

# SENATE BILL NO. 812

February 26, 2026, Introduced by Senator BAYER and referred to Committee on Natural Resources and Agriculture.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80104 and 80146 (MCL 324.80104 and 324.80146), section 80104 as amended by 2020 PA 385 and section 80146 as amended by 2020 PA 70.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

- 1           Sec. 80104. As used in this part:
- 2           (a) "Highly restricted personal information" means an
- 3 individual's photograph or image, Social Security number, digitized
- 4 signature, and medical and disability information.
- 5           (b) "Passenger" means an individual carried on board, attached

1 to, or towed by a vessel, other than the operator.

2 (c) "Peace officer" means any of the following:

3 (i) A sheriff.

4 (ii) A sheriff's deputy.

5 (iii) A deputy who is authorized by a sheriff to enforce this  
6 part and who has satisfactorily completed at least 40 hours of law  
7 enforcement training, including training specific to this part.

8 (iv) A village or township marshal.

9 (v) An officer of the police department of a municipality.

10 (vi) An officer of the department of state police.

11 (vii) The director and conservation officers employed by the  
12 department.

13 (d) "Personal information" means information that identifies  
14 an individual, including an individual's driver license number,  
15 name, address not including zip code, and telephone number, but  
16 does not include information on watercraft operation and equipment-  
17 related violations or civil infractions, operator or vehicle  
18 registration status, accidents, or other behaviorally related  
19 information.

20 (e) "Personal watercraft" means that term as defined in 40 CFR  
21 1045.801.

22 (f) "Political subdivision" means a county, metropolitan  
23 authority, municipality, or combination of those entities in this  
24 state. If a body of water is located in more than 1 political  
25 subdivision, all of the subdivisions shall act individually in  
26 order to comply with this part, except that if the problem is  
27 confined to a specific area of the body of water, only the  
28 political subdivision in which ~~the problem waters lie~~ **that area is**  
29 **located** shall act.

1 (g) "Port" means left, and reference is to the port side of a  
2 vessel or to the left side of the vessel.

3 (h) "Prior conviction" means a conviction for any of the  
4 following, whether under a law of this state, a local ordinance  
5 substantially corresponding to a law of this state, a law of the  
6 United States substantially corresponding to a law of this state,  
7 or a law of another state substantially corresponding to a law of  
8 this state:

9 (i) A violation or an attempted violation of section 80176(1),  
10 (3), (4), (5), (6), or (7), except that only 1 violation or  
11 attempted violation of section 80176(6), a local ordinance  
12 substantially corresponding to section 80176(6), a law of another  
13 state substantially corresponding to section 80176(6), or a law of  
14 the United States substantially corresponding to section 80176(6)  
15 may be used as a prior conviction other than for enhancement  
16 purposes as provided in section 80178a(1)(b).

17 (ii) Negligent homicide, manslaughter, or murder resulting from  
18 the operation of a vessel or an attempt to commit any of those  
19 crimes.

20 (iii) Former section 73, 73b, or 171(1) of the marine safety  
21 act.

22 (i) "Probate court or family division disposition" means the  
23 entry of a probate court order of disposition or family division  
24 order of disposition for a child found to be within the provisions  
25 of chapter XIIIA of the probate code of 1939, 1939 PA 288, MCL  
26 712A.1 to 712A.32.

27 (j) "Prosecuting attorney", unless the context requires  
28 otherwise, means the attorney general, **the** prosecuting attorney of  
29 a county, or **an** attorney representing a political subdivision of

1 government.

2 (k) "Regatta", "boat race", "marine parade", "tournament", or  
3 "exhibition" means an organized water event of limited duration  
4 that is conducted according to a prearranged schedule.

5 (l) "Slow-no wake speed" means a very slow speed whereby the  
6 wake or wash created by the vessel ~~would be~~ **is** minimal.

7 (m) "Specialty court program" means a program under any of the  
8 following:

9 (i) A drug treatment court, as **that term is** defined in section  
10 1060 of the revised judicature act of 1961, 1961 PA 236, MCL  
11 600.1060, in which the participant is an adult.

