

SENATE BILL NO. 968

March 17, 2022, Introduced by Senator BIZON and referred to the Committee on Natural Resources.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending section 80124 (MCL 324.80124), as amended by 2012 PA
294.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 80124. (1) Except as otherwise provided in this section,
2 the owner of a vessel required, ~~pursuant to~~**under** sections 80122
3 and 80123, to be numbered and to display a decal shall file an
4 application for a certificate of number with the secretary of
5 state. The secretary of state shall prescribe and furnish

1 certificate of title application forms. If a vessel requiring a
2 certificate of title under part 803 is sold by a dealer, that
3 dealer shall combine the application for a certificate of number
4 that is signed by the vessel owner with the application for a
5 certificate of title. The dealer shall obtain the certificate of
6 number in the name of the owner. The application for a certificate
7 of number shall include a certification. The owner of the vessel
8 shall sign the application or, if the application is filed
9 electronically, provide information requested by the secretary of
10 state to verify the owner's identity. A person shall not file an
11 application for a certificate of number that contains false
12 information. A dealer who fails to submit an application as
13 required by this section is guilty of a misdemeanor, punishable by
14 imprisonment for not more than 90 days, or a fine of not more than
15 \$100.00, or both.

16 (2) A dealer who submits an application for a certificate of
17 number as provided in subsection (1) may issue to the owner of the
18 vessel a 15-day permit, on ~~forms~~**a form** prescribed by the secretary
19 of state, for the use of the vessel while the certificate of number
20 is being issued.

21 (3) A dealer may issue a 15-day permit, on a form prescribed
22 by the secretary of state, for the use of a vessel purchased in
23 this state and delivered to the purchaser for removal to a place
24 outside of this state, if the purchaser certifies by his or her
25 signature that the vessel will be registered and primarily used and
26 stored outside of this state and will not be returned to this state
27 by the purchaser for use or storage. A certificate of number shall
28 not be issued for a vessel ~~holding~~**for which** a permit under this
29 subsection **is in effect. An applicant shall pay a fee of \$10.00**

when applying for a permit under this subsection.

(4) A 15-day permit issued under subsection (2) or (3) shall not be renewed or extended.

(5) A person shall operate or permit the operation of a vessel for which a 15-day permit has been issued under this section only if the permit is valid and displayed on the vessel as prescribed by rule promulgated by the department under this part.

(6) Except as otherwise provided in this section, an applicant for a certificate of number and decal for the period ending March 31, 2025, shall pay the following fee at the time of application:

(a)	A 15-day permit issued under subsection (3).....	\$ 10.00
(a)	(b) Nonpowered vessels, other than nonmotorized canoes or kayaks.....	\$ 9.00
(b)	(c) Nonmotorized canoes or kayaks.....	5.00
(c)	(d) Motorboats less than 12 feet in length.....	14.00
(d)	(e) Motorboats 12 feet or over but less than 16 feet in length.....	17.00
(e)	(f) Motorboats 16 feet or over but less than 21 feet in length.....	42.00
(f)	(g) Motorboats 21 feet or over but less than 28 feet in length.....	115.00
(g)	(h) Motorboats 28 feet or over but less than 35 feet in length.....	168.00
(h)	(i) Motorboats 35 feet or over but less than 42 feet in length.....	244.00
(i)	(j) Motorboats 42 feet or over but less than 50 feet in length.....	280.00
(j)	(k) Motorboats 50 feet in length or over.....	448.00
(k)	(l) Pontoon vessels regardless of size.....	23.00

1	(l) (m) Motorized canoes regardless of size.....	14.00
2	(m) (n) Vessels licensed under part 473.....	15.00
3	(n) (o) Vessels carrying passengers for hire that	
4	are in compliance with part 445, or under federal law; and	
5	vessels carrying passengers and freight or freight only	
6	and owned within this state or hailing from a port within	
7	this state.....	45.00
8	(7) Except as otherwise provided in this section, an applicant	
9	for a certificate of number and decal for a period beginning April	
10	1, 2023, or thereafter shall pay the following fee at the time of	
11	application:	
12	(a) Nonpowered vessels, other than nonmotorized	
13	canoes or kayaks.....	\$ 18.00
14	(b) Nonmotorized canoes or kayaks.....	10.00
15	(c) Motorboats less than 12 feet in length.....	28.00
16	(d) Motorboats 12 feet or over but less than 16 feet	
17	in length.....	34.00
18	(e) Motorboats 16 feet or over but less than 21 feet	
19	in length.....	84.00
20	(f) Motorboats 21 feet or over but less than 28 feet	
21	in length.....	230.00
22	(g) Motorboats 28 feet or over but less than 35 feet	
23	in length.....	336.00
24	(h) Motorboats 35 feet or over but less than 42 feet	
25	in length.....	488.00
26	(i) Motorboats 42 feet or over but less than 50 feet	
27	in length.....	560.00
28	(j) Motorboats 50 feet in length or over.....	896.00
29	(k) Pontoon vessels regardless of size.....	46.00

