

**SUBSTITUTE FOR
HOUSE BILL NO. 4297**

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 2045, 74116, 74117, 74120, 78105, and 78119 (MCL 324.2045, 324.74116, 324.74117, 324.74120, 324.78105, and 324.78119), section 2045 as added by 2010 PA 32, sections 74116, 74117, and 74120 as amended by 2010 PA 33, and section 78105 as amended and section 78119 as added by 2010 PA 34.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2045. (1) The department shall distribute recreation
2 passport fee revenue as follows:

3 (a) First, for necessary expenses incurred by the secretary of
4 state each state fiscal year in administration and implementation
5 of section 805 of the Michigan vehicle code, 1949 PA 300, MCL
6 257.805. Funds appropriated for necessary expenses shall be based

1 upon an established cost allocation methodology that reflects
2 actual costs. Appropriations under this subdivision in a state
3 fiscal year shall not exceed \$1,000,000.00.

4 (b) The next \$10,700,000.00 received each fiscal year shall be
5 deposited in the state park improvement account.

6 (c) The next \$1,030,000.00 received each fiscal year shall be
7 deposited in the waterways account.

8 (d) The remaining revenue shall be deposited as follows:

9 (i) 50% in the state park improvement account to be used for
10 capital improvements at state parks, including state recreation
11 areas.

12 (ii) 30% in the state park improvement account to be used for
13 operations and maintenance at state parks, including state
14 recreation areas.

15 (iii) 2.75% in the state park improvement account to be used for
16 operations, maintenance, and capital improvements of state park
17 cultural and historic resources.

18 (iv) 0.25% in the state park improvement account to be used to
19 do all of the following:

20 (A) Promote, in concert with other state agencies, the use of
21 state parks, state-operated public boating access sites, state
22 forest campgrounds, and state forest nonmotorized trails and
23 pathways.

24 (B) Promote the use of the internet for state park camping
25 reservations and for payment of the recreation passport fee in
26 conjunction with motor vehicle registration.

27 (v) 10% in the local public recreation facilities fund created

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1 in section 1911, to be used for development of public recreation
2 facilities for local units of government.

3 (vi) 7% in the forest recreation account to be used for
4 operating, maintaining, and making capital improvements to state
5 forest campgrounds and the state forest system of pathways and
6 nonmotorized trails, including, but not limited to, equestrian
7 trails.

8 (2) For each state fiscal year, beginning with the 2011-2012
9 state fiscal year, the state treasurer shall adjust the amounts set
10 forth in subsection (1)(b) and (c) by an amount determined by the
11 state treasurer to reflect the cumulative percentage change in the
12 consumer price index for the most recent 1-year period for which
13 data are available. As used in this subsection, "consumer price
14 index" means the most comprehensive index of consumer prices
15 available for this state from the bureau of labor statistics of the
16 United States department of labor.

17 (3) BY JANUARY 15 OF EACH YEAR, THE DEPARTMENT, IN
18 CONSULTATION WITH THE DEPARTMENT OF STATE, SHALL ESTIMATE THE
19 AMOUNT OF ADDITIONAL REVENUE THAT WOULD HAVE BEEN COLLECTED AS
20 RECREATION PASSPORT FEES DURING THE IMMEDIATELY PRECEDING STATE
21 FISCAL YEAR IF OWNERS OF RESIDENT MOTOR VEHICLES [DESCRIBED IN SECTIONS
22 74116(4)(C) AND 78119(4)(B) WERE NOT EXEMPT UNDER THOSE PROVISIONS
23
24
25] FROM PAYING THE RECREATION
26 PASSPORT FEE. THE DEPARTMENT SHALL ESTIMATE THE AMOUNT AS FOLLOWS:
27 (A) DETERMINE THE TOTAL NUMBER OF RESIDENT MOTOR VEHICLES [

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1 DESCRIBED IN SECTIONS 74116(4)(C) AND 78119(4)(B).]

