

HOUSE BILL No. 6124

June 7, 2018, Introduced by Rep. Victory and referred to the Committee on Natural Resources.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 2001, 72302, 74101, 74116, 74117, 74120, 74122, 78101, 78105, and 83106 (MCL 324.2001, 324.72302, 324.74101, 324.74116, 324.74117, 324.74120, 324.74122, 324.78101, 324.78105, and 324.83106), section 2001 as amended by 2010 PA 32, section 72302 as added by 1995 PA 58, sections 74101 and 74122 as amended by 2010 PA 33, section 74116 as amended by 2016 PA 1, sections 74117, 74120, and 78105 as amended by 2013 PA 81, section 78101 as amended by 2010 PA 302, and section 83106 as amended by 2010 PA 34; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 2001. As used in this part:

2 (a) "Forest recreation account" means the forest recreation
3 account of the legacy fund provided for in section 2005.

4 (b) "Game and fish protection account" means the game and fish
5 protection account of the legacy fund provided for in section 2010.

6 (c) "Legacy fund" means the Michigan conservation and
7 recreation legacy fund established in section 40 of article IX of
8 the state constitution of 1963 and provided for in section 2002.

9 (d) "Off-road vehicle account" means the off-road vehicle
10 account of the legacy fund provided for in section 2015.

11 (e) "Recreation improvement account" means the recreation
12 improvement account of the legacy fund provided for in section
13 2020.

14 (f) "Recreation passport fee" means ~~a state park and state-~~
15 ~~operated public boating access site recreation passport fee paid~~
16 ~~under section 805 of the Michigan vehicle code, 1949 PA 300, MCL~~
17 ~~257.805, or under rules promulgated under section 74120(2).~~ **THAT**
18 **TERM AS DEFINED IN SECTION 74101.**

19 (g) "Snowmobile account" means the snowmobile account of the
20 legacy fund provided for in section 2025.

21 (h) "State park improvement account" means the state park
22 improvement account of the legacy fund provided for in section
23 2030.

24 (i) "Waterways account" means the waterways account of the
25 legacy fund provided for in section 2035.

26 Sec. 72302. **(1)** ~~Within~~ **SUBJECT TO** legislative appropriations,
27 the department shall make a survey and prepare a master plan for a

1 state system of trails with campsites and necessary facilities that
2 takes into account points of historical interest and scenic beauty.
3 Revisions of the plan may be made from time to time. On those parts
4 of the trail that are not public roads, the department may prohibit
5 motor equipment. The department may provide, develop, and maintain
6 a system of trails with campsites and necessary facilities for the
7 use of the public, within the appropriations made for those
8 purposes by the legislature.

9 **(2) THE OPERATOR OF A MOTOR VEHICLE SHALL NOT ENTER A STATE**
10 **TRAILHEAD DESIGNATED BY THE DIRECTOR AS REQUIRING A RECREATION**
11 **PASSPORT, EXCEPT IN COMPLIANCE WITH THE RECREATION PASSPORT**
12 **REQUIREMENTS OF PART 741.**

13 **(3) AS USED IN THIS SECTION, "STATE TRAILHEAD" MEANS A STATE-**
14 **OPERATED PARKING LOT AND ANY ASSOCIATED FACILITIES THAT PROVIDE**
15 **MOTOR VEHICLE PARKING ACCESS TO A DESIGNATED TRAIL, ROUTE, OR**
16 **PATHWAY.**

17 Sec. 74101. As used in this part:

18 (a) "Commercial motor vehicle" means a commercial vehicle as
19 defined in section 7 of the Michigan vehicle code, 1949 PA 300, MCL
20 257.7.

21 (b) "Improvement program" means the construction,
22 reconstruction, development, improvement, bettering, operating,
23 maintaining, and extending a facility at a state park, including a
24 site improvement, impoundment, road and parking lot, toilet
25 building, concession building, shelter building, bathhouse,
26 utility, outdoor center, visitor service facility, ski area, ski
27 tow, ski shelter, and administration unit.

1 (c) "Motor vehicle" means a vehicle that is self-propelled.

2 (D) "NONRESIDENT COMMERCIAL MOTOR VEHICLE" MEANS A COMMERCIAL
3 MOTOR VEHICLE THAT IS NOT REGISTERED AS A MOTOR VEHICLE IN THIS
4 STATE.

5 (E) ~~(d)~~ "Nonresident motor vehicle" means a motor vehicle,
6 other than a commercial motor vehicle, that is not registered as a
7 motor vehicle in this state.

8 (F) "RECREATION PASSPORT" MEANS ANY OF THE FOLLOWING, AS
9 APPLICABLE, THAT AUTHORIZE ENTRY INTO A RECREATIONAL FEE AREA:

10 (i) A DISTINCTIVELY MARKED REGISTRATION TAB OR STICKER, OR
11 ALTERNATIVE METHOD TO INDICATE THAT A RECREATION PASSPORT FEE HAS
12 BEEN PAID, ISSUED UNDER SECTION 805 OF THE MICHIGAN VEHICLE CODE,
13 1949 PA 300, MCL 257.805.

14 (ii) A RECREATION PASSPORT ISSUED UNDER SECTION 74117 OR
15 74120.

16 (G) ~~(e)~~ "Recreation passport fee" means ~~that term as defined~~
17 ~~in section 2001.~~ A FEE PAID FOR A RECREATION PASSPORT UNDER SECTION
18 805 OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.805, OR
19 SECTION 74117 OR 74120, OR UNDER ORDERS ISSUED OR RULES PROMULGATED
20 UNDER THESE PROVISIONS OF LAW.

21 (H) "RECREATIONAL FEE AREA" MEANS ANY OF THE FOLLOWING:

22 (i) A STATE PARK.

23 (ii) A STATE-OPERATED PUBLIC BOATING ACCESS SITE DESIGNATED
24 UNDER SECTION 78105(2).

25 (iii) A STATE TRAILHEAD DESIGNATED UNDER SECTION 72302(2).

26 (iv) A STATE FOREST CAMPGROUND DESIGNATED UNDER SECTION
27 83106(4).

1 (I) ~~(f)~~—"Resident motor vehicle" means a motor vehicle, other
2 than a commercial motor vehicle, that is registered as a motor
3 vehicle in this state.

4 (J) ~~(g)~~—"State park" means a state park or state recreation
5 area designated by the director.

6 (K) ~~(h)~~—"State park improvement account" means the state park
7 improvement account of the Michigan conservation and recreation
8 legacy fund provided for in section 2030.

9 (L) ~~(i)~~—"State park revenues" means all revenues collected for
10 state parks, including but not limited to, revenue from recreation
11 passport fees, motor vehicle permits, concession fees, nonmotorized
12 trail permits, fees, leases, camping fees, sale of farm animals
13 from Maybury state park, donations, and gifts.

14 Sec. 74116. (1) Subject to subsection ~~(4)~~, ~~(3)~~, the operator
15 of a nonresident motor vehicle or **ANY** commercial motor vehicle
16 shall not enter any ~~state park~~ **RECREATIONAL FEE AREA** with that
17 motor vehicle unless a ~~valid motor vehicle park permit~~ **CURRENT**
18 **RECREATION PASSPORT** issued under section ~~74117~~ is affixed to the
19 lower right-hand corner of the windshield. An annual motor vehicle
20 park permit for a nonresident motor vehicle shall be affixed
21 permanently for that year. The department shall post signs at parks
22 that state that a motor vehicle park permit is required for entry
23 by a nonresident motor vehicle or commercial motor vehicle. **74117(2)**
24 **OR (3) IS DISPLAYED ON THE MOTOR VEHICLE AS PROVIDED IN SECTION**
25 **74117(5) .**

26 ~~(2) Subject to subsection (4), the operator of a resident~~
27 ~~motor vehicle shall not enter a state park with the resident motor~~

