

DEPARTMENT OF NATURAL RESOURCES

FOREST MANAGEMENT DIVISION

STATE AID FOR SNOWMOBILE SAFETY PROGRAMS

(By authority conferred on the department of natural resources by section 4b of Act No. 74 of the Public Acts of 1968, being S257.1504b of the Michigan Compiled Laws)

R 257.1501 Definitions.

Rule 1. (1) "Act" means Act No. 74 of the Public Acts of 1968, as amended, being SS257.1501 to 257.1517a of the Michigan Compiled Laws.

(2) "Authorized expenditures" means those expenditures incurred and determined by the director to be reasonable and necessary for the conduct of a snowmobile enforcement and safety training program.

(3) "Authorized expenditures actually incurred" means the expenditures of funds actually made during the past calendar year for the conduct of the snowmobile enforcement and safety education training program.

(4) "Department" means the department of natural resources.

(5) "Director" means the director of the department of natural resources.

(6) "Estimate of authorized expenditures" means the estimate of funds to be expended for the conduct of the snowmobile enforcement and safety education program for the following calendar year as approved by the county board of commissioners.

(7) "General supervisory duties" means having jurisdiction over more than snowmobile and marine activities.

(8) "Proration of funds" means equitable appropriations to counties if funds are insufficient to pay the full amount to which counties are entitled.

History: 1979 AC.

R 257.1502 Requests for state aid.

Rule 2. The board of commissioners of any county requesting state aid for the conduct of a snowmobile safety and enforcement program shall submit to the department by November 1 of each year an estimate of authorized expenditures for the following calendar year on forms furnished by the department. The estimate of authorized expenditures shall consist of a complete statement on the type and extent of snowmobile safety and enforcement program to be conducted including equipment required, and a certification that the board of commissioners has appropriated the funds indicated on the estimate of authorized expenditures. Submission of an estimate of authorized expenditures by a county is an agreement by the county to comply with these rules.

History: 1979 AC.

R 257.1503 Conduct of a snowmobile safety and enforcement program.

Rule 3. Counties participating in a snowmobile safety and enforcement program may be limited to 4 calendar months of program participation within the calendar year.

History: 1979 AC.

R 257.1504 Snowmobile safety and enforcement functions.

Rule 4. (1) Equipment, purchased with state matching funds or included in a claim for which reimbursement has been made in accordance with the act and these rules, shall be used exclusively in the conduct of the snowmobile safety and enforcement program.

(2) Snowmobile laws and rules applicable to the jurisdiction of the county shall be enforced.

(3) Court dispositions shall be submitted periodically on forms prescribed by the department.

(4) Snowmobile accidents occurring within the county's jurisdiction shall be investigated and reports submitted as required by statute.

(5) Equipment purchased or leased under the state aid program shall be made available to the director or his authorized representative for the purpose of inspection, investigation, or other official duties.

(6) Snowmobiles and snowmobile trailers may be procured through centralized purchasing by the state department of administration for the department and for counties requesting snowmobiles and trailers in their annual budget request.

History: 1979 AC.

R 257.1505 Personnel; wages and salaries.

Rule 5. (1) Personnel assigned to snowmobile safety and enforcement duties shall meet the age, mental and physical requirements prescribed for other full-time employees of the county sheriff's department.

(2) Daily time report records shall be maintained for each employee assigned to snowmobile safety training and enforcement duties. Reimbursement to the county shall be made for hours actually worked in the snowmobile safety and enforcement program and documented by daily time records.

(3) Hourly pay rates for personnel assigned to snowmobile safety and enforcement duties shall not exceed the hourly pay rates of other personnel assigned to similar duties within the county sheriff's department.

(4) Personnel assigned to snowmobile safety and enforcement duties shall not be paid overtime or premium pay unless such personnel have worked in excess of 40 hours on snowmobile safety and enforcement duties in a scheduled work week.

Overtime pay may be paid for hours in excess of 40 hours if approved by the county sheriff or immediate supervisor.

(5) Personnel providing snowmobile safety training shall not require students to purchase additional training materials, certificates or safety brassards.

(6) The power and authority of personnel who have not completed the required hours of training pursuant to Act No. 203 of the Public Acts of

1965, as amended, being SS28.601 to 28.616 of the Michigan Compiled Laws shall be restricted to enforcement of the act.

(7) An employee of the county sheriff's department assigned to general supervisory duties is not eligible to receive payment of salaries or wages from snowmobile state aid funds.

History: 1979 AC.

R 257.1506 Records, reports, and publicity.

Rule 6. (1) Records shall be kept pertaining to snowmobile violations, snowmobile related accidents, number of students trained, public meetings attended, daily vehicle mileage, daily personnel time reports and expenditures from the general fund under activity no. 136, sheriff-law enforcement assistance--snowmobiles.

(2) The county snowmobile safety and enforcement fund shall be audited by the local audit division, bureau of local government services, department of treasury, during the course of their routine annual examination of the records of county offices or at such time as the department deems an audit necessary or desirable. Records shall be retained for a period of 1 year after the department of treasury has audited the account of the snowmobile safety and enforcement program.

(3) Public information provided by the department shall be distributed.

(4) Local publicity shall be disseminated regarding existing laws and rules and new laws and rules which may be established. Persons shall be provided with information regarding safe methods of snowmobile operation.

(5) Reports shall be submitted to the department as may be required by the director or his authorized representative.

(6) A detail of authorized expenditures actually incurred submitted to the department shall be certified as true and correct.

History: 1979 AC.

R 257.1507 County restricted snowmobile safety and enforcement funds.

Rule 7. The county treasurer or fiscal officer shall establish a fund for the county appropriations for the conduct of a snowmobile safety and enforcement program for the calendar year. Expenditures shall be budgeted and paid from the county general fund--activity no. 136, sheriff-law enforcement assistance--snowmobiles. The function is public safety, 104-136--expense account. Expenditures from the fund shall be made solely for the personnel payroll and authorized expenditure costs of the snowmobile safety and enforcement program.

History: 1979 AC.

R 257.1508 State aid vouchers.

Rule 8. (1) Expenditures not in accordance with the act or approved on the budget request summary, or in accordance with these rules shall not be approved and shall be deducted from the statement of authorized expenditures.

(2) Certification for payment shall be made for 75% of the final approved statement of authorized expenditures.

(3) If the amount appropriated by the legislature for state aid to counties is insufficient to pay the full amount to which counties are entitled, the department shall prorate available appropriations equitably among the various counties.

(4) The director or his authorized representative may certify for payment 75% of the approved total of a state aid voucher which exceeds the estimate of authorized expenditures, if funds are available for state aid to counties.

History: 1979 AC.

R 257.1509 Authorized expenditures.

Rule 9. (1) Seventy-five percent of the personnel payroll and approved expenditures made in accordance with the schedule of authorized expenditures shall be reimbursable to the county upon submission of a state aid voucher. Prior written approval for an expenditure not on the schedule of authorized expenditures shall be obtained from the department in order to qualify for reimbursement as an authorized expenditure.

(2) If authorized equipment purchased with state aid matching funds is in need of replacement or reimbursement has been included in a state aid voucher, the trade-in value or fair market value shall not be included in the state aid voucher for reimbursement for the purchase of new equipment.

(3) Receipts accruing from refund gas tax monies or from the sale of equipment purchased with state aid funds shall be deposited to the credit of the county general fund, activity no. 136, sheriff-law enforcement assistance--snowmobiles.

(4) The cost of replacing authorized equipment which has been lost or destroyed, less any amount which may be received from insurance coverage, may be included on a state aid voucher. Prior written approval shall be obtained from the department for replacement of such equipment.

History: 1979 AC.

R 257.1510 Withholding and denying payment of claims.

Rule 10. (1) The department may withhold payment of a state aid voucher claim pending investigation of the detailed expenditures of the claim.

(2) The department may deny all or partial payment of a state aid voucher claim which it deems is not in accordance with the schedule of authorized expenditures incurred which were not authorized in an approved written procedure.

(3) The department may deny all or partial payment of a state aid voucher claim if any portion of the claim contains statements which are found to be false or submitted with the intent to defraud.

(4) The department may deny all or partial payment of a state aid voucher claim for payroll funds paid to personnel not meeting the physical or mental standards prescribed by these rules.

(5) The department may deny all or partial state aid payment to any county deemed by the department as not conducting an adequate snowmobile safety and enforcement program. Failure to comply with any part of these rules is grounds for nonpayment pursuant to the state aid formula for reimbursement to counties.

(6) A county participating in the state aid snowmobile safety and enforcement program may request the director or his authorized representative to conduct an informal hearing in any determination of denying reimbursement of state aid for a violation of these rules.

History: 1979 AC.

R 257.1511 Discontinuance of county participation.

Rule 11. If a county discontinues participation in the state aid program, the county clerk shall notify the department by November 1 of the year prior to discontinuance, of the county's decision by certified resolution. Upon submission of a state aid voucher for the final calendar year of county participation, a deduction shall be made from the total state aid voucher of the fair market value of all authorized equipment previously included in a claim for which reimbursement has been made in accordance with the act and these rules. If the fair market value of such authorized equipment exceeds the total claim for the final calendar year of county participation, 75% of such excess shall be refunded to the department by the county and deposited in the state general fund.

History: 1979 AC.