

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN THE MATTER OF THE)	Administrative Order
RULES OF THE COURT)	No. <u>17-MS-084</u>
PERTAINING TO THE)	
NATIONAL PARK SERVICE)	
COLLATERAL FORFEITURE)	
SCHEDULE)	

ORDER

It appearing that the United States Attorney’s Office has submitted a proposed Collateral Forfeiture Schedule for certain misdemeanor and petty offenses pertaining to the National Park Service (“NPS”), in the Western District of Michigan,

IT IS HEREBY ORDERED that any prior Orders regarding collateral forfeiture schedules for the NPS in the Western District of Michigan are hereby vacated upon the effective date of this order.

IT IS FURTHER ORDERED that, pursuant to Rule 58(d) of the Federal Rules of Criminal Procedure and Local Criminal Rule 58.2(a), persons charged with committing an offense listed in the attached NPS Collateral Forfeiture Schedule may, in lieu of appearance before a United States Magistrate Judge, post and forfeit collateral in accordance with this Order and the NPS Collateral Forfeiture Schedule.

IT IS FURTHER ORDERED that:

(a) Where the NPS Collateral Forfeiture Schedule provides a collateral amount, the officer issuing the Violation Notice shall write that amount on the Violation Notice, unless the officer determines that the circumstances are aggravated, in which event the officer may fix the offense as a Mandatory Appearance offense, requiring the offender’s appearance before a United States Magistrate Judge.

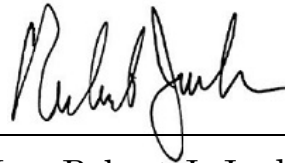
(b) Where the issuing officer fixed an amount to be forfeited in accordance with the NPS Collateral Forfeiture Schedule, the offender may, with the concurrence of the United States Attorney's Office, post and consent to forfeiture of a lesser collateral amount, if the lesser amount is approved by the United States Attorney's Office.

(c) Where the issuing officer fixed an offense as a Mandatory Appearance offense, the offender may, with the concurrence of the United States Attorney's Office for the Western District of Michigan, post and forfeit collateral in lieu of appearance before a United States Magistrate Judge, in an amount not to exceed the maximum fine under the law, if the collateral amount is approved by the United States Attorney's Office.

IT IS FURTHER ORDERED that the attached NPS Collateral Forfeiture Schedule is adopted and approved.

IT IS FURTHER ORDERED that this Order shall take effect on the _____
14th day of June, 2017.

ENTER:



Hon. Robert J. Jonker, Chief Judge

Dated: July 21, 2017 nunc pro tunc 6/14/2017

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

**FORFEITURE OF COLLATERAL SCHEDULE FOR THE
NATIONAL PARK SERVICE, IN THE WESTERN DISTRICT OF MICHIGAN**

Part 1	General Provisions	
Section	Provision	Collateral Forfeiture
36 CFR § 1.5	Closures and Public Use Limits (per Superintendent's Orders) for SLEEPING BEAR DUNES NATIONAL LAKESHORE:	
	* Hunt in closed area	200.00
	* Use of motorized boat exceeding horsepower limitation	150.00
	* Motorized boat exceeding 5 mph or no-wake speed	150.00
	* Violating a closure, designation, use or activity restriction or condition, or public use limit designated by the Superintendent	75.00
	* Stocking Scenic Drive – Entry into closed drive or boardwalk	75.00
	* Mooring or tying boats to NPS docks in excess of posted time limit	75.00
	* Climbing upon or tying boats to the shipwreck Francisco Morozan	75.00
	* All dogs on the Manitou Islands	100.00
	* Camping in a closed area of designated campgrounds	75.00
	* Pistol / Rifle Range: Entry of closed area	75.00
	* Entry into closed eagle and Piping Plover nesting areas which are signed	200.00
	* Entry in Empire maintenance area except by NPS & FAA employees	75.00
	* Use of a ski board, skis, or similar device on sand dunes within the lakeshore	75.00
	* Use of motor vessel in closed waters	150.00
	* Failure to dismantle ground blinds and return the site to its natural setting	100.00
	* Possessing glass containers at the Dune Climb or on any Lake Michigan shoreline or inland lake shoreline used for sunbathing, swimming, wading, or climbing.	100.00
	* Dragging boards, sleds or other platforms loaded with equipment or supplies on non-snow covered trails	75.00
	* Unmanned Aircraft – Launching, landing, or operating without a permit	150.00

36 CFR § 1.5	Closures & Public Use Limits (Per Superintendent's Orders) for ISLE ROYALE NATIONAL PARK:	
	* Landing or entry at Isle Royale NP (all islands) between Nov. 1 and April 15	<u>Mandatory Appearance</u>
	* Violating a closure, designation, use or activity restriction or condition, or public use limit designated by the Superintendent	75.00
	* Violation of dock/mooring restrictions, closures, hours, camping	150.00
	* Using or possession of motorized vessel on inland lakes and streams	150.00
	* Failure to decontaminate vessel or aircraft prior to entering ISRO	75.00
	* Use of electronic or mechanical device in other than developed or open water Lake Superior zones	75.00
	* Use of permanently installed generator on-board vessel in prohibited area	75.00

36 CFR § 1.5	Closures & Public Use Limits (Per Superintendent's Orders) for ISLE ROYALE NATIONAL PARK (continued):	
	* Fishing, violation of use limits	150.00
	* Failure to decontaminate dive gear prior to entering Isle Royale NP	150.00
	* Diving in a closed area	100.00
	* Possession/transportation of firewood from a source other than Isle Royale	150.00
	* Entering a closed area	75.00
	* Operating a vessel in excess of 5 mph or creating a wake in a designated Quiet/No Wake zone	75.00
	* Discharge of untreated ballast water within Isle Royale NP	<u>Mandatory Appearance</u>
	* Using any type of wheeled vehicle in all areas except tricycles, bicycles, and similar devices for residents on Mott Island, Rock Harbor, and Windigo	150.00
	* Using compressors and portable generators except at public docks, onboard private vessels, or at specific designated areas at Rock Harbor and Windigo	75.00

