

S.B. 941

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 41a, 226a, 248, 251, 801, and 807 (MCL 257.41a, 257.226a, 257.248, 257.251, 257.801, and 257.807), sections 41a, 248, 251, and 807 as amended by 1993 PA 300, section 226a as amended by 1996 PA 59, and section 801 as amended by 1997 PA 80.

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

1       Sec. 41a. "Police book" means a hardcover, bound volume OR  
2 A RECORD IN A FORM PRESCRIBED BY THE SECRETARY OF STATE that pro-  
3 vides a bought and sold record for each vehicle handled by a  
4 dealer, contains the information required by section 251, and  
5 includes any other information required by law or the secretary  
6 of state.

1           Sec. 226a. (1) Temporary registration plates or markers may  
2 be issued to licensed dealers in vehicles and to persons engaged  
3 in the sale of vessels required to be numbered by part 801  
4 ~~(marine safety)~~ of the natural resources and environmental pro-  
5 tection act, ~~Act No. 451 of the Public Acts of 1994, being sec-~~  
6 ~~tions 324.80101 to 324.80199 of the Michigan Compiled Laws 1994~~  
7 PA 451, MCL 324.80101 TO 324.80199, upon application accompanied  
8 by the proper fee, for use by purchasers of vehicles, for not to  
9 exceed 15 days pending receipt of regular registration plates  
10 from the dealer or person.

11           Only 1 temporary plate or marker may be issued to a pur-  
12 chaser of a vehicle. IF A DEALER OR PERSON REQUIRES A PURCHASER  
13 OF A VEHICLE OR VESSEL TO PAY FOR A TEMPORARY PLATE OR MARKER,  
14 THE DEALER OR PERSON SHALL NOT CHARGE THE PURCHASER MORE THAN THE  
15 DEALER OR PERSON WAS CHARGED BY THE SECRETARY OF STATE FOR THE  
16 INDIVIDUAL PLATE OR MARKER. The temporary registration plates or  
17 markers shall be made of such material and design as the secre-  
18 tary of state shall determine.

19           (2) A temporary registration plate or marker shall show in  
20 ink the date of issue, a description of the vehicle for which  
21 issued, and such other information as the secretary of state may  
22 require. A dealer or person shall immediately notify the secre-  
23 tary of state of each temporary registration plate or marker  
24 issued by the dealer or person, on a form prescribed by the sec-  
25 retary of state. Upon the attachment of the regular plate to a  
26 vehicle for which a temporary registration plate or marker has  
27 been issued, the temporary plate shall be destroyed.

1           (3) All temporary registration plates or markers shall be  
2 serially numbered and upon issuance the number shall be noted on  
3 the statement of vehicle sale form or in the case of a boat  
4 trailer on a form prescribed by the secretary of state.

5           (4) A dealer or person, upon demand, shall immediately sur-  
6 render any temporary registration plates or markers in his or her  
7 possession if the secretary of state finds, after investigation,  
8 that the dealer or person has violated this section, and the  
9 dealer or person shall immediately forfeit any right to the tem-  
10 porary registration plates or markers.

11           (5) Registration plates may be issued upon application and  
12 payment of the proper fee to an individual, partnership, corpora-  
13 tion, or association who in the ordinary course of business has  
14 occasion to legally repossess a vehicle in which a security  
15 interest is held. A registration plate issued pursuant to this  
16 subsection shall be used to move and dispose of a vehicle.

17           (6) Registration plates may be issued upon application and  
18 payment of the proper fee to an individual, partnership, corpora-  
19 tion, or association who in the ordinary course of business has  
20 occasion to legally pick up or deliver a vehicle not required to  
21 be titled under this act, or to repair or service a vehicle, or  
22 to persons defined as dealers under part 801 of Act No. 451 of  
23 the Public Acts of 1994, for the purpose of delivering a vessel  
24 or trailer to a customer or to and from a boat show or  
25 exposition. A registration plate issued under this subsection  
26 shall be used to move such a vehicle.

1           (7) Registration plates may be issued upon application and  
2 payment of the proper fee to an individual, partnership,  
3 corporation, or association who in the ordinary course of busi-  
4 ness operates an auto auction, and who in the ordinary course of  
5 business has occasion to legally pick up a vehicle which will be  
6 offered for sale at the auction, or deliver a vehicle which has  
7 been offered for sale at the auction. Such registration plates  
8 shall be used only to move vehicles as provided in this  
9 subsection. Auto auctions that make application for such regis-  
10 tration plates shall furnish a surety bond as may be required by  
11 the secretary of state.

12           Sec. 248. ~~-(1) A person shall not carry on or conduct the~~  
13 ~~business of buying, selling, brokering, or dealing in vehicles of~~  
14 ~~a type required to be titled under this act unless the person~~  
15 ~~obtains a dealer license from the secretary of state authorizing~~  
16 ~~the carrying on or conducting of that business. Until July 1,~~  
17 ~~1994, a person shall not carry on or conduct the business of~~  
18 ~~buying, selling, brokering, or dealing in distressed, late model~~  
19 ~~motor vehicles or salvageable parts unless the person obtains a~~  
20 ~~used or secondhand vehicle parts dealer license from the secre-~~  
21 ~~tary of state or is an insurance company admitted to conduct~~  
22 ~~business in this state, except that a motor vehicle repair facil-~~  
23 ~~ity registered under the motor vehicle service and repair act,~~  
24 ~~Act No. 300 of the Public Acts of 1974, being sections 257.1301~~  
25 ~~to 257.1340 of the Michigan Compiled Laws, may purchase salvagea-~~  
26 ~~ble parts and salvage vehicles for the purposes of using acquired~~  
27 ~~parts and vehicles in the repair of other vehicles. A person~~

1 ~~shall not carry on or conduct the business of buying vehicles to~~  
2 ~~process into scrap metal or store or display vehicles as an agent~~  
3 ~~or escrow agent of an insurance company unless the person obtains~~  
4 ~~a dealer license from the secretary of state. A vehicle scrap~~  
5 ~~metal processor who does not purchase vehicles from unlicensed~~  
6 ~~persons is not required to obtain a dealer license. Until July~~  
7 ~~1, 1994, a person from another state shall not purchase, sell, or~~  
8 ~~otherwise deal in distressed, late model motor vehicles or sal-~~  
9 ~~vageable parts unless the person obtains a foreign salvage vehi-~~  
10 ~~cle dealer license from the secretary of state as prescribed~~  
11 ~~under section 248b. The secretary of state shall investigate and~~  
12 ~~seek prosecution, if necessary, of persons allegedly conducting a~~  
13 ~~business without a license. This subsection applies until July~~  
14 ~~1, 1994.~~

15       ~~(2) The application for a dealer license shall be in the~~  
16 ~~form prescribed by the secretary of state and shall be signed by~~  
17 ~~the applicant. In addition to other information as may be~~  
18 ~~required by the secretary of state, the application shall include~~  
19 ~~all of the following:~~

20           ~~(a) Name of applicant.~~

21           ~~(b) Location of applicant's established place of business in~~  
22 ~~this state.~~

23           ~~(c) The name under which business is to be conducted.~~

24           ~~(d) If the business is a corporation, the state of~~  
25 ~~incorporation.~~

26           ~~(e) Name and address of each owner or partner and, if a~~  
27 ~~corporation, the name of the principal officers.~~

1       ~~(f) The county in which the business is to be conducted and~~  
2 ~~the address of each place of business in that county.~~

