

Senate Fiscal Agency
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SFA**BILL ANALYSIS**

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Senate Bill 273 (as enrolled)
Sponsor: Senator Harry Gast
Senate Committee: Transportation and Tourism
House Committee: Conservation, Recreation and Environment

PUBLIC ACT 297 of 1998

Date Completed: 8-14-98

RATIONALE

According to the Department of Natural Resources (DNR), Michigan is known by snowmobilers nationwide for its unique combination of abundant and dependable snow, exciting terrain, and extensive trail network. Over 200,000 vehicles are registered and over 5,800 miles of snowmobile trails are located throughout the State in six State forests, three national forests, and many acres of privately owned land. In 1997, Michigan State University researchers conducted a survey of snowmobile riders in order to document the State's snowmobile situation. According to the survey results, when the snowmobilers rated Michigan's snowmobile program, residents were least favorable about law enforcement and trail grooming, and 60% of the snowmobilers supported more intensive enforcement of existing regulations. The survey also found that law enforcement concerns were most likely to relate to a desire for more visible enforcement, especially near places where alcohol was consumed.

It has been suggested that law enforcement may be improved if snowmobilers are required to display their registration numbers on their vehicle. Under Part 821 of the Natural Resources and Environmental Protection Act (NREPA), a snowmobile may not be operated in Michigan unless the owner obtains a certificate of registration and a registration decal. The registration decal, issued by the Secretary of State, must be attached to each side of the front half of the vehicle. The decal indicates that the snowmobile is registered, but currently it does not contain the actual registration number assigned to the vehicle. This apparently makes it quite difficult to identify a snowmobile that is operated improperly. Although snowmobiles previously had been required to display their registration number, this requirement was deleted in 1994. Then, in 1997, an

amendment to restore the requirement was enacted but subsequently eliminated (as described in **BACKGROUND**, below).

Another suggested way to enhance law enforcement is to promote local enforcement of snowmobile laws. In order to finance local enforcement, it was suggested that the snowmobile registration fee be increased. Although counties currently may receive a portion of snowmobile registration fee revenue, the DNR and county sheriffs reportedly believe that funding for law enforcement has been insufficient.

CONTENT

The bill amended Part 821 of the NREPA to require snowmobile registration decals, beginning July 1, 1999, to include a snowmobile registration number and expiration date. The bill also increased the registration fee from \$15 to \$22 and allocates the increase to trail enforcement grants to counties or other local groups.

Decal

Under Part 821, a snowmobile owner who has been issued a certificate of registration must attach the registration decal to each side of the forward half of the snowmobile. The bill further specifies that the decal must be affixed to each side of the forward half of the cowl above the footwell of the snowmobile. The registration decal must be as prescribed by the DNR.

Beginning July 1, 1999, the decal must include the registration expiration date and the registration number, and contain two letters and four numbers. The numbers must contrast so as to be distinctly

visible and legible. A number other than the number awarded to the snowmobile on the registration certificate, or granted reciprocity under Part 821, may not be attached or otherwise displayed on the snowmobile.

Fee

Previously, under Part 821, at the time of applying for a certificate of registration, a snowmobile owner had to pay a fee of \$15 and be issued a certificate of registration and a registration decal. The certificate and decal could be renewed by payment of a \$15 fee. The bill increased the application and renewal fees to \$22. As before, the certificate and decal authorize the operation of the snowmobile for a three-year period.

Previously, \$10 of the revenue received from the registration fee had to be deposited in the Snowmobile Registration Fee Fund. From revenue in the Fund, the Legislature annually had to appropriate up to \$3 from each registration fee collected during the fiscal year to the Department of State for administration of the registration provisions, and appropriate to the DNR at least \$7 from each fee for purposes set forth in Section 82107. Of the \$7 allocation, \$2 had to be used for the State financial assistance program for counties. (Section 82107 provides that the DNR's annual budget request must include an amount for enforcement of Part 821, snowmobile safety education and training programs, and a program of State financial assistance to counties. Counties are encouraged to develop a snowmobile safety education and training program, and the amount of financial assistance allocated to a county is determined by the DNR.)

Under the bill, \$17 of the revenue from the registration fee must be deposited in the Snowmobile Registration Fee Fund. From the Fund, the Legislature must appropriate up to \$3 from each fee for the Department of State and \$14 for purposes set forth in Section 82107. Of the \$14 appropriation, \$2 must be used for the State financial assistance program for counties and \$7 must be used to provide trail enforcement grants to counties or other local groups for enforcement of Part 821.

Part 821 also provides that any money not required for administration of the registration provisions must be credited to the Recreational Snowmobile Trail Improvement Fund, and \$5 from each registration fee must be deposited in that Fund. The bill retained these provisions.

MCL 324.82105 et al.

BACKGROUND

Public Act 92 of 1997 amended Section 82113 of the NREPA to restore the previous requirement that snowmobiles display their registration number. Subsequently, however, Public Act 102 of 1997 amended other language in the same section but omitted the changes made by the earlier public act. (Public Act 102 was part of a package of legislation concerning the disclosure of personal information on vehicle records.) Since Public Act 102 was signed into law after Public Act 92 was enacted, Public Act 102 had the effect of eliminating the requirement that snowmobiles show their registration number.

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

By requiring the display of snowmobile registration numbers, the bill essentially reenacted amendments that had been made by Public Act 92 of 1997. Snowmobile owners will continue to receive a registration decal from the Secretary of State but, beginning July 1, 1999, the decal must include the snowmobile's registration number and the expiration date. The decal also must be affixed in a specific place on the vehicle. These requirements will make it easier for law enforcement officers to identify snowmobiles that are operated improperly, and to determine whether a snowmobile's registration is current. Property owners also will be in a better position to make complaints about snowmobiles that are driven illegally across their land. Improved identification should lead to increased enforcement and greater accountability, and may deter some snowmobilers from violating the law. In addition, clearly identifiable snowmobilers may be less likely to flee and elude conservation officers who attempt to stop them.

Supporting Argument

The bill will enhance snowmobile safety by helping to fund local enforcement of snowmobile laws. By increasing the registration fee to cover trail enforcement grants, Senate Bill 273 puts the responsibility of paying for enhanced enforcement on those who participate in snowmobiling and enjoy Michigan's extensive trail system. According to the Michigan State University study, a majority of

Michigan's snowmobilers support more intensive enforcement of snowmobile regulations.

Legislative Analyst: S. Lowe

FISCAL IMPACT

The bill is anticipated to generate approximately \$490,000 in annual State revenues to the Department of Natural Resources, for the express purpose of providing local snowmobile trail

enforcement grants. This assumes approximately 70,000 registrations annually, for the estimated 212,000 snowmobiles on a three-year registration cycle. This effectively doubles the annual revenue deposited into the Snowmobile Registration Fee Fund that is allocated to the Department of Natural Resources. The additional funds will be provided to either local units of government, or local snowmobile organizations. Overall, registration fees will be allocated as follows:

	Prior Law	S.B. 273
-Snowmobile Trail Impvt Fund	\$5	\$5
-Snowmobile Registration Fee Fund	10	17
-Department of State	3	3
-Department of Natural Resources	7	14
-County Financial Assistance	2	2
-Sec. 82107 Purposes	5	5
-Local Trail Enforcement Grants	0	7

Fiscal Analyst: G. Cutler

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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.