

HOUSE BILL No. 6124

September 17, 1998, Introduced by Rep. Gernaat and referred to the Committee on Conservation, Environment and Recreation.

A bill to amend 1994 PA 451, entitled
"Natural resources and environmental protection act,"
by amending sections 82103, 82105, and 82116 (MCL 324.82103,
324.82105, and 324.82116), sections 82103 and 82116 as added by
1995 PA 58 and section 82105 as amended by 1998 PA 297, and by
adding sections 82103a, 82103b, 82103c, 82103d, 82103e, 82103f,
82103g, 82103h, 82103i, 82103j, 82103k, 82103l, and 82116a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 82103. (1) Except as otherwise provided, a snowmobile
2 shall not be operated unless the owner first MAKES APPLICATION
3 FOR A CERTIFICATE OF TITLE AND obtains a certificate of registra-
4 tion and a registration decal. The APPLICATION FOR A CERTIFICATE
5 OF TITLE SHALL BE MADE AND A certificate of registration shall be
6 secured at the time of purchase or transfer of ownership. A
7 certificate of registration or a registration decal is not

1 required for a snowmobile operated exclusively on lands owned or
2 under the control of the snowmobile owner, ~~or~~ for a snowmobile
3 used entirely in a safety education and training program con-
4 ducted by a certified snowmobile safety instructor and authorized
5 pursuant to section 82108, OR FOR A SNOWMOBILE REGISTERED IN
6 ANOTHER STATE AND USED TEMPORARILY IN THIS STATE FOR NOT MORE
7 THAN 60 DAYS.

8 (2) A person who ~~is convicted of a violation of~~ VIOLATES
9 this section ~~shall be fined~~ IS SUBJECT TO A CIVIL FINE OF not
10 more than \$50.00 PLUS COSTS.

11 SEC. 82103A. (1) AFTER OCTOBER 1, 1999, EVERY SNOWMOBILE
12 SOLD BY A DEALER TO A RETAIL PURCHASER SHALL BE SUBJECT TO THE
13 CERTIFICATE OF TITLE PROVISIONS OF THIS PART.

14 (2) AFTER OCTOBER 1, 1999, A PERSON WHO PURCHASES OR OTHER-
15 WISE ACQUIRES A NEW OR USED SNOWMOBILE SHALL MAKE APPLICATION FOR
16 A CERTIFICATE OF TITLE AS PROVIDED IN THIS PART.

17 (3) AFTER THE EFFECTIVE DATE OF THIS SECTION, THE OWNER OF A
18 SNOWMOBILE WHICH HAS NOT BEEN TITLED PURSUANT TO SUBSECTION (1)
19 OR (2) MAY APPLY FOR AND, IF OTHERWISE ELIGIBLE, RECEIVE A CER-
20 TIFICATE OF TITLE ISSUED UNDER THIS PART.

21 SEC. 82103B. AFTER A SNOWMOBILE HAS BEEN TITLED UNDER THIS
22 PART, BOTH OF THE FOLLOWING SHALL OCCUR:

23 (A) THE OWNER SHALL NOT SELL OR OTHERWISE ASSIGN OWNERSHIP
24 IN THE SNOWMOBILE WITHOUT DELIVERING TO THE TRANSFEREE A CERTIFI-
25 CATE OF TITLE SHOWING ASSIGNMENT OF THE SNOWMOBILE IN THE
26 TRANSFEREE'S NAME.

1 (B) A PERSON SHALL NOT PURCHASE OR OTHERWISE ACQUIRE A
2 SNOWMOBILE WITHOUT OBTAINING A CERTIFICATE OF TITLE IN THE
3 PERSON'S NAME AS PROVIDED IN THIS PART.

4 SEC. 82103C. (1) A MANUFACTURER, IMPORTER, DEALER, OR OTHER
5 PERSON SHALL NOT SELL OR OTHERWISE TRANSFER A NEW SNOWMOBILE TO A
6 DEALER, TO BE USED BY THE DEALER FOR PURPOSES OF DISPLAY AND
7 RESALE, WITHOUT DELIVERING TO THE DEALER A MANUFACTURER'S CERTIF-
8 ICATE OF ORIGIN EXECUTED IN ACCORDANCE WITH THIS SECTION. A
9 DEALER SHALL NOT PURCHASE OR OTHERWISE ACQUIRE A NEW SNOWMOBILE
10 WITHOUT OBTAINING A MANUFACTURER'S CERTIFICATE OF ORIGIN.

