

# HOUSE BILL No. 4721

June 16, 2015, Introduced by Reps. Hooker, Hughes, Glenn, Runestad, Outman, Somerville, Price, Barrett, Franz and McBroom and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending sections 74116 and 78119 (MCL 324.74116 and 324.78119),  
as amended by 2013 PA 81.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 74116. (1) Subject to subsection (4), the operator of a  
2 nonresident motor vehicle or commercial motor vehicle shall not  
3 enter any state park with that motor vehicle unless a valid motor  
4 vehicle park permit issued under section 74117 is affixed to the  
5 lower right-hand corner of the windshield. An annual motor vehicle  
6 park permit for a nonresident motor vehicle shall be affixed  
7 permanently for that year. The department shall post signs at parks  
8 that state that a motor vehicle permit is required for entry by a  
9 nonresident motor vehicle or commercial motor vehicle.

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

8           (3) Subject to subsection (4), if the secretary of state  
9 issues registration tabs or stickers as described in section 805 of  
10 the Michigan vehicle code, 1949 PA 300, MCL 257.805, the operator  
11 of a resident motor vehicle shall not enter a state park with the  
12 resident motor vehicle unless the resident motor vehicle has a  
13 registration tab or sticker marked as provided under that section  
14 to show that the recreation passport fee has been paid.

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

17           (a) While the motor vehicle is being driven or parked within  
18 an established federal, state, or county highway within a state  
19 park.

20           (b) If the motor vehicle is used in the operation or  
21 maintenance of a state park, is an emergency motor vehicle, is a  
22 state owned or law enforcement motor vehicle, or is a private motor  
23 vehicle being operated on official state business.

24           (c) If the motor vehicle is registered under section 803e(1)  
25 of the Michigan vehicle code, 1949 PA 300, MCL 257.803e, and is  
26 exempt under section 803e(6) of the Michigan vehicle code, 1949 PA  
27 300, MCL 257.803e, from the registration tax, or if the motor

1 vehicle is registered under section 217d, **803E(9)**, or 803f of the  
2 Michigan vehicle code, 1949 PA 300, MCL 257.217d, **257.803E**, and  
3 257.803f.

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

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

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

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

1 passport fee has been paid.

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

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

9 (b) If the motor vehicle is registered under section 803e(1)  
10 of the Michigan vehicle code, 1949 PA 300, MCL 257.803e, and is  
11 exempt under section 803e(6) of the Michigan vehicle code, 1949 PA  
12 300, MCL 257.803e, from the registration tax, or if the motor  
13 vehicle is registered under section 217d, **803E(9)**, or 803f of the  
14 Michigan vehicle code, 1949 PA 300, MCL 257.217d, **257.803E**, and  
15 257.803f.

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

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

24 (6) In any proceeding for the violation of this part or a rule  
25 promulgated under this part, if a motor vehicle is found parked in  
26 a designated state-operated public boating access site, the  
27 registration plate displayed on the motor vehicle constitutes prima

1 facie evidence that the owner of the motor vehicle was the person  
2 who parked or placed it at the location where it was found.

3 Enacting section 1. This amendatory act takes effect May 1,  
4 2016.

5 Enacting section 2. This amendatory act does not take effect  
6 unless Senate Bill No. \_\_\_\_\_ or House Bill No. 4722 (request no.  
7 02333'15 a) of the 98th Legislature is enacted into law.