36 CFR § 1.5	Closures and Public Use Limits (Per Superintendent's Orders) for PICTURED ROCKS NATIONAL LAKESHORE:	
	* Violating a closure, designation, use or activity restriction or condition, or public use limit designated by the Superintendent	75.00
	* Use of motor vessel in closed waters	150.00
	* The following areas are closed to all public entry for visitor safety and the protection of natural resources:	
	• Munising Falls Area: outside designated trails from visitor center to falls	150.00
	• Miners Castle Area: all areas off or outside of the established trail on Miner's Castle pinnacle / point	150.00
	• Any endangered species nesting area identified by signs or barriers	150.00
	• Chapel Rock and surrounding area	150.00
	• Any other closed areas	150.00
	* Park roads are closed to public motor vehicle use except those specifically identified as open	150.00
	* Outboard or inboard motors are prohibited on the following lakes and rivers: Chapel Lake Miners Lake Little Chapel Lake Miners River Trappers Lake Sevenmile Lake Legion Lake	150.00
	* Gas motors are prohibited (electric motors are allowed) on the following lakes: Little Beaver Lake Beaver Lake	150.00
	* Outboard or inboard motors of more than 50 horsepower are prohibited on Sable Lake	150.00
	* Launching of any watercraft that has not been decontaminated prior to launch into NPS administered waters within the Lakeshore Zone (federally owned lands and waters, including the surface waters of Lake Superior) within the National Lakeshore is prohibited.	150.00
	* Ballast water exchange (uptake and/or discharge) is prohibited within the authorized boundary of the Lakeshore Zone	150.00

36 CFR § 1.5	Closures and Public Use Limits (Per Superintendent's Orders) for PICTURED ROCKS NATIONAL LAKESHORE (continued):	
	* Use of bait for fishing: possession or use as bait for fishing any fish, fish part, including fish roe (eggs), amphibians, or crayfish in NPS administered waters within the Lakeshore Zone is prohibited except for ice fishing, as long as the bait is certified as VHS free by the State of Michigan or commercial manufacturer, is in original container, and the angler must have in his/her possession a receipt that provides proof that the bait was purchased from a State licensed baitfish retail operation within the last 7 days.	150.00
	* The import and use of all ash firewood in the Lakeshore is prohibited	150.00
	* Unmanned Aircraft – Launching, landing, or operating without a permit	150.00

36 CFR § 1.6	Permits (Per Superintendent's Orders) ALL PARKS:	
	Unless otherwise specified in other sections of this document:	
(g)(1)	Failure to obtain permit under the authority of § 1.6	150.00
(g)(2)	Violation of permit term or condition	150.00

Part 2	RESOURCE MANAGEMENT, PUBLIC USE AND RECREATION	
Section	Provision	Collateral Forfeiture
36 CFR § 2.1	Preservation of Natural, Cultural and Archeological Objects	
(a)(1)	Possessing, destroying, injuring, defacing, removing, digging, or disturbing from its natural state: living or dead wildlife or fish; plants; non-fossilized and fossilized Paleontological specimens or archeological resources; or a mineral resource; except as otherwise provided in this chapter	250.00
(a)(2)	Introducing wildlife, fish, or plants, including their reproductive bodies, into a park ecosystem	500.00
(a)(3)	Tossing, throwing, or rolling rocks or other items into valleys or down hillsides	75.00
(a)(4)	Using or possessing wood gathered from within the park, except as otherwise designated by the Superintendent	75.00
(a)(5)	Walking, climbing, ascending, descending, or traversing on an archeological or cultural resource except as designated by the Superintendent	75.00
(a)(6)	Possessing, destroying, injuring, defacing, removing, or disturbing a structure or its furnishings, or other cultural or archeological resources	300.00
(a)(7)	Possessing or using a mineral or metal detector or other metal detecting devices	100.00
(b)	Leaving a designated or maintained trail, to shortcut between portions of the same trail or an adjacent trail	75.00
(c)(3)(i)	Gathering or possessing undesignated natural products	150.00
(c)(3)(ii)	Gathering or possessing natural products in excess of the size and quantities designated	100.00
(c)(3)(iii)	Unauthorized removal of natural products from the park area	150.00
(c)(3)(iv)	Gathering of natural products outside of designated areas	100.00
(c)(3)(v)	Sale or commercial use of natural products	300.00

36 CFR § 2.2	Wildlife Protection	
(a)(1)	Taking wildlife other than authorized	350.00
(a)(2)	Feeding, touching, teasing, frightening, or intentional disturbing of wildlife	200.00
(a)(3)	Possessing unlawfully taken wildlife or portions thereof	350.00
(b)(4)	Hunting / Trapping not in accordance with Federal or State Law where authorized	200.00
(d)	Transport illegally taken game	100.00
(e)	Use of artificial light to view wildlife, per Superintendent's Order between established hours	100.00
(f)	Failure to allow inspection by authorized personnel of hunting and trapping license, and wildlife taken	100.00

36 CFR § 2.3	Fishing and the Taking of Aquatic Wildlife	
(a)	Failure to fish in accordance with applicable State laws including licensing requirements <u>Plus \$10/lb. For each fish in possession up to \$500.00</u>	150.00
(d)(1)	Fishing in any manner other than hook and line	100.00
(d)(2)	ISRO only. Possessing or using as bait for fishing live or dead minnows, non-preserved fish eggs and fish roe, except in designated waters	100.00
(d)(3)	Chumming or the placing of foreign substances in waters for feeding or attracting fish to take them	100.00
(d)(4)	Commercial fishing, except under authorized Federal Laws <u>Plus \$10/lb. For each fish in possession up to \$500.00</u>	500.00
(d)(5)	Fishing or taking of aquatic wildlife by use of drugs, poisons, explosives, electricity, or traps	500.00
(d)(6)	Digging for bait	150.00
(d)(7)	Failure to release fish or aquatic wildlife that does not meet size, species, or legal restrictions <u>Plus \$10/lb. For each fish in possession up to \$500.00</u>	100.00
(d)(8)	Fishing from motor road bridges/docks where prohibited	50.00
(f)	Must allow inspection by authorized personnel of all equipment, fishing permits, and containers	100.00

