

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

***** 324.78119.amended THIS AMENDED SECTION IS EFFECTIVE MAY 1, 2014 *****

324.78119.amended Entry into state-operated boating access site; pass, tab, or sticker required; recreation passport fee; exceptions; violation as civil infraction; fine; evidence.

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

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

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

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

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

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

(c) If and to the extent the department waives the requirements for department-sponsored events or other circumstances as determined by the director or the director's designee.

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

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

History: Add. 2010, Act 34, Eff. Oct. 1, 2010;—Am. 2013, Act 81, Eff. May 1, 2014.

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