3       ~~(g) If new vehicles are to be sold, the make to be handled.~~  
4 ~~Each new vehicle dealer shall send with the application for~~  
5 ~~license a certification that the dealer holds a bona fide con-~~  
6 ~~tract to act as factory representative, factory distributor, or~~  
7 ~~distributor representative to sell at retail the make of vehicle~~  
8 ~~to be sold.~~

9       ~~(h) A statement of the previous history, record, and associ-~~  
10 ~~ations of the applicant and of each owner, partner, officer, and~~  
11 ~~director, which statement shall be sufficient to establish to the~~  
12 ~~satisfaction of the secretary of state the business reputation~~  
13 ~~and character of the applicant.~~

14       ~~(i) A statement showing whether the applicant has previously~~  
15 ~~applied for a license, the result of the application, and whether~~  
16 ~~the applicant has ever been the holder of a dealer license which~~  
17 ~~was revoked or suspended.~~

18       ~~(j) If the applicant is a corporation or partnership, a~~  
19 ~~statement showing whether a partner, employee, officer, or direc-~~  
20 ~~tor has been refused a license or has been the holder of a~~  
21 ~~license which was revoked or suspended.~~

22       ~~(k) Until July 1, 1994, if the application is for a used or~~  
23 ~~secondhand vehicle parts dealer, all of the following:~~

24       ~~(i) Evidence that the applicant maintains or will maintain~~  
25 ~~an established place of business.~~

1       ~~(ii) Evidence that the applicant maintains or will maintain~~  
2 ~~a police book and vehicle parts purchase and sales records as~~  
3 ~~required under this act.~~

4       ~~(iii) Evidence of workers' compensation insurance coverage~~  
5 ~~for employees classified under the standard industrial classifi-~~  
6 ~~cation number 4015, entitled "motor vehicle parts -- used" or~~  
7 ~~under the national council on compensation insurance code number~~  
8 ~~3821, entitled "automobile dismantling", if applicable.~~

9       ~~(3) A person shall make a separate application for a dealer~~  
10 ~~license for each county in which business is to be conducted, and~~  
11 ~~a dealer, before moving 1 or more of his or her places of busi-~~  
12 ~~ness or opening an additional place of business, shall apply to~~  
13 ~~the secretary of state for and obtain a supplemental dealer~~  
14 ~~license for which a fee shall not be charged. The dealer license~~  
15 ~~entitles the dealer to conduct in the county covered by the~~  
16 ~~license the business of buying, selling, and dealing in~~  
17 ~~vehicles. This subsection does not apply to a person licensed as~~  
18 ~~a foreign salvage vehicle dealer under section 248b. This sub-~~  
19 ~~section applies until July 1, 1994.~~

20       ~~(4) The secretary of state may divide the calendar year into~~  
21 ~~quarters and the total number of dealer licensees into approxi-~~  
22 ~~mately convenient quarter segments. Each dealer license granted~~  
23 ~~under subsection (1) shall expire on the last day of the month in~~  
24 ~~the quarter for the business year in which the license was issued~~  
25 ~~and may be renewed upon application and payment of the fee~~  
26 ~~required by section 807.~~

1           (1) ~~(5)~~ A DEALER license shall not be granted UNDER THIS  
2 SECTION until an investigation is made of the applicant's  
3 qualifications under this act, except that this subsection does  
4 not apply to license renewals. The secretary of state shall make  
5 the investigation within 15 days after receiving the application  
6 and make a report on the investigation.

7           ~~(6) This subsection applies until July 1, 1994. The secre-~~  
8 ~~tary of state shall classify and differentiate vehicle dealers~~  
9 ~~according to the type of activity they perform. A dealer shall~~  
10 ~~not engage in activities of a particular classification as pro-~~  
11 ~~vided in this act unless the dealer is licensed in that~~  
12 ~~classification. An applicant may apply for a dealer license in 1~~  
13 ~~or more of the following classifications:~~

14           ~~(a) New vehicle dealer.~~

15           ~~(b) Used or secondhand vehicle dealer.~~

16           ~~(c) Used or secondhand vehicle parts dealer.~~

17           ~~(d) Vehicle scrap metal processor.~~

18           ~~(e) Vehicle salvage pool operator.~~

19           ~~(f) Distressed vehicle transporter.~~

20           ~~(g) Broker.~~

21           ~~(h) Until July 1, 1994, a foreign salvage vehicle dealer.~~

22           (2) ~~(7)~~ An applicant for a new vehicle dealer or a used or  
23 secondhand vehicle dealer or broker license shall accompany the  
24 application with a properly executed bond or renewal  
25 certificate. If a renewal certificate is used, the bond shall be  
26 considered as renewed for each succeeding year in the same amount  
27 and with the same effect as an original bond. The bond shall be



1 in the sum of \$10,000.00 with good and sufficient surety to be  
2 approved by the secretary of state. The bond shall be condi-  
3 tioned to indemnify or reimburse a purchaser, seller, financing  
4 agency, or governmental agency for monetary loss caused through  
5 fraud, cheating, or misrepresentation in the conduct of the vehi-  
6 cle business whether the fraud, cheating, or misrepresentation  
7 was made by the dealer or by an employee, agent, or salesperson  
8 of the dealer. The surety is required to make indemnification or  
9 reimbursement for a monetary loss only after judgment based on  
10 fraud, cheating, or misrepresentation has been entered in a court  
11 of record against the licensee. The bond shall also be condi-  
12 tioned to indemnify or reimburse the state for any sales tax  
13 deficiency as provided in the general sales tax act, ~~Act No. 167~~  
14 ~~of the Public Acts of 1933, as amended, being sections 205.51 to~~  
15 ~~205.78 of the Michigan Compiled Laws 1933 PA 167, MCL 205.51 TO~~  
16 ~~205.78, or use tax deficiency as provided in the use tax act,~~  
17 ~~Act No. 94 of the Public Acts of 1937, as amended, being sec-~~  
18 ~~tions 205.91 to 205.111 of the Michigan Compiled Laws 1937 PA~~  
19 ~~94, MCL 205.91 TO 205.111, for the year in which the bond was in~~  
20 ~~force. The surety is required to make indemnification or reim-~~  
21 ~~bursement only after final judgment has been entered in a court~~  
22 ~~of record against the licensee. A dealer or applicant who has~~  
23 ~~furnished satisfactory proof that a bond similar to the bond~~  
24 ~~required by this subsection is executed and in force is exempt~~  
25 ~~from the bond provisions set forth in this subsection. The~~  
26 ~~aggregate liability of the surety shall not exceed the sum of the~~  
27 ~~bond. The surety on the bond may cancel the bond upon giving 30~~

1 days' notice in writing to the secretary of state and thereafter  
2 is not liable for a breach of condition occurring after the  
3 effective date of the cancellation.

4       (3) ~~-(8)-~~ An applicant for a new vehicle dealer or a used or  
5 secondhand vehicle dealer license shall accompany the application  
6 with an application for not less than 2 dealer plates as provided  
7 by section 245, accompanied by the proper fee as provided by sec-  
8 tion 803.

9       (4) ~~-(9)-~~ A dealer required to be licensed under this sec-  
10 tion, as a condition precedent to the granting of a license,  
11 shall file with the secretary of state an irrevocable written  
12 stipulation, authenticated by the applicant, stipulating and  
13 agreeing that legal process affecting the dealer, served on the  
14 secretary of state or a deputy of the secretary of state, has the  
15 same effect as if personally served on the dealer. This appoint-  
16 ment remains in force as long as any liability of the dealer  
17 remains outstanding within this state.