11 (2) A MANUFACTURER'S CERTIFICATE OF ORIGIN SHALL CONTAIN THE
12 FOLLOWING INFORMATION:

13 (A) A DESCRIPTION OF THE SNOWMOBILE, INCLUDING YEAR, MAKE,
14 MODEL OR SERIES, AND VEHICLE IDENTIFICATION NUMBER.

15 (B) CERTIFICATION OF THE DATE OF THE SNOWMOBILE'S TRANSFER
16 TO THE DEALER.

17 (C) THE DEALER'S NAME AND ADDRESS.

18 (D) CERTIFICATION THAT THIS TRANSACTION IS THE FIRST TRANS-
19 FER OF THE NEW SNOWMOBILE IN ORDINARY COMMERCE.

20 (E) THE TRANSFEROR'S SIGNATURE AND ADDRESS.

21 (3) AN ASSIGNMENT OF A MANUFACTURER'S CERTIFICATE OF ORIGIN
22 SHALL BE PRINTED ON THE CERTIFICATE. THE ASSIGNMENT SHALL
23 INCLUDE THE NAME AND ADDRESS OF THE TRANSFEREE, A CERTIFICATION
24 THAT THE SNOWMOBILE IS NEW, AND A WARRANTY THAT THE TRANSFEROR'S
25 OWNERSHIP RIGHTS AT THE TIME OF DELIVERY ARE SUBJECT ONLY TO THE
26 SECURED INTERESTS SET FORTH IN THE ASSIGNMENT.

1 SEC. 82103D. AN APPLICATION FOR A SNOWMOBILE CERTIFICATE OF
2 TITLE SHALL BE AS PRESCRIBED BY THE DEPARTMENT OF STATE AND
3 ACCOMPANIED BY THE REQUIRED FEES. THE APPLICATION SHALL BE CER-
4 TIFIED BY THE OWNER OR PURCHASER AND SHALL CONTAIN, IN ADDITION
5 TO OTHER INFORMATION REQUIRED BY THE DEPARTMENT OF STATE, THE
6 FOLLOWING INFORMATION:

7 (A) THE APPLICANT'S NAME AND BONA FIDE RESIDENCE ADDRESS OR
8 THE BUSINESS ADDRESS IF A FIRM, ASSOCIATION, PARTNERSHIP, OR
9 CORPORATION.

10 (B) A STATEMENT OF ANY SECURITY INTEREST OR OTHER LIENS ON
11 THE SNOWMOBILE, ALONG WITH THE NAME AND ADDRESS OF ANY
12 LIENHOLDER.

13 (C) IF A LIEN IS NOT OUTSTANDING, A STATEMENT OF THAT FACT.

14 (D) A DESCRIPTION OF THE SNOWMOBILE, INCLUDING THE YEAR,
15 MAKE, MODEL OR SERIES, AND VEHICLE IDENTIFICATION NUMBER.

16 SEC. 82103E. (1) EXCEPT AS PROVIDED IN SUBSECTION (2), THE
17 PURCHASER OR TRANSFEREE OF A SNOWMOBILE, WITHIN 15 DAYS AFTER THE
18 DATE OF PURCHASE OR TRANSFER, SHALL MAKE APPLICATION TO THE
19 DEPARTMENT OF STATE FOR ISSUANCE OF A CERTIFICATE OF TITLE TO THE
20 SNOWMOBILE.

21 (2) A DEALER SELLING SNOWMOBILES AT RETAIL, WITHIN 15 DAYS
22 AFTER DELIVERING A SNOWMOBILE TO A RETAIL PURCHASER, SHALL MAKE
23 APPLICATION FOR ISSUANCE OF A SNOWMOBILE CERTIFICATE OF TITLE IN
24 THE PURCHASER'S NAME. THE PURCHASER OF THE SNOWMOBILE SHALL SIGN
25 THE APPLICATION AND OTHER PAPERS NECESSARY TO ENABLE THE DEALER
26 TO SECURE THE TITLE FROM THE DEPARTMENT OF STATE. IF THE
27 SNOWMOBILE WAS MANUFACTURED AFTER OCTOBER 1, 1999 AND WAS NOT

1 PREVIOUSLY TITLED, THE APPLICATION SHALL BE ACCOMPANIED BY A
2 MANUFACTURER'S CERTIFICATE OF ORIGIN.

3 (3) AT THE REQUEST OF AN APPLICANT, THE DEPARTMENT OF STATE
4 SHALL PROCESS AN APPLICATION FOR A SNOWMOBILE CERTIFICATE OF
5 TITLE ON AN EXPEDITED BASIS. THE DEPARTMENT OF STATE MAY CHOOSE
6 ANY METHOD TO EXPEDITE A CERTIFICATE OF TITLE.

