

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

***** 324.44511.amended THIS AMENDED SECTION IS EFFECTIVE UPON HOUSE JOINT
RESOLUTION Z OF THE 92nd LEGISLATURE BECOMING A PART OF THE STATE CONSTITUTION OF
1963 AS PROVIDED IN SECTION 1 OF ARTICLE XII OF THE STATE CONSTITUTION OF 1963 *****

324.44511.amended Application for charter boat inspection or state pilot's examination; filing; fee; form; furnishing required information; false information; signature as certification of true and correct information; inspection fee schedules for dry dock and dockside inspection; inspection without fee or for reduced fee; examination fee for state pilot's license; forfeiture of application fee; disposition and use of inspection fees.

Sec. 44511. (1) The owner of a charter boat required to be inspected under this part and a person required to be licensed as a state pilot under this part shall file an application with the required fee for the charter boat inspection or the state pilot's examination with the department on a form prescribed and furnished by the department. Persons applying for a certificate of inspection or a state pilot's license shall furnish information reasonably required by the department. A person shall not file an application for charter boat inspection or state pilot's examination that contains false information. A person filing an application shall certify by the person's signature that the information furnished on the application is true and correct.

(2) The owner of a charter boat, or livery boat as provided for under section 44517, which has never been inspected shall pay to the department an inspection fee for dry dock and dockside inspection according to the following schedule:

(a) Class A and D vessels	\$250.00
(b) Class B vessels	\$120.00
(c) Class C vessels	\$350.00

(3) Beginning on April 1, 1987, for each required dry dock or dockside inspection of a charter boat, or livery boat as provided for under section 44517, other than an inspection under subsection (2), the owner shall pay the department a fee according to the following schedule:

(a) Class A and D vessels	
(i) Dockside inspection	\$100.00
(ii) Dry dock inspection	\$150.00
(b) Class B vessels	
(i) Dockside inspection	\$ 60.00
(ii) Dry dock inspection	\$ 60.00
(c) Class C vessels	
(i) Dockside inspection	\$150.00
(ii) Dry dock inspection	\$200.00

(4) When the department inspects any charter boat, or livery boat as provided for under section 44517, at an interval other than as required by this part, the inspection shall be conducted without an inspection fee for a dockside inspection and for a reduced fee to be determined by the department for a dry dock inspection. When a 24-month dockside inspection and a 72-month dry dock inspection are required in the same year, the owner shall only pay the fee for the dry dock inspection, as provided in subsection (3).

(5) For each examination of a person for a state pilot's license, the applicant shall pay a fee of \$30.00 to the department.

(6) The charter boat inspection fee or state pilot's license examination fee shall be forfeited to the department and credited to the marine safety fund if the owner of the charter boat or the applicant for a state pilot's license fails to keep an appointment, which has been mutually agreed upon between the owner or the applicant and the department, for an inspection or reinspection of the charter boat or a state pilot's license examination, without first notifying the inspecting officer or the department's marine safety section within the department's law enforcement division at least 24 hours prior to the scheduled appointment. Upon the forfeiture of an application fee, the owner of the charter boat or the applicant for a state pilot's license must submit a new application and the required fee before the department shall conduct any inspection of the charter boat or conduct any examination of the applicant for a state pilot's license.

(7) Except as otherwise provided in section 44517, the revenue received for inspection fees under this section shall be deposited in the state treasury to the credit of the waterways account and shall only be used to pay for inspections required by this part, and to maintain the education and enforcement program provided for in section 44513(2). The revenue division of the department of treasury shall annually provide to the department an accurate total of revenue collected and shall annually credit that amount to the waterways account.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 2004, Act 587, Eff. (pending).

Compiler's note: Enacting section 2 of Act 587 of 2004 provides:

"Enacting section 2. This amendatory act does not take effect unless House Joint Resolution Z of the 92nd Legislature becomes a part of the state constitution of 1963 as provided in section 1 of article XII of the state constitution of 1963."

Popular name: Act 451