18       (5) ~~-(10)-~~ A person shall not carry on or conduct the busi-  
19 ness of buying, selling, brokering, or dealing in vehicles of a  
20 type required to be titled under this act unless the person  
21 obtains a dealer license from the secretary of state authorizing  
22 the carrying on or conducting of that business. A person shall  
23 not carry on or conduct the business of buying, selling, broker-  
24 ing, or dealing in distressed, late model vehicles or salvageable  
25 parts unless the person obtains a used or secondhand vehicle  
26 parts dealer, an automotive recycler, or a salvage pool license  
27 from the secretary of state or is an insurance company admitted

1 to conduct business in this state. A person shall not carry on  
2 or conduct the business of buying vehicles to process into scrap  
3 metal or store or display vehicles as an agent or escrow agent of  
4 an insurance company, unless the person obtains a dealer license  
5 from the secretary of state. A vehicle scrap metal processor who  
6 does not purchase vehicles or salvageable parts from unlicensed  
7 persons shall not be required to obtain a dealer license. A  
8 person from another state shall not purchase, sell, or otherwise  
9 deal in distressed, late model vehicles or salvageable parts  
10 unless the person obtains a foreign salvage vehicle dealer  
11 license from the secretary of state as prescribed under  
12 section 248b. A person, including a dealer, shall not purchase  
13 or acquire a distressed, late model vehicle or a salvageable part  
14 through a salvage pool, auction, or broker without a license as a  
15 salvage vehicle agent. The secretary of state shall investigate  
16 and seek prosecution, if necessary, of persons allegedly conduct-  
17 ing a business without a license. ~~This subsection applies on~~  
18 ~~and after July 1, 1994.~~

19 (6) ~~(11) This subsection applies on and after July 1,~~  
20 ~~1994.~~ The application for a dealer license shall be in the form  
21 prescribed by the secretary of state and shall be signed by the  
22 applicant. In addition to other information as may be required  
23 by the secretary of state, the application shall include all of  
24 the following:  
25 (a) Name of applicant.  
26 (b) Location of applicant's established place of business in  
27 this state.

1 (c) The name under which business is to be conducted.

2 (d) If the business is a corporation, the state of  
3 incorporation.

4 (e) Name, address, date of birth, and social security number  
5 of each owner or partner and, if a corporation, the name,  
6 address, date of birth, and social security numbers of each of  
7 the principal officers.

8 (f) The county in which the business is to be conducted and  
9 the address of each place of business in that county.

10 (g) If new vehicles are to be sold, the make to be handled.  
11 Each new vehicle dealer shall send with the application for  
12 license a certification that the dealer holds a bona fide con-  
13 tract to act as factory representative, factory distributor, or  
14 distributor representative to sell at retail ..... (the make  
15 of vehicle to be sold).

16 (h) A statement of the previous history, record, and associ-  
17 ations of the applicant and of each owner, partner, officer, and  
18 director, which statement shall be sufficient to establish to the  
19 satisfaction of the secretary of state the business reputation  
20 and character of the applicant.

21 (i) A statement showing whether the applicant has previously  
22 applied for a license, the result of the application, and whether  
23 the applicant has ever been the holder of a dealer license which  
24 was revoked or suspended.

25 (j) If the applicant is a corporation or partnership, a  
26 statement showing whether a partner, employee, officer, or

1 director has been refused a license or has been the holder of a  
2 license which was revoked or suspended.

3 (k) If the application is for a used or secondhand vehicle  
4 parts dealer or an automotive recycler, all of the following:

5 (i) Evidence that the applicant maintains or will maintain  
6 an established place of business.

7 (ii) Evidence that the applicant maintains or will maintain  
8 a police book and vehicle parts purchase and sales records as  
9 required under this act.

10 (iii) Evidence of worker's compensation insurance coverage  
11 for employees classified under the standard industrial classifi-  
12 cation number 4015, entitled "motor vehicle parts -- used" or  
13 under the national council on compensation insurance code number  
14 3821, entitled "automobile dismantling", if applicable.

15 (l) Certification that neither the applicant nor another  
16 person named on the application is acting as the alter ego or in  
17 the place of or on behalf of any other person or persons in seek-  
18 ing the license. For the purpose of this subdivision, "alter  
19 ego" means a person who acts for and on behalf of, or in the  
20 place of, another person for purposes of obtaining a vehicle  
21 dealer license.

22 (7) ~~(12) This subsection applies on and after July 1,~~  
23 ~~1994.~~ A person shall make a separate application for a dealer  
24 license for each county in which business is to be conducted and  
25 a dealer, before moving 1 or more of his or her places of busi-  
26 ness, or opening an additional place of business, shall apply to  
27 the secretary of state for and obtain a supplemental dealer

1 license, for which a fee shall not be charged. The dealer  
2 license shall entitle the dealer to conduct in the county covered  
3 by the license the business of buying, selling, and dealing in  
4 vehicles or salvageable parts. ~~This subsection shall not apply~~  
5 ~~to a person licensed as a foreign salvage vehicle dealer under~~  
6 ~~section 248b.~~ THE DEALER LICENSE SHALL ALSO ENTITLE THE DEALER  
7 TO CONDUCT AT ANY OTHER ESTABLISHED PLACE OF BUSINESS IN THIS  
8 STATE ONLY THE BUSINESS OF BUYING, SELLING, OR DEALING IN VEHI-  
9 CLES AT WHOLESALE.

10 (8) ~~(13) This subsection applies on and after July 1,~~  
11 ~~1994.~~ The secretary of state shall classify and differentiate  
12 vehicle dealers according to the type of activity they perform.  
13 A dealer shall not engage in activities of a particular classifi-  
14 cation as provided in this act unless the dealer is licensed in  
15 that classification. An applicant may apply for a dealer license  
16 in 1 or more of the following classifications:

- 17 (a) New vehicle dealer.
- 18 (b) Used or secondhand vehicle dealer.
- 19 (c) Used or secondhand vehicle parts dealer.
- 20 (d) Vehicle scrap metal processor.
- 21 (e) Vehicle salvage pool operator.
- 22 (f) Distressed vehicle transporter.
- 23 (g) Broker.
- 24 (h) Foreign salvage vehicle dealer.
- 25 (i) Automotive recycler.

26 (9) A DEALER LICENSE SHALL EXPIRE ON DECEMBER 31 OF THE LAST  
27 YEAR FOR WHICH THE LICENSE IS ISSUED. THE SECRETARY OF STATE MAY

1 RENEW A DEALER LICENSE FOR A PERIOD OF NOT MORE THAN 4 YEARS UPON  
2 APPLICATION AND PAYMENT OF THE FEE REQUIRED BY SECTION 807.

3       Sec. 251. (1) Each new vehicle dealer and used vehicle  
4 dealer shall maintain a record in A form as prescribed by the  
5 secretary of state of each vehicle of a type subject to titling  
6 under this act that is bought, sold, or exchanged by the dealer  
7 or received or accepted by the dealer for sale or exchange.

8       (2) Each record shall contain the date of the purchase,  
9 sale, or exchange or receipt for the purpose of sale, a descrip-  
10 tion of the vehicle, together with the name and address of the  
11 seller, the purchaser, and the alleged owner or other persons  
12 from whom the vehicle was purchased or received, or to whom it  
13 was sold or delivered. The record shall contain a copy of all  
14 odometer mileage statements received by the dealer upon purchas-  
15 ing or acquiring a vehicle and a copy of the odometer mileage  
16 statement furnished by the dealer upon sale of a vehicle as pre-  
17 scribed in section 233a. A dealer shall retain for not less than  
18 5 years each odometer mileage statement the dealer receives and  
19 each odometer mileage statement furnished by the dealer upon the  
20 sale of a vehicle. The description of the vehicle, in the case  
21 of a motor vehicle, shall also include the vehicle identification  
22 number and other numbers or identification marks as may be on the  
23 vehicle, and shall also include a statement that a number has  
24 been obliterated, defaced, or changed, if that is the fact. For  
25 a trailer or semitrailer, the record shall include the vehicle  
26 identification number and other numbers or identification marks  
27 as may be on the trailer or semitrailer.