2 (B) MULTIPLY THE NUMBER UNDER SUBDIVISION (A) BY THE
3 PERCENTAGE OF RESIDENT MOTOR VEHICLES WITH SINGLE-YEAR
4 REGISTRATIONS FOR WHICH A RECREATION PASSPORT FEE WAS PAID DURING
5 THE PRECEDING STATE FISCAL YEAR.

6 (C) SUBTRACT FROM THE RESULT UNDER SUBDIVISION (B) THE NUMBER
7 OF RESIDENT MOTOR VEHICLES [DESCRIBED IN SECTIONS 74116(4)(C) AND
8 78119(4)(B)] FOR WHICH A
9 RECREATION PASSPORT FEE WAS PAID DURING THE PRECEDING STATE FISCAL
10 YEAR [

11] UNDER RULES
12 PROMULGATED UNDER SECTION 74120(3).

13 (D) MULTIPLY THE RESULT UNDER SUBDIVISION (C) BY THE CURRENT
14 AMOUNT OF THE RECREATION PASSPORT FEE DURING THE PRECEDING STATE
15 FISCAL YEAR.

16 (4) THE LEGISLATURE SHALL ANNUALLY APPROPRIATE FROM THE
17 GENERAL FUND A SUM EQUAL TO THE AMOUNT ESTIMATED UNDER SUBSECTION
18 (3). THE SUM APPROPRIATED SHALL BE DISTRIBUTED AS PROVIDED IN
19 SUBSECTION (1)(D).

20 (5) ~~(3)~~—The department shall submit a report to the standing
21 committees and appropriations subcommittees of the legislature with
22 jurisdiction over issues pertaining to natural resources and the
23 environment by February 1 each year. ~~beginning in 2012.~~—The
24 report shall provide information on all of the following for the
25 preceding state fiscal year:

26 (a) The total amount of recreation passport fee revenue
27 received by the department and the amounts allocated under
subsection (1).

1 (b) The total amount of annual and daily state park motor
2 vehicle permit fee revenue received by the department under section
3 74117.

4 (c) The total amount of seasonal or daily state-operated
5 public boating access site revenue received by the department under
6 section 78105(3).

7 (d) Details on the specific uses of the revenue described in
8 subdivisions (a), (b), and (c) and the amounts expended for each
9 specific use.

10 **(E) THE AMOUNT OF REVENUE RECEIVED DURING THE PRECEDING STATE**
11 **FISCAL YEAR UNDER SUBSECTION (4).**

12 **(F)** ~~(e)~~—The adequacy of the revenue described in ~~subdivision~~
13 ~~(a)~~ **SUBDIVISIONS (A) AND (E)** for each of the purposes for which it
14 is allocated under subsection (1).

15 **(G)** ~~(f)~~—The impact of the state park revenue stream described
16 in subdivisions (a), ~~and (b)~~, **AND (D)** on the Michigan state parks
17 endowment fund created in section 35a of article IX of the state
18 constitution of 1963 and provided for in section 74119.

19 **(H)** ~~(g)~~—Other relevant issues that affect funding needs for
20 the state park system.

21 **(6)** ~~(4)~~—By February 1, 2012 and every 2 years thereafter, the
22 department shall submit a report to the standing committees and
23 appropriations subcommittees of the legislature with jurisdiction
24 over issues pertaining to natural resources and the environment.
25 The report shall provide information on how frequently motor
26 vehicles for which the registrant declined to pay the recreation
27 passport fee entered state parks and state-operated public boating

1 access sites designated under section 78105 during the registration
2 period. The information shall be based on random audits conducted
3 by the department. A report under this subsection may be combined
4 with a report required under subsection ~~(3)~~(5).

5 (7) ~~(5)~~—The department may prepare a list of frequently asked
6 questions and answers concerning the recreation passport fee. The
7 department and the department of state may post the information on
8 their websites. The department of state may provide the information
9 with any applications for registration of motor vehicles that are
10 mailed by the department of state.

