

## **Chapter IX**

### **Department Managed Lands Open to Motorized Vehicles**

#### **9.1 State-owned lands, motorized vehicle use prohibited, exception.**

Order 9.1 (1) Unless otherwise provided in this chapter, an individual shall not operate a motorized vehicle, other than a snowmobile unless the motorized vehicle is operated on a forest road, designated route, designated trail, or designated area illustrated as open on the access map as published on the department website and dated April 1, 2019.

History: Issued Am. 5, 2017, Post Dec. 20, 2017; Am. 1, 2018, Post Mar. 20, 2018; Am. 7, 2018, Post Dec. 20, 2018; Am. 1, 2019, Post Mar. 29, 2019.

#### **9.2 Certain state-owned lands, Cheboygan county, camping, motorized vehicles, prohibited conduct.**

Order 9.2. An individual shall not operate a wheeled-motorized vehicle which is greater than 50 inches in width on the posted scramble area in sections 1 and 12, T36N R01E.

Publisher's note: Refer to section 4.13 for snowmobile restrictions.

History: Issued Am. 5, 2017, Post Dec. 20, 2017.

#### **9.3 Alpena county, Devil's lake snowmobile trail, prohibited conduct.**

Order 9.3 A person shall not use a wheeled motorized vehicle upon the devil's lake snowmobile trail located in the following described sections whenever snow depths exceed 4 inches:

- (1) Sections 2, 11, 12, and 13, T30N R7E, Alpena county;
- (2) Sections 6, through 9, 16, through 21, 28 through 30, and 33, T30N R8E, Alpena county;
- (3) Sections 25, 26, 27, 34, and 36, T31N R7E, Alpena county;
- (4) Section 31, T31N R8E, Alpena county;

History: Issued Am. 5, 2017, Post Dec. 20, 2017.

#### **9.4 Certain state-owned lands, Gladwin county, wheeled motorized vehicles, prohibited conduct.**

Order 9.4 (1) A person shall not operate a wheeled motorized vehicle on state-owned lands within sections 3-10, and 16-18, T20N R2W, Gladwin county, at a speed in excess of 15 mph within designated campgrounds or in excess of 25 mph outside of designated campgrounds.

(2) A person shall not do any of the following on state-owned lands of the Gladwin field trial area, being all or portions of sections 3-10, T20N R2W, Gladwin county:

(a) Operate a motorized vehicle, other than a snowmobile, on any forest trail or road within the above specified location that has been closed by berms, gates, or formal posting.

Publisher's note: Refer to section 4.19a for snowmobile restrictions.

History: Issued Am. 5, 2017, Post Dec. 20, 2017.

#### **9.5 Midland county, Kawkawlin creek flooding, temporary closure to motorized vehicles.**

Order 9.5 (1) The following regulations shall apply to the Kawkawlin creek flooding located in sections 17 and 18, T16N R2E, Midland county:

(a) A person shall not use or operate a motorized vehicle, other than a snowmobile, on the south and east dikes, except that the road on the east dike will be open to such vehicles from August 15 through February 1 unless temporarily closed by the department during erosive, wet weather conditions.

Publisher's note: Refer to section 4.32 for snowmobile restrictions.

History: Issued Am. 5, 2017, Post Dec. 20, 2017.

#### **9.6 Certain state-owned lands, Osceola county, motorized vehicles, prohibited conduct.**

Order 9.6. An individual shall not operate a wheeled motorized vehicle which is greater than 50 inches in width upon state owned lands in the SW ¼ of section 30, T19N R08W, as identified by on-site boundary signs and markers.

History: Issued Am. 5, 2017, Post Dec. 20, 2017.

### **9.7 Pigeon river country state forest. Cheboygan, Montmorency and Otsego counties; ORV use, elk retrieval.**

Order 9.7 (1) Except as otherwise provided in section 9.7(2) of this order, an individual may operate a wheeled motorized vehicle in the pigeon river country state forest as defined in section 4.34 of this order only if both of the following conditions are met:

(a) The vehicle is currently registered under the Michigan Vehicle Code, 1949 PA 300.

(b) The vehicle is operated on a forest road designated and illustrated as open on the access map referenced in section 9.1 of this order.

(2) An individual may operate an ORV only under direct supervision by the department at a speed not exceeding 5 miles per hour only to retrieve a legally harvested elk starting at a point open to vehicles registered under the Michigan Vehicle Code, 1949 PA 300 using the most direct route that does not enter a stream, river, or wetland except over a bridge, culvert, or similar structure. This does not apply upon state-owned lands lying within the W1/2 of section 3, sections 4, 5, 8-10, 15-17 and 19-22, and that part of section 29 lying northerly of the sturgeon valley road, T32N R2W, commonly known as the green timbers management unit, where ORVs are prohibited.

