

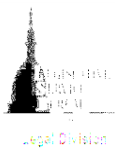
HOUSE BILL NO. 4463

April 16, 2019, Introduced by Reps. LaFave, Steven Johnson, Robinson, Reilly, Markkanen, Frederick, Miller, Peterson and Wozniak and referred to the Committee on Transportation.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 74116 and 78119 (MCL 324.74116 and 324.78119), section 74116 as amended by 2016 PA 1 and section 78119 as amended by 2013 PA 81.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 74116. (1) Subject to subsection (4), the operator of a
- 2 nonresident motor vehicle or commercial motor vehicle shall not
- 3 enter any state park with that motor vehicle unless a valid motor
- 4 vehicle park permit issued under section 74117 is affixed to the



1 lower right-hand corner of the windshield. An annual motor vehicle
2 park permit for a nonresident motor vehicle shall be affixed
3 permanently for that year. The department shall post signs at parks
4 that state that a motor vehicle park permit is required for entry
5 by a nonresident motor vehicle or commercial motor vehicle.

6 (2) Subject to subsection (4), the operator of a resident
7 motor vehicle shall not enter a state park with the resident motor
8 vehicle unless the recreation passport fee has been paid for that
9 motor vehicle. Payment of the recreation passport fee authorizes
10 entry into all state parks and recreation areas and designated
11 state-operated public boating access sites until expiration of the
12 motor vehicle registration.

13 (3) Subject to subsection (4), if the secretary of state
14 issues registration tabs or stickers as described in section 805 of
15 the Michigan vehicle code, 1949 PA 300, MCL 257.805, the operator
16 of a resident motor vehicle shall not enter a state park with the
17 resident motor vehicle unless the resident motor vehicle has a
18 registration tab or sticker marked as provided under that section
19 to show that the recreation passport fee has been paid **for that**
20 **motor vehicle.**

21 (4) Subsections (1) to (3) do not apply under any of the
22 following circumstances:

23 (a) While the motor vehicle is being driven or parked ~~within~~
24 **on** an established federal ~~, or state, or county~~ highway **or county**
25 **road** within a state park.

26 (b) If the motor vehicle is used in the operation or
27 maintenance of a state park, is an emergency motor vehicle, is a
28 state owned or law enforcement motor vehicle, or is a private motor
29 vehicle being operated on official state business.



1 (c) If the motor vehicle is registered under section 803e(1)
2 of the Michigan vehicle code, 1949 PA 300, MCL 257.803e, and is
3 exempt under section 803e(6) of the Michigan vehicle code, 1949 PA
4 300, MCL 257.803e, from the registration tax, or if the motor
5 vehicle is registered ~~under~~ **as described in** section 217d or 803f of
6 the Michigan vehicle code, 1949 PA 300, MCL 257.217d and 257.803f.

7 **(d) If the motor vehicle is being operated to transport**
8 **passengers for hire and is not parked except to pick up or drop off**
9 **passengers.**

10 **(e)** ~~(d) At a state-operated public boating access site or~~ **At** a
11 state park where there is an opportunity to fish, on a day that the
12 department has designated as a free winter fishing day or a free
13 fishing day under section 43534.

14 **(f)** ~~(e)~~ If and to the extent that the department waives the
15 requirements for department-sponsored events or other circumstances
16 as determined by the director or the director's designee.

17 Sec. 78119. (1) Subject to subsection (4), a person shall not
18 enter, in a nonresident motor vehicle or commercial motor vehicle,
19 a state-operated public boating access site designated under
20 section 78105(2) without a valid pass affixed to the lower right-
21 hand corner of the windshield. A seasonal pass shall be affixed
22 permanently for the season.

23 (2) Subject to subsection (4), the operator of a resident
24 motor vehicle shall not enter a state-operated public boating
25 access site designated under section 78105(2) with the resident
26 motor vehicle unless the recreation passport fee has been paid for
27 that motor vehicle. Payment of the recreation passport fee
28 authorizes entry into all state parks and recreation areas and
29 designated state-operated public boating access sites until



1 expiration of the motor vehicle registration.

2 (3) Subject to subsection (4), if the secretary of state
3 issues registration tabs or stickers as described in section 805 of
4 the Michigan vehicle code, 1949 PA 300, MCL 257.805, the operator
5 of a resident motor vehicle shall not enter a designated state-
6 operated public boating access site with the resident motor vehicle
7 unless the resident motor vehicle has a registration tab or sticker
8 marked as provided under that section to show that the recreation
9 passport fee has been paid **for that motor vehicle**.

10 (4) Subsections (1) to (3) do not apply under any of the
11 following circumstances:

12 (a) If the motor vehicle is used in the operation or
13 maintenance of the public boating access site, is an emergency
14 motor vehicle, is a state-owned or law enforcement motor vehicle,
15 or is a private motor vehicle being operated on official state
16 business.

17 (b) If the motor vehicle is registered under section 803e(1)
18 of the Michigan vehicle code, 1949 PA 300, MCL 257.803e, and is
19 exempt under section 803e(6) of the Michigan vehicle code, 1949 PA
20 300, MCL 257.803e, from the registration tax, or if the motor
21 vehicle is registered ~~under~~ **as described in** section 217d or 803f of
22 the Michigan vehicle code, 1949 PA 300, MCL 257.217d and 257.803f.

23 (c) **If the motor vehicle is being operated to transport**
24 **passengers for hire and is not parked except to pick up or drop off**
25 **passengers.**

26 (d) **At a state-operated public boating access site where there**
27 **is an opportunity to fish, on a day that the department has**
28 **designated as a free winter fishing day or a free fishing day under**
29 **section 43534.**



1 **(e)** ~~(e)~~—If and to the extent the department waives the
2 requirements for department-sponsored events or other circumstances
3 as determined by the director or the director's designee.

4 (5) A person who violates subsection (1), (2), or (3) is
5 responsible for a state civil infraction and may be ordered to pay
6 a civil fine of not more than \$100.00. A person shall not be cited
7 for a violation of both subsections (2) and (3) for the same
8 incident.

9 (6) In any proceeding for the violation of this part or a rule
10 promulgated under this part, if a motor vehicle is found parked in
11 a designated state-operated public boating access site, the
12 registration plate displayed on the motor vehicle constitutes prima
13 facie evidence that the owner of the motor vehicle was the person
14 who parked or placed it at the location where it was found.

