



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 5836 (Substitute H-3 as reported without amendment)
House Bill 5988 (Substitute H-1 as reported without amendment)
House Bill 5989 (Substitute H-2 reported without amendment)
Sponsor: Representative Steve Marino (H.B. 5836)
Representative Beau Matthew LaFave (H.B. 5988)
Representative Joseph N. Bellino, Jr. (H.B. 5989)
House Committee: Natural Resources
Senate Committee: Outdoor Recreation and Tourism

CONTENT

House Bill 5989 (H-2) would amend Part 802 (Personal Watercraft) of the Natural Resources and Environmental Protection Act to do the following:

- Allow an individual, at his or her option, to display an electronic copy of his or her boater safety certificate.
- By March 31, 2019, require the Department of Natural Resources (DNR) to approve one or more formats for an individual to display an electronic copy of his or her boating safety certificate.
- Specify that an individual who displayed an electronic copy of his or her boating safety certificate using an electronic device would not be presumed to have consented to a search of the device.
- Specify that the State, an employee of the State, or a peace officer would not be liable for damage to or loss of a device as a result of the officer's viewing the device.

House Bill 5836 would amend the Natural Resources and Environmental Protection Act to do the following:

- Require the DNR, in conjunction with the Department of State Police, to implement a process with certain requirements to verify that an individual had obtained a boating safety certificate.
- Change the necessary requirements for a person less than 12 years of age to operate a motorboat.
- Specify that an individual who displayed an electronic copy of his or her boating safety certificate using an electronic device would not be presumed to have consented to a search of the electronic device.
- Specify that the State, an employee of the State, or a peace officer would not be liable for damage to or loss of a device as a result of the officer's viewing the device.

House Bill 5988 would amend Part 802 (Personal Watercraft) of the Natural Resources and Environmental Protection Act to require a court to waive any fine and cost of a citation for a violation of a certification requirement prescribed in the Act after receiving of an electronic copy of a boater safety certificate.

The bills are tie-barred.

MCL 324.44522 et al. (H.B. 5836)
324.80221 (H.B. 5988)
324.80213 (H.B. 5989)

Legislative Analyst: Tyler VanHuyse

FISCAL IMPACT

The bills would have a negative fiscal impact on the Department of Natural Resources (DNR) and no fiscal impact on local units of government. The bill would require the DNR to create an electronic boating safety certificate verification system. This would result in unknown increased costs to the DNR, which would be borne by existing resources.

Date Completed: 12-6-18

Fiscal Analyst: Josh Sefton