



# SENATE BILL No. 77

January 13, 1993, Introduced by Senator MC MANUS and referred to the Committee on Transportation and Tourism.

A bill to amend section 12 of Act No. 74 of the Public Acts of 1968, entitled as amended

"An act to register and regulate snowmobiles; to provide for education and training programs; to provide for trails, areas, and facilities; to create a recreational snowmobile trail improvement fund; to provide for expenditure of appropriations; and to prescribe penalties,"

being section 257.1512 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 12 of Act No. 74 of the Public Acts of  
2 1968, being section 257.1512 of the Michigan Compiled Laws, is  
3 amended to read as follows:

4 Sec. 12. A person shall not operate a snowmobile upon a  
5 public highway, land used as an airport or street, or on a public  
6 or private parking lot not specifically designated for the use of  
7 snowmobiles except under the following conditions and  
8 circumstances:

1 (a) A snowmobile may be operated on the right-of-way of a  
2 public highway, except a limited access highway, if it is oper-  
3 ated at the extreme right of the open portion of the right-of-way  
4 and with the flow of traffic on the highway. HOWEVER, A SNOWMO-  
5 BILE MAY BE OPERATED ON THE RIGHT-OF-WAY OF A PUBLIC HIGHWAY  
6 AGAINST THE FLOW OF TRAFFIC IF THE RIGHT-OF-WAY IS A SNOWMOBILE  
7 TRAIL DESIGNATED BY THE STATE AND IS APPROVED BY THE STATE TRANS-  
8 PORTATION DEPARTMENT AND THE DEPARTMENT OF NATURAL RESOURCES.  
9 Snowmobiles operated on the right-of-way of a public highway, as  
10 ~~herein~~ provided IN THIS SUBDIVISION, shall travel single file  
11 and shall not be operated abreast except when overtaking and  
12 passing another snowmobile.

13 (b) A snowmobile may be operated on the roadway or shoulder  
14 when necessary to cross a bridge or culvert if the snowmobile is  
15 brought to a complete stop before entering onto the roadway or  
16 shoulder and the driver yields the right-of-way to an approaching  
17 vehicle on the highway.

18 (c) In a court action in this state where competent evidence  
19 demonstrates that a vehicle which is permitted to be operated on  
20 a highway pursuant to THE MICHIGAN VEHICLE CODE, Act No. 300 of  
21 the Public Acts of 1949, as amended, being sections 257.1 to  
22 257.923 of the Michigan Compiled Laws, is in a collision with a  
23 snowmobile on a roadway, the driver of the snowmobile involved in  
24 the collision shall be considered prima facie negligent.

25 (d) A snowmobile may be operated across a public highway  
26 other than a limited access highway, at right angles to the  
27 highway for the purpose of getting from one area to another when

1 the operation can be done in safety and another vehicle is not  
2 crossing the highway at the same time in the same general area.  
3 An operator shall bring his OR HER snowmobile to a complete stop  
4 before proceeding across the public highway and shall yield the  
5 right-of-way to all oncoming traffic.

6 (e) Snowmobiles may be operated on a highway in a county  
7 road system, which is not normally snowplowed for vehicular traf-  
8 fic, and on the right-of-way or shoulder when no right-of-way  
9 exists on a snowplowed highway in the county road system, outside  
10 the corporate limits of a city or village, which is designated  
11 and marked for snowmobile use by the county road commission  
12 having jurisdiction. Upon the request of a county road commis-  
13 sion which has designated all county roads outside the corporate  
14 limits of a city or village for snowmobile use, the STATE  
15 TRANSPORTATION department ~~of state highways~~ shall erect at  
16 county road commission expense and maintain, in accordance with  
17 the Michigan manual of uniform traffic control devices standards,  
18 the basic snowmobile sign unit together with a supplemental panel  
19 stating "permitted on right-of-way or shoulder of all .....  
20 (county name) roads-Act 74 of P.A. 1968" at the county line on  
21 all state trunk line highways and county roads.

22 (f) A duly constituted law enforcement officer of a city,  
23 village, township, county, or the state may authorize use of a  
24 snowmobile on a public highway or street within his OR HER juris-  
25 diction when an emergency occurs and conventional motor vehicles  
26 cannot be used for transportation due to snow or other extreme  
27 highway conditions.

1 (g) A snowmobile may be operated on a street or highway for  
2 a special event of limited duration conducted according to a pre-  
3 arranged schedule only under permit from the governmental unit  
4 having jurisdiction. The event may be conducted on the frozen  
5 surface of public waters only under permit from the department of  
6 natural resources.

7 (h) A city or village by ordinance may designate 1 or more  
8 specific public highways or streets within its jurisdiction as  
9 egress and ingress routes for the use of snowmobiles. A city or  
10 village acting under the authority of this ~~subsection~~  
11 SUBDIVISION shall erect and maintain, in accordance with the  
12 Michigan manual of uniform traffic control devices standards, a  
13 sign unit giving proper notice thereof.