7 (4) AN APPLICATION FILED WITH THE DEPARTMENT OF STATE PURSU-
8 ANT TO THIS SECTION SHALL BE ACCOMPANIED BY THE FEE OR FEES PRE-
9 SCRIBED IN SECTION 82103F.

10 (5) BEGINNING OCTOBER 1, 1999, A PERSON WHO VIOLATES THIS
11 SECTION IS SUBJECT TO A CIVIL FINE OF NOT MORE THAN \$100.00 PLUS
12 COSTS.

13 SEC. 82103F. (1) THE DEPARTMENT OF STATE SHALL CHARGE A FEE
14 OF \$15.00 FOR PROCESSING AN APPLICATION FOR A SNOWMOBILE CERTIFI-
15 CATE OF TITLE. THE DEPARTMENT OF STATE SHALL CHARGE ADDITIONAL
16 FEES FOR A SNOWMOBILE CERTIFICATE OF TITLE AS FOLLOWS:

17 (A) FOR PROCESSING AN APPLICATION ON AN EXPEDITED BASIS UPON
18 THE REQUEST OF THE TRANSFEROR OR TRANSFEREE OR ANYONE WHO SEEKS
19 AN EXPEDITED TITLE TRANSACTION FOR THE TRANSFEROR OR TRANSFEREE,
20 THE CHARGE IS \$5.00 PLUS ANY EXPEDITED MAILING OR DELIVERY
21 COSTS.

22 (B) IF AN APPLICATION FOR A SNOWMOBILE CERTIFICATE OF TITLE
23 IS NOT MADE AND THE FEE PAID WITHIN 15 DAYS AS PROVIDED IN SEC-
24 TION 82103E, A TRANSFER OF THE SNOWMOBILE'S OWNERSHIP MAY BE
25 EFFECTED AND A VALID CERTIFICATE OF TITLE ISSUED BY THE DEPART-
26 MENT OF STATE ONLY UPON PAYMENT OF A LATE TRANSFER FEE OF \$15.00
27 IN ADDITION TO THE FEES PROVIDED FOR IN THIS SECTION.

1 (2) THE DEPARTMENT OF STATE SHALL CHARGE A FEE OF \$22.00 FOR
2 PROCESSING AN APPLICATION FOR A SNOWMOBILE REGISTRATION UNDER
3 SECTION 82105.

4 (3) IF A CHECK OR DRAFT IN PAYMENT OF A REQUIRED FEE IS NOT
5 PAID ON ITS FIRST PRESENTATION, THE FEE IS DELINQUENT AS OF THE
6 DATE THE CHECK OR DRAFT WAS TENDERED. THE PERSON TENDERING THE
7 CHECK OR DRAFT REMAINS LIABLE FOR THE PAYMENT OF EACH FEE AND ANY
8 PENALTY.

9 (4) THE DEPARTMENT OF STATE MAY SUSPEND THE OPERATOR'S OR
10 CHAUFFEUR'S LICENSE ISSUED UNDER THE MICHIGAN VEHICLE CODE, 1949
11 PA 300, MCL 257.1 TO 257.923, OF THE PERSON TENDERING THE CHECK
12 OR DRAFT OR A SNOWMOBILE CERTIFICATE OF TITLE OR ITS REGISTRATION
13 IF THE DEPARTMENT OF STATE HAS DETERMINED THAT A FEE PRESCRIBED
14 IN THIS SECTION HAS NOT BEEN PAID AND REMAINS UNPAID AFTER REA-
15 SONABLE NOTICE OR DEMAND.

16 (5) IF A FEE IS STILL DELINQUENT 15 DAYS AFTER THE DEPART-
17 MENT OF STATE HAS GIVEN NOTICE TO A PERSON WHO TENDERED THE CHECK
18 OR DRAFT, A \$25.00 PENALTY SHALL BE ASSESSED AND COLLECTED IN
19 ADDITION TO THE FEE.

20 (6) EXCEPT AS OTHERWISE PROVIDED IN THIS PART, THE FEES AND
21 PENALTIES COLLECTED UNDER THIS SECTION SHALL BE DEPOSITED IN THE
22 GENERAL FUND AND USED FIRST TO DEFRAY THE ADMINISTRATIVE COSTS OF
23 THE DEPARTMENT OF STATE REQUIRED BY THIS PART.

24 SEC. 82103G. (1) THE DEPARTMENT OF STATE MAY REFUSE TO
25 ISSUE A SNOWMOBILE CERTIFICATE OF TITLE IF ANY OF THE FOLLOWING
26 OCCUR:

1 (A) THE APPLICANT HAS FAILED TO FURNISH ALL REQUIRED
2 INFORMATION OR REASONABLE ADDITIONAL INFORMATION REQUESTED BY THE
3 DEPARTMENT OF STATE.

