

**NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)**  
**Act 451 of 1994**

**324.78101 Definitions.**

Sec. 78101.

As used in this part:

- (a) "Commercial motor vehicle" means that term as defined in section 74101.
- (b) "Commission" means the Michigan state waterways commission.
- (c) "Department" means the department of natural resources.
- (d) "Designated state-operated public boating access site" means a state-operated public boating access site designated under section 78105(2).
- (e) "Director" means the administrative director of the commission.
- (f) "Diesel motor fuel" means any liquid fuel used in the operation of engines of the diesel type in motor vehicles or watercraft.
- (g) "Gasoline" means gasoline, casing head or natural gasoline, benzole, benzine, and naphtha. Gasoline also means any liquid prepared, advertised, offered for sale, sold for use as, or used for, the generation of power for the propulsion of motor vehicles or watercraft, including any product obtained by blending together any 1 or more products of petroleum, regardless of their original names or characteristics, with or without other products, unless the resultant product obtained is entirely incapable of use for the generation of power for the propulsion of motor vehicles or watercraft. Gasoline does not include diesel fuel, liquefied petroleum gas, or commercial or industrial naphthas or solvents manufactured, imported, received, stored, distributed, sold, or used exclusively for purposes other than as a fuel for motor vehicles or watercraft.
- (h) "Harbor" means a portion of a lake or other body of water either naturally or artificially protected so as to be a place of safety for watercraft, including contrivances used or designed for navigation on water and used or owned by the United States.
- (i) "Harbor facilities" means the structures at a harbor constructed to protect the lake or body of water and the facilities provided within the harbor and ashore for the mooring and servicing of watercraft and the servicing of crews and passengers.
- (j) "Inland lake or stream" means that term as defined in section 30101.
- (k) "Liquefied petroleum gas" means gases derived from petroleum or natural gases that are in the gaseous state at normal atmospheric temperature and pressure, but that may be maintained in the liquid state at normal atmospheric temperature by suitable pressure.
- (l) "Marina" means a site that contains harbor facilities.
- (m) "Motor vehicle" means that term as defined in section 74101.
- (n) "Navigable water" means any waterway navigable by vessels, or capable of being made navigable by vessels through artificial improvements, and includes the structures and facilities created to facilitate navigation.
- (o) "Nonresident motor vehicle" means that term as defined in section 74101.
- (p) "Person" includes any individual, partnership, corporation, association, or body politic, except the United States and this state, and includes any trustee, receiver, assignee, or other similar representative of those entities.
- (q) "Public boating access site" means a publicly owned site for the launching of recreational watercraft.
- (r) "Recreational boating facilities" means boat launches, harbors, marinas, and locks assisting recreational boats accessing water bodies at different elevations.
- (s) "Recreation passport fee" means that term as defined in section 2001.
- (t) "Resident motor vehicle" means that term as defined in section 74101.
- (u) "Retail fuel dealer" includes any person or persons, both private and municipal, who engage in the business of selling or distributing fuel within this state.
- (v) "Secretary of state" means the secretary of state of this state, acting directly or through a duly authorized deputy, investigators, agents, and employees.
- (w) "Vessel" means all watercraft except the following:
  - (i) Watercraft used for commercial fishing.
  - (ii) Watercraft used by the sea scout department of the boy scouts of America chiefly for training scouts in seamanship.
  - (iii) Watercraft owned by this state, any political subdivision of this state, or the federal government.
  - (iv) Watercraft when used in interstate or foreign commerce and watercraft used or owned by any railroad company or railroad car ferry company.
  - (v) Watercraft when used in trade, including watercraft when used in connection with an activity that constitutes a person's chief business or means of livelihood.
- (x) "Watercraft" means any contrivance used or designed for navigation on water, including, but not limited to,

any vessel, ship, boat, motor vessel, steam vessel, vessel operated by machinery, motorboat, sailboat, barge, scow, tugboat, and rowboat, but does not include contrivances used or owned by the United States.

(y) "Waterway" means any body of water.

(z) "Waterways account" means the waterways account of the Michigan conservation and recreation legacy fund provided for in section 2035.

**History:** Add. 1995, Act 58, Imd. Eff. May 24, 1995 ;-- Am. 1998, Act 210, Imd. Eff. July 1, 1998 ;-- Am. 2004, Act 587, Eff. Dec. 23, 2006 ;-- Am. 2006, Act 466, Imd. Eff. Dec. 20, 2006 ;-- Am. 2010, Act 34, Eff. Oct. 1, 2010 ;-- Am. 2010, Act 302, Imd. Eff. Dec. 16, 2010

**Compiler's Notes:** Enacting section 2 of Act 587 of 2004 provides: "Enacting section 2. This amendatory act does not take effect unless House Joint Resolution Z of the 92nd Legislature becomes a part of the state constitution of 1963 as provided in section 1 of article XII of the state constitution of 1963."

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