



**House
Legislative
Analysis
Section**

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SNOWMOBILE PERMIT EXEMPTION

**House Bill 5149 as enrolled
Public Act 139 of 1996
Sponsor: Rep. Pat Gagliardi**

**Senate Bill 660 as enrolled
Public Act 114 of 1996
Sponsor: Senator Walter H.North**

Second Analysis (7-10-96)

**House Committee: Conservation,
Environment, and Great Lakes
Senate Committee: Transportation
and Tourism**

THE APPARENT PROBLEM:

Public Act 99 of 1994 provided a means of generating revenue to maintain and develop state recreation and snowmobile trails by requiring snowmobilers to purchase a \$10 annual Michigan snowmobile trail sticker permit, in addition to a \$15 registration fee. It was estimated that approximately 290,000 snowmobiles were operated in Michigan each year -- 190,000 Michigan snowmobiles and about 100,00 out-of-state snowmobiles -- and that the act would therefore generate almost \$3 million in additional revenue. However, at the time, some protested that the \$10 trail permit sticker should not have to be purchased by persons who operated their snowmobiles exclusively on private land, or who used snowmobiles merely to gain speedy access to their ice shanties. By requiring these people to purchase the sticker, it was contended, the act forced them to subsidize the costs of a snowmobile trails system they did not use. Although, reportedly, it is not the Department of Natural Resources' (DNR) policy to have conservation officers issue tickets to those who use their snowmobiles for this purpose, the issue is still a source of conflict to many. It is therefore proposed that those who do not drive snowmobiles on state trails be excluded from the snowmobile permit requirement.

THE CONTENT OF THE BILLS:

Under the Natural Resources and Environmental Protection Act (NREPA), a person wishing to operate a snowmobile in the state must register the vehicle and must purchase an annual snowmobile trail permit sticker. Senate Bill 660 amended NREPA to specify that a trail

permit sticker would not be required if the snowmobile were used solely for transportation on the frozen surface of public waters for ice fishing. House Bill 5149 further amended the act to clarify certain provisions regarding the sale of sticker permits: the bill specified that a trail permit sticker must be permanently affixed directly above or below the headlight of the forward half of a snowmobile; that a snowmobile trail permit fee could not be greater than the amount printed on the face of a permit; that an applicant must provide all information required on a permit application to obtain a snowmobile trail permit; and that failure to obtain a permit would be a state civil infraction, subject to a civil fine of \$50. In addition, the act permits the Department of Natural Resources to contract with a person to act as an agent of the Department of State for the purpose of issuing snowmobile trail permits, and requires the Department of State to sell the permits to agents in bulk. House Bill 5149 deleted references to the Department of State. The bills were tied-barred to each other.

MCL 324.82118

FISCAL IMPLICATIONS:

According to the House Fiscal Agency (HFA), the state currently receives about \$2.25 million in revenues from snowmobile fees. The Department of Natural Resources (DNR) predicts that most snowmobilers would qualify for the bills' snowmobile permit exemption provisions, in which case the HFA estimates that the bills would result in a loss of these revenues. (10-19-95)

House Bill 5149 and Senate Bill 660 (7-10-96)

ARGUMENTS:

For:

The state's abundance of inland lakes attracts many winter fishing enthusiasts. Some snowmobilers keep old snowmobiles at their cottage shorelines merely for the purpose of driving quickly across a lake to their ice shanties. Others park cars and trailers in public parking areas and drive from there to their ice shanties. It is only fair that these persons should be exempt from having to purchase a \$10 trail permit sticker. Otherwise, they are forced to subsidize the costs of maintaining and developing a snowmobile trail system that they do not use.

Against:

While it is relatively easy to do spot-checks on snowmobile owners who live on lakes, it is virtually impossible for DNR law enforcement patrol officers to patrol every snowmobile operating on every lake in the state. Members of the law enforcement community therefore anticipate that many snowmobilers will decide to operate their machines without permits if the exemption is granted to others. The result could be a huge loss to the state in the anticipated revenues from snowmobile permits.

Analyst: R. Young

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.