

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

324.44516 Boat livery; annual inspection decal, plate, or tab; permit application; inspection fee; inspection by sheriff's department; permit; issuance; display; powers and duties of department and conservation officer; items to be furnished by department of natural resources.

Sec. 44516. (1) A boat livery shall not rent a motorized livery boat unless the livery boat has a current annual inspection decal, plate, or tab as provided under section 44518.

(2) Regardless of whether the livery boats are motorized or nonmotorized, a person shall not operate a boat livery except as authorized by a permit issued pursuant to part 13. Subject to subsection (7), the owner of a boat livery shall submit an application for a boat livery permit to the sheriff's department of the county where the boat livery is located. The application for a boat livery permit shall include all of the following:

- (a) The boat livery name.
- (b) The mailing address of the boat livery.
- (c) The location of the boat livery.
- (d) The waters of the state on which the boat livery rents vessels.
- (e) The number of each of the following available for rent:
 - (i) Motorized livery boats, other than navigable waters livery boats.
 - (ii) Nonmotorized livery boats, other than navigable waters livery boats.
 - (iii) Navigable waters livery boats.

(3) An application for a boat livery permit shall be accompanied by an inspection fee of \$100.00 for each navigable waters livery boat that the boat livery rents or offers to rent. A fee collected under this subsection shall be forwarded to the department of treasury to be credited to the marine safety subaccount of the waterways account. An inspection of a navigable waters livery boat shall be a comprehensive dockside inspection.

(4) If the boat livery rents or offers for rent 1 or more motorized livery boats, after the sheriff's department receives an application for a boat livery permit under subsection (3), the county sheriff or a deputy sheriff shall inspect the motorized livery boats and associated equipment to determine if they meet the minimum safety standards established under rules promulgated under this part.

(5) A boat livery permit shall be issued if any of the following apply:

(a) One or more motorized livery boats and their associated equipment pass inspection under subsection (4).

(b) The boat livery rents or offers for rent 1 or more nonmotorized livery boats.

(6) A boat livery owner shall prominently display a boat livery permit issued under subsection (5) on the site of the boat livery. The permit expires on May 31 of the year following the year in which the permit is issued.

(7) The department and a conservation officer shall exercise the powers and perform the duties of the county sheriff's department and a sheriff or deputy sheriff under this section and section 44518 under any of the following circumstances:

(a) If the county does not receive state aid under section 80117 to conduct a marine safety program.

(b) If the boat livery rents or offers to rent a navigable waters livery boat.

(8) The department of natural resources shall furnish boat livery permit application forms, blank boat livery permits, registration decals, and inspection decals, plates, or tabs to the sheriff's department.

History: Add. 1995, Act 57, Imd. Eff. May 24, 1995;—Am. 2012, Act 249, Imd. Eff. July 2, 2012;—Am. 2012, Act 294, Imd. Eff. Aug. 1, 2012.

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