1 (3) Not more than 20 days after the delivery of the vehicle,  
2 the seller shall deliver to the buyer in person or by mail to the  
3 buyer's last known address a duplicate of a written statement, on  
4 a form prescribed by the secretary of state in conjunction with  
5 the department of treasury, describing clearly the name and  
6 address of the seller, the name and address of the buyer, the  
7 vehicle sold to the buyer, the cash sale price of the vehicle,  
8 the cash paid down by the buyer, the amount credited the buyer  
9 for a trade-in, a description of the trade-in, ~~the amount of the~~  
10 ~~finance charge,~~ the amount charged for vehicle insurance, stat-  
11 ing the types of insurance covered by the insurance policy, THE  
12 AMOUNT CHARGED FOR A TEMPORARY REGISTRATION PLATE, the amount of  
13 any other charge and specifying its purpose, the net balance due  
14 from the buyer, ~~the terms of the payment of the net balance,~~  
15 and a summary of insurance coverage to be affected. If the vehi-  
16 cle sold is a new motor home, the written statement shall contain  
17 a description, including the year of manufacture, of every major  
18 component part of the vehicle that has its own manufacturer's  
19 certificate of origin. The written statement shall disclose if  
20 the vehicle sold is a vehicle that the seller had loaned to a  
21 political subdivision of this state for use as a driver education  
22 vehicle. The written statement shall be dated, but not later  
23 than the actual date of delivery of the vehicle to the buyer.  
24 The original and all copies of the prescribed form shall contain  
25 identical information. The statement shall be furnished by the  
26 seller, shall be signed by the seller or the seller's agent and  
27 by the buyer, and shall be filed with the application for new



1 title or registration. Failure of the seller to deliver this  
2 written statement to the buyer does not invalidate the sale  
3 between the seller and the buyer.

4 (4) A retail vehicle sale is void unless both of the follow-  
5 ing conditions are met:

6 (a) The sale is evidenced by a written memorandum that con-  
7 tains the agreement of the parties and is signed by the buyer and  
8 the seller or the seller's agent.

9 (b) The agreement contains a place for acknowledgment by the  
10 buyer of the receipt of a copy of the agreement or actual deliv-  
11 ery of the vehicle is made to the buyer.

12 (5) Each dealer record and inventory, including the record  
13 and inventory of a vehicle scrap metal processor not required to  
14 obtain a dealer license, shall be open to inspection by a police  
15 officer or an authorized officer or investigator of the secretary  
16 of state during reasonable or established business hours.

17 (6) A dealer licensed as a distressed vehicle transporter  
18 shall maintain records in a form as prescribed by the secretary  
19 of state. The records shall identify each distressed vehicle  
20 that is bought, acquired, and sold by the dealer. The record  
21 shall identify the person from whom a distressed vehicle was  
22 bought or acquired and the dealer to whom the vehicle was sold.  
23 The record shall indicate whether a certificate of title or sal-  
24 vage certificate of title was obtained by the dealer for each  
25 vehicle.

26 ~~(7) A dealer licensed as a vehicle salvage pool operator or~~  
27 ~~broker shall maintain records in a form as prescribed by the~~

1 ~~secretary of state. The records shall contain a description of~~  
2 ~~each vehicle stored by the dealer, the insurance company storing~~  
3 ~~the vehicle, the period of time the vehicle was stored, and the~~  
4 ~~person acquiring the vehicle. In addition, a dealer licensed as~~  
5 ~~a broker shall maintain a record of the odometer mileage reading~~  
6 ~~of each vehicle sold pursuant to an agreement between the broker~~  
7 ~~and the buyer or the broker and the seller. The record of odome-~~  
8 ~~ter mileage shall be maintained for 5 years and shall contain all~~  
9 ~~of the information required by section 233a. This subsection~~  
10 ~~applies until July 1, 1994.~~

11       ~~(8) A dealer licensed as a used vehicle parts dealer shall~~  
12 ~~maintain records in a form prescribed by the secretary of state.~~  
13 ~~The records shall contain the date of purchase or acquisition of~~  
14 ~~the vehicle, a description of the vehicle including the color,~~  
15 ~~and the name and address of the person from whom the vehicle was~~  
16 ~~acquired. If the vehicle is sold, the record shall contain the~~  
17 ~~date of sale and the name and address of the purchaser. The~~  
18 ~~record shall indicate if the certificate of title or salvage or~~  
19 ~~scrap certificate of title was obtained by the dealer. In the~~  
20 ~~case of a late model vehicle, a record of the purchase or sale of~~  
21 ~~a major component of the vehicle shall be maintained identifying~~  
22 ~~the part purchased or sold, the name and address of the seller or~~  
23 ~~purchaser, the date of the purchase or sale, and the identifica-~~  
24 ~~tion number assigned to the part by the dealer. The record of~~  
25 ~~the purchase or sale of a part shall be maintained in or attached~~  
26 ~~to the dealer's police book or hard copy of computerized data~~

1 ~~entries and reference codes and shall be accessible at the~~  
2 ~~dealer's location. This subsection applies until July 1, 1994.~~

3       ~~(9) A dealer licensed as a vehicle scrap metal processor~~  
4 ~~shall maintain records as prescribed by the secretary of state.~~  
5 ~~As provided in section 217c, the records shall contain for a~~  
6 ~~vehicle purchased from a dealer a copy of the scrap vehicle~~  
7 ~~inventory, including the name and address of the dealer, a~~  
8 ~~description of the vehicle acquired, and the date of~~  
9 ~~acquisition. If a vehicle is purchased or acquired from a person~~  
10 ~~other than a dealer, the record shall contain the date of acqui-~~  
11 ~~sition, the name and address of the person from whom the vehicle~~  
12 ~~was acquired, and whether a certificate of title or salvage cer-~~  
13 ~~tificate of title was obtained by the dealer. This subsection~~  
14 ~~applies until July 1, 1994.~~

15       ~~(10) A dealer licensed as a foreign salvage vehicle dealer~~  
16 ~~shall maintain records in a form prescribed by the secretary of~~  
17 ~~state. The records shall contain the date of purchase or acqui-~~  
18 ~~sition of each distressed vehicle, a description of the vehicle~~  
19 ~~including the color, and the name and address of the person from~~  
20 ~~whom the vehicle was acquired. If the vehicle is sold, the~~  
21 ~~record shall contain the date of sale and the name and address of~~  
22 ~~the purchaser. The record shall indicate if the certificate of~~  
23 ~~title or salvage certificate of title was obtained by the~~  
24 ~~dealer. In the case of a late model vehicle, a record of the~~  
25 ~~purchase or sale of each major component part purchased or~~  
26 ~~acquired in this state shall be maintained and the record shall~~  
27 ~~contain the date of purchase or acquisition of the part, a~~

1 ~~description of the part, the identification number assigned to~~  
2 ~~the part, and the name and address of the person to or from whom~~  
3 ~~the part was purchased, acquired, or sold. The record of the~~  
4 ~~sale, purchase, or acquisition of a part shall be maintained in~~  
5 ~~the dealer's police book. The police book shall only contain~~  
6 ~~vehicles and major component parts purchased in this state or~~  
7 ~~used in the repair of a vehicle purchased in this state. The~~  
8 ~~police book and the records of vehicle part sales, purchases, or~~  
9 ~~acquisitions shall be made available at a location within the~~  
10 ~~state for inspection by the secretary of state within 48 hours~~  
11 ~~after a request by the secretary of state. This subsection shall~~  
12 ~~apply until July 1, 1994.~~