11 Sec. 74116. (1) Subject to subsection (4), the operator of a
12 nonresident motor vehicle or commercial motor vehicle shall not
13 enter any state park with that motor vehicle unless a valid motor
14 vehicle park permit issued under section 74117 is affixed to the
15 lower right-hand corner of the windshield. An annual motor vehicle
16 park permit for a nonresident motor vehicle shall be affixed
17 permanently for that year. The department shall post signs at parks
18 that state that a motor vehicle permit is required for entry by a
19 nonresident motor vehicle or commercial motor vehicle.

20 (2) Subject to subsection (4), the operator of a resident
21 motor vehicle shall not enter a state park with the resident motor
22 vehicle unless the recreation passport fee has been paid for that
23 motor vehicle. **PAYMENT OF THE RECREATION PASSPORT FEE AUTHORIZES**
24 **ENTRY INTO ALL STATE PARKS AND RECREATION AREAS AND DESIGNATED**
25 **STATE-OPERATED PUBLIC BOATING ACCESS SITES UNTIL EXPIRATION OF THE**
26 **MOTOR VEHICLE REGISTRATION.**

27 (3) Subject to subsection (4), if the secretary of state

1 issues registration tabs or stickers as described in section 805 of
2 the Michigan vehicle code, 1949 PA 300, MCL 257.805, the operator
3 of a resident motor vehicle shall not enter a state park with the
4 resident motor vehicle unless the resident motor vehicle has a
5 registration tab or sticker ~~or temporary registration plate~~ marked
6 as provided under that section to show that the recreation passport
7 fee has been paid.

8 (4) ~~The requirements of subsections~~ **SUBSECTIONS** (1) to (3) do
9 not apply under any of the following circumstances:

10 (a) While the motor vehicle is being driven or parked within
11 an established federal, state, or county highway within a state
12 park.

13 (b) If the motor vehicle is used in the operation or
14 maintenance of a state park, is an emergency motor vehicle, is a
15 state owned or law enforcement motor vehicle, or is a private motor
16 vehicle being operated on official state business.

17 **(C) IF THE MOTOR VEHICLE IS REGISTERED UNDER SECTION 803E(1)**
18 **OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.803E, AND IS**
19 **EXEMPT UNDER SECTION 803E(6) OF THE MICHIGAN VEHICLE CODE, 1949 PA**
20 **300, MCL 257.803E, FROM THE REGISTRATION TAX, OR IF THE MOTOR**
21 **VEHICLE IS REGISTERED UNDER SECTION 217D OR 803F OF THE MICHIGAN**
22 **VEHICLE CODE, 1949 PA 300, MCL 257.217D AND 257.803F.**

23 (D) ~~(e)~~ If and to the extent the department waives the
24 requirements for department-sponsored events or other circumstances
25 as determined by the director or the director's designee.

26 Sec. 74117. (1) This subsection and subsections (2) to (9)
27 apply beginning October 1, 2010. The department shall prepare and

1 distribute park permits as necessary to implement this part.

2 (2) Except as otherwise provided in this section, **THE**
3 **DEPARTMENT SHALL ISSUE** an annual nonresident motor vehicle park
4 permit ~~shall be issued and shall authorize~~ **THAT AUTHORIZES** the
5 entry of a nonresident motor vehicle to which it is originally
6 attached within any state park during the calendar year for which
7 it is issued. The fee for the annual nonresident motor vehicle park
8 permit for the owner of a nonresident motor vehicle is \$29.00. An
9 annual park permit shall not be used for a commercial motor
10 vehicle.

11 (3) ~~A~~ **THE DEPARTMENT SHALL ISSUE A** daily motor vehicle park
12 permit, valid for 1 day only, ~~shall authorize~~ **THAT AUTHORIZES** the
13 entry of a nonresident motor vehicle or commercial motor vehicle to
14 which it is originally attached within any state park during the
15 day for which it is issued. The fee for a daily nonresident motor
16 vehicle park permit is \$8.00. The fee for a daily commercial motor
17 vehicle park permit is \$15.00.

18 (4) A person who has obtained an annual nonresident motor
19 vehicle park permit under this section for a recreational vehicle
20 to be used as a stationary primary camping shelter camped legally
21 in and not moved from a state park campground during the period of
22 the camping stay may obtain a duplicate nonresident motor vehicle
23 park permit effective for the duration of the camping stay for a
24 towed second motor vehicle present at the time of entry for a fee
25 of \$6.00.

26 (5) The department may designate persons in this state
27 authorized to sell park permits. The department shall require as a

1 condition of the designation of a person other than a department
2 employee that the person furnish a surety bond in an amount and
3 form and with a surety acceptable to the department. After being
4 designated by the department, a person may issue park permits in
5 accordance with this part. This subsection does not apply to
6 employees of the department of state acting under section 805 of
7 the Michigan vehicle code, 1949 PA 300, MCL 257.805.

8 (6) If a person's annual nonresident motor vehicle park permit
9 is lost or destroyed, the department shall provide that person with
10 a replacement motor vehicle park permit free of charge. The
11 department may require a person requesting a replacement motor
12 vehicle park permit to supply sufficient evidence of the loss or
13 destruction of the original motor vehicle park permit.

14 (7) The department may add to the cost of a reservation or a
15 motor vehicle park permit or camping fee the charges that the state
16 incurs because of the use of a credit card.

17 (8) This section and section 74116 apply only to the entry of
18 motor vehicles into state parks and do not obviate the necessity of
19 obtaining additional permits for special services or park
20 privileges as may be required by law or by rules promulgated by the
21 department.

22 (9) For each ~~state fiscal~~ **CALENDAR** year, ~~beginning with the~~
23 ~~2011-2012 state fiscal year,~~ the state treasurer shall adjust the
24 amounts set forth in subsections (2) to (4) by an amount determined
25 by the state treasurer to reflect the cumulative percentage change
26 in the consumer price index ~~for the most recent 1-year period for~~
27 ~~which data are~~ **FROM OCTOBER 1, 2010 TO THE OCTOBER 1 IMMEDIATELY**

1 PRECEDING THAT CALENDAR YEAR, USING THE MOST RECENT DATA available
2 and rounded to the nearest ~~5 cents.~~DOLLAR.

3 ~~—— (10) This subsection and subsections (11) to (19) apply~~
4 ~~through September 30, 2010. The department may require park permits~~
5 ~~and collect park permit fees for entry into a state park or portion~~
6 ~~of a state park posted in the manner prescribed by this part. The~~
7 ~~department may waive the permit requirement for department-~~
8 ~~sponsored events or other circumstances as determined by the~~
9 ~~director or the director's designee. The department shall prepare~~
10 ~~and distribute park permits to implement this part.~~

11 ~~—— (11) Except as otherwise provided in this section, an annual~~
12 ~~park permit shall be issued and shall authorize the entry of the~~
13 ~~motor vehicle to which it is originally attached within the~~
14 ~~confines of any state park through September 30, 2010. The fee for~~
15 ~~the annual park permit is as follows:~~

16 ~~—— (a) For the owner of a resident motor vehicle, \$24.00, except~~
17 ~~as follows:~~

18 ~~—— (i) The fee for the owner of a resident motor vehicle who is 65~~
19 ~~years of age or older is \$6.00.~~

20 ~~—— (ii) The fee for the owner of a resident motor vehicle who, at~~
21 ~~the time of purchase, is in possession of a food stamp card and~~
22 ~~personal identification is \$18.00.~~

