

Act No. 477
Public Acts of 2006
Approved by the Governor
December 21, 2006
Filed with the Secretary of State
December 21, 2006
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**STATE OF MICHIGAN
93RD LEGISLATURE
REGULAR SESSION OF 2006**

Introduced by Senators McManus, Kuipers, Jelinek and Garcia

ENROLLED SENATE BILL No. 924

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending sections 74117 and 81116 (MCL 324.74117 and 324.81116), section 74117 as amended by 2003 PA 170 and section 81116 as amended by 2003 PA 111.

The People of the State of Michigan enact:

Sec. 74117. (1) The department may require park permits and collect park permit fees for entry into a state park or portion of a state park posted in the manner prescribed by this part. The department may waive the permit requirement for department-sponsored events or other circumstances as determined by the director or the director's designee. The department shall prepare and distribute park permits to implement this part.

(2) Except as otherwise provided in this section, an annual park permit shall be issued and shall authorize the entry of the motor vehicle to which it is originally attached within the confines of any state park or recreation area during the calendar year for which it is issued. The fee for the annual park permit is as follows:

(a) Until January 1, 2010, for the owner of a resident motor vehicle, \$24.00, except as follows:

(i) The fee for the owner of a resident motor vehicle who is 65 years of age or older is \$6.00.

(ii) The fee for the owner of a resident motor vehicle who, at the time of purchase, is in possession of a food stamp card and personal identification is \$18.00.

(b) Until January 1, 2010, for the owner of a nonresident motor vehicle, \$29.00.

(3) A daily permit, valid for 1 day only, shall authorize the entry of the motor vehicle to which it is originally attached within the confines of a state park during the day for which it is issued. The fee for a daily permit is as follows:

(a) Until January 1, 2010, for the owner of a resident motor vehicle, \$6.00.

(b) Until January 1, 2010, for the owner of a nonresident motor vehicle, \$8.00.

(4) A person who has obtained an annual motor vehicle permit under this section for a recreational vehicle to be used as a stationary primary camping shelter camped legally in and not moved from a state park campground during the period of the camping stay may obtain a duplicate motor vehicle permit for a towed second motor vehicle present at the time of entry for a fee of \$6.00 effective for the duration of camping stay.

(5) The department shall provide to the standing committees in the senate and house of representatives along with the appropriate budget subcommittees that primarily consider issues pertaining to natural resources an annual report that details the revenue stream generated by the fee structure under this section. This report shall be presented not later than December 31 each year and shall include information on the impact of the revenue stream on the Michigan state parks endowment fund created in section 35a of article IX of the state constitution of 1963 and provided for in section 74119, the use of the general fund for funding the state park system, and other relevant issues that impact funding needs for the state park system.

(6) This part applies only to the entry of motor vehicles into the state parks and to the park permits authorized in this part and does not obviate the necessity of obtaining additional permits for special services or park privileges as previously or subsequently may be required by law or by rules promulgated by the department. The department shall designate each person in the state authorized to sell park permits and shall require as a condition of the designation that a surety bond be furnished in an amount and in a form and with the surety as is acceptable to the department. After being designated by the department, a person may issue park permits in accordance with this part.

(7) Commercial motor coaches or vans with a capacity of more than 12 passengers are not eligible to enter a state park with an annual park permit. Until January 1, 2010, the daily fee to allow commercial motor coaches or vans with a capacity of over 12 passengers daily entry into a state park is \$15.00.

(8) The department may add to the cost of a reservation or a motor vehicle entrance or camping fee the charges that the state incurs because of the use of a credit card.

(9) If a person's annual park permit is lost or destroyed, the department shall provide that person with a replacement park permit free of charge. The department may require a person requesting a replacement park permit to supply sufficient evidence of the loss or destruction of the original park permit.

(10) It is the intent of the legislature that if, on September 30 of any state fiscal year, the amount of money in the countercyclical budget and economic stabilization fund created in section 351 of the management and budget act, 1984 PA 431, MCL 18.1351, exceeds \$250,000,000.00, then general fund/general purpose support for state parks operations for the following state fiscal year shall be equal to or exceed 50% of the revenues generated by motor vehicle entrance fees under this section during the previous state fiscal year.

(11) As used in this section, "resident motor vehicle" means a vehicle that is registered as a motor vehicle in this state.

Sec. 81116. (1) The owner of an ORV requiring licensure under this part shall file an application for a license with the department or a dealer on forms provided by the department. If an ORV is sold by a dealer, the application for a license shall be submitted to the department by the dealer in the name of the owner. The application shall be signed by the owner of the vehicle and shall be accompanied by a fee of \$16.25. A person shall not file an application for registration that contains false information. Upon receipt of the application in approved form and upon payment of the appropriate fee, the department or dealer shall issue to the applicant a license which shall be valid for the 12-month period for which it is issued. A license shall be issued for the 12-month period beginning April 1 and ending March 31 each year.

(2) Dealers may purchase from the department ORV licenses for resale to owners of vehicles requiring licensure under this part. The department shall refund to dealers the purchase price of any ORV licenses returned within 90 days after the end of the 12-month period for which they were valid. The dealer shall maintain and provide to the department records of ORV license sales on forms provided by the department. In addition to the sale of ORV licenses, a dealer engaged in the sale, lease, or rental of ORVs as a regular business may sell any other license or permit authorized by the department to be sold by other dealers under the statutes of this state.

(3) The license shall be permanently attached to the vehicle in the manner prescribed and in the location designated by the department before the vehicle may legally be operated in accordance with this part.

(4) If at the time of sale the purchaser certifies on a form provided by the department that the purchased vehicle otherwise requiring a license under this part will be used and stored outside of this state and will not be returned by the purchaser to this state for use, then a license is not required.

(5) If a license acquired by the owner of an ORV is lost or destroyed, the department shall provide that person with a replacement license free of charge. The department may require a person requesting a replacement license to supply sufficient evidence of the loss or destruction of the original license.

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate

Jay E. Randall

Clerk of the House of Representatives

Approved

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Governor