13 ~~(11) The secretary of state shall make periodic unannounced~~  
14 ~~inspections of the records, facilities, and inventories of used~~  
15 ~~or secondhand vehicle parts dealers. This subsection shall apply~~  
16 ~~until July 1, 1994.~~

17 ~~(7) (12) A dealer licensed under this act shall maintain~~  
18 ~~records for a period of 5 years. The records shall be made~~  
19 ~~available for inspection by the secretary of state or other law~~  
20 ~~enforcement officials. The secretary of state shall inspect a~~  
21 ~~dealer once every 4 years and as determined necessary by the sec-~~  
22 ~~retary of state or a law enforcement officer. The secretary of~~  
23 ~~state may issue an order summarily suspending the license of a~~  
24 ~~dealer pursuant to section 92 of the administrative procedures~~  
25 ~~act of 1969, Act No. 306 of the Public Acts of 1969, being sec-~~  
26 ~~tion 24.292 of the Michigan Compiled Laws 1969 PA 306, MCL~~  
27 ~~24.292, based on an affidavit by a person familiar with the facts~~

1 set forth in the affidavit that the dealer has failed to maintain  
2 the records required by this act or failed to provide the records  
3 for inspection as requested by the secretary of state, or has  
4 otherwise hindered, obstructed, or prevented the inspection of  
5 records authorized under this section. The dealer to whom the  
6 order is directed shall comply immediately, but on application to  
7 the department shall be afforded a hearing within 30 days pursu-  
8 ant to the administrative procedures act of 1969, ~~Act No. 306 of~~  
9 ~~the Public Acts of 1969, being sections 24.201 to 24.328 of the~~  
10 ~~Michigan Compiled Laws~~ 1969 PA 306, MCL 24.201 TO 24.328. On  
11 the basis of the hearing, the summary order shall be continued,  
12 modified, or held in abeyance not later than 30 days after the  
13 hearing.

14 ~~(13) Each dealer record of the purchase, acquisition, sale,~~  
15 ~~receipt, or acceptance for the purpose of sale, delivery, or~~  
16 ~~exchange of a vehicle shall contain the vehicle dealer license~~  
17 ~~number of the dealer from whom the vehicle was obtained and of~~  
18 ~~the dealer to whom the vehicle was sold or delivered.~~

19 (8) ~~(14)~~ A dealer licensed as a vehicle salvage pool oper-  
20 ator or broker shall maintain records in a form as prescribed by  
21 the secretary of state. The records shall contain a description  
22 of each vehicle or salvageable part stored by the dealer, the  
23 name and address of the insurance company or person storing the  
24 vehicle or salvageable part, the period of time the vehicle or  
25 salvageable part was stored, and the person acquiring the vehicle  
26 or salvageable part. In the case of a late model vehicle, a  
27 record of the purchase or sale of a major component part of the

1 vehicle shall be maintained identifying the part purchased or  
2 sold, the name and address of the seller or purchaser, the date  
3 of the purchase or sale, and the identification number assigned  
4 to the part by the dealer. The record of the purchase or sale of  
5 a part shall be maintained in or attached to the dealer's police  
6 book or hard copy of computerized data entries and reference  
7 codes and shall be accessible at the dealer's location. In addi-  
8 tion, a dealer licensed as a broker shall maintain a record of  
9 the odometer mileage reading of each vehicle sold pursuant to an  
10 agreement between the broker and the buyer or the broker and the  
11 seller. The record of odometer mileage shall be maintained for 5  
12 years and shall contain all of the information required by sec-  
13 tion 233a. ~~This subsection applies on and after July 1, 1994.~~

14 (9) ~~(15)~~ A dealer licensed as a used vehicle parts dealer  
15 or an automotive recycler shall maintain records in a form pre-  
16 scribed by the secretary of state. The records shall contain the  
17 date of purchase or acquisition of the vehicle, a description of  
18 the vehicle including the color, and the name and address of the  
19 person from whom the vehicle was acquired. If the vehicle is  
20 sold, the record shall contain the date of sale and the name and  
21 address of the purchaser. The record shall indicate if the cer-  
22 tificate of title or salvage or scrap certificate of title was  
23 obtained by the dealer. In the case of a late model vehicle, a  
24 record of the purchase or sale of a major component of the vehi-  
25 cle shall be maintained identifying the part purchased or sold,  
26 the name and address of the seller or purchaser, the date of the  
27 purchase or sale, and the identification number assigned to the

1 part by the dealer, except that a bumper remanufacturer is not  
2 required to maintain a record of the purchase of a bumper.  
3 However, a bumper remanufacturer shall assign and attach an iden-  
4 tification number to a remanufactured bumper and maintain a  
5 record of the sale of the bumper. The record of the purchase or  
6 sale of a part shall be maintained in or attached to the dealer's  
7 police book or hard copy of computerized data entries and refer-  
8 ence codes and shall be accessible at the dealer's location.

9 ~~This subsection applies on and after July 1, 1994.~~

10 (10) ~~(16)~~ A dealer licensed as a vehicle scrap metal pro-  
11 cessor shall maintain records as prescribed by the secretary of  
12 state. As provided in section 217c, the records shall contain  
13 for a vehicle purchased from a dealer a copy of the scrap vehicle  
14 inventory, including the name and address of the dealer, a  
15 description of the vehicle acquired, and the date of  
16 acquisition. If a vehicle is purchased or acquired from a person  
17 other than a dealer, the record shall contain the date of acqui-  
18 sition, a description of the vehicle, including the color, the  
19 name and address of the person from whom the vehicle was  
20 acquired, and whether a certificate of title or salvage or scrap  
21 certificate of title was obtained by the dealer. ~~This subsec-~~  
22 ~~tion applies on and after July 1, 1994.~~

23 (11) ~~(17)~~ A dealer licensed as a foreign salvage vehicle  
24 dealer shall maintain records in a form prescribed by the secre-  
25 tary of state. The records shall contain the date of purchase or  
26 acquisition of each distressed vehicle, a description of the  
27 vehicle including the color, and the name and address of the

1 person from whom the vehicle was acquired. If the vehicle is  
2 sold, the record shall contain the date of sale and the name and  
3 address of the purchaser. The record shall indicate if the cer-  
4 tificate of title or salvage or scrap certificate of title was  
5 obtained by the dealer. In the case of a late model vehicle, a  
6 record of the purchase or sale of each salvageable part purchased  
7 or acquired in this state shall be maintained and the record  
8 shall contain the date of purchase or acquisition of the part, a  
9 description of the part, the identification number assigned to  
10 the part, and the name and address of the person to or from whom  
11 the part was purchased, acquired, or sold. The record of the  
12 sale, purchase, or acquisition of a part shall be maintained in  
13 the dealer's police book. The police book shall only contain  
14 vehicles and salvageable parts purchased in this state or used in  
15 the repair of a vehicle purchased in this state. The police book  
16 and the records of vehicle part sales, purchases, or acquisitions  
17 shall be made available at a location within the state for  
18 inspection by the secretary of state within 48 hours after a  
19 request by the secretary of state. ~~This subsection applies on  
20 and after July 1, 1994.~~

21 (12) ~~(18)~~ The secretary of state shall make periodic unan-  
22 nounced inspections of the records, facilities, and inventories  
23 of automotive recyclers and used or secondhand vehicle parts  
24 dealers. ~~This subsection applies on and after July 1, 1994.~~

25 (13) ~~(19)~~ The secretary of state may promulgate rules to  
26 implement this section pursuant to ~~Act No. 306 of the Public  
27 Acts of 1969, as amended, being sections 24.201 to 24.328 of the~~



1 ~~Michigan Compiled Laws~~ THE ADMINISTRATIVE PROCEDURES ACT OF  
2 1969, 1969 PA 306, MCL 24.201 TO 24.328.