23 ~~—— (b) For the owner of a nonresident motor vehicle, \$29.00.~~

24 ~~—— (12) A daily permit, valid for 1 day only, shall authorize the~~
25 ~~entry of the motor vehicle to which it is originally attached~~
26 ~~within the confines of a state park during the day for which it is~~
27 ~~issued. The fee for a daily permit is as follows:~~

1 ~~—— (a) For the owner of a resident motor vehicle, \$6.00.~~

2 ~~—— (b) For the owner of a nonresident motor vehicle, \$8.00.~~

3 ~~—— (13) A person who has obtained an annual motor vehicle permit~~
4 ~~under this section for a recreational vehicle to be used as a~~
5 ~~stationary primary camping shelter camped legally in and not moved~~
6 ~~from a state park campground during the period of the camping stay~~
7 ~~may obtain a duplicate motor vehicle permit for a towed second~~
8 ~~motor vehicle present at the time of entry for a fee of \$6.00~~
9 ~~effective for the duration of the camping stay.~~

10 ~~—— (14) The department shall provide to the standing committees~~
11 ~~in the senate and house of representatives along with the~~
12 ~~appropriate budget subcommittees that primarily consider issues~~
13 ~~pertaining to natural resources an annual report that details the~~
14 ~~revenue stream generated by the fee structure under this section.~~
15 ~~This report shall be presented not later than December 31 each year~~
16 ~~and shall include information on the impact of the revenue stream~~
17 ~~on the Michigan state parks endowment fund created in section 35a~~
18 ~~of article IX of the state constitution of 1963 and provided for in~~
19 ~~section 74119, the use of the general fund for funding the state~~
20 ~~park system, and other relevant issues that impact funding needs~~
21 ~~for the state park system.~~

22 ~~—— (15) This part applies only to the entry of motor vehicles~~
23 ~~into the state parks and to the park permits authorized in this~~
24 ~~part and does not obviate the necessity of obtaining additional~~
25 ~~permits for special services or park privileges as previously or~~
26 ~~subsequently may be required by law or by rules promulgated by the~~
27 ~~department. The department shall designate each person in the state~~

1 ~~authorized to sell park permits and shall require as a condition of~~
2 ~~the designation of a person other than a department employee that~~
3 ~~the person furnish a surety bond in an amount, in a form, and with~~
4 ~~a surety that is acceptable to the department. After being~~
5 ~~designated by the department, a person may issue park permits in~~
6 ~~accordance with this part.~~

7 ~~—— (16) Commercial motor coaches or vans with a capacity of more~~
8 ~~than 12 passengers are not eligible to enter a state park with an~~
9 ~~annual park permit. The daily fee to allow commercial motor coaches~~
10 ~~or vans with a capacity of over 12 passengers daily entry into a~~
11 ~~state park is \$15.00.~~

12 ~~—— (17) The department may add to the cost of a reservation or a~~
13 ~~motor vehicle entrance or camping fee the charges that the state~~
14 ~~incurs because of the use of a credit card.~~

15 ~~—— (18) If a person's annual park permit is lost or destroyed,~~
16 ~~the department shall provide that person with a replacement park~~
17 ~~permit free of charge. The department may require a person~~
18 ~~requesting a replacement park permit to supply sufficient evidence~~
19 ~~of the loss or destruction of the original park permit.~~

20 ~~—— (19) As used in this section, "resident motor vehicle" means a~~
21 ~~vehicle that is registered as a motor vehicle in this state.~~

22 Sec. 74120. (1) The department may promulgate rules to
23 implement this part.

24 (2) The department may promulgate rules providing a method for
25 an individual **WHOSE MOTOR VEHICLE REGISTRATION EXPIRES ANNUALLY** to
26 pay a state park and state-operated public boating access site
27 recreation passport fee in addition to the method provided for in