- 1 (l) Motorized canoes regardless of size..... 28.00
- 2 (m) Vessels licensed under part 473..... 30.00
- 3 (n) Vessels carrying passengers for hire that are in
- 4 compliance with part 445, or under federal law; and
- 5 vessels carrying passengers and freight or freight only
- 6 and owned within this state or hailing from a port within
- 7 this state..... 90.00
- 8 (8) ~~(7) As used in~~ For the purposes of this section, ~~"the the~~
- 9 length of a vessel" ~~means~~ vessel is the distance from end to end
- 10 over the deck, excluding the longitudinal upward or downward curve
- 11 of the deck, fore and aft. ~~For a pontoon boat,~~ However, the length
- 12 of a ~~vessel means~~ pontoon boat is the length of its deck, fore and
- 13 aft.
- 14 (9) ~~(8)~~ Payment of the fee specified in this section exempts
- 15 the vessel from the tax imposed under the general property tax act,
- 16 1893 PA 206, MCL 211.1 to 211.155.
- 17 (10) ~~(9)~~ Upon receipt of an initial application for a
- 18 certificate of number in approved form and payment of the required
- 19 fee, the secretary of state shall enter the information upon the
- 20 official records and issue to the applicant a certificate of number
- 21 containing the number awarded to the vessel, the name and address
- 22 of the owner, and other information that the secretary of state
- 23 determines necessary. ~~The secretary of state shall issue a~~
- 24 certificate of number ~~that is~~ shall be pocket size and legible.
- 25 Except as provided in subsection ~~(13),~~ (14), a person operating a
- 26 vessel shall present that vessel's certificate of number to a peace
- 27 officer upon the peace officer's request.
- 28 (11) ~~(10)~~ If a check or draft payable to the secretary of
- 29 state under this part is not paid on its first presentation, the

1 fee or tax is delinquent as of the date the draft or check was
2 tendered. The person tendering the check or draft remains liable
3 for the payment of the fee or tax and a penalty.

4 (12) ~~(11) Upon determining that~~ If a fee or tax required by
5 this part has not been paid and remains unpaid after reasonable
6 notice and demand, the secretary of state may suspend a certificate
7 of number **issued to the person required to pay the fee or tax.**

8 (13) ~~(12) If a person who tenders a check or draft described~~
9 in subsection ~~(10)~~ (11) fails to pay the fee or tax for which the
10 check or draft was tendered within 15 days after the secretary of
11 state gives ~~him or her~~ the person notice that the check or draft
12 described in subsection ~~(10)~~ (11) was not paid on its first
13 presentation, the secretary of state shall assess and collect a
14 penalty of \$5.00 or 20% of the check or draft, whichever is larger,
15 in addition to the fee or tax.

16 (14) ~~(13) The owner or authorized agent of the owner of a~~
17 vessel less than 26 feet in length that is leased or rented to a
18 person for noncommercial use for not more than 24 hours may retain,
19 at the place from which the vessel departs or returns to the
20 possession of the owner or the owner's representative, the
21 certificate of number for that vessel if a copy of the lease or
22 rental agreement is on the vessel. Upon the demand of a peace
23 officer, the operator shall produce for inspection either the
24 certificate of number or a copy of the lease or rental agreement
25 for that vessel. The lease or rental agreement shall contain each
26 of the following:

27 (a) The vessel number that appears on the certificate of
28 number.

29 (b) The period of time for which the vessel is leased or

1 rented.

2 (c) The signature of the vessel's owner or that person's
3 authorized agent.

4 (d) The signature of the person leasing or renting the vessel.

5 **(15)** ~~(14)~~ Upon receipt of a certificate of number for a
6 vessel, the owner of that vessel shall paint on or attach in a
7 permanent manner to each side of the forward half of the vessel the
8 number identified in the certificate of number, in the manner
9 prescribed by rules promulgated by the department. The secretary of
10 state shall assign to the owner of vessels for rent or lease a
11 block of numbers sufficient to number consecutively all of that
12 owner's rental or lease vessels. The owner shall maintain the
13 numbers in a legible condition. A vessel documented by the United
14 States ~~coast guard~~ **Coast Guard** or a federal agency that is the
15 successor to the United States ~~coast guard~~ **Coast Guard** is not
16 required to display numbers under this part but shall display a
17 decal indicating payment of the fee prescribed in subsection (6) **or**
18 **(7), as applicable**, and shall otherwise be in compliance with this
19 part. This subsection does not apply to a nonpowered vessel 12 feet
20 or less in length.

