

**MODIFY WATERCRAFT
INSPECTION PROGRAM**

House Bill 6219
Sponsor: Rep. Raymond Basham
Committee: Transportation

Complete to 8-30-02

A SUMMARY OF HOUSE BILL 6219 AS INTRODUCED 6-18-02

House Bill 6219 would amend the Natural Resources and Environmental Protection Act to modify the state marine vessel inspection program.

Currently under the law, the operator of a marine vessel on waters of this state must stop the watercraft for an inspection at the request of a peace officer. All peace officers are equipped with adhesive copies of a uniform marine safety inspection decal (differently colored each year), and a receipt book. If a peace officer finds no violation of a marine law, the inspection decal is placed on the vessel, and the receipt (including the officer's name, the time, date, and place of the inspection, and the vessel's identification number) is delivered to a program supervisor, who maintains all of the receipts for one year. During the period during which the inspection decal remains in effect, a peace officer can inspect a vessel only to determine the number and adequacy of personal flotation devices, or if there is probable cause to believe the vessel's operator is in violation of a marine law. Under House Bill 6219, these provisions would be deleted.

The bill would provide, instead, that a peace officer could not stop a vessel moving on the waters of this state for enforcement purposes unless he or she has a reasonable suspicion that a violation of the law has occurred, or is about to be committed. Further, the bill specifies that the Department of Natural Resources could enter into an agreement with the United States Coast Guard, the Coast Guard Auxiliary, or an organization sponsored by the Coast Guard to provide for courtesy marine examinations of a vessel and its equipment. However, such an agreement would not preclude the department or any peace officer from performing an inspection of a vessel or the vessel's equipment for enforcement or courtesy purposes.

Under the bill, an agreement entered into would be required to specify that the United States Coast Guard, the auxiliary, or an organization sponsored by the Coast Guard or auxiliary would provide the department with a sufficient number of vessel safety check decals for conservation officers, and those counties that participate in the marine safety program. The decals issued would have to bear the likeness of the state seal of Michigan, and the year the decal was valid. Finally, upon the completion of an inspection of a vessel or its equipment by a peace officer, the decal would be affixed, and the bill specifies that the appearance of a valid decal issued in this state or in another state would be prima facie evidence that the vessel was properly equipped.

MCL 324.80166

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