



Senate Fiscal Agency  
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BILL ANALYSIS



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Senate Bill 778 (as enacted)  
Sponsor: Senator Mike Kowall  
Senate Committee: Judiciary  
House Committee: Government Operations

**PUBLIC ACT 56 of 2012**

Date Completed: 3-29-12

**CONTENT**

**The bill added Section 30111b to Part 301 (Inland Lakes and Streams) of the Natural Resources and Environmental Protection Act to prohibit and prescribe a criminal fine for the use of a public road end at an inland lake or stream for certain purposes, unless a recorded instrument expressly provides otherwise.**

Specifically, unless a recorded deed, recorded easement, or other recorded dedication expressly provides otherwise, a public road end may not be used for any of the following purposes:

- Construction, installation, maintenance, or use of boat hoists or boat anchorage devices.
- Mooring or docking of a vessel between midnight and sunrise.
- Any activity that obstructs ingress to or egress from an inland lake or stream.

A public road end also may not be used for the construction, installation, maintenance, or use of a dock or wharf other than a single seasonal public dock or wharf that is authorized by the county, township, city, or village that has jurisdiction over the public road, subject to any permit required under Part 301. This provision does not prohibit any use that is expressly authorized by a recorded deed, recorded easement, or other recorded dedication, but does not permit any use that exceeds the uses authorized by the deed, easement, or dedication, or a court order.

A county, township, city, or village with jurisdiction over a public road may prohibit a use of a public road end that violates Section 30111b.

A violation of Section 30111b is a misdemeanor punishable by a maximum fine of \$500. Each 24-hour period in which a violation exists will constitute a separate violation. A peace officer may issue an appearance ticket, as authorized in the Code of Criminal Procedure, to a person who violates Section 30111b.

The bill specifies that Section 30111b does not prohibit a person or agency from commencing a civil action for conduct that violates it.

The bill defines "public road end" as the terminus of a public road at an inland lake or stream. "Public road" means a county road or a township, city, or village street that is open for use by the public.

The bill took effect on March 22, 2012.

MCL 324.30111b

Legislative Analyst: Suzanne Lowe

**FISCAL IMPACT**

The bill will have an indeterminate fiscal impact on State and local government. There are no data to indicate how many offenders will be convicted of the misdemeanor. Additional penal fine revenue will benefit public libraries.

Fiscal Analyst: Dan O'Connor

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.