

**SUBSTITUTE FOR
HOUSE BILL NO. 4781**

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 72105 (MCL 324.72105), as amended by 2014 PA
212.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 72105. **(1)** The department may operate and maintain a
2 trail that is located on state owned land or may enter into an
3 agreement with a council or 1 or more governmental agencies to
4 provide for the operation and maintenance of the trail. An
5 agreement entered into under this subsection may include provisions
6 for any of the following:

7 (a) Construction, maintenance, and operation of the trail.

8 (b) Enforcement of trail rules and regulations including
9 permitted uses of the trail.

1 (c) Other provisions consistent with this part.

2 (2) ALL OF THE FOLLOWING APPLY TO THE OPERATION OF AN ELECTRIC
3 BICYCLE ON A TRAIL SUBJECT TO THIS PART:

4 (A) AN INDIVIDUAL MAY OPERATE A CLASS 1 ELECTRIC BICYCLE ON A
5 LINEAR TRAIL THAT HAS AN ASPHALT, CRUSHED LIMESTONE, OR SIMILAR
6 SURFACE, OR A RAIL TRAIL. A LOCAL AUTHORITY OR AGENCY OF THIS STATE
7 HAVING JURISDICTION OVER A TRAIL DESCRIBED IN THIS SUBDIVISION MAY
8 REGULATE OR PROHIBIT THE OPERATION OF A CLASS 1 ELECTRIC BICYCLE ON
9 THAT TRAIL.

10 (B) AN INDIVIDUAL MAY OPERATE A CLASS 2 OR CLASS 3 ELECTRIC
11 BICYCLE ON A LINEAR TRAIL THAT HAS AN ASPHALT, CRUSHED LIMESTONE,
12 OR SIMILAR SURFACE, OR A RAIL TRAIL IF AUTHORIZED BY THE LOCAL
13 AUTHORITY OR AGENCY OF THIS STATE HAVING JURISDICTION OVER THE
14 TRAIL.

15 (C) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBDIVISION, AN
16 INDIVIDUAL SHALL NOT OPERATE AN ELECTRIC BICYCLE ON A TRAIL THAT IS
17 SPECIFICALLY DESIGNATED AS NONMOTORIZED AND THAT HAS A NATURAL
18 SURFACE TREAD THAT IS MADE BY CLEARING AND GRADING THE NATIVE SOIL
19 WITH NO ADDED SURFACING MATERIALS. A LOCAL AUTHORITY OR AGENCY OF
20 THIS STATE HAVING JURISDICTION OVER A TRAIL DESCRIBED IN THIS
21 SUBDIVISION MAY ALLOW THE OPERATION OF AN ELECTRIC BICYCLE ON THAT
22 TRAIL.

23 (3) SUBSECTION (2) DOES NOT APPLY TO THE USE OF ELECTRIC
24 BICYCLES ON A CONGRESSIONALLY AUTHORIZED PUBLIC TRAIL SYSTEM.

25 (4) AS USED IN THIS SECTION, "ELECTRIC BICYCLE", "CLASS 1
26 ELECTRIC BICYCLE", "CLASS 2 ELECTRIC BICYCLE", AND "CLASS 3
27 ELECTRIC BICYCLE" MEAN THOSE TERMS AS DEFINED IN SECTION 13E OF THE

1 **MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.13E.**

2 Enacting section 1. This amendatory act takes effect 90 days
3 after the date it is enacted into law.