3       Sec. 801. (1) The secretary of state shall collect the fol-  
4 lowing taxes at the time of registering a vehicle, which shall  
5 exempt the vehicle from all other state and local taxation,  
6 except the fees and taxes provided by law to be paid by certain  
7 carriers operating motor vehicles and trailers under the motor  
8 carrier act, 1933 PA 254, MCL 475.1 to 479.43; the taxes imposed  
9 by the motor carrier fuel tax act, 1980 PA 119, MCL 207.211 to  
10 ~~207.235~~ 207.234; a fee or fees imposed pursuant to the local  
11 road improvements and operations revenue act, 1987 PA 237, MCL  
12 247.521 to 247.525; and except as otherwise provided by this  
13 act:

14       (a) For a motor vehicle, including a motor home, except as  
15 otherwise provided, and a pickup truck or van, which pickup truck  
16 or van weighs not more than 5,000 pounds and is not taxed under  
17 subdivision (p), except as otherwise provided, according to the  
18 following schedule of empty weights:

19	Empty weights	Fee
20	0 to 3,000 pounds.....	\$ 29.00
21	3,001 to 3,500 pounds.....	32.00
22	3,501 to 4,000 pounds.....	37.00
23	4,001 to 4,500 pounds.....	43.00
24	4,501 to 5,000 pounds.....	47.00
25	5,001 to 5,500 pounds.....	52.00

1	5,501 to 6,000 pounds.....	57.00
2	6,001 to 6,500 pounds.....	62.00
3	6,501 to 7,000 pounds.....	67.00
4	7,001 to 7,500 pounds.....	71.00
5	7,501 to 8,000 pounds.....	77.00
6	8,001 to 8,500 pounds.....	81.00
7	8,501 to 9,000 pounds.....	86.00
8	9,001 to 9,500 pounds.....	91.00
9	9,501 to 10,000 pounds.....	95.00
10	over 10,000 pounds.....\$ 0.90 per 100 pounds	
11	of empty weight	

12 On October 1, 1983, and October 1, 1984, the tax assessed  
13 under this subdivision shall be annually revised for the regis-  
14 trations expiring on the appropriate October 1 or after that date  
15 by multiplying the tax assessed in the preceding fiscal year  
16 times the personal income of Michigan for the preceding calendar  
17 year divided by the personal income of Michigan for the calendar  
18 year which preceded that calendar year. In performing the calcu-  
19 lations under this subdivision, the secretary of state shall use  
20 the spring preliminary report of the United States department of  
21 commerce or its successor agency. A van which is owned by a  
22 person who uses a wheelchair or by a person who transports a res-  
23 ident of his or her household who uses a wheelchair and for which  
24 registration plates are issued pursuant to section 803d shall be  
25 assessed at the rate of 50% of the tax provided for in this  
26 subdivision.

1 (b) For a trailer coach attached to a motor vehicle 76 cents  
2 per 100 pounds of empty weight of the trailer coach. A trailer  
3 coach not under 1959 PA 243, MCL 125.1035 to 125.1043, and while  
4 located on land otherwise assessable as real property under the  
5 general property tax act, 1893 PA 206, MCL 211.1 to 211.157, if  
6 the trailer coach is used as a place of habitation, and whether  
7 or not permanently affixed to the soil, shall not be exempt from  
8 real property taxes.

9 (c) For a road tractor, truck, or truck tractor owned by a  
10 farmer and used exclusively in connection with the farmer's farm-  
11 ing operations, or used for the transportation of the farmer and  
12 the farmer's family, and not used for hire, 74 cents per 100  
13 pounds of empty weight of the road tractor, truck, or truck  
14 tractor. If the road tractor, truck, or truck tractor owned by a  
15 farmer is also used for a nonfarming operation, the farmer shall  
16 be subject to the highest registration tax applicable to the non-  
17 farm use of the vehicle but shall not be subject to more than 1  
18 tax rate under this act.

19 (d) For a road tractor, truck, or truck tractor owned by a  
20 wood harvester and used exclusively in connection with the wood  
21 harvesting operations, 74 cents per 100 pounds of empty weight of  
22 the road tractor, truck, or truck tractor. A registration  
23 secured by payment of the fee as prescribed in this subdivision  
24 shall continue in full force and effect until the regular expira-  
25 tion date of the registration. As used in this subdivision,  
26 "wood harvester" includes the person or persons hauling and  
27 transporting raw materials only from the forest to the mill

1 site. "Wood harvesting operations" does not include the  
2 transportation of processed lumber.

3 (e) For a hearse or ambulance used exclusively by a licensed  
4 funeral director in the general conduct of the licensee's funeral  
5 business, including a hearse or ambulance whose owner is engaged  
6 in the business of leasing or renting the hearse or ambulance to  
7 others, \$1.17 per 100 pounds of the empty weight of the hearse or  
8 ambulance.

9 (f) For a motor vehicle owned and operated by this state, a  
10 state institution, a municipality, a privately incorporated, non-  
11 profit volunteer fire department, or a nonpublic, nonprofit col-  
12 lege or university, \$5.00 per set; and for each motor vehicle  
13 operating under municipal franchise, weighing less than 2,500  
14 pounds, 65 cents per 100 pounds of the empty weight of the motor  
15 vehicle, weighing from 2,500 to 4,000 pounds, 80 cents per 100  
16 pounds of the empty weight of the motor vehicle, weighing 4,001  
17 to 6,000 pounds, \$1.00 per 100 pounds of the empty weight of the  
18 motor vehicle, and weighing over 6,000 pounds, \$1.25 per 100  
19 pounds of the empty weight of the motor vehicle.

20 (g) For a bus including a station wagon, carryall, or simi-  
21 larly constructed vehicle owned and operated by a nonprofit  
22 parents' transportation corporation used for school purposes,  
23 parochial school or society, church Sunday school, or any other  
24 grammar school, or by a nonprofit youth organization or nonprofit  
25 rehabilitation facility; or a motor vehicle owned and operated by  
26 a senior citizen center, \$10.00 per set, if the bus, station  
27 wagon, carryall, or similarly constructed vehicle or motor

1 vehicle is designated by proper signs showing the organization  
2 operating the vehicle.

3 (h) For a vehicle owned by a nonprofit organization and used  
4 to transport equipment for providing dialysis treatment to chil-  
5 dren at camp; for a vehicle owned by the civil air patrol, as  
6 organized under sections 1 to 8 of chapter 527, 60 Stat. 346, 36  
7 U.S.C. 201 to 208, \$10.00 per plate, if the vehicle is designated  
8 by a proper sign showing the civil air patrol's name; for a vehi-  
9 cle owned and operated by a nonprofit veterans center; for a  
10 vehicle owned and operated by a nonprofit recycling center or a  
11 federally recognized nonprofit conservation organization until  
12 December 31, 2000; for a motor vehicle having a truck chassis and  
13 a locomotive or ship's body which is owned by a nonprofit veter-  
14 ans organization and used exclusively in parades and civic  
15 events; or for an emergency support vehicle used exclusively for  
16 emergencies and owned and operated by a federally recognized non-  
17 profit charitable organization, \$10.00 per plate.

