

SUBSTITUTE FOR
SENATE BILL NO. 778

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
(MCL 324.101 to 324.90106) by adding section 30111b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 30111B. (1) A PUBLIC ROAD END SHALL NOT BE USED FOR ANY
2 OF THE FOLLOWING UNLESS A RECORDED DEED, RECORDED EASEMENT, OR
3 OTHER RECORDED DEDICATION EXPRESSLY PROVIDES OTHERWISE:

4 (A) CONSTRUCTION, INSTALLATION, MAINTENANCE, OR USE OF BOAT
5 HOISTS OR BOAT ANCHORAGE DEVICES.

6 (B) MOORING OR DOCKING OF A VESSEL BETWEEN 12 MIDNIGHT AND
7 SUNRISE.

8 (C) ANY ACTIVITY THAT OBSTRUCTS INGRESS TO OR EGRESS FROM THE
9 INLAND LAKE OR STREAM.

10 (2) A PUBLIC ROAD END SHALL NOT BE USED FOR THE CONSTRUCTION,

1 INSTALLATION, MAINTENANCE, OR USE OF A DOCK OR WHARF OTHER THAN A
2 SINGLE SEASONAL PUBLIC DOCK OR WHARF THAT IS AUTHORIZED BY THE
3 LOCAL UNIT OF GOVERNMENT. THIS SUBSECTION DOES NOT PROHIBIT ANY USE
4 THAT IS EXPRESSLY AUTHORIZED BY A RECORDED DEED, RECORDED EASEMENT,
5 OR OTHER RECORDED DEDICATION. THIS SUBSECTION DOES NOT PERMIT ANY
6 USE THAT EXCEEDS THE USES AUTHORIZED BY A RECORDED DEED, RECORDED
7 EASEMENT, OTHER RECORDED DEDICATION, OR A COURT ORDER.

8 (3) THE LOCAL UNIT OF GOVERNMENT MAY PROHIBIT A USE OF A
9 PUBLIC ROAD END THAT VIOLATES THIS SECTION.

10 (4) A PERSON WHO VIOLATES SUBSECTION (1) OR (2) IS GUILTY OF A
11 MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 90 DAYS OR
12 A FINE OF NOT MORE THAN \$500.00, OR BOTH. EACH 24-HOUR PERIOD IN
13 WHICH A VIOLATION EXISTS CONSTITUTES A SEPARATE VIOLATION OF THIS
14 SECTION. A PEACE OFFICER MAY ISSUE AN APPEARANCE TICKET AS
15 AUTHORIZED BY SECTIONS 9C TO 9G OF CHAPTER IV OF THE CODE OF
16 CRIMINAL PROCEDURE, 1927 PA 175, MCL 764.9C TO 764.9G, TO A PERSON
17 WHO VIOLATES SUBSECTION (1) OR (2).

18 (5) THIS SECTION DOES NOT PROHIBIT A PERSON OR AGENCY FROM
19 COMMENCING A CIVIL ACTION FOR CONDUCT THAT VIOLATES THIS SECTION.

20 (6) AS USED IN THIS SECTION:

21 (A) "LOCAL UNIT OF GOVERNMENT" MEANS THE COUNTY, TOWNSHIP,
22 CITY, OR VILLAGE WITH JURISDICTION OVER A PUBLIC ROAD.

23 (B) "PUBLIC ROAD" MEANS A COUNTY ROAD OR A TOWNSHIP, CITY, OR
24 VILLAGE STREET THAT IS OPEN FOR USE BY THE PUBLIC.

25 (C) "PUBLIC ROAD END" MEANS THE TERMINUS OF A PUBLIC ROAD AT
26 AN INLAND LAKE OR STREAM.