



## MICHIGAN DESIGNATED MOTORIZED TRAIL LANDOWNER PERMIT

The purpose of this permit is to allow the development, maintenance, and use of the below described section(s) of Michigan Designated Snowmobile and/or ORV Trail on the private, commercial, county, or other owned lands by Trail Grant Sponsor Clubs/Organizations, under contract with the Michigan Department of Natural Resources.

Grant Sponsor Information		
Name	Telephone Number	
Street Address, City, State, ZIP Code		
E-mail Address		
Legal Property Owner Information		
Name	Telephone Number	
Street Address, City, State, ZIP Code		
E-mail Address		
Trail Information		
Legal description(s) of land to be used for the trail (Township, Section, Range) AND corresponding Trail Segment name.		
Scheduled usage period (check all that apply): <input type="checkbox"/> Snowmobile <input type="checkbox"/> ORV		
Please give reason if schedule is not a full season from December 1 to March 31.		
Certification		
<ol style="list-style-type: none"> <li>1. This permit is automatically renewed on an annual basis, October 1. It shall terminate upon the sale of the land or upon a sixty (60) day written notification by the landowner to the above-named Grant Sponsor. This section of land may be eligible for a Permanent Trail Easement through special Michigan DNR funding.</li> <li>2. The right-of-way ONLY for the snowmobile and/or ORV (as marked above) trail shall be open to the general public for use for the above noted usage period.</li> <li>3. The trail will be marked by appropriate signs which shall be removed at the landowners request upon permit termination.</li> <li>4. This permit remains in effect until the landowner or the above named Grant Sponsor organization cancels.</li> <li>5. The legal property owner(s) must be listed above, and signed below, and will be listed as <i>Additional Insured</i> on the Grant Sponsor organization's liability insurance policy. Liability of landowner restricted. * <i>Please see the reverse side of this form for the Natural Resources and Environmental Protection Act 451, section pertaining to landowner liability and sections on both Snowmobile and ORV operator Assumption of Risk in the State of Michigan.</i></li> <li>6. Additional conditionals must be noted below. Please add additional pages if necessary.</li> </ol>		
Grant Sponsor Authorized Official Name and Title	Grant Sponsor Authorized Official Signature	Date
Legal Property Owner Name (Print)	Legal Property Owner Signature	Date

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

**324.73107 Action for injury to person on property of another; exception.**

(1) Except as provided in subsection (2), a cause of action shall not arise against the owner, tenant, or lessee of property for an injury to a person who is on that property with oral or written consent but who has not paid the owner, tenant, or lessee of that property valuable consideration for the recreational or trapping use of the property, unless the injury was caused by the gross negligence or willful and wanton misconduct of the owner, tenant, or lessee.

(2) A cause of action shall not arise against the owner, tenant, or lessee of property for an injury to a person who is on that property with oral or written consent and has paid the owner, tenant, or lessee valuable consideration for fishing, trapping, or hunting on that property, unless that person's injuries were caused by a condition that involved an unreasonable risk of harm and all of the following apply:

- (a) The owner, tenant, or lessee knew or had reason to know of the condition or risk.
- (b) The owner, tenant, or lessee failed to exercise reasonable care to make the condition safe or to warn the person of the condition or risk.
- (c) The person injured did not know or did not have reason to know of the condition or risk

**Part 821 SNOWMOBILES**

324.82119 Operation of snowmobiles prohibited; exceptions; permanent prohibition; requirements; rules.

(d) In a court action in this state where competent evidence demonstrates that a vehicle that is permitted to be operated on a highway pursuant to the Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923, collided with a snowmobile on a roadway, the driver of the snowmobile involved in the collision shall be considered prima facie negligent.

324.82126 Operation of snowmobile; prohibitions; exemption; construction, operation, and maintenance of snowmobile trail; conditions; demarcation of trail by signing; "operate" defined; prohibited conduct; assumption of risk; violation of subsection (2) as civil infraction; fine.

**(8) Each person who participates in the sport of snowmobiling accepts the risks associated with that sport insofar as the dangers are obvious and inherent.** Those risks include, but are not limited to, injuries to persons or property that can result from variations in terrain; surface or subsurface snow or ice conditions; bare spots; rocks, trees, and other forms of natural growth or debris; and collisions with signs, fences, or other snowmobiles or snow-grooming equipment. Those risks do not include injuries to persons or to property that can result from the use of a snowmobile by another person in a careless or negligent manner likely to endanger person or property. When a snowmobile is operated in the vicinity of a railroad right-of-way, each person who participates in the sport of snowmobiling additionally assumes risks including, but not limited to, entanglement with tracks, switches, and ties and collisions with trains and other equipment and facilities.

**Part 811 Off-Road Recreation Vehicles**

324.81133 Operation of ORV; prohibited acts; crash helmet and protective eyewear required; exception; assumption of risk.

**(3) Each person who participates in the sport of ORV riding accepts the risks associated with that sport insofar as the dangers are inherent.** Those risks include, but are not limited to, injuries to persons or property that can result from variations in terrain; defects in traffic lanes; surface or subsurface snow or ice conditions; bare spots; rocks, trees, and other forms of natural growth or debris; and collisions with fill material, decks, bridges, signs, fences, trail maintenance equipment, or other ORVs. Those risks do not include injuries to persons or property that result from the use of an ORV by another person in a careless or negligent manner likely to endanger person or property. When an ORV is operated in the vicinity of a railroad right-of-way, each person who participates in the sport of ORV riding additionally assumes risks including, but not limited to, entanglement with railroad tracks, switches, and ties and collisions with trains and train-related equipment and facilities.