

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

324.82106 Disposition of revenue; designation of state recreational trail coordinator; plan for statewide recreational and snowmobile trails system; expenditures; construction of recreational trail facilities or major improvements on private land; interconnecting network of statewide snowmobile trails and use areas; alternative nonconflicting off-season recreational trail uses.

Sec. 82106. (1) Except as otherwise provided in this part, revenue received from the registration fees under this part shall be deposited as follows:

(a) Twenty-two dollars of each registration fee for a snowmobile and \$8.00 of each registration fee for a historic snowmobile shall be deposited into the snowmobile registration fee subaccount. However, if the balance of the snowmobile registration fee subaccount exceeds \$1,600,000.00 at any time, the state treasurer shall transfer all amounts in excess of \$1,600,000.00 to the recreational snowmobile trail improvement subaccount. From the revenue deposited in the snowmobile registration fee subaccount under this part, the legislature shall make an annual appropriation as follows:

(i) Not more than \$3.00 of each registration fee for a snowmobile and not more than \$3.00 for each registration fee for a historic snowmobile collected during each fiscal year shall be appropriated to the department of state for administration of the registration provisions of this part. At the close of each state fiscal year, any money appropriated under this subparagraph but not expended shall be credited to the recreational snowmobile trail improvement subaccount. Additionally, if less than \$3.00 of each registration fee is appropriated to the department of state, the state treasurer shall transfer the difference between \$3.00 and the amount appropriated from each registration fee to the recreational snowmobile trail improvement subaccount.

(ii) Fourteen dollars of each fee for a registration for a snowmobile paid before July 1, 2009, or \$19.00 of each fee for a registration for a snowmobile paid on or after July 1, 2009, and \$5.00 of each fee for a registration for a historic snowmobile shall be appropriated to the department for purposes set forth in section 82107, including financial assistance to county sheriff departments and local law enforcement agencies for local snowmobile programs. Any money appropriated but not expended under this subparagraph shall be credited each year to the snowmobile registration fee subaccount.

(b) Five dollars of each fee for a registration for a snowmobile paid before July 1, 2009, and \$42.00 of each fee for registration of a historic snowmobile shall be deposited in the recreational snowmobile trail improvement subaccount 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.

(c) From each fee for a registration for a snowmobile other than a historic snowmobile paid on or after July 1, 2009, \$8.00 shall be deposited into the permanent snowmobile trail easement subaccount under section 82110a. This money is intended to supplement other money expended for snowmobile-related activities of the department and not as a replacement for those expenditures.

(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. This 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 appropriated under this section 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 uses of snowmobile trails.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995;—Am. 1998, Act 297, Eff. Mar. 23, 1999;—Am. 2003, Act 230, Imd. Eff. Dec.

18, 2003;—Am. 2004, Act 587, Eff. Dec. 23, 2006;—Am. 2008, Act 399, Imd. Eff. Jan. 6, 2009;—Am. 2010, Act 371, Imd. Eff. Dec. 22, 2010.

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

Popular name: NREPA

Popular name: Snowmobiles