

Act No. 197
Public Acts of 2009
Approved by the Governor
December 28, 2009
Filed with the Secretary of State
December 28, 2009
EFFECTIVE DATE: December 28, 2009

**STATE OF MICHIGAN
95TH LEGISLATURE
REGULAR SESSION OF 2009**

Introduced by Senators Birkholz, Basham, Pappageorge, Jansen, Brater and George

ENROLLED SENATE BILL No. 388

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 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 74117 (MCL 324.74117), as amended by 2006 PA 477.

The People of the State of Michigan enact:

Sec. 74117. (1) The department may require park permits and collect park permit fees for entry into a state park or portion of a state park posted in the manner prescribed by this part. The department may waive the permit requirement for department-sponsored events or other circumstances as determined by the director or the director's designee. The department shall prepare and distribute park permits to implement this part.

(2) Except as otherwise provided in this section, an annual park permit shall be issued and shall authorize the entry of the motor vehicle to which it is originally attached within the confines of any state park or recreation area during the calendar year for which it is issued. The fee for the annual park permit is as follows:

(a) Before April 1, 2010, for the owner of a resident motor vehicle, \$24.00, except as follows:

(i) The fee for the owner of a resident motor vehicle who is 65 years of age or older is \$6.00.

(ii) The fee for the owner of a resident motor vehicle who, at the time of purchase, is in possession of a food stamp card and personal identification is \$18.00.

(b) Before April 1, 2010, for the owner of a nonresident motor vehicle, \$29.00.

(3) A daily permit, valid for 1 day only, shall authorize the entry of the motor vehicle to which it is originally attached within the confines of a state park during the day for which it is issued. The fee for a daily permit is as follows:

(a) Before April 1, 2010, for the owner of a resident motor vehicle, \$6.00.

(b) Before April 1, 2010, for the owner of a nonresident motor vehicle, \$8.00.

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

(5) The department shall provide to the standing committees in the senate and house of representatives along with the appropriate budget subcommittees that primarily consider issues pertaining to natural resources an annual report that details the revenue stream generated by the fee structure under this section. This report shall be presented not later than December 31 each year and shall include information on the impact of the revenue stream on the Michigan state parks endowment fund created in section 35a of article IX of the state constitution of 1963 and provided for in section 74119, the use of the general fund for funding the state park system, and other relevant issues that impact funding needs for the state park system.

(6) This part applies only to the entry of motor vehicles into the state parks and to the park permits authorized in this part and does not obviate the necessity of obtaining additional permits for special services or park privileges as previously or subsequently may be required by law or by rules promulgated by the department. The department shall designate each person in the state authorized to sell park permits and shall require as a condition of the designation of a person other than a department employee that the person furnish a surety bond in an amount, in a form, and with a surety that is acceptable to the department. After being designated by the department, a person may issue park permits in accordance with this part.

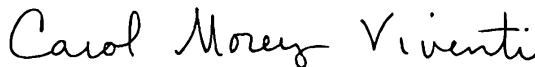
(7) Commercial motor coaches or vans with a capacity of more than 12 passengers are not eligible to enter a state park with an annual park permit. Before April 1, 2010, the daily fee to allow commercial motor coaches or vans with a capacity of over 12 passengers daily entry into a state park is \$15.00.

(8) The department may add to the cost of a reservation or a motor vehicle entrance or camping fee the charges that the state incurs because of the use of a credit card.

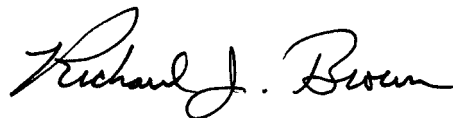
(9) If a person's annual park permit is lost or destroyed, the department shall provide that person with a replacement park permit free of charge. The department may require a person requesting a replacement park permit to supply sufficient evidence of the loss or destruction of the original park permit.

(10) As used in this section, "resident motor vehicle" means a vehicle that is registered as a motor vehicle in this state.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved

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Governor