

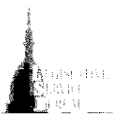
HOUSE BILL NO. 5230

November 07, 2019, Introduced by Reps. Kennedy, Ellison, Pohutsky, Brenda Carter, Bolden, Sowerby, Koleszar, Sabo, Witwer, Hood, Manoogian, Hope, Lasinski, Tate, Anthony, Stone, Haadsma, Shannon, Coleman, Brixie, Wittenberg, Hertel, Tyrone Carter, Yancey, Hammoud and Jones and referred to the Committee on Natural Resources and Outdoor Recreation.

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.

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

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

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

29 (c) If the motor vehicle is registered under section 803e(1)



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

6 **(d) If the operator or a passenger of the motor vehicle**
7 **possesses a valid, government-issued veteran identification, such**
8 **as an operator license indicating his or her veteran status as**
9 **provided for in section 310 of the Michigan vehicle code, 1949 PA**
10 **300, MCL 257.310. That operator or passenger shall produce the**
11 **veteran identification if requested by a conservation officer or**
12 **park and recreation officer.**

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

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

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

26 (2) Subject to subsection (4), the operator of a resident
27 motor vehicle shall not enter a state-operated public boating
28 access site designated under section 78105(2) with the resident
29 motor vehicle unless the recreation passport fee has been paid for



1 that motor vehicle. Payment of the recreation passport fee
2 authorizes entry into all state parks and recreation areas and
3 designated state-operated public boating access sites until
4 expiration of the motor vehicle registration.

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

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

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

20 (b) If the motor vehicle is registered under section 803e(1)
21 of the Michigan vehicle code, 1949 PA 300, MCL 257.803e, and is
22 exempt under section 803e(6) of the Michigan vehicle code, 1949 PA
23 300, MCL 257.803e, from the registration tax, or if the motor
24 vehicle is registered under section 217d or 803f of the Michigan
25 vehicle code, 1949 PA 300, MCL 257.217d and 257.803f.

26 (c) **If the operator or a passenger of the motor vehicle**
27 **possesses a valid, government-issued veteran identification, such**
28 **as an operator license indicating his or her veteran status as**
29 **provided for in section 310 of the Michigan vehicle code, 1949 PA**



1 300, MCL 257.310. The operator or passenger shall produce the
2 veteran identification if requested by a conservation officer or
3 park and recreation officer.

4 (d) At a state-operated public boating access site where there
5 is an opportunity to fish on a day that the department has
6 designated as a free winter fishing day or a free fishing day under
7 section 43534.

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

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

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

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

