

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

324.80201 Definitions.

Sec. 80201.

As used in this part:

- (a) "Associated equipment" means any of the following that are not radio equipment:
 - (i) An original system, part, or component of a personal watercraft at the time that boat was manufactured, or a similar part or component manufactured or sold for replacement.
 - (ii) Repair or improvement of an original or replacement system, part, or component.
 - (iii) An accessory or equipment for, or appurtenance to, a personal watercraft.
 - (iv) A marine safety article, accessory, or equipment intended for use by a person on board a boat.
- (b) "Boat livery" means that term as defined in section 44501.
- (c) "Boating safety certificate" means either of the following:
 - (i) The document issued by the department under this part that certifies that the individual named in the document has successfully completed a boating safety course and passed an examination approved and administered as required under section 80211.
 - (ii) A document issued by the United States coast guard auxiliary that certifies that the individual named in the document has successfully completed a United States coast guard auxiliary course concerning boating safety.
 - (iii) A written rental agreement provided to an individual named in the rental agreement entered into under section 44522 only on the date or dates indicated on the rental agreement while the named individual is operating a personal watercraft leased, hired, or rented from a boat livery.
- (d) "Boating safety course" means a course that meets both of the following requirements:
 - (i) Provides instruction on the safe operation of a personal watercraft that meets or exceeds the minimum course content for boating or personal watercraft education established by the national association of state boating law administrators education committee (October 1996).
 - (ii) Is approved by the department.
- (e) "Channel" means either of the following:
 - (i) The deepest part of a stream, bay, or straight through which the main current flows.
 - (ii) The part of a body of water deep enough for navigation through an area otherwise not suitable for navigation that is marked by a single or double line of navigational aids or range markers.
- (f) "Dealer" means a person and an authorized representative of that person who annually purchases from a manufacturer, or who is engaged in selling or manufacturing, 6 or more personal watercraft that require certificates of number under part 801.
- (g) "Department" means the department of natural resources.
- (h) "Director" means the director of the department of natural resources.
- (i) "Manufacturer" means a person engaged in any of the following:
 - (i) The manufacture, construction, or assembly of personal watercraft or associated equipment.
 - (ii) The manufacture or construction of components for personal watercraft and associated equipment to be sold for subsequent assembly.
 - (iii) The importation of a personal watercraft or associated equipment into the state for sale.
- (j) "Operate" means to be in control of a personal watercraft while the personal watercraft is under way and is not docked or at anchor or secured in another way.
- (k) "Operator" means the person who is in control or in charge of a personal watercraft while that vessel is under way.
- (l) "Owner" means a person who claims or is entitled to lawful possession of a personal watercraft by virtue of that person's legal title or equitable interest in a personal watercraft.
- (m) "Peace officer" means 1 or both of the following:
 - (i) A law enforcement officer as that term is defined in section 2 of the commission on law enforcement standards act, 1965 PA 203, MCL 28.602.
 - (ii) A deputy who is authorized by a sheriff to enforce this act and who has satisfactorily completed at least 40 hours of law enforcement training, including training specific to this part.
- (n) "Person" means an individual, corporation, limited liability company, partnership, association, governmental entity, or other legal entity.
- (o) "Personal watercraft" means a vessel that meets all of the following requirements:
 - (i) Uses a motor-driven propeller or an internal combustion engine powering a water jet pump as its primary source of propulsion.
 - (ii) Is designed without an open load carrying area that would retain water.

- (iii) Is designed to be operated by 1 or more persons positioned on, rather than within, the confines of the hull.
- (p) "Political subdivision" means a county, metropolitan authority, municipality, or combination of those entities in this state.
- (q) "Slow--no wake speed" means the use of a vessel at a very slow speed so that the resulting wake or wash is minimal.
- (r) "Use" means operate, navigate, or employ.
- (s) "Vessel" means every description of watercraft used or capable of being used as a means of transportation on water.
- (t) "Waters of this state" means any waters within the territorial limits of this state, and includes those waters of the Great Lakes that are under the jurisdiction of this state.

History: Add. 2000, Act 229, Imd. Eff. June 27, 2000

Compiler's Notes: In subdivision (e)(i), the word "straight" should evidently read "strait."

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