



Senate Fiscal Agency  
P. O. Box 30036  
Lansing, Michigan 48909-7536

## BILL ANALYSIS



Telephone: (517) 373-5383  
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House Bill 5164 (Substitute H-2 as reported without amendment)

Sponsor: Representative Peter Pettalia

House Committee: Natural Resources, Tourism, and Outdoor Recreation

Senate Committee: Outdoor Recreation and Tourism

**CONTENT**

The bill would amend the Natural Resources and Environmental Protection Act to do the following:

- Revise livery boat inspection and permit requirements, and apply the inspection requirements only to *motorized* livery boats.
- Reduce the processing time for a boat livery permit from 150 days to 30 days.
- Require a boat livery permit to be issued if at least one livery boat and its associated equipment passed inspection, or the livery rented or offered for rent at least one nonmotorized livery boat.
- Exclude from the definition of "boat livery" all rental units where vessels are furnished only for the use of the people occupying the units.
- Exclude a nonmotorized raft from the definition of "livery boat".
- Require the Department of Natural Resources (DNR) and a conservation officer to exercise the powers and perform the duties of the county sheriff's department regarding permit applications and inspections, if a county did not receive State aid to conduct a marine safety program.
- Establish a \$100 fee for the dockside inspection of a navigable waters livery boat.
- Specify that inspection fees credited to the Waterways Account would have to be deposited in the Marine Safety Subaccount.
- Authorize a peace officer to conduct additional livery boat inspections after giving at least 72 hours' advance notice.
- Provide that an individual renting a livery boat would not be responsible for a rule violation if the boat or equipment were in violation when the owner relinquished possession of the boat.

MCL 324.1301 et al.

Legislative Analyst: Julie Cassidy

**FISCAL IMPACT**

The bill would have an indeterminate fiscal impact on the Department of Natural Resources and on county sheriff's departments by creating a new dockside livery boat inspection requirement and an associated fee. The fee would be \$100 annually and would be credited to the Marine Safety Fund and used to reimburse county sheriffs for inspections conducted. In cases where a county receives no reimbursement through DNR marine safety grants, DNR conservation officers would conduct the inspections and the DNR Law Enforcement Division would receive revenue from the \$100 fee. It is likely that this fee would be sufficient cover the costs of conducting inspections, but if it were not, the difference between the fee and the actual costs would come from the general operating funds of either county sheriffs or the DNR Law Enforcement Division, whichever was applicable.

Date Completed: 5-24-12

Fiscal Analyst: Josh Sefton