18 (i) For each truck owned and operated free of charge by a  
19 bona fide ecclesiastical or charitable corporation, or red cross,  
20 girl scout, or boy scout organization, 65 cents per 100 pounds of  
21 the empty weight of the truck.

22 (j) For each truck, weighing 8,000 pounds or less, and not  
23 used to tow a vehicle, for each privately owned truck used to tow  
24 a trailer for recreational purposes only and not involved in a  
25 profit making venture, and for each vehicle designed and used to  
26 tow a mobile home or a trailer coach, except as provided in

1 subdivision (b), \$38.00 or an amount computed according to the  
2 following schedule of empty weights, whichever is greater:

3	Empty weights	Per 100 pounds
4	0 to 2,500 pounds.....	\$ 1.40
5	2,501 to 4,000 pounds.....	1.76
6	4,001 to 6,000 pounds.....	2.20
7	6,001 to 8,000 pounds.....	2.72
8	8,001 to 10,000 pounds.....	3.25
9	10,001 to 15,000 pounds.....	3.77
10	15,001 pounds and over.....	4.39

11 If the tax required under subdivision (q) for a vehicle of  
12 the same model year with the same list price as the vehicle for  
13 which registration is sought under this subdivision is more than  
14 the tax provided under the preceding provisions of this subdivi-  
15 sion for an identical vehicle, the tax required under this subdivi-  
16 sion shall not be less than the tax required under subdivision  
17 (q) for a vehicle of the same model year with the same list  
18 price.

19 (k) For each truck weighing 8,000 pounds or less towing a  
20 trailer or any other combination of vehicles and for each truck  
21 weighing 8,001 pounds or more, road tractor or truck tractor,  
22 except as provided in subdivision (j) according to the following  
23 schedule of elected gross weights:

	Elected gross weight	Fee
1		
2	0 to 24,000 pounds.....	\$ 491.00
3	24,001 to 26,000 pounds.....	558.00
4	26,001 to 28,000 pounds.....	558.00
5	28,001 to 32,000 pounds.....	649.00
6	32,001 to 36,000 pounds.....	744.00
7	36,001 to 42,000 pounds.....	874.00
8	42,001 to 48,000 pounds.....	1,005.00
9	48,001 to 54,000 pounds.....	1,135.00
10	54,001 to 60,000 pounds.....	1,268.00
11	60,001 to 66,000 pounds.....	1,398.00
12	66,001 to 72,000 pounds.....	1,529.00
13	72,001 to 80,000 pounds.....	1,660.00
14	80,001 to 90,000 pounds.....	1,793.00
15	90,001 to 100,000 pounds.....	2,002.00
16	100,001 to 115,000 pounds.....	2,223.00
17	115,001 to 130,000 pounds.....	2,448.00
18	130,001 to 145,000 pounds.....	2,670.00
19	145,001 to 160,000 pounds.....	2,894.00
20	over 160,000 pounds.....	3,117.00

21 For each commercial vehicle registered pursuant to this sub-  
22 division \$15.00 shall be deposited in a truck safety fund to be  
23 expended for the purposes prescribed in section 25 of 1951 PA 51,  
24 MCL 247.675.

25 If a truck or road tractor without trailer is leased from an  
26 individual owner-operator, the lessee, whether a person, firm, or

1 corporation, shall pay to the owner-operator 60% of the fee  
2 prescribed in this subdivision for the truck tractor or road  
3 tractor at the rate of 1/12 for each month of the lease or  
4 arrangement in addition to the compensation the owner-operator is  
5 entitled to for the rental of his or her equipment.

6 (l) For each pole trailer, semitrailer, or trailer, accord-  
7 ing to the following schedule of rates:

8	Empty weights	Fee
9	0 to 500 pounds.....	\$ 17.00
10	501 to 1,500 pounds.....	24.00
11	1,501 pounds and over.....	39.00

12 (m) For each commercial vehicle used for the transportation  
13 of passengers for hire except for a vehicle for which a payment  
14 is made pursuant to 1960 PA 2, MCL 257.971 to 257.972, according  
15 to the following schedule of empty weights:

16	Empty weights	Per 100 pounds
17	0 to 4,000 pounds.....	\$ 1.76
18	4,001 to 6,000 pounds.....	2.20
19	6,001 to 10,000 pounds.....	2.72
20	10,001 pounds and over.....	3.25

21 (n) For each motorcycle..... \$ 23.00

22 On October 1, 1983, and October 1, 1984, the tax assessed  
23 under this subdivision shall be annually revised for the  
24 registrations expiring on the appropriate October 1 or after that



1 date by multiplying the tax assessed in the preceding fiscal year  
2 times the personal income of Michigan for the preceding calendar  
3 year divided by the personal income of Michigan for the calendar  
4 year which preceded that calendar year. In performing the calcu-  
5 lations under this subdivision, the secretary of state shall use  
6 the spring preliminary report of the United States department of  
7 commerce or its successor agency.

8       Beginning January 1, 1984, the registration tax for each  
9 motorcycle shall be increased by \$3.00. The \$3.00 increase shall  
10 not be considered as part of the tax assessed under this subdivi-  
11 sion for the purpose of the annual October 1 revisions but shall  
12 be in addition to the tax assessed as a result of the annual  
13 October 1 revisions. Beginning January 1, 1984, \$3.00 of each  
14 motorcycle fee shall be placed in a motorcycle safety fund in the  
15 state treasury and shall be used only for funding the motorcycle  
16 safety education program as provided for under sections 312b and  
17 811a.

18       (o) For each truck weighing 8,001 pounds or more, road trac-  
19 tor, or truck tractor used exclusively as a moving van or part of  
20 a moving van in transporting household furniture and household  
21 effects or the equipment or those engaged in conducting carn-  
22 vals, at the rate of 80% of the schedule of elected gross weights  
23 in subdivision (k) as modified by the operation of that  
24 subdivision.

25       (p) Until October 1, 1997, for each pickup truck or van,  
26 which pickup truck or van weighs not more than 5,000 pounds and  
27 is owned by a business, corporation, or person other than an

1 individual, according to the following schedule of empty  
2 weights:

3	Empty weights	Fee
4	0 to 4,000 pounds.....	\$ 39.00
5	4,001 to 4,500 pounds.....	44.00
6	4,501 to 5,000 pounds.....	49.00

7 (q) After September 30, 1983, each motor vehicle of the 1984  
8 or a subsequent model year as shown on the application required  
9 under section 217 which has not been previously subject to the  
10 tax rates of this section and which is of the motor vehicle cate-  
11 gory otherwise subject to the tax schedule described in subdivi-  
12 sion (a) and beginning October 1, 1997 each motor vehicle previ-  
13 ously subject to the tax schedule described in subdivision (p)  
14 according to the following schedule based upon registration peri-  
15 ods of 12 months:

16 (i) Except as otherwise provided in this subdivision, for  
17 the first registration, which is not a transfer registration  
18 under section 809 and for the first registration after a transfer  
19 registration under section 809, according to the following sched-  
20 ule based on the vehicle's list price:

21	List Price	Tax
22	\$0 - \$6,000.00.....	\$ 30.00
23	More than \$6,000.00 - \$7,000.00.....	\$ 33.00
24	More than \$7,000.00 - \$8,000.00.....	\$ 38.00