36 CFR § 2.4	Weapons, Traps, and Nets	
(a)	Using or discharging a weapon, trap, or net is prohibited except as provided in this chapter	500.00
(b)	Carrying or possessing a loaded weapon in a motor vehicle, vessel or other mode of transportation, unless such vessel is not underway or is used as a shooting platform in accordance with Federal and State law	200.00
(c)	Using a weapon, trap or net in a manner that endangers persons or property	500.00
(d)	Violation of terms of permit	150.00
(e)	Carrying or possessing weapon, trap, or in violation of Federal or State laws	500.00

36 CFR § 2.5	Research Specimens	
(a)	Taking plants, fish, wildlife, or minerals without a permit or without authorizations in this chapter	200.00
(b)	Violation of terms of permit	100.00

36 CFR § 2.10 Camping and Food Storage		
(b)(1)	Digging or leveling the ground at a campsite	100.00
(b)(2)	Leaving camping equipment, temporary alterations, or refuse after departing from the campsite	100.00
(b)(3)	Camping within 25 feet of a water hydrant or main road or within 100 feet of a body of water except in designated areas	100.00
(b)(4)	Creating or sustaining unreasonable noise between hours of 10 p.m. & 6 a.m.	100.00
(b)(5)	Installation of permanent camping facilities	100.00
(b)(6)	Display wildlife remains except when taken under Sec. 2.2	100.00
(b)(7)	Connecting to a utility system except in designated areas	100.00
(b)(8)	Failing to obtain a permit, where required	150.00
(b)(9)	Violating conditions which may be established by the Superintendent	100.00
(b)(10)	Camping within closed areas, or outside of designated sites or areas	150.00
(c)	Violation of terms of permit	150.00
(d)	Food storage – failure to properly store food as designated by the Superintendent	100.00

36 CFR § 2.11 Picnicking		
	Picnicking in violation of established conditions	75.00

36 CFR § 2.12 Audio Disturbances		
(a)(1)	Operating or using motorized equipment or machinery (other than a public address system), such as a radio, television, or musical instrument in a manner which produces an A-weighted sound pressure level of 60 decibels or more, at 50 feet, or which creates unreasonable noise	100.00
(a)(2)	In developed areas, operating a power saw	100.00
(a)(3)	In non-developed areas, operating or using any type of portable motor or engine	100.00
(a)(4)	Operating or using a public address system without a permit	75.00
(b)	Violation of terms of permit when required	100.00

36 CFR § 2.13 Fires		
(a)(1)	Lighting or maintaining a fire, except in designated areas and under conditions which may be established by the Superintendent	225.00
(a)(2)	Using stoves or lanterns in violation of established restrictions	75.00
(a)(3)	Lighting or tending a fire: in a manner which causes damage or results in the burning of property, or in a manner which creates a public safety hazard	300.00
(a)(4)	Leaving a fire unattended	150.00
(a)(5)	Throwing or discarding lighted or smoldering material in a manner that threatens, causes damage or results in the burning of property, or in a manner which creates a public safety hazard	300.00
(b)	Fires shall be extinguished upon termination of use and in accordance with such conditions as may be established by the Superintendent	100.00

36 CFR § 2.14 Sanitation and Refuse		
(a)(1)	Disposing refuse in other than refuse receptacles	250.00
(a)(2)	Using government refuse containers or other refuse facilities for dumping household or commercial refuse brought into the park from other sources	250.00

(a)(3)	Depositing refuse in the plumbing fixtures or vaults of a toilet facility	200.00
(a)(4)	Draining refuse from a trailer except into facilities provided	150.00
(a)(5)	Bathing or washing food, clothing, dishes, or other property at water outlets unless so designated	75.00
(a)(6)	Polluting or contaminating park area waters	250.00
(a)(7)	Disposing fish remains or the remains of aquatic wildlife on land or in the waters within 200 feet of boat docks, swimming beaches, or developed areas	75.00
(a)(8)	The disposal of human waste in developed areas, except at designated locations or in fixtures provided for that purpose	200.00
(a)(9)	In non-developed areas, the disposal of human body waste within 100 feet of a water source, high water mark of a body of water, or a campsite, or within sight of a trail is prohibited	100.00
(b)	Violation of Superintendent's Orders. Human waste not buried at least 6" deep and covered with earth	100.00

36 CFR § 2.15		Pets
(a)(1)	Possessing pet in an area closed to pets	100.00
(a)(2)	Failing to restrain a pet	100.00
(a)(3)	Leaving a pet unattended and tied to an object	100.00
(a)(4)	Allowing a pet to make noise which is unreasonable	100.00
(a)(5)	Failing to comply with pet excrement disposal regulations	100.00
(b)	Use of hunting dog in violation of conditions established by the Superintendent	100.00

36 CFR § 2.16		Horses and Pack Animals
(a)	Use of animals other than designated pack animals to transport equipment	75.00
(b)	The use of horses and pack animals outside of designated trails, routes, and areas	75.00
(c)	The use of horses or pack animals on a park road	75.00
(d)	Free-trailing of horses or pack animals prohibited	75.00
(e)	Allowing horses or pack animals to exceed a walk when passing persons on foot or bicycle	75.00
(f)	Obstructing trail or making unreasonable noise / gestures when horses are passing	75.00
(g)	Violations of conditions set by the Superintendent	100.00

36 CFR § 2.17		Aircraft and Air Delivery
(a)(1)	Operating or using aircraft on lands or waters other than at designated areas	250.00
(a)(2)	Operating or using aircraft under power on the water within 500 feet of designated swimming beaches, boat docks, piers, or ramps, except as otherwise designated	100.00
(a)(3)	Delivering a person or object by parachute, helicopter, or other means of air delivery, except emergencies involving public safety or serious property loss	100.00
(c)(2)	Failure to comply with terms and conditions of aircraft removal procedures	500.00
(d)	Assimilated FAA Regulations	250.00
(e)	Operating or using a Hovercraft	200.00
(f)	Violation of terms and conditions of a permit in accordance with this section is prohibited	100.00

36 CFR § 2.18	Snowmobiles	
(b)	Violation of State laws adopted as part of these regulations:	100.00
Michigan Compiled Laws		
324.82105(1)	Failure to exhibit snowmobile registration	100.00
324.82113	Improperly display registration decal	100.00
324.82119(d)	Careless snowmobile operation	300.00
324.82120(1)	Parent / guardian permitting child under 12 to operate snowmobile	75.00
324.82120(2)	Operating snowmobile between age 12 and 17 without supervision of person 21 or older	75.00
324.82120(3)	Failure to present snowmobile safety certificate	100.00
324.82122(1)	Snowmobile not equipped with headlight, taillight, brakes	100.00
324.82123	No helmet	100.00
324.82126(1) (a)	Operate at speed greater than reasonable	200.00
324.82126(1) (c)	Operate within 100 ft of shanty, skater / person	100.00
324.82126(1) (g)	Carry string bow, loaded firearm, uncased firearm	200.00
324.82131(1)	Operate without headlight and taillight on at all times	100.00
324.82135	Fail to stop for officer	500.00
324.82147(a) (1)	Operate snowmobile with driver's license revoked / suspended	300.00
324.82158(2)	Flee or elude on snowmobile	500.00

36 CFR § 2.18	Snowmobiles	
(c)	Snowmobiles prohibited except on designated routes and designated frozen water surfaces	250.00
(d)(1)	Operating a snowmobile which makes excessive noise	100.00
(d)(2)	Operate snowmobile without lighted headlight / taillight between ½ hour from sunset to sunrise	100.00
(d)(3)	Operating snowmobile which does not have brakes in good working order	100.00
(d)(4)	Racing or operating snowmobile in excess of 45 mph	150.00
(e)(1)	Operate snowmobile by person under 16 not accompanied by person 21 or older	100.00
(e)(2)	Operate snowmobile by person under 12 without person 21 or older on same snowmobile	100.00
(e)(3)	Supervise more than one person under 16 operating snowmobile	100.00

36 CFR § 2.19	Winter Activities	
(a)	Skiing, snowshoeing, ice skating, sledding, inner-tubing, tobogganing and similar winter sports activities on park roads and parking areas open to motor vehicle traffic	100.00
(b)	The towing of persons on skis, sleds or other sliding devices by motor vehicles or snowmobile is prohibited, except in designated routes	100.00
(c)	Failure to abide by area designation or activity restrictions	100.00

36 CFR § 2.20	Skating, Skateboarding and Similar Devices	
	Using roller skates, skateboards, roller skis, coasting vehicles, or similar devices is prohibited, except in designated areas	75.00
36 CFR § 2.21	Smoking	
(a)	No smoking where so designated by the Superintendent	75.00
36 CFR § 2.22	Property	
(a)(1)	Abandoned property	100.00
(a)(2)	Unattended property: Except in designated time periods and conditions established by the Superintendent, leaving property unattended for more than 24 hours	100.00
(a)(3)	Failure to turn in property	100.00
36 CFR § 2.23	Recreation Fees	
(b)	Using fee areas without payment	75.00
36 CFR § 2.30	Misappropriation of Property and Services	
(a)(1)	Unlawful taking or possessing of property of another with the purpose to deprive the owner thereof	<u>Mandatory Appearance</u>
(a)(2)	Obtaining property or services offered for compensation without payment or offering to pay thereof	100.00
(a)(3)	Obtaining property or services offered for compensation or sale by means of wrongful transfer by using stolen, forged, expired, revoked or fraudulently obtained credit cards	200.00
(a)(4)	Concealing unpurchased merchandise without knowledge or consent of the seller or by paying less than the purchase price by deception	100.00
(a)(5)	Knowingly possessing stolen property	<u>Mandatory Appearance</u>
36 CFR § 2.31	Trespassing, Tampering, Vandalism	
(a)(1)	Trespassing, entering or remaining in or on property not open to the public	150.00
(a)(2)	Tampering or attempting to tamper with property except when it is under one's lawful control or possession	200.00
(a)(3)	Destroying, injuring, defacing, or removing property or real property	300.00
36 CFR § 2.32	Interfering with Agency Functions	
(a)(1)	Threatening, restricting, intimidating, or intentionally interfering with a government employee or agent engaged in an official duty	<u>Mandatory Appearance</u>
(a)(2)	Interfering with the lawful order of a government employee or agent maintaining order and control of public access and movement during emergency operations that involve a threat to public safety	250.00
(a)(3)	Knowingly giving false information to an authorized person investigating an accident or violation	250.00
(a)(4)	Knowingly giving false information to mislead a government employee or agent conducting official duties, or that causes a response by the U.S. to a fictitious event	250.00

36 CFR § 2.33	Report of Injury or Damage	
(b)	Failure to report incidents resulting in injury to persons, damage to property over \$300.00	100.00

36 CFR § 2.34	Disorderly Conduct	
(a)(1)	Engages in fighting or threatening, or in violent behavior	250.00
(a)(2)	Uses language or gestures which is obscene, physically threatening or menacing, or done in a manner which is likely to inflict breach of the peace	150.00
(a)(3)	Makes noise which is unreasonable	150.00
(a)(4)	Creates or maintains a hazardous or physically offensive condition	150.00

36 CFR § 2.35	Alcoholic Beverages and Controlled Substances	
(a)(2)(i)	The sale or gift of an alcoholic beverage to a person under 21 years of age	250.00
(a)(2)(ii)	The possession of an alcoholic beverage by a person under 21 years of age	200.00
(a)(3)(i)(B)(iii)	Consumption of alcohol in a public use area or public facility within a park area closed by the Superintendent and/or possession of a bottle, can or other container with an alcoholic beverage inside	100.00
(b)(1)	The delivery of a controlled substance	<u>Mandatory Appearance</u>
(b)(2)	The possession of a controlled substance	500.00
(c)	Presence in a park area when under the influence of alcohol or a controlled substance	350.00

36 CFR § 2.36	Gambling	
(a)	Gambling in any form, or operating gambling devices	100.00

36 CFR § 2.37	Noncommercial Soliciting	
	Soliciting without a permit	100.00

36 CFR § 2.38	Explosives	
(a)	Using, possessing, storing, or transporting explosives or explosive materials without a permit	<u>Mandatory Appearance</u>
(b)	Using or possessing fireworks without a permit	150.00
(c)	Violation of terms of permit	150.00

36 CFR § 2.50	Special Events	
(a)	Conducting special events without a permit	300.00
(e)	Violation of terms of permit	150.00

36 CFR § 2.51	Public Assemblies / Meetings	
(a)	Public Assembly without a permit	150.00
(h)	Interference with traffic or harassing park visitors	150.00
(j)	Violations of terms of permit	150.00