History: Issued Am. 5, 2017, Post Dec. 20, 2017.

### **9.8 Beaver island state wildlife research area, Charlevoix county, motorized vehicles, prohibited conduct.**

Order 9.8 (1) A person shall not enter, use, or occupy any designated campsite with a motorized vehicle except as otherwise posted.

Publishers note: Refer to section 3.38 for snowmobile restrictions.

History: Issued Am. 5, 2017, Post Dec. 20, 2017; Am. 7, 2018, Post Dec. 20, 2018; Am. 4, 2019, Post July 12, 2019.

### **9.9 Certain state-owned lands, Chippewa county, wheeled motorized vehicles, prohibited conduct.**

Order 9.9 (1) A person shall not operate a wheeled motorized vehicle which is 65 inches or greater in width upon the Soo to Raco designated route located in sections 10, 11, 15, 21, 29, 31 and 32, T47N R1W, section 36, T47N R2W, sections 1, 2, 3 and 4, T46N R2W, and sections 11, 12, 14, 15, 16 and 17, T46N R3W.

History: Issued Am. 5, 2017, Post Dec. 20, 2017, Am. 7, 2018, Post Dec. 20, 2018.

### **9.10 Certain state-owned lands, Delta and Menominee counties, wheeled motorized vehicles, prohibited conduct.**

Order 9.10 (1) The Escanaba-Hermansville restricted ORV route means the former Wisconsin central ltd. railroad right-of-way that is signed and maintained a restricted ORV route. Beginning in the city of Escanaba at the NW and NE1/4 line of the NE1/4 of section 21, T39N R23W, Delta county and ending in Hermansville at the NW1/4 of the NE1/4 of section 11, T38N R27W, Menominee county. (1) A person shall not do any of the following upon the Escanaba-Hermansville restricted ORV route:

(a) Operate a wheeled motorized vehicle which is 65 inches or more in width.

(2) This section does not apply to the following circumstances:

(a) Trail segments that extend onto other trails, roads and routes that are open to other types of vehicles.

History: Issued Am. 5, 2017, Post Dec. 20, 2017; Am. 7, 2018, Post Dec. 20, 2018.

### **9.11 Certain state-owned lands, Dickinson county, motorized vehicles, prohibited conduct.**

Order 9.11 (1) A person shall not operate a motorized vehicle, other than a snowmobile, from April 1 through November 30, without a written permit issued by the department on the following described state-owned lands, Dickinson county:

(a) Trail numbers 1 through 4 located in sections 6 and 7, T44N R27W, and in sections 1, 2, and 12, T44N R28W.

(b) Trail numbers 5 and 6 located in sections 30 and 31, T41N R29W, and section 36, T41N R30W.

(c) Trail numbers 11 through 13 located in sections 23, 24, and 26, T40N R29W, and section 20, T41N R28W.

(d) Trail numbers 16 and 17 located in section 19, T44N R29W, and section 24, T44N R30W.

(e) Trail number 18 located in section 21, T42N R27W.

(f) Lake Antoine, grade, snowmobile trail, that part lying and extending north of the Sturgeon river in section 13, T39N R29W, and that part lying in sections 2, 3, 11, and 12, T39N R29W, and lying east of the north-south county road in the center of section 4, T39N R29W.

Publishers note: Refer to section 4.17 for snowmobile restrictions.  
History: Issued Am. 7, 2018, Post Dec. 20, 2018.

### **9.12 Felch grade snowmobile trail, Dickinson, Menominee and Delta counties, prohibited conduct.**

**Order 9.12 A person shall not use a motorized vehicle, other than a snowmobile or snowmobile grooming equipment when snow depths exceed four inches on the Felch grade snowmobile trail being all or portions of:**

(1) Sections 33, 34 and 35, T42N R28W; sections 1, 2, and 12, T41N R28W; and sections 7, 8, 9, 10, 13, 14, 15, and 24, T41N R27W, Dickinson county.

(2) Sections 19, 20, 28, 29, 34 and 35, T41N R26W; sections 2, 3, 4, 11, 12 and 13, T40N R26W; sections 18, 19, 20, 28, 29, 33, and 34, T40N R25W; and sections 2, 3, 11, 12 and 13, T39N R25W, Menominee county.

(3) Sections 18, 19, 20, 25, 26, 28 and 29, T39N R24W, and sections 19, 20 and 30, T39N R23W, Delta county.  
Publishers note: Refer to section 4.18 for snowmobile restrictions.  
History: Issued Am. 7, 2018, Post Dec. 20, 2018.

### **9.13 Certain state-owned lands, Iron county, motorized vehicles, prohibited conduct.**

Order 9.13 (1) A person shall not operate a motorized vehicle, other than a snowmobile, upon trail number 7 in section 36, T42N R32W, from April 1 through November 30, without a written permit issued by the department.

(2) A person shall not operate a motorized vehicle, other than a snowmobile, from April 1 through November 30 upon trail numbers 19 through 23 located in sections 14 and 19, T43N R31W; section 24, T42N R31W; section 31, T45N R32W; and section 35, T44N R31W, without a written permit issued by the department.

Publishers note: Refer to section 4.23 for snowmobile restrictions.  
History: Issued Am. 7, 2018, Post Dec. 20, 2018.

### **9.14 Certain state-owned lands, Marquette and Alger counties, prohibited conduct.**

Order 9.14 (1) A person shall not do any of the following on the little Presque isle property in sections 17 to 20, and 29 to 32, T49N R25W, and sections 13, 24, 25 and 36, T49N R26W, Marquette county:

(a) Operate a motor vehicle, other than a snowmobile, in a manner that produces excessive noise.

(2) The Marquette to Munising junction trail means the former Wisconsin central limited railroad right-of-way beginning at Hampton street in the city of Marquette in the NW1/4 of the NE1/4 of section 26, T48N R25W, Marquette county and ending at Munising junction in the SW1/4 of the SE1/4 of section 17, T46N R19W, Alger county. A person shall not do any of the following upon the Marquette to Munising junction trail:

(a) Operate a wheeled motorized vehicle which is greater than 65" in width between the intersection of the trail with Casino road in the SE1/4 of the NE1/4 of section 12, T47N R24W, Marquette county and the intersection of the trail with a north-south electric transmission line in the NE1/4 of the SW1/4 of section 17, T46N R19W, Alger county.

Publishers note: Refer to section 4.30 for snowmobile restrictions.  
History: Issued Am. 7, 2018, Post Dec. 20, 2018.

### **9.15 Certain state-owned lands, Menominee county, prohibited conduct.**

Order 9.15 (1) A person shall not operate a motorized vehicle, other than a snowmobile, without a written permit issued by the department, from April 1 through November 30 upon:

(a) Trail numbers 8 through 10 lying within sections 22, 26, and 27, T36N R28W; section 6, T35N R25W; and section 16, T36N R25W, Menominee county.

(b) Trail numbers 14 through 15 lying within section 10, T37N R28W, and section 18, T37N R27W, Menominee county.

Publishers note: Refer to section 4.31 for snowmobile restrictions.  
History: Issued Am. 7, 2018, Post Dec. 20, 2018.

### **9.16 Certain state-owned trails, prohibited conduct.**

Order 9.16 (1) A person shall not do any of the following on the Hancock to Calumet trail while within the city limits of Hancock, Houghton county:

(a) Operate a motorized vehicle, other than a snowmobile, in excess of 10 miles per hour.

(b) Operate a motorized vehicle, including but not limited to an ORV, other than a snowmobile or trail groomer, 55 inches or greater in width, except with written permission of the unit manager, Baraga management unit, forest resources division.

(c) Operate a motorized vehicle, other than a snowmobile, except on the paved, blacktop trail surfaces.

(2) The Ishpeming-Humboldt rail-trail means the former railroad right-of-way beginning at Winthrop junction in the city of Ishpeming in the NE 1/4 of the NW 1/4 of section 16, T47N R27W, Marquette county, and ending in Humboldt at the intersection of county road 601 in the SE 1/4 of the NE 1/4 of section 10, T4N R29W, Marquette county. A person shall not do any of the following upon the Ishpeming to Humboldt rail-trail:

(a) Operate a wheeled motorized vehicle which is 65 inches or more in width without written permission from the department.

Publishers note: Refer to section 4.40 for snowmobile restrictions.  
History: Issued Am. 7, 2018, Post Dec. 20, 2018.

### **9.17 Certain Off-Road Vehicle Trails.**

Order 9.17 (1) A person shall not operate a wheeled motorized-vehicle having more than two wheels on the following designated off-road vehicle trails:

(a) Brevort – trout lake motorcycle trail located in Chippewa and Mackinac counties.

