursuant to
22 section 6, the legislature shall make an annual appropriation to
23 the department ~~of state~~ for administration of the registration
24 provisions of this act, and to the department of natural
25 resources for purposes of constructing and maintaining trails and
26 areas on lands under its control and restoration of public lands
27 damaged by ORV use; acquiring and leasing of lands, easements,

1 and rights of way to provide for additional trails and areas;
2 policing; administration and implementation of a safety education
3 and training program; conducting research to off-road vehicles
4 and their effects and impact on this state and its environment;
5 and acquiring equipment necessary to implement this act. The
6 department of state and the department of natural resources shall
7 include in their annual budget requests information detailing
8 these programs. The budget requests shall not exceed anticipated
9 revenues.