36 CFR § 2.52	Sale or Distribution of Printed Materials	
(a)	Sale or distribution of printed matter without a permit	150.00
(h)	Interference with traffic or harassment of park visitors	150.00
(j)	Violation of terms of permit	150.00

36 CFR § 2.60	Grazing and Agriculture	
(a)	The running-at-large, herding, driving across, allowing on or grazing of livestock of any kind in a park area, or the use of a park area for agricultural purposes, except under conditions of a permit or lease	75.00 per animal

36 CFR § 2.61	Residing on Federal Lands	
(a)	Residing in park areas, other than on privately owned lands, except under terms of a permit, lease, or contract	200.00
(b)	Violations of conditions of permit	150.00

36 CFR § 2.62	Memorialization	
(a)	The installation of a monument, memorial, tablet, structure, or other commemorative installation in a park area without permit or authorization of the Director	200.00
(b)	The scattering of human ashes from cremation except under terms of permit	75.00
(d)	Violation of terms of permit	150.00

PART 3	BOATING AND WATER USE ACTIVITIES	
Section	Provision	Collateral Forfeiture
36 CFR § 3.2	Other Applicable Regulations	
(a)	Violation of applicable regulations found in Title 14 U.S.C., Title 33 U.S.C., Title 46 U.S.C., 33 CFR chapter I, 46 CFR chapter I and III and 49 CFR chapter IV	75.00

MAR 281	Vessel Numbering	
.15 (a)(1)	Vessel not numbered	75.00
.15 (a)(2)	Number not properly displayed	75.00
.19	Other numbers prohibited	75.00
.21 (a)(1)	Certificate not valid	75.00
.21 (a)(2)	Rental agreement not on board	75.00
.23	Failure to present lease or rental agreement	75.00
.25	Certificate not on board	75.00
.27 (a)(1)	Number not properly displayed	75.00
.27 (a)(2)	Number not proper size	75.00
.27 (a)(3)	Number not visible / legible / contrasting color	75.00
.27 (a)(4)	Number not properly spaced	75.00
.27 (a)(5)	Number does not read left to right	75.00
.35	No valid Coast Guard sticker	75.00

33 CFR § 281	Regulations	
.1208 (1)(a)	Validation decal not attached	75.00
.1208 (1)(c)	Validation decal not current year	75.00
.1208 (1)(d)	Validation decal not properly displayed	75.00

33 CRG § 175	Personal Flotation Devices	
.15 (a)	Insufficient PFD's on all vessel, canoe or kayak	75.00
.15 (b)	Insufficient Type IV PFD's vessel more than 16 ft., canoe or kayak excepted	75.00
.15 (c)	Child under 13 required to wear PFD	75.00

33 CRG § 175	Personal Flotation Devices (continued)	
.19 (a)	PFD's not readily accessible Type I, II, III, or V	75.00
.19 (b)	PFD's not readily accessible Type IV	75.00
.21 (a)	PFD's not in serviceable condition	75.00
.21 (b)	PFD's not of proper size for person intended	75.00
.21 (c)	PFD's not marked with approval number	75.00

MAR 281	Navigation Lights - Outboard Motor Boats	
.1240 (d)	No lights – vessel less than 16 ft.	75.00
.1241 (e)	No lights – vessel 16 – 26 ft.	75.00
.1246 (g)	No lights – vessel 26 – 40 ft.	75.00
.1247 (g)	No lights – vessel 40 – 65 ft.	75.00

MAR 281	Inboard and Inboard – Outboard Motorboats	
.1244 (e)	No lights – vessel less than 16 ft.	75.00
.1245 (f)	No lights – vessel 16 – 26 ft.	75.00
.1246 (g)	No lights – vessel 26 – 40 ft.	75.00
.1247 (g)	No lights – vessel 40 – 65 ft.	75.00

MAR 281	Sailboats and Other Types	
.1248 (b)	No lights – sailboat without motor less than 16 ft.	75.00
.1249 (b)	No lights – sailboat without motor more than 16 ft.	75.00
.1250 (b)(i)	No lights – sailboat with motor	75.00
.1251 (2)	No lights – rowboats	75.00
.1252 (2)	No lights – canoes and kayaks	75.00

MAR 281	Outboard Motor Boats	
.1240 (e)	No anchor lights – vessel less than 16 ft.	75.00
.1241 (f)	No anchor lights – vessel 16 – 26 ft.	75.00
.1246 (h)	No anchor lights – vessel 26 – 40 ft.	75.00
.1247 (h)	No anchor lights – vessel 40 – 65 ft.	75.00

MAR 281	Inboard and Inboard – Outboard Motor Boats	
.1244 (f)	No anchor lights – vessel less than 16 ft.	75.00
.1245 (g)	No anchor lights – vessel 16 – 26 ft.	75.00
.1246 (h)	No anchor lights – vessel 26 – 40 ft.	75.00
.1247 (h)	No anchor lights – vessel 40 – 65 ft.	75.00

MAR 281	Sailboats and Other Types	
.1248 (c)	No anchor lights – vessel less than 16 ft. no motor	75.00
.1249 (c)	No anchor lights – vessel 16 ft. or more with no motor	75.00
.1250(b)(ii)	No anchor lights – sailboat with motor	75.00

33 CFR 175	Ventilation	
.201	Ventilation required for gasoline engines for electrical generator, mechanical power propulsion. (vessels built after July 31, 1980)	75.00

46 CFR 25.40	Ventilation	
1(a)	Ventilation required on all motor boats and motor vessels except open boats	75.00

46 CFR 25.30-20 Fire Extinguishing Equipment		
(a)(1)	Motorboats over 26 ft., fire extinguishing equipment required as set forth in Table 25.30 – 20 (a) (1)	75.00
(c)(1)	Motor vessel fire extinguishing equipment required as set forth in Table 25.30-20 (b) (1)	75.00

46 CFR 25.35-1 Backfire Flame Control		
(a)	Backfire flame control required on every motorboat or motor vessel after April 25, 1940, except outboard motors	75.00

33 CFR 175 Visual Distress Signals		
.110 (a)	Day/night use signals required during daytime	75.00
.110 (b)	Nighttime use signals only required during night	75.00
.120 (c)	Visual distress signals required must be readily accessible	75.00
.125 (a)	Required signals must be in serviceable condition and not expired	75.00
.128 (a)	Required signals must be legibly marked with approved number or statement	75.00

33 CFR 155.440 Pollution Placard		
(a)	Pollution placard required on all vessels 26 ft. and over in length	75.00

MAR 281 Sound Signal Devices - Outboard Motors		
.1241 (c)	No whistle 16 – 26 ft. boats	75.00
.1246 (c)	No fog bell 26 – 40 ft. boats	75.00
.1246 (d)	No whistle 26 – 40 ft. boats	75.00
.1247 (c)	No fog bell 40 – 65 ft. boats	75.00
.1247 (d)	No whistle 40 – 65 ft. boats	75.00

MAR 281 Sound Signal Devices - Inboard or Inboard - Outboard Motors		
.1245 (d)	No whistle 16 – 26 ft. boats	75.00
.1246 (c)	No fog bell 26 – 40 ft. boats	75.00
.1246 (d)	No whistle 26 – 40 ft. boats	75.00
.1247 (c)	No fog bell 40 – 65 ft. boats	75.00
.1247 (d)	No whistle 40 – 65 ft. boats	75.00

MAR 281 Sound Signal Devices - Sailboat with Motor		
.1250 (a)	Same equipment as required for motorboats of any length	75.00

36 CFR 3.1 Boating		
(a)	Violation of State laws governing the proper use and operations of vessels, adopted as part of these regulations:	
Michigan Compiled Laws		
324.80144 (1)(a)	Head on – fail to pass on Port side	75.00
324.80144 (1)(b)	Improper overtaking – Fail to pass on Port side	75.00
324.80144 (1)(c)	Fail to give right-of-way to starboard vessel	75.00
324.80144 (1)(d)	Fail to give right-of-way to sailboat	75.00
324.80144 (1)(e)	Fail to give right-of-way to non-motor vessel	75.00
324.80144 (1)(f)	Fail to maintain direction / speed when required	75.00

36 CFR § 3.4 (formerly § 3.5)	Accident Reporting	
(a)(1)	Failure to report an accident, collision, fire or other casualty within 24 hours	100.00
(1)	When total property damage is \$2000 or more	100.00
(2)	Injury, or death or disappearance of person	100.00

36 CFR § 3.6	Requirements to Operate Power Driven Vessel	
(a)	Operator must be at least 16 years old; or	75.00
(2)	Between 12 and 15 years old and accompanied on the vessel by a person at least 18 years old	75.00
(b)	Applicable state law if State age limit is different	75.00
(c)	If a park area is located within a State having a mandatory boater education requirement, then that State requirement is adopted	75.00

36 CFR § 3.7	NPS Personal Flotation Device Requirements	
(a)	All requirements in Title 33 CFR part 175 related to PFD's are adopted	75.00
(b)	Superintendent requirement for PFD use based on §§1.5 and 1.7	75.00

36 CFR § 3.8	Prohibited Operations	
(a)(1)	Launching or operating an airboat	100.00
(2)	Launching or recovering a vessel except at a designated launch site	100.00
(3)	Operating a power-driven vessel on waters not accessible by road	100.00
(4)	Operating a vessel in excess of a length, width, or horsepower restriction established by Superintendent based on §§1.5 and 1.7	100.00
(b)(1)	Operating a power-driven or sailing vessel within 100 feet of a diver's flag except in support of dive operations, which may not be operated in excess of flat wake speed	100.00
(b)(2)	Failing to observe restrictions established by a regulatory marker	100.00
(b)(3)	Operating a vessel in excess of flat wake speed in designated areas	100.00
(b)(4)	Operating a vessel in excess of flat wake speed within 100 feet of:	100.00
(b)(4)(i)	A downed water skier	100.00
(b)(4)(ii)	A person swimming, wading, fishing from shore or floating with the aid of a flotation device	100.00
(b)(4)(iii)	A designated launch site	100.00
(b)(4)(iv)	A manually propelled, anchored or drifting vessel. If State law differs, State law is adopted.	100.00
(b)(5)	Unless a designated area is marked otherwise, operating a power-driven or sailing vessel within 500 feet of a shoreline designated as a swimming beach, except for rivers, channels, or narrow coves where passage is restricted to less than 500 feet. In these areas, operation of a vessel in excess of flat wake speed is prohibited.	100.00
(b)(6)	Person riding on deck over the bow, gunwales, top edge of transom, motor cover, or in any other unsafe position when vessel is being operated, except when vessel is designed and constructed for this purpose or when vessel is being anchored, docked, or moored	100.00
(b)(7)	Operating a power-driven vessel engine/s or generator with a person sitting, riding or hanging on to a swim platform or swim ladder	100.00

36 CFR § 3.8 Prohibited Operations (continued)		
(b)(8)	Operating a vessel, or knowingly allowing another person to operate a vessel in a negligent manner, by failing to exercise due care	100.00
(b)(9)	Operating a vessel or knowingly allowing another person to operate a vessel in a grossly negligent manner by willfully and wantonly creating an unreasonable risk of harm to persons or property, regardless of intent	100.00
36 CFR § 3.9 Personal Watercraft		
	Operation of personal watercraft is prohibited except where authorized by special regulation	250.00
36 CFR § 3.10 Operating Vessel Under the Influence of Alcohol and/or Drugs		
(a)(1)	Operating or being in actual physical control of a vessel is prohibited while under the influence of alcohol, a drug or drugs, or any combination thereof, to a degree that renders the operator incapable of safe operation; or	<u>Mandatory Appearance</u>
(2)	The alcohol concentration in the operator's blood or breath is 0.08 grams or more of alcohol per 100 ml of blood or 0.08 grams or more of alcohol per 210 liters of breath	<u>Mandatory Appearance</u>
(b)	If State law is more restrictive than 0.08, then State law is adopted	<u>Mandatory Appearance</u>
36 CFR § 3.11 Testing for Alcohol or Drugs		
(1)	Refusal to submit to a test by someone who has violated §3.10	500.00
36 CFR § 3.12 Towing a Person for Water skiing or similar activities		
(a)	The towing of a person by a vessel is allowed only in designated waters	75.00
(b)	Towing a person using a parasail, hang-glider or other airborne device in accordance with a permit issued by the superintendent under § 1.6	75.00
(c)(1)	Where designated, towing is allowed only between the hours of sunrise and sunset	75.00
(c)(2)	In addition to the boat operator, a person at least 12 years of age must be present to observe the action of the person being towed	75.00
(c)(3)	A person being towed must wear a United States Coast Guard approved Type I, II, III, or V PFD	75.00
(c)(4)	A person being towed may not commit any act in a manner that endangers, or is likely to endanger, any person or damage property	75.00
(c)(5)	Operating a vessel that does not have the capacity to carry the person(s) being towed in addition to the operator and observer	75.00
(c)(6)	Operating a power driven vessel using a tow rope 20 feet or less in length when towing a person	75.00
36 CFR § 3.13 Marine Sanitation Devices		
(a)	Discharging sewage from any vessel, weather treated or not, in any body of fresh water	350.00
(b)	Any vessel on park fresh water that is equipped with toilet facilities and or a marine sanitation device capable of discharge, must lock or secure the valves or mechanism of the device	75.00