(b) Kinross motorcycle rail located in Chippewa county.

(c) Foreman lake motorcycle trail located in Chippewa county.

(d) Birch hill motorcycle trail located in Chippewa county.

(e) Sandtown motorcycle trail located in Mackinac and Luce counties.

(f) Newberry – Rexton motorcycle trail located in Mackinac and Luce counties.

(g) Porterfield lake motorcycle trail located in Marquette county.

(h) Bass lake motorcycle trail located in Marquette county.

(2) This section does not apply to the following circumstances and/or vehicles:

(a) Trail segments that extend onto other trails, roads and routes that are open to other types of vehicles.

History: Issued Am. 7, 2018, Post Dec. 20, 2018.

### **9.18 State parks and recreation areas, certain conduct prohibited.**

Order 9.18 A person shall not do any of the following in any state park or recreation area:

(2) Operate an unlicensed, wheeled motorized device capable of transporting a person on a park road or parking lot, unless otherwise permitted by posted notice. Use of such devices shall be permitted for individuals with mobility impairments.

History: Issued Am. 7, 2018, Post Dec. 20, 2018.

### **9.19 Off-road vehicles, Silver lake state park ORV area, conditions for use, prohibited conduct.**

Order 9.19 A person shall not do any of the following on all state lands of Silver lake SP posted as the ORV area, Oceana county:

(1) Operate an ORV from November 1 through March 31.

(2) Operate an ORV from April 1 through April 30 between the hours of 8:00 p.m. and 9:00 a.m.

(3) Operate an ORV from May 1 through September 15 between the hours of 10:00 p.m. and 9:00 a.m.

(4) Operate an ORV from September 16 through October 31 between the hours of 8:00 p.m. and 9:00 a.m.

(5) Operate any motor vehicle with four or more wheels that does not contain a seat and individual seat belt for each occupant of that vehicle. Those vehicles with automotive-type seating and fewer than four wheels shall be equipped with a seat belt for each occupant. Vehicle operators shall comply with the provisions of the Michigan child passenger safety law, MCL 257.710d, and all of the following provisions:

(a) Seat belts shall be in use by all occupants while the vehicle is in operation.

(b) An approved automotive manufactured restraining device, such as a lap belt or three- or four-point harness, is an acceptable seat belt.

(c) Seat belts and restraining devices, other than factory installed, shall be secured by bolting to the vehicle floor, frame, or roll bar.

(d) Any vehicle on which the operator straddles the seat, such as a motorcycle or an all-terrain vehicle (ATV), will be limited to the operator only as the sole occupant and no seat belt will be required.

(6) Operate a vehicle requiring seat belts where an occupant in the rear seat is not protected by a roll bar located immediately behind the occupant's seat as described in subsection (8) unless the rear seat occupants are wearing a safety approved for automotive use (A.N.S.I. or equal) helmet. The operator or occupant of a vehicle not required to meet seat belt specifications shall wear a safety helmet approved for automotive use (A.N.S.I. or equal) and protective eyewear.

(7) Operate a vehicle requiring seat belts without a warning flag mounted and extending over the front-most portion of the vehicle. Vehicles not requiring seat belts shall mount the warning flag on the rear of the vehicle. Vehicle operators shall comply with all of the following requirements:

(a) The warning flag shall be mounted on a staff that is securely bolted, welded, or secured to the vehicle. The warning flag shall maintain a minimum 10-foot height at standstill and a minimum 8-foot height under motion.

(b) The warning flag shall be mounted on the top-most end of the staff. The flag shall be rectangular, international orange in color, solid material, with a minimum length on the supporting side of five inches and a minimum length on the base side of 10 inches.

(8) Operate a vehicle requiring seat belts that is not equipped with an integral steel roof, or roll bar located immediately behind the operator, or roll cage, capable of supporting the weight of the vehicle. The operator and

occupants of a vehicle without a full front windshield shall wear protective eyewear. The operator of a vehicle equipped with a roll bar shall comply with all the following requirements:

- (a) The roll bar shall be welded or bolted to the floor or frame of the vehicle.
- (b) The roll bar shall be braced in such a manner as to prevent collapse.
- (c) The roll bar shall have clearance above, behind, and outside each seated occupant in the vehicle.

(9) Fail to submit to any of the following tests, or operate any vehicle that does not comply with all of the following:

(a) Vehicles shall be equipped with a muffler and spark arrester containing baffles, shall meet the muffler and spark arrester requirements specified in subsection (g) of section 81133 of Part 811, Off-Road Recreational Vehicles, Natural Resources and Environmental Protection Act, 1994 PA 451, MCL 324.81133(g), and shall successfully pass a muffler and spark arrester baffle test.