12 (ii) A DWI/sobriety court, as **that term is** defined in section  
13 1084 of the revised judicature act of 1961, 1961 PA 236, MCL  
14 600.1084.

15 (iii) A hybrid of the programs under subparagraphs (i) and (ii).

16 (iv) A mental health court, as **that term is** defined in section  
17 1090 of the revised judicature act of 1961, 1961 PA 236, MCL  
18 600.1090.

19 (v) A veterans treatment court, as **that term is** defined in  
20 section 1200 of the revised judicature act of 1961, 1961 PA 236,  
21 MCL 600.1200.

22 (n) "Starboard" means right, and reference is to the starboard  
23 side of a vessel or to the right side of the vessel.

24 (o) "State aid" means payment made by this state to a county  
25 for the conduct of a marine safety program.

26 (p) "Temporary ordinance" means a type of local ordinance  
27 adopted by a political subdivision of this state under section  
28 80112a that includes, but is not limited to, a local watercraft  
29 control or administrative rule.

1 (q) "Undocumented vessel" means a vessel that does not have,  
2 and is not required to have, a valid marine document issued by the  
3 United States Coast Guard or federal agency successor to the United  
4 States Coast Guard.

5 (r) "Uniform inspection decal" means an adhesive-backed  
6 sticker created by the department that is color-coded to indicate  
7 the year that it expires and is attached to a vessel in the manner  
8 prescribed for decals in section 80122 when a peace officer  
9 inspects and determines that the vessel complies with this part.

10 (s) "Use" means operate, navigate, or employ.

11 (t) "Vessel" means every description of watercraft used or  
12 capable of being used as a means of transportation on water.

13 (u) **"Wake boat" means a vessel that is equipped with wake-**  
14 **enhancing equipment. Wake boat includes, but is not limited to, a**  
15 **wake surf boat and a ballasted boat.**

16 (v) **"Wake-enhancing equipment" means ballast tanks, ballast**  
17 **bags, compartments, containers, or similar devices or mechanical**  
18 **systems designed to enhance the characteristics of a boat's wake.**

19 (w) **"Wake sport mode" refers to operation of a wake boat with**  
20 **wake-enhancing equipment engaged.**

21 (x) ~~(u)~~ "Waters of this state" means any waters within the  
22 territorial limits of this state, and includes those waters of the  
23 Great Lakes that are under the jurisdiction of this state.

24 (y) ~~(v)~~ "Waterways account" means the waterways account  
25 established in section 2035.

26 Sec. 80146. (1) The department may promulgate rules to  
27 establish maximum vessel speed limits or to allow unlimited vessel  
28 speed on the waters of this state.

29 (2) On waters of this state for which a vessel speed limit is

1 not established under subsection (1), for which the department has  
2 not established an unlimited vessel speed limit, and for which  
3 stricter speed restrictions are not established ~~pursuant to~~**under**  
4 another act, the maximum speed limit is 55 miles per hour, except  
5 as follows:

6 (a) In an emergency as determined by local government  
7 authority.

8 (b) For conservation officers and other peace officers when  
9 engaged in official duties.

10 (c) In the Great Lakes and Lake St. Clair, except for an area  
11 within 1 mile of the shoreline measured at a right angle from the  
12 shoreline.

13 (3) Upon receipt of a resolution by the governing body of a  
14 local unit of government having jurisdiction over waters of this  
15 state requesting a reduction in the maximum speed limit on those  
16 waters, the department, ~~pursuant to~~**under** sections 80108 and 80109  
17 to 80113, may establish a maximum speed limit not to exceed 40  
18 miles per hour on those waters.

