

Act No. 138
Public Acts of 2017
Approved by the Governor
October 29, 2017
Filed with the Secretary of State
October 30, 2017
EFFECTIVE DATE: January 28, 2018

STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2017

Introduced by Reps. Hughes, Kesto, Marino, Lucido and Leutheuser

ENROLLED HOUSE BILL No. 4781

AN ACT to amend 1994 PA 451, entitled "An act to protect the environment and natural resources of the state; to codify, revise, consolidate, and classify laws relating to the environment and natural resources of the state; to regulate the discharge of certain substances into the environment; to regulate the use of certain lands, waters, and other natural resources of the state; to protect the people's right to hunt and fish; to prescribe the powers and duties of certain state and local agencies and officials; to provide for certain charges, fees, assessments, and donations; to provide certain appropriations; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 72105 (MCL 324.72105), as amended by 2014 PA 212.

The People of the State of Michigan enact:

Sec. 72105. (1) The department may operate and maintain a trail that is located on state owned land or may enter into an agreement with a council or 1 or more governmental agencies to provide for the operation and maintenance of the trail. An agreement entered into under this subsection may include provisions for any of the following:

- (a) Construction, maintenance, and operation of the trail.
- (b) Enforcement of trail rules and regulations including permitted uses of the trail.
- (c) Other provisions consistent with this part.

(2) All of the following apply to the operation of an electric bicycle on a trail subject to this part:

(a) An individual may operate a class 1 electric bicycle on a linear trail that has an asphalt, crushed limestone, or similar surface, or a rail trail. A local authority or agency of this state having jurisdiction over a trail described in this subdivision may regulate or prohibit the operation of a class 1 electric bicycle on that trail.

(b) An individual may operate a class 2 or class 3 electric bicycle on a linear trail that has an asphalt, crushed limestone, or similar surface, or a rail trail if authorized by the local authority or agency of this state having jurisdiction over the trail.

(c) Except as otherwise provided in this subdivision, an individual shall not operate an electric bicycle on a trail that is specifically designated as nonmotorized and that has a natural surface tread that is made by clearing and grading the native soil with no added surfacing materials. A local authority or agency of this state having jurisdiction over a trail described in this subdivision may allow the operation of an electric bicycle on that trail.

(3) Subsection (2) does not apply to the use of electric bicycles on a congressionally authorized public trail system.

(4) As used in this section, "electric bicycle", "class 1 electric bicycle", "class 2 electric bicycle", and "class 3 electric bicycle" mean those terms as defined in section 13e of the Michigan vehicle code, 1949 PA 300, MCL 257.13e.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor