

**SUBSTITUTE FOR
HOUSE BILL NO. 4551**

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 40111, 74116, and 78119 (MCL 324.40111,
324.74116, and 324.78119), section 40111 as amended by 2018 PA 272,
section 74116 as amended by 2016 PA 1, and section 78119 as amended
by 2013 PA 81.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 40111. (1) Except as otherwise provided in subsection (3)
2 or (5), this part, or in a department order authorized under
3 section 40107, an individual shall not take an animal from in or
4 upon a vehicle.

5 (2) Except as otherwise provided in subsection (3), (4), or
6 (5), this part, or in a department order authorized under section



1 40107, an individual shall not transport or possess a firearm in or
2 upon a vehicle, unless the firearm is unloaded and enclosed in a
3 case, unloaded and carried in the trunk of a vehicle, or unloaded
4 in a motorized boat.

5 (3) A person with a disability may transport or possess a
6 firearm in or upon a vehicle, except for a car or truck, on a state
7 licensed game bird hunting preserve if the firearm is unloaded and
8 the vehicle is operated at a speed of not greater than 10 miles per
9 hour. A person with a disability may possess a loaded firearm and
10 may discharge that firearm to take an animal from in or upon a
11 vehicle, except for a car or truck, on a state licensed game bird
12 hunting preserve if the vehicle is not moving. The department may
13 demand proof of eligibility under this subsection. An individual
14 shall possess proof of his or her eligibility under this subsection
15 and furnish the proof upon the request of a peace officer.

16 (4) An individual may transport or possess an unloaded firearm
17 in or upon a vehicle on a sporting clays range.

18 (5) An individual holding a valid permit to hunt from a
19 standing vehicle under section 40114 may transport or possess an
20 uncased firearm with a loaded magazine on a personal assistive
21 mobility device if the action is open. An individual holding a
22 valid permit to hunt from a standing vehicle under section 40114
23 may possess a loaded firearm and may discharge that firearm to take
24 game from a personal assistive mobility device if each of the
25 following applies:

26 (a) The personal assistive mobility device is not moving.

27 (b) The individual holds a valid base license under section
28 43523a, holds any other necessary license under part 435, and
29 complies with all other laws and rules for the taking of game.



1 (6) An individual may transport or possess a bow or crossbow
2 in or upon a vehicle while that vehicle is operated on public land
3 or on a highway, road, or street in this state if the bow or
4 crossbow is unloaded and uncocked, enclosed in a case, or carried
5 in the trunk of a vehicle.

6 (7) An individual shall not hunt with a firearm within 150
7 yards of an occupied building, dwelling, house, residence, or
8 cabin, or any barn or other building used in connection with a farm
9 operation, without obtaining the written permission of the owner,
10 renter, or occupant of the property.

11 (8) As used in this section:

12 (a) "Person with a disability" means a disabled person as that
13 term is defined in section 19a of the Michigan vehicle code, 1949
14 PA 300, MCL 257.19a, **or a totally disabled veteran as that term is**
15 **defined in section 68c of the Michigan vehicle code, 1949 PA 300,**
16 **MCL 257.68c**, and who is in possession of 1 of the following:

17 (i) A certificate of identification or windshield placard
18 issued to a disabled person under section 675 of the Michigan
19 vehicle code, 1949 PA 300, MCL 257.675.

20 (ii) A special registration plate issued to a disabled person
21 under section 803d of the Michigan vehicle code, 1949 PA 300, MCL
22 257.803d.

23 **(iii) A special registration plate or registration plate to**
24 **which a tab or other indicator for persons with disabilities is**
25 **attached issued to a totally disabled veteran under section 803f of**
26 **the Michigan vehicle code, 1949 PA 300, MCL 257.803f.**

27 (b) "Personal assistive mobility device" means any device,
28 including, but not limited to, one that is battery-powered, that is
29 designed solely for use by an individual with mobility impairment



1 for locomotion and is considered an extension of the individual.

2 (c) "Uncocked" means the following:

3 (i) For a bow, that the bow is not in the drawn position.

4 (ii) For a crossbow, that the crossbow is not in the cocked
5 position.

6 (d) "Unloaded" means the following:

7 (i) For a firearm, that the firearm does not have ammunition in
8 the barrel, chamber, cylinder, clip, or magazine when the barrel,
9 chamber, cylinder, clip, or magazine is part of or attached to the
10 firearm.

11 (ii) For a bow, that an arrow is not nocked.

12 (iii) For a crossbow, that a bolt is not in the flight groove.

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

22 (2) Subject to subsection (4), the operator of a resident
23 motor vehicle shall not enter a state park with the resident motor
24 vehicle unless the recreation passport fee has been paid for that
25 motor vehicle. Payment of the recreation passport fee authorizes
26 entry into all state parks and recreation areas and designated
27 state-operated public boating access sites until expiration of the
28 motor vehicle registration.

29 (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 marked as provided under that section
6 to show that the recreation passport fee has been paid.

7 (4) Subsections (1) to (3) do not apply under any of the
8 following circumstances:

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

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

16 (c) If the motor vehicle is registered under section 803e(1)
17 of the Michigan vehicle code, 1949 PA 300, MCL 257.803e, and is
18 exempt under section 803e(6) of the Michigan vehicle code, 1949 PA
19 300, MCL 257.803e, from the registration tax, ~~or~~ if the motor
20 vehicle is registered under section 217d or 803f of the Michigan
21 vehicle code, 1949 PA 300, MCL 257.217d and 257.803f, **or if the**
22 **motor vehicle has a tab or other indicator for persons with**
23 **disabilities issued under section 803f of the Michigan vehicle**
24 **code, 1949 PA 300, MCL 257.803f.**

25 (d) At a state-operated public boating access site or a state
26 park where there is an opportunity to fish on a day that the
27 department has designated as a free winter fishing day or a free
28 fishing day under section 43534.

29 (e) If and to the extent that the department waives the



1 requirements for department-sponsored events or other circumstances
2 as determined by the director or the director's designee.

3 Sec. 78119. (1) Subject to subsection (4), a person shall not
4 enter, in a nonresident motor vehicle or commercial motor vehicle,
5 a state-operated public boating access site designated under
6 section 78105(2) without a valid pass affixed to the lower right-
7 hand corner of the windshield. A seasonal pass ~~shall~~**must** be
8 affixed permanently for the season.

9 (2) Subject to subsection (4), the operator of a resident
10 motor vehicle shall not enter a state-operated public boating
11 access site designated under section 78105(2) with the resident
12 motor vehicle unless the recreation passport fee has been paid for
13 that motor vehicle. Payment of the recreation passport fee
14 authorizes entry into all state parks and recreation areas and
15 designated state-operated public boating access sites until
16 expiration of the motor vehicle registration.

17 (3) Subject to subsection (4), if the secretary of state
18 issues registration tabs or stickers as described in section 805 of
19 the Michigan vehicle code, 1949 PA 300, MCL 257.805, the operator
20 of a resident motor vehicle shall not enter a designated state-
21 operated public boating access site with the resident motor vehicle
22 unless the resident motor vehicle has a registration tab or sticker
23 marked as provided under that section to show that the recreation
24 passport fee has been paid.

25 (4) Subsections (1) to (3) do not apply under any of the
26 following circumstances:

27 (a) If the motor vehicle is used in the operation or
28 maintenance of the public boating access site, is an emergency
29 motor vehicle, is a state-owned or law enforcement motor vehicle,



1 or is a private motor vehicle being operated on official state
2 business.

3 (b) If the motor vehicle is registered under section 803e(1)
4 of the Michigan vehicle code, 1949 PA 300, MCL 257.803e, and is
5 exempt under section 803e(6) of the Michigan vehicle code, 1949 PA
6 300, MCL 257.803e, from the registration tax, ~~or~~ if the motor
7 vehicle is registered under section 217d or 803f of the Michigan
8 vehicle code, 1949 PA 300, MCL 257.217d and 257.803f, **or if the**
9 **motor vehicle has a tab or other indicator for persons with**
10 **disabilities issued under section 803f of the Michigan vehicle**
11 **code, 1949 PA 300, MCL 257.803f.**

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

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

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

26 Enacting section 1. This amendatory act does not take effect
27 unless House Bill No. 4552 of the 100th Legislature is enacted into
28 law.

