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BILL ANALYSIS

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Senate Bill 161 (Substitute S-2 as reported)
Sponsor: Senator Jason E. Allen
Committee: Natural Resources and Environmental Affairs

CONTENT

The bill would amend Part 821 (Snowmobiles) of the Natural Resources and Environmental Protection Act to allow the operation of a snowmobile on the right-of-way of a limited access public highway under certain circumstances. The bill also would allow snowmobile operation on a limited access or nonlimited access highway right-of-way to be permanently prohibited if, within 10 years after the bill's effective date, certain conditions were met.

Under the bill, a snowmobile could be operated on the right-of-way of a limited access highway if 1) the right-of-way were a snowmobile trail designated by the Department of Natural Resources (DNR) in its comprehensive plan for a statewide recreational and snowmobile trails system, and 2) the right-of-way were approved by the Michigan Department of Transportation (MDOT). A snowmobile could be operated on the right-of-way only in the manner provided in the comprehensive plan; would have to travel single file; and, in the absence of a posted snowmobile speed limit, could not exceed the speed limited posted on the highway.

The DNR and MDOT could permanently prohibit snowmobile operation on a highway right-of-way if, within 10 years after the bill's effective date, 1) the right-of-way were designated in a closure plan developed by the Departments and approved by the State Transportation Commission and the Natural Resources Commission; 2) the DNR and MDOT held a public hearing in the applicable county; 3) the Departments consulted with the Snowmobile Advisory Committee; 4) the DNR designated and, if required, MDOT approved, an alternative snowmobile trail that met certain criteria; and 5) snowmobile use on the right-of-way posed a particular and demonstrable threat to public safety.

The bill would allow MDOT and the DNR to promulgate rules to implement the bill's provisions regarding snowmobile operation on a limited access highway right-of-way and the permanent prohibition of snowmobile use on a right-of-way.

MCL 324.82119

Legislative Analyst: Julie Koval

FISCAL IMPACT

The State would incur additional administrative costs if a permanent prohibition on snowmobile trail use were sought for a highway right-of-way. Expenses could be incurred for the development of a closure plan, public hearings, and the development of an alternative snowmobile trail.

Date Completed: 5-11-05

Fiscal Analyst: Jessica Runnels

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Bill Analysis @ www.senate.michigan.gov

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