(b) A maximum noise level of 94 dB(A), or the current EPA emissions limit, shall be met. The testing provisions of current SAE J 1287, June 93 standard for ATV and motorcycle vehicles and SAE J 1169, March 93 for all other vehicles shall be followed and all vehicles shall pass a stationary sound level test. The stationary sound level test shall be administered from a 0.5-meter (19.69 inches) distance at one-half the engine's maximum rated RPM and as further described by current testing provisions for the particular vehicle.

(10) Operate any vehicle at any time without possessing a valid unrestricted operator's or chauffeur's license, except as follows:

(a) A person at least 12 years of age with an ORV safety certificate issued by this state or another state or a province of Canada may operate either an ATV or motorcycle with direct visual supervision by an adult. The direct supervision shall not be impaired by distance and must allow the adult the ability to direct the youth's actions by verbal communications. Electronic amplification of verbal communications shall not be used.

(b) An adult shall not allow an unlicensed youth to operate an ORV.

(c) An ORV operator licensed under a level two graduated driver's license shall only operate under the provisions of that license.

(11) Operate any type of vehicle and fail to present an operator's or chauffeur's license or ORV safety training certificate upon the demand of any law enforcement officer or state park personnel.

(12) Enter or use the ORV area without complying with all posted regulatory, zoning, or directional signs, or operate a vehicle except in the directional pattern established and marked within the ORV area.

(13) Enter or use the ORV Area without obtaining and displaying a valid ORV area parking lot voucher or dune ready voucher at any time when such requirement is posted.

(14) Operate any vehicle while towing a contrivance other than a disabled vehicle or trailer or tow a vehicle or trailer on other than the designated parking lot or paved entrance road without first obtaining proper written permission from the department. Passengers shall not occupy any trailer or disabled vehicle while it is being towed.

(15) Drive or operate any motor driven vehicle at speeds exceeding posted speed limits or perform exhibition-type driving within the parking area or entrance road/ramp to the ORV area, or the defined speed zone along the Lake Michigan shoreline. Exhibition-type driving means performing wheelies, spinning tires, cutting circles, jump starts, or other erratic or irresponsible or careless driving.

(16) Operate an ORV that is not titled.

History: Issued Am. 7, 2018, Post Dec. 20, 2018.

### **9.20 Grand lake pike marsh, Presque isle county, entry prohibited at certain times, exception.**

Order 9.19 (1) A person shall not use or operate a motorized vehicle, except a snowmobile, during the months of March, April and May on the access road, section 22, T34N R7E, Presque isle county, leading from highway US-23 to the Grand lake pike marsh.

Publishers note: Refer to section 7.5 for snowmobile restrictions.  
History: Issued Am. 7, 2018, Post Dec. 20, 2018.

### **9.21 State game and wildlife areas, motorized vehicles, prohibited conduct.**

Order 9.20 In managed state game areas and wildlife areas designated in section 13.1 of the wildlife conservation order, an individual shall not operate or use an amphibious or all-terrain vehicle or any other motor-driven vehicle in any area posted "state game area - hunting by permit only," "wildlife refuge," or any area posted against such use, except for vehicles authorized by the department.

History: Issued Am. 7, 2018, Post Dec. 20, 2018.

### **9.22 State public access boating sites, motorized vehicles, prohibited conduct, exceptions.**

Order 9.21 (1) In the Lower Peninsula, an individual shall not enter, use, or occupy a state-operated public boating access site with an ORV except to set, place, erect, or use a fishing shanty, or to access a waterbody to operate an ORV on the frozen surface of public waters consistent with the dates identified on the access map as published on the department website.

(2) In the Upper Peninsula, an individual shall not enter the following state-operated public boating access sites with an ORV between April 1 and November 15:

(a) Railroad dock boating access site 55-8, section 12, T31N R27W, Dickinson county

(b) Goose lake boating access site 52-30, section 24, T47N R26W, Marquette county

(c) Cedar river harbor, section 23, T35N R25W, Menominee county

History: Issued Am. 7, 2018, Post Dec. 20, 2018.

### **9.23 Official duties, exception.**

Order 9.22 This chapter shall not apply to department employees and their designees performing official duties, or to fire, emergency or law enforcement personnel performing official duties, or other parties with written permission from the department.

History: Issued Am. 7, 2018, Post Dec. 20, 2018.