

HOUSE BILL No. 5717

March 26, 1998, Introduced by Reps. McNutt, Wetters, Hammerstrom, Jelinek, McBryde, Middaugh, Gernaat, Llewellyn, Rhead, Byl, LeTarte, DeVuyst, Lowe, Voorhees, Middleton, Raczkowski, Birkholz, Richner and Perricone and referred to the Committee on Conservation, Environment and Recreation.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding sections 82126a, 82126b, and
82126c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 82126A. (1) A PERSON SHALL NOT OPERATE A SNOWMOBILE
2 UPON A HIGHWAY, PUBLIC TRAIL, FROZEN SURFACE OF A PUBLIC LAKE,
3 STREAM, RIVER, POND, OR ANOTHER PUBLIC PLACE, INCLUDING BUT NOT
4 LIMITED TO AN AREA DESIGNATED FOR THE PARKING OF SNOWMOBILES OR
5 OTHER MOTOR VEHICLES, IN A CARELESS OR NEGLIGENT MANNER LIKELY TO
6 ENDANGER ANY PERSON OR PROPERTY.

7 (2) A PERSON WHO VIOLATES SUBSECTION (1) IS RESPONSIBLE FOR
8 A STATE CIVIL INFRACTION.

9 SEC. 82126B. (1) A PERSON SHALL NOT OPERATE A SNOWMOBILE
10 UPON A HIGHWAY, PUBLIC TRAIL, FROZEN SURFACE OF A PUBLIC LAKE,

1 STREAM, RIVER, POND, OR ANOTHER PUBLIC PLACE, INCLUDING BUT NOT
2 LIMITED TO AN AREA DESIGNATED FOR THE PARKING OF SNOWMOBILES OR
3 OTHER MOTOR VEHICLES, IN WILLFUL OR WANTON DISREGARD FOR THE
4 SAFETY OF PERSONS OR PROPERTY.

5 (2) A PERSON WHO VIOLATES SUBSECTION (1) IS GUILTY OF A MIS-
6 DEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90 DAYS OR
7 A FINE OF NOT MORE THAN \$500.00, OR BOTH, IN ADDITION TO THE
8 REMEDY DESCRIBED IN SUBSECTION (3).

9 (3) UPON A PERSON'S CONVICTION OF A VIOLATION UNDER THIS
10 SECTION, THE COURT MAY ISSUE AN ORDER PROHIBITING THE PERSON FROM
11 OPERATING A SNOWMOBILE IN THIS STATE FOR A PERIOD OF NOT MORE
12 THAN 2 YEARS. AN ORDER ISSUED UNDER THIS SECTION IS IN ADDITION
13 TO ANY OTHER PENALTY AUTHORIZED UNDER THIS PART.

14 SEC. 82126C. (1) A PERSON WHO, BY THE OPERATION OF A SNOW-
15 MOBILE AT AN IMMODERATE RATE OF SPEED OR IN A CARELESS OR NEGLI-
16 GENT MANNER, BUT NOT WILLFULLY OR WANTONLY, INJURES SO AS TO
17 CRIPPLE OR CAUSE THE DEATH OF ANOTHER IS GUILTY OF A MISDEMEANOR
18 AND SHALL BE IMPRISONED FOR NOT MORE THAN 2 YEARS OR FINED NOT
19 MORE THAN \$2,000.00, OR BOTH.

20 (2) A PERSON WHO, BY THE OPERATION OF A SNOWMOBILE IN A
21 CARELESS AND HEEDLESS MANNER IN WILLFUL AND WANTON DISREGARD OF
22 THE RIGHTS OR SAFETY OF OTHERS, OR WITHOUT DUE CAUTION AND CIR-
23 CUMSPECTION AND AT A SPEED OR IN A MANNER SO AS TO ENDANGER OR BE
24 LIKELY TO ENDANGER ANY PERSON OR PROPERTY, INJURES SO AS TO CRIP-
25 PLE ANOTHER, BUT DOES NOT CAUSE THE DEATH OF ANOTHER, IS GUILTY
26 OF THE OFFENSE OF FELONIOUS OPERATION, AND SHALL BE IMPRISONED

1 FOR NOT MORE THAN 2 YEARS OR FINED NOT MORE THAN \$2,000.00, OR

2 BOTH.