

# SENATE BILL No. 360

April 20, 1989, Introduced by Senator ARTHURHULTZ  
and referred to the Committee on Natural Resources  
and Environmental Affairs.

A bill 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:

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

5       Sec. 6. (1) The owner of an ORV requiring registration by  
6 this state shall file an application for registration with the  
7 department on forms provided by the department. The application

1 shall be signed by the owner of the vehicle, and shall be  
2 accompanied by a fee of \$9.00. Upon receipt of the application  
3 in approved form and upon payment of the appropriate fee, the  
4 department shall enter the application upon its records and shall  
5 issue to the applicant a certificate of registration containing  
6 the registration number awarded to the vehicle, the name and  
7 address of the owner, and other information as the department  
8 considers necessary. The certificate of registration shall be  
9 pocket-size, shall accompany the vehicle, shall be legible, and  
10 shall be made available for inspection by a law enforcement  
11 officer.

12 (2) The department shall issue to the applicant a registra-  
13 tion decal. The assigned registration decal shall be permanently  
14 attached to the vehicle in the manner prescribed and in the loca-  
15 tion designated by the department of natural resources under  
16 rules promulgated by the commission pursuant to the administra-  
17 tive procedures act of 1969, Act No. 306 of the Public Acts of  
18 1969, as amended, being sections 24.201 to 24.328 of the Michigan  
19 Compiled Laws, before the vehicle may legally operate in accord-  
20 ance with this act.

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

1       (4) When the owner of a vehicle ~~which~~ THAT is permitted to  
2 be operated on a highway pursuant to the Michigan vehicle code,  
3 Act No. 300 of the Public Acts of 1949, as amended, being sec-  
4 tions 257.1 to 257.923 of the Michigan Compiled Laws, desires  
5 registration to permit use of that vehicle as an ORV, the owner  
6 of the vehicle shall make application and payment of THE appro-  
7 priate fee as detailed in subsection (1). Upon receipt of appli-  
8 cation and proper fee, the department shall enter the application  
9 upon its records and shall provide the owner with a certificate  
10 of registration imprinted with the ORV registration number  
11 awarded to the vehicle and a registration decal. The assigned  
12 registration decal shall be permanently attached to the vehicle  
13 in the manner prescribed under the rules promulgated by the com-  
14 mission pursuant to Act No. 306 of the Public Acts of 1969, as  
15 amended, before the vehicle may be legally operated off the high-  
16 way in accordance with this act.

17       (5) THE DEPARTMENT MAY ISSUE A TEMPORARY SEASONAL REGISTRA-  
18 TION TO A RESIDENT OR NONRESIDENT OWNER OF AN ORV NOT OTHERWISE  
19 REGISTERED UNDER SUBSECTION (1) OR SECTION 13 FOR USE OF THE ORV  
20 ONLY AT A STATE PARK WHERE SUCH USE IS PERMITTED FOR A FEE OF  
21 \$10.00. THE REGISTRATION DECAL SHALL BE VALID ONLY IN A STATE  
22 PARK, SHALL BE AFFIXED TO THE VEHICLE, SHALL BE NONTRANSFERABLE,  
23 AND SHALL EXPIRE ON DECEMBER 31 OF THE YEAR ISSUED.

24       Sec. 7. The revenue received under this act shall be cred-  
25 ited to the general fund of the state, EXCEPT THAT FUNDS RECEIVED  
26 PURSUANT TO SECTION 6(5) SHALL BE CREDITED AS PART OF STATE PARK  
27 FEE AND CONCESSION REVENUES AND USED FOR THE ADMINISTRATIVE

1 EXPENSES INCURRED UNDER SECTION 6(5). From the revenues obtained  
2 pursuant to section 6, the legislature shall make an annual  
3 appropriation to the department of state for administration of  
4 the registration provisions of this act, and to the department of  
5 natural resources for purposes of constructing and maintaining  
6 trails and areas on lands under its control and restoration of  
7 public lands damaged by ORV use; acquiring and leasing of lands,  
8 easements, and rights of way to provide for additional trails and  
9 areas; policing; administration and implementation of a safety  
10 education and training program; conducting research to off-road  
11 vehicles and their effects and impact on this state and its envi-  
12 ronment; and acquiring equipment necessary to implement this  
13 act. The department of state and the department of natural  
14 resources shall include in their annual budget requests informa-  
15 tion detailing these programs. The budget requests shall not  
16 exceed anticipated revenues.