**SB0941, As Passed House, September 24, 1998**

S.B. 941 as amended September 23, 1998

35

1	More than \$8,000.00 - \$9,000.00.....	\$ 43.00
2	More than \$9,000.00 - \$10,000.00.....	\$ 48.00
3	More than \$10,000.00 - \$11,000.00.....	\$ 53.00
4	More than \$11,000.00 - \$12,000.00.....	\$ 58.00
5	More than \$12,000.00 - \$13,000.00.....	\$ 63.00
6	More than \$13,000.00 - \$14,000.00.....	\$ 68.00
7	More than \$14,000.00 - \$15,000.00.....	\$ 73.00
8	More than \$15,000.00 - \$16,000.00.....	\$ 78.00
9	More than \$16,000.00 - \$17,000.00.....	\$ 83.00
10	More than \$17,000.00 - \$18,000.00.....	\$ 88.00
11	More than \$18,000.00 - \$19,000.00.....	\$ 93.00
12	More than \$19,000.00 - \$20,000.00.....	\$ 98.00
13	More than \$20,000.00 - \$21,000.00.....	\$103.00
14	More than \$21,000.00 - \$22,000.00.....	\$108.00
15	More than \$22,000.00 - \$23,000.00.....	\$113.00
16	More than \$23,000.00 - \$24,000.00.....	\$118.00
17	More than \$24,000.00 - \$25,000.00.....	\$123.00
18	More than \$25,000.00 - \$26,000.00.....	\$128.00
19	More than \$26,000.00 - \$27,000.00.....	\$133.00
20	More than \$27,000.00 - \$28,000.00.....	\$138.00
21	More than \$28,000.00 - \$29,000.00.....	\$143.00
22	More than \$29,000.00 - \$30,000.00.....	\$148.00
23	<del>More than \$30,000.00..... 0.5% of the list price</del>	
24	MORE THAN \$30,000.00, THE FEE [OF \$148.00 SHALL BE INCREASED] BY \$5.00 FOR	
25	EACH \$1,000.00 INCREMENT OR FRACTION OF A \$1,000.00 INCREMENT	
26	OVER \$30,000.00. IF A CURRENT FEE INCREASES OR DECREASES AS A	
27	RESULT OF THE 1998 AMENDATORY ACT THAT ADDED THIS SENTENCE, ONLY	

1 A VEHICLE PURCHASED OR TRANSFERRED AFTER THE EFFECTIVE DATE OF  
2 THE 1998 AMENDATORY ACT THAT ADDED THIS SENTENCE SHALL BE  
3 ASSESSED THE INCREASED OR DECREASED FEE.

4       (ii) For the second registration, 90% of the tax assessed  
5 under subparagraph (i).

6       (iii) For the third registration, 90% of the tax assessed  
7 under subparagraph (ii).

8       (iv) For the fourth and subsequent registrations, 90% of the  
9 tax assessed under subparagraph (iii).

10       For a vehicle of the 1984 or a subsequent model year which  
11 has been previously registered by a person other than the person  
12 applying for registration or for a vehicle of the 1984 or a sub-  
13 sequent model year which has been previously registered in  
14 another state or country and is registered for the first time in  
15 this state, the tax under this subdivision shall be determined by  
16 subtracting the model year of the vehicle from the calendar year  
17 for which the registration is sought. If the result is zero or a  
18 negative figure, the first registration tax shall be paid. If  
19 the result is 1, 2, or 3 or more, then, respectively, the second,  
20 third, or subsequent registration tax shall be paid. A van which  
21 is owned by a person who uses a wheelchair or by a person who  
22 transports a resident of his or her household who uses a wheel-  
23 chair and for which registration plates are issued pursuant to  
24 section 803d shall be assessed at the rate of 50% of the tax pro-  
25 vided for in this subdivision.

26       (r) For a wrecker, \$200.00.

1 (s) When the secretary of state computes a tax under this  
2 section, a computation which does not result in a whole dollar  
3 figure shall be rounded to the next lower whole dollar when the  
4 computation results in a figure ending in 50 cents or less and  
5 shall be rounded to the next higher whole dollar when the compu-  
6 tation results in a figure ending in 51 cents or more, unless  
7 specific fees are specified, and may accept the manufacturer's  
8 shipping weight of the vehicle fully equipped for the use for  
9 which the registration application is made. If the weight is not  
10 correctly stated or is not satisfactory, the secretary of state  
11 shall determine the actual weight. Each application for regis-  
12 tration of a vehicle under subdivisions (j) and (m) shall have  
13 attached to the application a scale weight receipt of the vehicle  
14 fully equipped as of the time the application is made. The scale  
15 weight receipt is not necessary if there is presented with the  
16 application a registration receipt of the previous year which  
17 shows on its face the weight of the motor vehicle as registered  
18 with the secretary of state and which is accompanied by a state-  
19 ment of the applicant that there has not been a structural change  
20 in the motor vehicle which has increased the weight and that the  
21 previous registered weight is the true weight.

22 (2) A manufacturer is not exempted under this act from  
23 paying ad valorem taxes on vehicles in stock or bond, except on  
24 the specified number of motor vehicles registered. A dealer is  
25 exempt from paying ad valorem taxes on vehicles in stock or  
26 bond.

1           (3) The fee for a vehicle with an empty weight over 10,000  
2 pounds imposed pursuant to subsection (1)(a) and the fees imposed  
3 pursuant to subsection (1)(b), (c), (d), (e), (f), (i), (j), (m),  
4 (o), and (q) shall each be increased by \$5.00. This increase  
5 shall be credited to the Michigan transportation fund and used to  
6 defray the costs of processing the registrations under this  
7 section.

8           (4) As used in this section:

9           (a) "Gross proceeds" means gross proceeds as defined in sec-  
10 tion 1 of the general sales tax act, 1933 PA 167, MCL 205.51.  
11 However, gross proceeds shall include the value of the motor  
12 vehicle used as part payment of the purchase price as that value  
13 is agreed to by the parties to the sale, as evidenced by the  
14 signed agreement executed pursuant to section 251.

15           (b) "List price" means the manufacturer's suggested base  
16 list price as published by the secretary of state, or the  
17 manufacturer's suggested retail price as shown on the label  
18 required to be affixed to the vehicle under section 3 of the  
19 automobile information disclosure act, Public Law 85-506,  
20 15 U.S.C. 1232, if the secretary of state has not at the time of  
21 the sale of the vehicle published a manufacturer's suggested  
22 retail price for that vehicle, or the purchase price of the vehi-  
23 cle if the manufacturer's suggested base list price is unavail-  
24 able from the sources described in this subdivision.

25           (c) "Purchase price" means the gross proceeds received by  
26 the seller in consideration of the sale of the motor vehicle  
27 being registered.

**SB0941, As Passed House, September 24, 1998**

S.B. 941 as amended September 23 & 24, 1998

39

1           Sec. 807. (1) ~~An~~ EXCEPT AS PROVIDED IN SUBSECTION (2), AN  
2 application for a license under section 248 shall be accompanied  
3 by the following fee:

4 Full year's license..... \$10.00  
5 Half year's license (after June 30)..... 5.00  
6 MULTIPLE YEAR LICENSE..... 10.00  
PER YEAR

7           (2) An application for a used or secondhand vehicle parts  
8 dealer, an automotive recycler, or foreign salvage vehicle dealer  
9 license shall be accompanied by the following fees:

10 Full year's license.....\$100.00  
11 Half year's license (after June 30)..... 50.00  
12 MULTIPLE YEAR LICENSE..... 100.00  
PER YEAR

[Enacting section 1. This amendatory act takes effect [January 1, 1999.]

**SB0941, As Passed House, September 24, 1998**

04984'97

Final page.

TJS