21 **(16)** ~~(15)~~ Upon receipt of an application for a certificate of
22 number in an approved form and payment of the fee required by this
23 ~~part,~~ **section**, the secretary of state shall issue a decal that
24 indicates that the vessel is numbered in compliance with this part.
25 The decal shall be color-coded and dated to identify the year of
26 its expiration. The department shall promulgate a rule or rules to
27 establish the manner in which the decal is to be displayed. A
28 person who operates a vessel in violation of a rule promulgated to
29 implement this subsection is responsible for a state civil

1 infraction and may be ordered to pay a civil fine of not more than
2 \$500.00.

3 **(17) ~~(16)~~** A decal ~~is~~ **and certificate of number issued for a**
4 **period beginning April 1 of 2020, 2021, or 2022 are** valid for a 3-
5 year period that ~~begins on April 1 and expires~~ on March 31 of the
6 third year. **A decal and certificate of number issued for a period**
7 **beginning in 2023 or thereafter are valid for a 6-year period that**
8 **begins April 1 and expires on March 31 of the sixth year.** An
9 original certificate of number may be issued up to 90 days before
10 April 1. A numbering renewal decal or other renewal device may be
11 issued up to 90 days before the expiration of a certificate.

12 **(18) ~~(17)~~** Upon receipt of a request for renewal of a decal and
13 payment of the fee prescribed in subsection (6) **or (7), as**
14 **applicable,** the secretary of state shall issue to the applicant a
15 decal as provided in subsection ~~(15).~~ **(16).** A person who operates a
16 vessel for which no decal was issued as required under this section
17 or for which ~~a~~ **the** decal has expired is responsible for a state
18 civil infraction and may be ordered to pay a civil fine of not more
19 than \$500.00.

20 **(19) ~~(18)~~** The numbering system adopted under this part shall
21 be in accordance with the standard system of numbering established
22 by the secretary of the department in which the United States ~~coast~~
23 ~~guard~~ **Coast Guard** operates.

24 **(20) ~~(19)~~** An agency of this state, a political subdivision of
25 this state, or a state supported college or university of this
26 state that owns a vessel that is required to be numbered under this
27 part shall register that vessel and upon payment of either of the
28 following shall receive from the secretary of state a certificate
29 of number for that vessel:

1 (a) A fee of ~~\$3.00~~ **\$6.00** for a vessel that is not used for
2 recreational, commercial, or rental purposes.

3 (b) The fee required under subsection (6) **or (7), as**
4 **applicable**, for a vessel that is used for recreational, commercial,
5 or rental purposes.

6 **(21)** ~~(20)~~—The secretary of state shall, upon receipt of
7 payment of the fee required under subsection ~~(19)~~, **(20)**, issue a
8 certificate of number for each vessel subject to subsection
9 ~~(19)~~. **(20)**.

10 **(22)** ~~(21)~~—A vessel that is 30 years of age or older and not
11 used other than in club activities, exhibitions, tours, parades,
12 and other similar activities is a historic vessel. The secretary of
13 state shall make available to the public application forms for
14 certificates of number for historic vessels and, upon receipt of a
15 completed application form and fee, shall number a historic vessel
16 as a historic vessel. The fee for the numbering of a historic
17 vessel is 1/3 of the otherwise applicable fee specified in
18 subsection (6) **or (7), as applicable**.

19 **(23)** ~~(22)~~—The secretary of state shall refund to the owner of
20 a vessel registered under this part all of the registration fee
21 paid for that vessel under this section if ~~all~~ **both** of the
22 following conditions are met during the period for which the
23 registration fee was paid:

24 (a) The owner transfers or assigns title or interest in the
25 registered vessel before placing the decal issued under subsection
26 ~~(15)~~ **(16)** on the vessel.

27 (b) The owner surrenders the unused decal to the secretary of
28 state within 30 days after the date of transfer or assignment.

29 **(24)** ~~(23)~~—The secretary of state shall refund to the surviving

1 spouse of a deceased vessel owner the registration fee paid under
2 this part, prorated on a monthly basis, upon receipt of the decal
3 issued under subsection ~~(15)~~ **(16)**, or evidence satisfactory to the
4 secretary of state that the decal issued under subsection ~~(15)~~ **(16)**
5 has been destroyed or voided.

6 **(25)** ~~(24)~~—If the secretary of state computes a fee under this
7 part that results in a figure other than a whole dollar amount, the
8 secretary of state shall round the figure to the nearest whole
9 dollar.