1 section 805 of the Michigan vehicle code, 1949 PA 300, MCL 257.805.
2 The amount of the state park and state-operated public boating
3 access site recreation passport fee required to be paid under ~~the~~**A**
4 method provided for by rule **UNDER THIS SUBSECTION** shall not exceed
5 twice the amount of a state park and state-operated public boating
6 access site recreation passport fee paid under the method provided
7 for in section 805 of the Michigan vehicle code, 1949 PA 300, MCL
8 257.805. ~~However, during 2010, the~~

9 **(3) THE DEPARTMENT SHALL PROMULGATE RULES PROVIDING A METHOD**
10 **FOR AN INDIVIDUAL WHOSE MOTOR VEHICLE REGISTRATION DOES NOT EXPIRE**
11 **ANNUALLY AND WHO IS EXEMPT UNDER SECTIONS 74116(4)(C) AND**
12 **78119(4)(B) FROM THE RECREATION PASSPORT FEE TO VOLUNTARILY PAY THE**
13 **RECREATION PASSPORT FEE AS A DONATION. THE** amount of the state park
14 and state-operated public boating access site recreation passport
15 fee required to be paid under the method provided for by rule **UNDER**
16 **THIS SUBSECTION** shall equal the amount of a state park and state-
17 operated public boating access site recreation passport fee paid
18 under the method provided for in section 805 of the Michigan
19 vehicle code, 1949 PA 300, MCL 257.805.

20 **(4)** A rule promulgated under this ~~subsection~~**SECTION** shall
21 provide for a method evidencing payment of the state park and
22 state-operated public boating access site recreation passport fee,
23 ~~under this subsection,~~ such as ~~by~~ the issuance and display of a
24 permit.

25 ~~— (3) A rule promulgated under subsection (2) does not apply~~
26 ~~after April 1, 2014 unless, during at least 1 of the state fiscal~~
27 ~~years ending September 30, 2011, 2012, and 2013, revenue from the~~

1 ~~recreation passport fee, minus appropriations to the secretary of~~
2 ~~state under section 2045(1)(a), equals or exceeds \$12,017,514.00.~~

3 Sec. 78105. (1) The department ~~shall have~~ **HAS** the following
4 powers and duties:

5 (a) To acquire, construct, and maintain harbors, channels, and
6 facilities for vessels in the navigable waters lying within the
7 boundaries of this state.

8 (b) To acquire, by purchase, lease, gift, or condemnation the
9 lands, rights of way, and easements necessary for harbors and
10 channels. For the purposes of this subdivision, the department
11 shall be considered a state agency under 1911 PA 149, MCL 213.21 to
12 213.25.

13 (c) To acquire, by purchase, lease, gift, or condemnation
14 suitable areas on shore for disposal of the material from dredging.

15 (d) To enter into any contracts or agreements that may be
16 necessary in carrying out this part, including agreements to hold
17 and save the United States free from damages due to the
18 construction and maintenance by the United States of those works
19 that the United States undertakes.

20 (e) To provide for the granting of concessions within the
21 boundaries of harbors, so as to furnish the public gas, oil, food,
22 and other facilities.

23 (f) To represent this state and the governor in dealings with
24 the chief of engineers of the United States army and his or her
25 authorized agents for the purposes set forth in this part.

26 (g) To charge fees for both seasonal and daily moorage at
27 state-operated small craft mooring facilities. All revenues derived

1 from this source shall be deposited in the waterways account.

2 (h) To collect the proceeds from the sale of marine fuel at
3 harbors operated by the department. The proceeds from the sales
4 shall be credited to the waterways account and used for the
5 purchase of marine fuel supplies as may be needed. Any remaining
6 revenue from this source not needed for the purchase of marine fuel
7 supplies may be expended in the same manner as other funds within
8 the waterways account.

9 (2) The director shall designate state-operated public boating
10 access sites that, **SUBJECT TO SECTION 78119(4)**, shall not be
11 entered by a resident motor vehicle unless the recreation passport
12 fee has been paid or by a nonresident or commercial motor vehicle
13 unless a pass purchased under subsection (3) is affixed to the
14 motor vehicle as described in section 78119.