19 (4) Upon receipt of a resolution of the governing body of a  
20 county or municipality requesting a reduction in the maximum vessel  
21 speed limit to protect life and property during emergency  
22 conditions, the department, the county emergency management  
23 coordinator, or the county sheriff may establish a temporary  
24 reduced maximum vessel speed limit on waters of this state located  
25 in the county or municipality. In that case, the department,  
26 emergency management coordinator, or sheriff, respectively, shall  
27 do all of the following:

28 (a) Specify a maximum fine for violating the temporary speed  
29 limit. The maximum fine ~~shall~~**must** not be greater than \$100.00 for

1 a first violation of a temporary speed limit established by that  
2 authority or \$500.00 for a second or subsequent violation.

3 (b) Notify the other authorities authorized to issue temporary  
4 speed limits under this subsection of the temporary speed limit.

5 (c) Post the temporary speed limit, the maximum fine, and a  
6 description of the affected waters on its website.

7 (d) Subject to section 80159, place buoys sufficient to advise  
8 vessel operators of the temporary speed limit.

9 (5) ~~A person~~ **An individual** who violates a temporary speed  
10 limit established by the department under subsection (4) is  
11 responsible for a state civil infraction and subject to a civil  
12 fine as specified ~~pursuant to~~ **under** subsection (4). ~~A person~~ **An**  
13 **individual** who violates a temporary speed limit established by an  
14 emergency management coordinator or sheriff is responsible for a  
15 municipal civil infraction and subject to a civil fine as specified  
16 ~~pursuant to~~ **under** subsection (4).

17 (6) A temporary speed limit under subsection (4) ~~shall remain~~  
18 **remains** in effect for not more than 14 days. A temporary speed  
19 limit may be reissued once per calendar year. However, a temporary  
20 speed limit may be reissued twice per calendar year if, before  
21 adopting the resolution requesting the second reissuance, the  
22 county or municipality submitted to the department an application  
23 and resolution for a temporary ordinance under section 80112a ~~in~~  
24 ~~lieu~~ **instead** of the temporary speed limit under subsection (4).  
25 Temporary speed limits under subsection (4) ~~shall only be~~ **are** in  
26 effect **only** during the period from September 1 to June 20. However,  
27 a temporary speed limit may be in effect during the period from  
28 June 21 to June 30 if it is the first or second reissuance of a  
29 temporary speed limit and if, before adopting the resolution

1 requesting that reissuance, the county or municipality submitted to  
2 the department an application and resolution for a temporary  
3 ordinance under section 80112a ~~in lieu~~ **instead** of the temporary  
4 speed limit under subsection (4).

5 (7) A temporary speed limit under subsection (4) ~~shall~~ **does**  
6 not prohibit the use of any type of vessel.

7 (8) During a state of emergency or disaster declared by the  
8 governor pursuant to law, the governor may establish restricted  
9 wake zones if necessary and appropriate to address emergency or  
10 disaster conditions.

11 (9) ~~A person~~ **An individual** shall not operate a vessel on the  
12 waters of this state at a speed greater than slow-no wake speed or  
13 the minimum speed necessary for the vessel to maintain forward  
14 movement when within 100 feet of the shoreline where the water  
15 depth is less than 3 feet, as determined by vertical measurement,  
16 except in navigable channels not otherwise posted.

17 (10) **An individual shall not operate a vessel in wake sport**  
18 **mode on waters of this state where the water depth is less than 20**  
19 **feet. An individual who operates a vessel in wake sport mode shall**  
20 **maintain a distance of not less than 500 feet from the shoreline or**  
21 **a dock, a raft, a buoyed or occupied bathing area, or a vessel**  
22 **moored or at anchor.**

23 (11) ~~(10) A person~~ **An individual** who violates subsection (2)  
24 or (3) is responsible for a state civil infraction and may be  
25 ordered to pay a civil fine of not more than \$500.00, unless 1 of  
26 the following conditions exists:

27 (a) The requirements of this section have been waived as  
28 described under subsection ~~(11)~~ **(12)**.

29 (b) The ~~person~~ **individual** violates this section in a manner

1 that constitutes reckless operation of a vessel as described in  
2 section 80147.

3 (12) ~~(11)~~—The department may waive the requirements of this  
4 section and section 80156 for marine events authorized by the  
5 department under section 80164.