1 ~~vehicle unless the recreation passport fee has been paid for that~~
 2 ~~motor vehicle. Payment of the recreation passport fee authorizes~~
 3 ~~entry into all state parks and recreation areas and designated~~
 4 ~~state-operated public boating access sites until expiration of the~~
 5 ~~motor vehicle registration.~~

6 (2) ~~(3)~~ Subject to subsection ~~(4)~~, if the secretary of state
 7 issues registration tabs or stickers as described in section 805 of
 8 the Michigan vehicle code, 1949 PA 300, MCL 257.805, ~~(3)~~, the
 9 operator of a resident motor vehicle shall not enter a ~~state park~~
 10 **RECREATIONAL FEE AREA** with the resident motor vehicle unless the
 11 ~~resident motor vehicle has a registration tab or sticker marked as~~
 12 ~~provided under that section to show that the recreation passport~~
 13 ~~fee has been paid.~~ **A CURRENT RECREATION PASSPORT ISSUED UNDER**
 14 **SECTION 805 OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.805,**
 15 **IS DISPLAYED ON THE MOTOR VEHICLE AS PROVIDED FOR IN THAT SECTION**
 16 **OR A CURRENT RECREATION PASSPORT ISSUED UNDER SECTION 74120(2) IS**
 17 **DISPLAYED ON THE MOTOR VEHICLE AS PROVIDED IN SECTION 74117(5).**

18 (3) ~~(4)~~ Subsections (1) ~~to (3)~~ **AND (2)** do not apply under any
 19 of the following circumstances:

20 (a) While the motor vehicle is being driven or parked ~~within~~
 21 **ON** an established federal, state, or county highway within a ~~state~~
 22 ~~park.~~ **RECREATIONAL FEE AREA.**

23 (b) If the motor vehicle is used in the operation or
 24 maintenance of a ~~state park,~~ **RECREATIONAL FEE AREA**, is an emergency
 25 motor vehicle, is a state owned **MOTOR VEHICLE** or law enforcement
 26 motor vehicle, or is a private motor vehicle being operated on
 27 official state business.

1 (c) If the motor vehicle is registered under section 803e(1)
 2 of the Michigan vehicle code, 1949 PA 300, MCL 257.803e, and is
 3 exempt under section 803e(6) of the Michigan vehicle code, 1949 PA
 4 300, MCL 257.803e, from the registration tax, or if the motor
 5 vehicle is registered under section 217d or 803f of the Michigan
 6 vehicle code, 1949 PA 300, MCL 257.217d and 257.803f.

7 (d) At a ~~state-operated public boating access site or a state~~
 8 ~~park~~ **RECREATIONAL FEE AREA** where there is an opportunity to fish
 9 **FOR FREE** on a day that the department has designated as a free
 10 winter fishing day or a free fishing day under section 43534.

11 (e) If and to the extent that the department waives the
 12 requirements for department-sponsored events or other circumstances
 13 as determined by the director or the director's designee.

14 **(4) THE DEPARTMENT SHALL POST SIGNS AT RECREATIONAL FEE AREAS**
 15 **THAT STATE THAT A RECREATION PASSPORT IS REQUIRED FOR ENTRY BY A**
 16 **MOTOR VEHICLE.**

17 Sec. 74117. (1) ~~This subsection and subsections (2) to (9)~~
 18 ~~apply beginning October 1, 2010.~~ The department shall prepare and
 19 distribute ~~park permits~~ **RECREATION PASSPORTS, OTHER THAN THOSE**
 20 **PROVIDED FOR IN SECTION 805 OF THE MICHIGAN VEHICLE CODE, 1949 PA**
 21 **300, MCL 257.805,** as necessary to implement this part.

22 (2) Except as otherwise provided in this section, the
 23 department shall issue an annual ~~nonresident motor vehicle park~~
 24 ~~permit~~ **RECREATION PASSPORT** that authorizes the entry of a
 25 nonresident motor vehicle to which it is originally attached within
 26 any ~~state park~~ **RECREATIONAL FEE AREA** during the calendar year for
 27 which it is issued. The fee for the annual ~~nonresident motor~~

1 ~~vehicle park permit~~ **RECREATION PASSPORT** for the ~~owner of a~~
2 nonresident motor vehicle is \$29.00. An annual ~~park permit~~
3 **RECREATION PASSPORT FOR A NONRESIDENT MOTOR VEHICLE** shall not be
4 used for a **NONRESIDENT** commercial motor vehicle.

5 (3) The department shall issue a daily ~~motor vehicle park~~
6 ~~permit, valid for 1 day only,~~ **RECREATION PASSPORT** that authorizes
7 the entry of a nonresident motor vehicle or **ANY** commercial motor
8 vehicle to which it is originally attached within any ~~state park~~
9 **RECREATIONAL FEE AREA ONLY** during the **SINGLE** day for which it is
10 issued. The fee for a daily **RECREATION PASSPORT FOR A** nonresident
11 motor vehicle ~~park permit~~ is \$8.00. The fee for a daily **RECREATION**
12 **PASSPORT FOR A** commercial motor vehicle ~~park permit~~ is \$15.00.

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

21 (5) **A RECREATION PASSPORT ISSUED UNDER THIS SECTION OR SECTION**
22 **74120(2) SHALL BE DISPLAYED IN THE LOWER RIGHT-HAND CORNER OF THE**
23 **MOTOR VEHICLE WINDSHIELD AND, IF IT IS AN ANNUAL RECREATION**
24 **PASSPORT, SHALL BE AFFIXED TO THE WINDSHIELD IN THE MANNER FOR**
25 **WHICH IT IS DESIGNED.**

26 (6) ~~(5)~~ The department may designate persons in this state
27 authorized to sell ~~park permits.~~ **RECREATION PASSPORTS.** The

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

9 (7) ~~(6)~~—If a person's annual **RECREATION PASSPORT FOR A**
10 nonresident motor vehicle ~~park permit~~ is lost or destroyed, the
11 department shall provide that person with a replacement ~~motor~~
12 ~~vehicle park permit~~ **RECREATION PASSPORT** free of charge. The
13 department may require a person requesting a replacement ~~motor~~
14 ~~vehicle park permit~~ **RECREATION PASSPORT** to supply sufficient
15 evidence of the loss or destruction of the ~~original motor vehicle~~
16 ~~park permit~~. **RECREATION PASSPORT**.

17 (8) ~~(7)~~—The department may add to the cost of a reservation or
18 a ~~motor vehicle park permit~~ **RECREATION PASSPORT** or **TO A** camping fee
19 the charges that ~~the~~ **THIS** state incurs because of the use of a
20 credit card.

21 (9) ~~(8)~~—This section and section 74116 apply only to the entry
22 of motor vehicles into state parks and do not obviate the necessity
23 ~~of obtaining additional~~ **RECREATIONAL FEE AREAS. ADDITIONAL** permits
24 for special services or park privileges ~~as~~ may be required by ~~law~~
25 **STATUTE** or by rules promulgated by the department.

26 (10) ~~(9)~~—For each calendar year, the state treasurer shall
27 adjust the amounts set forth in subsections (2) to (4) by an amount

1 determined by the state treasurer to reflect the cumulative
2 percentage change in the ~~consumer price index~~ **CONSUMER PRICE INDEX**
3 from October 1, 2010 to the October 1 immediately preceding that
4 calendar year, using the most recent data available and rounded to
5 the nearest dollar.

6 Sec. 74120. (1) The department may promulgate rules to
7 implement this part.

8 (2) The department may promulgate rules providing a method for
9 an individual whose **RESIDENT** motor vehicle registration expires
10 annually to ~~pay a state park and state-operated public boating~~
11 ~~access site~~ **OBTAIN A** recreation passport fee in addition to the
12 method provided for in section 805 of the Michigan vehicle code,
13 1949 PA 300, MCL 257.805. The amount of the ~~state park and state-~~
14 ~~operated public boating access site~~ recreation passport fee
15 required to be paid under a method provided for by rule under this
16 subsection shall not exceed twice the amount of a ~~state park and~~
17 ~~state-operated public boating access site~~ recreation passport fee
18 paid under the method provided for in section 805 of the Michigan
19 vehicle code, 1949 PA 300, MCL 257.805.

20 (3) The department shall promulgate rules providing a method
21 for an individual whose motor vehicle registration does not expire
22 annually and who is exempt under ~~sections~~ **SECTION** 74116(4)(c) and
23 ~~78119(4)(b)~~ from the recreation passport fee to **OBTAIN A RECREATION**
24 **PASSPORT AND** voluntarily pay the recreation passport fee as a
25 donation. The amount of the ~~state park and state-operated public~~
26 ~~boating access site~~ recreation passport fee required to be paid
27 under the method provided for by rule under this subsection shall

1 equal the amount of a ~~state park and state operated public boating~~
2 ~~access site recreation~~ passport fee paid under the method provided
3 for in section 805 of the Michigan vehicle code, 1949 PA 300, MCL
4 257.805.

5 ~~—— (4) A rule promulgated under this section shall provide for a~~
6 ~~method evidencing payment of the state park and state operated~~
7 ~~public boating access site recreation passport fee, such as the~~
8 ~~issuance and display of a permit.~~

9 Sec. 74122. (1) A person who violates this part or a rule
10 promulgated under this part is guilty of a misdemeanor. This
11 subsection does not apply to violations described in subsection
12 (2).

13 (2) A person who violates section 74116(1) ~~OR~~ (2) ~~or~~ (3)
14 is responsible for a state civil infraction and may be ordered to
15 pay a civil fine of not more than \$100.00. ~~A person shall not be~~
16 ~~eited for a violation of both section 74116(2) and section 74116(3)~~
17 ~~for the same incident.~~

18 (3) In any proceeding for the violation of this part or a rule
19 promulgated under this part, if a motor vehicle is ~~found~~ parked in
20 a ~~state park,~~ **RECREATIONAL FEE AREA**, the registration plate
21 displayed on the motor vehicle constitutes prima facie evidence
22 that the owner of the motor vehicle was the person who parked or
23 placed it at the location where it was found.

24 (4) In addition to the penalties provided for ~~in~~ **A VIOLATION**
25 **OF** subsection (1), a person convicted of an act of vandalism to
26 state park equipment, facilities, or resources shall reimburse the
27 department up to 3 times the amount of the damage as determined by

1 the court. All money collected pursuant to this subsection shall be
2 credited to the state park improvement account.

3 Sec. 78101. As used in this part:

4 ~~— (a) "Commercial motor vehicle" means that term as defined in~~
5 ~~section 74101.~~

6 (A) ~~(b)~~—"Commission" means the Michigan state waterways
7 commission.

8 (B) ~~(c)~~—"Department" means the department of natural
9 resources.

10 ~~— (d) "Designated state-operated public boating access site"~~
11 ~~means a state-operated public boating access site designated under~~
12 ~~section 78105(2).~~

13 (C) ~~(e)~~—"Director" means the administrative director of the
14 commission.

15 (D) ~~(f)~~—"Diesel motor fuel" means any liquid fuel used in the
16 operation of engines of the diesel type in motor vehicles or
17 watercraft.

18 (E) ~~(g)~~—"Gasoline" means gasoline, casing head or natural
19 gasoline, benzole, benzine, and naphtha. Gasoline also means any
20 liquid prepared, advertised, offered for sale, sold for use as, or
21 used for, the generation of power for the propulsion of motor
22 vehicles or watercraft, including any product obtained by blending
23 together any 1 or more products of petroleum, regardless of their
24 original names or characteristics, with or without other products,
25 unless the resultant product obtained is entirely incapable of use
26 for the generation of power for the propulsion of motor vehicles or
27 watercraft. Gasoline does not include diesel fuel, liquefied

1 petroleum gas, or commercial or industrial naphthas or solvents
2 manufactured, imported, received, stored, distributed, sold, or
3 used exclusively for purposes other than as a fuel for motor
4 vehicles or watercraft.

5 (F) ~~(h)~~—"Harbor" means a portion of a lake or other body of
6 water either naturally or artificially protected so as to be a
7 place of safety for watercraft, including contrivances used or
8 designed for navigation on water and used or owned by the United
9 States.

10 (G) ~~(i)~~—"Harbor facilities" means the structures at a harbor
11 constructed to protect the lake or body of water and the facilities
12 provided within the harbor and ashore for the mooring and servicing
13 of watercraft and the servicing of crews and passengers.

14 (H) ~~(j)~~—"Inland lake or stream" means that term as defined in
15 section 30101.

16 (I) ~~(k)~~—"Liquefied petroleum gas" means gases derived from
17 petroleum or natural gases that are in the gaseous state at normal
18 atmospheric temperature and pressure, but that may be maintained in
19 the liquid state at normal atmospheric temperature by suitable
20 pressure.

21 (J) ~~(l)~~—"Marina" means a site that contains harbor facilities.

22 (K) ~~(m)~~—"Motor vehicle" means that term as defined in section
23 74101.

24 (L) ~~(n)~~—"Navigable water" means any waterway navigable by
25 vessels, or capable of being made navigable by vessels through
26 artificial improvements, and includes the structures and facilities
27 created to facilitate navigation.

1 ~~—— (o) "Nonresident motor vehicle" means that term as defined in~~
 2 ~~section 74101.~~

3 (M) ~~(p)~~ "Person" includes any individual, partnership,
 4 corporation, association, or body politic, except the United States
 5 and this state, and includes any trustee, receiver, assignee, or
 6 other similar representative of those entities.

7 (N) ~~(q)~~ "Public boating access site" means a publicly owned
 8 site for the launching of recreational watercraft.

9 (O) ~~(r)~~ "Recreational boating facilities" means boat launches,
 10 harbors, marinas, and locks assisting recreational boats accessing
 11 water bodies at different elevations.

12 ~~—— (s) "Recreation passport fee" means that term as defined in~~
 13 ~~section 2001.~~

14 ~~—— (t) "Resident motor vehicle" means that term as defined in~~
 15 ~~section 74101.~~

16 (P) ~~(u)~~ "Retail fuel dealer" includes any person or persons,
 17 both private and municipal, ~~who~~ **THAT** engage in the business of
 18 selling or distributing fuel within this state.

19 (Q) ~~(v)~~ "Secretary of state" means the secretary of state of
 20 this state, acting directly or through a duly authorized deputy,
 21 investigators, agents, and employees.

22 (R) ~~(w)~~ "Vessel" means all watercraft except the following:

23 (i) Watercraft used for commercial fishing.

24 (ii) Watercraft used by the ~~sea scout department of the boy~~
 25 ~~scouts of America~~ **SEA SCOUTS, BSA** chiefly for training scouts in
 26 seamanship.

27 (iii) Watercraft owned by this state, any political

1 subdivision of this state, or the federal government.

2 (iv) Watercraft when used in interstate or foreign commerce
3 and watercraft used or owned by any railroad company or railroad
4 car ferry company.

5 (v) Watercraft when used in trade, including watercraft when
6 used in connection with an activity that constitutes a person's
7 chief business or means of livelihood.

8 **(S)** ~~(*)~~—"Watercraft" means any contrivance used or designed
9 for navigation on water, including, but not limited to, any vessel,
10 ship, boat, motor vessel, steam vessel, vessel operated by
11 machinery, motorboat, sailboat, barge, scow, tugboat, and rowboat,
12 but does not include contrivances used or owned by the United
13 States.

14 **(T)** ~~(y)~~—"Waterway" means any body of water.

15 **(U)** ~~(z)~~—"Waterways account" means the waterways account of the
16 Michigan conservation and recreation legacy fund provided for in
17 section 2035.

18 Sec. 78105. (1) The department has the following powers and
19 duties:

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

23 (b) To acquire, by purchase, lease, gift, or condemnation the
24 lands, rights of way, and easements necessary for harbors and
25 channels. For the purposes of this subdivision, the department
26 shall be considered a state agency under 1911 PA 149, MCL 213.21 to
27 213.25.

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

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

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

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

14 (g) To charge fees for both seasonal and daily moorage at
15 state-operated small craft mooring facilities. All revenues derived
16 from this source shall be deposited in the waterways account.

17 (h) To collect the proceeds from the sale of marine fuel at
18 harbors operated by the department. The proceeds from the sales
19 shall be credited to the waterways account and used for the
20 purchase of marine fuel supplies as may be needed. Any remaining
21 revenue from this source not needed for the purchase of marine fuel
22 supplies may be expended in the same manner as other funds within
23 the waterways account.

24 ~~(2) The director shall designate state-operated public boating~~
25 ~~access sites that, subject to section 78119(4), shall not be~~
26 ~~entered by a resident motor vehicle unless the recreation passport~~
27 ~~fee has been paid or by a nonresident or commercial motor vehicle~~

1 ~~unless a pass purchased under subsection (3) is affixed to the~~
2 ~~motor vehicle as described in section 78119.~~ **THE OPERATOR OF A MOTOR**
3 **VEHICLE SHALL NOT ENTER A STATE-OPERATED PUBLIC BOATING ACCESS SITE**
4 **DESIGNATED BY THE DIRECTOR AS REQUIRING A RECREATION PASSPORT,**
5 **EXCEPT IN COMPLIANCE WITH THE RECREATION PASSPORT REQUIREMENTS OF**
6 **PART 741.**

7 ~~— (3) The department shall charge fees for passes authorizing~~
8 ~~seasonal or daily entry by nonresident motor vehicles or commercial~~
9 ~~motor vehicles at designated state-operated public boating access~~
10 ~~sites. Fee revenue under this subsection shall be deposited in the~~
11 ~~waterways account.~~

12 Sec. 83106. (1) The department may require a person to obtain
13 a permit for camping in designated state forest campgrounds and may
14 establish and collect a fee for the camping permit. However, at
15 least 6 months before increasing a camping permit fee, the
16 department shall provide written notice of its intent to do so to
17 the standing committees of the senate and the house of
18 representatives that have primary jurisdiction over legislation
19 pertaining to natural resources and the environment.

20 (2) The department may require a person to obtain a permit,
21 except as otherwise provided by law, for the use of lands and
22 facilities within the state forest as designated by the department
23 for recreation use. ~~The department shall not require a permit or~~
24 ~~payment of a fee for use of a state forest nonmotorized trail or~~
25 ~~pathway or state forest campground facility except as provided in~~
26 ~~subsection (1) or otherwise provided in this act.~~

27 (3) Money collected under ~~this section~~ **SUBSECTION (2)** shall be

1 deposited into the forest recreation account.

2 **(4) THE OPERATOR OF A MOTOR VEHICLE SHALL NOT ENTER A STATE**
3 **FOREST CAMPGROUND DESIGNATED BY THE DIRECTOR AS REQUIRING A**
4 **RECREATION PASSPORT, EXCEPT IN COMPLIANCE WITH THE RECREATION**
5 **PASSPORT REQUIREMENTS OF PART 741.**

6 Enacting section 1. Section 78119 of the natural resources and
7 environmental protection act, 1994 PA 451, MCL 324.78119, is
8 repealed.

9 Enacting section 2. This amendatory act takes effect 90 days
10 after the date it is enacted into law.