



**Senate Fiscal Agency**  
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**BILL ANALYSIS**



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House Bill 5149 (Substitute S-2 as reported)  
 Sponsor: Representative Pat Gagliardi  
 House Committee: Conservation, Environment and Great Lakes  
 Senate Committee: Natural Resources and Environmental Affairs

Date Completed: 2-23-96

**RATIONALE**

Public Act 99 of 1994 (which has been incorporated into the Natural Resources and Environmental Protection Act) requires snowmobilers to purchase a \$10 annual Michigan snowmobile trail permit sticker. The permit fee must be paid by both Michigan residents and out-of-State snowmobilers who wish to operate their snowmobiles in Michigan. The fee is in addition to the annual \$15 registration fee that must be paid by those registering their snowmobiles in this State, or a registration fee charged by another state or province. Ninety percent of the trail permit sticker fee must be credited to the Recreational Snowmobile Trail Improvement Fund; it was estimated in 1994 that the fee would generate approximately \$2.6 million for deposit into that Fund. Since the fee is designed to ensure that those who use snowmobile trails subsidize the costs of maintaining and developing them, some people believe that snowmobilers who do not use the trails should not have to buy a permit. Apparently, some snowmobiles are used exclusively for access to frozen waters for the purpose of ice fishing, and it has been suggested that these vehicles should be exempt from the permit requirement.

**CONTENT**

The bill would amend the Natural Resources and Environmental Protection Act to provide that snowmobiles used solely for transportation on the frozen surface of public waters for the purpose of ice fishing, would be exempt from the requirement of purchasing and displaying a snowmobile trail permit sticker.

Under the Act, a trail permit sticker must be permanently affixed to the forward half of the snowmobile. The bill would add "directly above or

below the headlight of the snowmobile". The bill would prohibit a person from charging a fee for a snowmobile trail permit in an amount that was greater than the fee printed on the face of the permit. The bill specifies that, to obtain a snowmobile trail permit, an applicant would have to provide all information required on the permit application.

Currently, a person who fails to secure a permit is responsible for a civil infraction and subject to a \$50 fine plus court costs. The bill specifies that the person would be responsible for a "state civil infraction" and subject to a \$50 "civil fine"; the bill would delete reference to court costs.

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. The bill would delete references to the Department of State.

The bill is tie-barred to Senate Bill 660, which also would create an exemption to the trail permit requirement for snowmobiles used for ice fishing. Senate Bill 660 has been enrolled and is tie-barred to House Bill 5149.

MCL 324.82118

**SENATE COMMITTEE ACTION**

As passed by the House, the bill provided that a snowmobile would not be subject to the trail permit sticker requirement if the snowmobile's owner stated that it would not be operated on the Statewide recreational and snowmobile trails system, but would be operated only for access to

the frozen surface of public waters for the purpose of ice fishing. The Senate Committee adopted a substitute (S-2), as described above.

## **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**

According to the Department of Natural Resources, many snowmobiles in Michigan are used exclusively to gain access to frozen waters for purposes of fishing. As normally operated under these circumstances, the machines are not driven on public lands or highways. For example, some snowmobilers may keep old snowmobiles at their shoreline cottages merely for the purpose of driving quickly across a lake to their ice shanties. Others might park cars and trailers in public parking areas and drive from there to the ice shanty. It would only be fair to exempt these individuals from having to purchase a \$10 permit that subsidizes the costs of a trail system that they do not use.

Legislative Analyst: S. Margules

## **FISCAL IMPACT**

The bill would result in an indeterminate decrease in State revenues, depending on the number of snowmobilers who would be exempt from the purchase of a trail sticker.

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.