

Act No. 297
Public Acts of 1998
Approved by the Governor
July 28, 1998
Filed with the Secretary of State
July 28, 1998

EFFECTIVE DATE: 91st day after final adjournment of 1998 Regular Session

STATE OF MICHIGAN
89TH LEGISLATURE
REGULAR SESSION OF 1998

Introduced by Senators Gast, McManus, Koivisto, Bennett and Steil

ENROLLED SENATE BILL No. 273

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, and assessments; to provide certain appropriations; to prescribe penalties and provide remedies; to repeal certain parts of this act on a specific date; and to repeal certain acts and parts of acts," by amending sections 82105, 82106, and 82113 (MCL 324.82105, 324.82106, and 324.82113), sections 82105 and 82106 as added by 1995 PA 58 and section 82113 as amended by 1997 PA 102.

The People of the State of Michigan enact:

Sec. 82105. (1) The owner of each snowmobile requiring registration by this state before operation of the snowmobile in this state shall file an application for registration with the department of state on forms provided by the department of state. If the snowmobile was purchased from a retail dealer in this state, application for initial registration shall be made with the dealer at the point of sale. The dealer shall issue a temporary registration permit in a form received from and approved by the department of state that is valid for 15 days after the date of sale. Each retail dealer shall submit registrations and fees to the department of state not less than once each week. The application shall be signed by the owner of the snowmobile and shall be accompanied by a fee of \$22.00. Upon receipt of the application in approved form, the department of state shall enter the application upon its records and issue to the applicant a certificate of registration and decal. The certificate of registration shall contain the number awarded to the snowmobile, the name and address of the owner, and other information the department of state considers necessary. The certificate of registration shall be pocket-size, shall accompany the vehicle, shall be legible, and shall be made available for inspection upon demand by a peace officer.

(2) The owner of a snowmobile at the time application for a certificate of registration is made shall pay a fee of \$22.00 and be issued a certificate of registration and a registration decal. The certificate of registration and registration decal authorizes the operation of the snowmobile for a 3-year period that begins on October 1 and expires on September 30 of the third year. The certificate of registration and registration decal may be renewed by payment of a fee of \$22.00 beginning July 1 of the expiration year. The registration decal shall be displayed as prescribed by rule promulgated by the department of state.

(3) The department of state may destroy a record of a certificate of registration 5 years after expiration of the certificate.

Sec. 82106. (1) Except as otherwise provided in this part, \$17.00 of the revenue received from the registration fee under this part shall be deposited in the snowmobile registration fee fund. From the revenues deposited in the snowmobile registration fee fund under this part, the legislature shall make an annual appropriation of not more than \$3.00 from each registration fee collected during each fiscal year to the department of state for administration of the

registration provisions of this part and an annual appropriation to the department of not less than \$14.00 from each registration fee collected during each fiscal year for purposes set forth in section 82107, \$2.00 of which shall be used for the state financial assistance program for counties described in section 82107 and \$7.00 of which shall be used to provide trail enforcement grants to counties or other local groups for enforcement of this part. Any money not required for administration of the registration provisions of this part shall be credited each year to the recreational snowmobile trail improvement fund. Five dollars from each registration fee collected during each fiscal year shall be deposited in the recreational snowmobile trail improvement fund and shall be administered by the department for the purposes of planning, construction, maintenance, and acquisition of trails and areas for the use of snowmobiles, or access to those trails and areas, and basic snowmobile facilities. Consideration shall be given in planning the expenditures of the funds to providing recreational opportunities for bicyclists, hikers, equestrians, and other nonconflicting recreational trail users as ancillary benefits of the program.

(2) The department shall designate a state recreational trail coordinator and shall maintain a comprehensive plan for implementing a statewide recreational and snowmobile trails system. The comprehensive plan shall be reviewed and updated each year by the department.

(3) The money appropriated under this section to the department for snowmobile trails and areas, for access to those trails or areas, and for basic snowmobile facilities may be expended for the acquisition, development, and maintenance on any land in the state. The money may be used to purchase lands or secure easements, leases, permits, or other appropriate agreements permitting use of private property for snowmobile trails, basic facilities, and areas which may be used by bicyclists, hikers, equestrians, and other nonconflicting off-season recreational trail users, if the easements, leases, permits, or other agreements provide public access to the trail, use areas, and support facilities.

(4) Recreational trail facilities or major improvements shall not be constructed on private land unless a written agreement in the form of an easement, lease, or permit for a public trail right-of-way having a term of not less than 5 years is made between the owner of the land and the department.

(5) The money shall be expended in a manner and as part of the overall plan of the department for an interconnecting network of statewide snowmobile trails and use areas giving consideration to expected snowfall and availability for use with adequate snow cover. Consideration shall be given in the plan for alternative nonconflicting off-season recreational trail uses.

Sec. 82113. (1) The owner of a snowmobile having been issued a certificate of registration for the snowmobile shall affix to each side of the forward half of the cowl above the footwell of the snowmobile the registration decal assigned to that snowmobile. The registration decal shall be as prescribed by the department. Beginning July 1, 1999, the registration decal shall include the registration expiration date and the registration number and shall contain 2 letters and 4 numbers. The numbers shall contrast so as to be distinctly visible and legible. A number other than the number awarded to the snowmobile on the registration certificate, or granted reciprocity under this part, shall not be attached or otherwise displayed on the snowmobile.

(2) Not earlier than 90 days before the expiration date of a certificate, a registration decal or other device may be issued indicating that the certificate of registration is in full force and effect.

(3) A certificate of registration shall expire pursuant to section 82105.

(4) The department of state may award a certificate of number directly or may authorize a person to act as its agent for the awarding of a certificate of number.

Carol Morey Viventi

Secretary of the Senate.

Mary B. Riddle

Clerk of the House of Representatives.

Approved _____

Governor.