36 CFR § 3.14	Removal of a Sunken, Grounded or Disabled Vessel	
(a)(1)	By the established reasonable date of removal as determined by the superintendent	350.00
(a)(2)	Under the determined times and means of access to and from the vessel as determined by the superintendent	350.00
(a)(3)	Under the specified manner or method of removal as determined by the superintendent	350.00

36 CFR § 3.15	Noise Level for the Operation of a Vessel	
(a)(1)	Operating a vessel at a noise level exceeding 75dB(A) measured utilizing test procedures applicable to vessels underway	75.00
(a)(2)	Operating a vessel at a noise level exceeding 88dB(A) measured utilizing test procedures applicable to stationary vessels	75.00
(b)	Refusal to submit to an onsite test to measure the noise level	250.00

36 CFR § 3.16	Swimming or Wading	
	Swimming or wading in accordance with closures or restriction designated by the superintendent in §§ 1.5 and 1.7	75.00

36 CFR § 3.17	Swim Areas or Beaches	
(b)	The use of surfboard or similar rigid device within designated swimming areas	75.00
(c)	As designated by the superintendent in accordance with §§ 1.5 and 1.7 the use or possession of flotation devices, glass containers, kites, or incompatible activates in swimming areas or swimming beaches	75.00

36 CFR § 3.18	Snorkeling or Diving in Park Waters	
(a)	Snorkeling and underwater diving subject to the closures and restrictions designated by the superintendent in accordance with §§ 1.5 and 1.7	75.00
(b)	In waters open to vessels a diver must prominently display a dive flag during dive operations. A dive flag must not be displayed unless dive operations are ongoing	75.00
(c)	Illumination of a dive flag between sunset and sunrise in a manner that is not confused with navigation lights or aids to navigation lights	75.00
(d)	While on the surface, submerging or surfacing the diver must remain within 100 feet horizontal radius of the dive flag	75.00
(e)	Adoption of state laws or regulations concerning snorkeling activities	75.00

36 CFR § 3.19	Submersibles	
	The use of a manned or unmanned submersible not in accordance with a permit issued by the superintendent under § 1.6	350.00

Part 4		VEHICLES AND TRAFFIC SAFETY
Section	Provision	Collateral Forfeiture
36 CFR § 4.2	State Law Applicable for Traffic and Use of Vehicles	
(b)	Violation of State Law is prohibited	150.00
Michigan Compiled Laws		
257.223(1)	No vehicle registration	150.00
257.224(7)	Improperly licensed vehicle	150.00
257.255(1)	Expired license plate	150.00
257.301(1)	No driver's license	250.00
257.311	No driver's license in possession while operating vehicle	150.00
257.312a	No motorcycle endorsement	100.00
257.904(1)	Operating a vehicle with a suspended license	300.00
257.904(1)	Operating a vehicle with a revoked license	400.00
257.904(1)	Operating a vehicle with fictitious or otherwise altered license	400.00
257.626	Reckless driving	300.00
500.3101	Operate motor vehicle without insurance	300.00
324.81133 1(q)	Operate an ORV on public land, in a manner contrary to operating regulations	150.00

36 CFR § 4.4	Report of Motor Vehicle Accident	
(a)	Failure of operator involved in an accident resulting in property damage, personal injury or death, to report such accident as soon as practicable, but within 24 hours	75.00
(b)	Towing / moving vehicle without permission unless hazard exists or notification not possible	75.00

36 CFR § 4.10	Travel on Park Roads and Designated Routes	
(a)	Operating a motor vehicle off park roads or parking area or outside designated off-road routes	500.00
(c)(1)	Operating a motor vehicle without pneumatic tires except where allowed	75.00
(c)(2)	Operating a vehicle in a manner which causes unreasonable damage to the road surface	250.00
(c)(3)	Operating a motor vehicle on a designated off-road route without activated headlights ½ hour after sunset	100.00

36 CFR § 4.11	Load, Weight, Length, and Width Limits	
(b)(1)	Operation of vehicle with load, weight, length or width not in accordance with State law or as otherwise prescribed	75.00
(b)(2)	Failing to obtain a permit when required	75.00
(b)(3)	Violating conditions of permit	100.00
(b)(4)	Operating a vehicle with auxiliary, detachable, side mirrors, that extend 10 inches or more beyond fender line, except when towing a second vehicle	75.00