15 (3) The department shall charge fees for passes authorizing
16 seasonal or daily entry by nonresident motor vehicles or commercial
17 motor vehicles at designated state-operated public boating access
18 sites. Fee revenue under this subsection shall be deposited in the
19 waterways account.

20 Sec. 78119. (1) Subject to subsection (4), a person shall not
21 enter, in a nonresident motor vehicle or commercial motor vehicle,
22 a ~~designated~~ state-operated public boating access site **DESIGNATED**
23 **UNDER SECTION 78105(2)** without a valid pass affixed to the lower
24 right-hand corner of the windshield. A seasonal pass shall be
25 affixed permanently for the season.

26 (2) Subject to subsection (4), the operator of a resident
27 motor vehicle shall not enter a ~~designated~~ state-operated public

1 boating access site **DESIGNATED UNDER SECTION 78105(2)** with the
2 resident motor vehicle unless the recreation passport fee has been
3 paid for that motor vehicle. **PAYMENT OF THE RECREATION PASSPORT FEE**
4 **AUTHORIZES ENTRY INTO ALL STATE PARKS AND RECREATION AREAS AND**
5 **DESIGNATED STATE-OPERATED PUBLIC BOATING ACCESS SITES UNTIL**
6 **EXPIRATION OF THE MOTOR VEHICLE REGISTRATION.**

7 (3) Subject to subsection (4), if the secretary of state
8 issues registration tabs or stickers as described in section 805 of
9 the Michigan vehicle code, 1949 PA 300, MCL 257.805, the operator
10 of a resident motor vehicle shall not enter a designated state-
11 operated public boating access site with the resident motor vehicle
12 unless the resident motor vehicle has a registration tab or sticker
13 ~~or temporary registration plate~~ marked as provided under that
14 section to show that the recreation passport fee has been paid.

15 (4) ~~The requirements of subsections~~ **SUBSECTIONS** (1) to (3) do
16 not apply under any of the following circumstances:

17 (a) If the motor vehicle is used in the operation or
18 maintenance of the public boating access site, is an emergency
19 motor vehicle, is a state-owned or law enforcement motor vehicle,
20 or is a private motor vehicle being operated on official state
21 business.

22 **(B) IF THE MOTOR VEHICLE IS REGISTERED UNDER SECTION 803E(1)**
23 **OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.803E, AND IS**
24 **EXEMPT UNDER SECTION 803E(6) OF THE MICHIGAN VEHICLE CODE, 1949 PA**
25 **300, MCL 257.803E, FROM THE REGISTRATION TAX, OR IF THE MOTOR**
26 **VEHICLE IS REGISTERED UNDER SECTION 217D OR 803F OF THE MICHIGAN**
27 **VEHICLE CODE, 1949 PA 300, MCL 257.217D AND 257.803F.**

1 (C) ~~(b)~~—If and to the extent the department waives the
2 requirements for department-sponsored events or other circumstances
3 as determined by the director or the director's designee.

4 (5) A person who violates subsection (1), (2), or (3) is
5 responsible for a state civil infraction and may be ordered to pay
6 a civil fine of not more than \$100.00. A person shall not be cited
7 for a violation of both subsections (2) and (3) for the same
8 incident.

9 (6) In any proceeding for the violation of this part or a rule
10 promulgated under this part, if a motor vehicle is found parked in
11 a designated state-operated public boating access site, the
12 registration plate displayed on the motor vehicle constitutes prima
13 facie evidence that the owner of the motor vehicle was the person
14 who parked or placed it at the location where it was found.

15 Enacting section 1. This amendatory act takes effect May 1,
16 2014.

17 Enacting section 2. This amendatory act does not take effect
18 unless House Bill No. 4439 of the 97th Legislature is enacted into
19 law.