36 CFR § 4.12	Traffic Control Devices	
	Failure to comply with the directions of a traffic control device	75.00

36 CFR § 4.13	Obstructing Traffic	
(a)	Stopping or parking on roadway	75.00
(b)	Driving so slowly as to interfere with normal traffic flow	75.00
36 CFR § 4.14	Open Container of Alcoholic Beverage in Motor Vehicle	
(c)	Carrying / storing any receptacle containing alcoholic beverage that is open or has been open, seal broken, or contents partially removed, within a motor vehicle	200.00
36 CFR § 4.20	Right of Way	
	Motor vehicle shall yield to pedestrians, saddle / pack animals	75.00
36 CFR § 4.21	Speed Limits	
(c)	Excess of posted speed limit Plus \$2 each mile per hour over the speed limit	75.00
36 CFR § 4.22	Unsafe Operations (less than reckless driving)	
(b)(1)	Driving at a speed without due care to wildlife, weather, road and light conditions and road character	200.00
(b)(2)	Driving in a manner in which tires squeal, skid, or break free of surface	150.00
(b)(3)	Failure to maintain control to avoid danger to persons, property, or wildlife	150.00
(b)(4)(i)	Operating a motor vehicle while allowing a person to ride on or within any conveyance being towed, unless designated for such	150.00
(b)(4)(ii)	Operating a motor vehicle while allowing a person to ride on exterior portion of vehicle not intended for use by passengers	150.00
36 CFR § 4.23	Operating Under the Influence of Alcohol or Drugs	
(a)(1)	Operating under the influence of alcohol or drugs	1000.00
(a)(2)	Operating with a .08 alcohol level or greater	<u>Mandatory Appearance</u>
(c)(2)	Refuse alcohol level test	350.00
36 CFR § 4.30	Bicycles	
(a)	Areas closed to bicycles (other than wilderness)	75.00
(d)(1)	Possessing a bicycle in a wilderness area designated by federal statute	100.00
(d)(2)	Low visibility without proper reflection devices	75.00
(d)(3)	Operate bicycle abreast of another bicycle	75.00
(d)(4)	Operate bicycle while consuming alcohol or carrying an open container of such	200.00
36 CFR § 4.31	Hitchhiking – Prohibited	
		75.00
Part 5	COMMERCIAL OPERATIONS	
36 CFR § 5.1	Advertisements	
	Commercial notices or advertisements prohibited without Superintendent's permission	100.00

36 CFR § 5.2	Alcohol Beverage; Sale of Intoxicant	
	Sale of alcoholic beverage not in compliance with Federal, State, or local law	200.00
36 CFR § 5.3	Business Operations	
	Engaging in or soliciting any business without a permit	300.00
36 CFR § 5.4	Commercial Passenger Carrying Vehicle	
(b)	Passenger carrying vehicles so large as to require an escort or that are beyond the carrying capacity or safety factor of the road are prohibited	150.00
36 CFR § 5.5	Commercial Photography	
(a)	Commercial filming and still photography not in accordance with the provisions of 43 CFR part 5, subpart A.	500.00
(b)	Audio recording without a permit under the requirements sub sections 1-3 of 36 CFR § 5.5 (b)	500.00
36 CFR § 5.6	Commercial Vehicles	
(b)	Commercial vehicles prohibited on government roads	100.00
36 CFR § 5.7	Construction of Buildings or Other Facilities	
	Constructing or attempting to construct a building or facility without a permit prohibited	300.00
36 CFR § 5.8	Discriminating in Employment Practices	
(a)	Proprietor, owner, or operator discriminating in employment based on race, creed, color, ancestry or national origin	<u>Mandatory Appearance</u>
(b)	Failure to post appropriate notice	75.00
36 CFR § 5.9	Discrimination in Furnishing Public Accommodations or Transportation Services	
(a)	Proprietor, owner, operator or employee discrimination in services provided based on race, creed, color, ancestry or national origin	<u>Mandatory Appearance</u>
(b)	Failure to post appropriate notice	75.00
Part 7	SPECIAL REGULATIONS	
36 CFR § 7.32	Pictured Rocks National Lakeshore	
(a)(1)	Snowmobile use is permitted on designated portions of roadways and lakes	
(a)(2)	Maps showing designated routes shall be available at park HQ and at ranger stations	
(a)(3)	Snowmobile use outside designated routes is prohibited (Exceptions: emergency admin. Park employees or law enforcement agencies)	500.00
(b)	Fishing – Unless otherwise designated, fishing in a manner authorized under applicable State Law is allowed- reference 36 CFR § 2.3(a) for collateral forfeiture	
(c)	Hunting – The following lakeshore areas are closed to hunting:	
(c)(1)	Hunting closure – Sand Point Area	100.00
(c)(2)(i)	Hunting closure – Developed public use areas Little Beaver, Twelve Mile or Hurricane River Campgrounds	100.00

36 CFR § 7.32	Pictured Rocks National Lakeshore (continued)	
(c) (2) (ii)	Hunting closure – Developed public use areas Miners Castle	100.00
(c)(2)(iii)	Hunting Closure – Chapel Falls lot, Little Beaver backpacker lot, Twelve Mile day use lot and surrounding area, Grand Sable Lake picnic area, Grand Sable Lake boat launch and lot, and Grand Sable Lake Overlook	100.00
(c)(2)(iv)	Hunting Closure – Au Sable Light Station and access trail.	100.00
(c)(2)(v)	Hunting Closure – Sable Falls area	100.00
(c)(2)(vi)	Hunting Closure – Grand Sable Visitor Center area and Grand Marais Maintenance shop area	100.00
(c)(2)(vii)	Grand Marais Ranger Station and land	100.00
(c)(3)	Hunting season – Hunting is prohibited park-wide during the period of April 1 through Labor Day	250.00

36 CFR § 7.38	Isle Royale National Park	
(a)	Aircraft, designated landing areas only	250.00
(b)	Underwater diving without a permit is prohibited	100.00
(c)	Dogs, cats and other mammals may not be brought into or possessed in the park area, except guide dogs accompanying the blind	100.00

36 CFR § 7.80	Sleeping Bear Dunes National Lakeshore	
(a)	Powerless flight – Violation of permit terms / conditions	150.00
(b)	Fishing – Unless otherwise designated, fishing in a manner authorized under applicable State Law is allowed- reference 36 CFR § 2.3(a) for collateral forfeiture	
(c)(2)(ii)	Violating a closure or restriction on the Sleeping Bear Heritage Trail as designated by the superintendent in accordance with (c)(2) of this section	150.00

18 U.S.C. § 13 Assimilative Crimes Act/Michigan Penal Code		
750.335a	Indecent exposure; violation; penalty; (mother's breastfeeding or expressing milk exempt)	
(1)	A person shall not knowingly make any open or indecent exposure of his or her person or of the person of another	
(2)(a)	A person who violates subsection (1) except as provided in subdivision (b) or (c)	300.00
(2)(b)	If the person was fondling his or her genitals, pubic area, buttocks, or, if the person is female, breasts, while violating subsection (1)	500.00
(2)(c)	If the person was at the time of the violation a sexually delinquent person	<u>Mandatory Appearance</u>