4 (B) THE REQUIRED FEES HAVE NOT BEEN PAID.

5 (C) THE APPLICANT IS NOT ENTITLED TO A SNOWMOBILE CERTIFI-
6 CATE OF TITLE UNDER THIS PART.

7 (D) THE APPLICATION CONTAINS A FALSE OR FRAUDULENT
8 STATEMENT.

9 (E) THE DEPARTMENT OF STATE HAS REASONABLE GROUNDS TO
10 BELIEVE THAT THE SNOWMOBILE WAS STOLEN OR EMBEZZLED.

11 (2) IF SATISFIED THAT THE APPLICANT IS THE OWNER OF THE
12 SNOWMOBILE AND IS OTHERWISE ENTITLED TO A SNOWMOBILE CERTIFICATE
13 OF TITLE, THE DEPARTMENT OF STATE SHALL ISSUE A SNOWMOBILE CER-
14 TIFICATE OF TITLE IN THE APPLICANT'S NAME. THE CERTIFICATE SHALL
15 BE MAILED OR OTHERWISE DELIVERED TO THE OWNER OF THE SNOWMOBILE
16 OR TO ANOTHER PERSON SPECIFIED BY THE OWNER IN A SEPARATE INSTRU-
17 MENT THAT IS IN A FORM PRESCRIBED BY THE DEPARTMENT OF STATE.

18 (3) IF THE DEPARTMENT OF STATE IS NOT SATISFIED AS TO THE
19 OWNERSHIP OF A SNOWMOBILE THAT IS LESS THAN 6 YEARS OLD AND HAS A
20 VALUE OF OVER \$2,500.00, BEFORE TITLING THE SNOWMOBILE AND ISSU-
21 ING A CERTIFICATE OF TITLE, THE DEPARTMENT OF STATE MAY REQUIRE
22 THE APPLICANT TO FILE A PROPERLY EXECUTED SURETY BOND IN A FORM
23 PRESCRIBED BY THE DEPARTMENT OF STATE AND EXECUTED BY THE APPLI-
24 CANT AND A COMPANY AUTHORIZED TO CONDUCT A SURETY BUSINESS IN
25 THIS STATE. THE BOND SHALL BE IN AN AMOUNT EQUAL TO TWICE THE
26 VALUE OF THE SNOWMOBILE AS DETERMINED BY THE DEPARTMENT OF STATE
27 AND SHALL BE CONDITIONED TO INDEMNIFY OR REIMBURSE THE DEPARTMENT

1 OF STATE, ANY PRIOR OWNER, AND ANY SUBSEQUENT PURCHASER OF THE
2 SNOWMOBILE AND THEIR SUCCESSORS IN INTEREST AGAINST ANY EXPENSE,
3 LOSS, OR DAMAGE, INCLUDING REASONABLE ATTORNEY FEES, BY REASON OF
4 THE ISSUANCE OF A CERTIFICATE OF TITLE TO THE SNOWMOBILE OR ON
5 ACCOUNT OF ANY DEFECT IN THE RIGHT, TITLE, OR INTEREST OF THE
6 APPLICANT IN THE SNOWMOBILE. AN INTERESTED PERSON HAS A RIGHT OF
7 ACTION TO RECOVER ON THE BOND FOR A BREACH OF THE CONDITIONS OF
8 THE BOND, BUT THE AGGREGATE LIABILITY OF THE SURETY TO ALL PER-
9 SONS SHALL NOT EXCEED THE AMOUNT OF THE BOND. THE BOND SHALL BE
10 RETURNED AT THE END OF 3 YEARS, OR BEFORE 3 YEARS IF THE SNOWMO-
11 BILE IS NO LONGER TITLED IN THIS STATE AND THE CURRENTLY VALID
12 CERTIFICATE OF TITLE IS SURRENDERED TO THE DEPARTMENT OF STATE,
13 UNLESS THE DEPARTMENT OF STATE HAS RECEIVED NOTIFICATION OF THE
14 PENDENCY OF AN ACTION TO RECOVER ON THE BOND.

15 (4) IF THE DEPARTMENT OF STATE IS NOT SATISFIED AS TO THE
16 OWNERSHIP OF A SNOWMOBILE THAT IS NOT LESS THAN 6 YEARS OLD AND
17 DOES NOT HAVE A VALUE EXCEEDING \$2,500.00, THE DEPARTMENT OF
18 STATE SHALL REQUIRE THE APPLICANT TO CERTIFY THAT THE APPLICANT
19 IS THE OWNER OF THE SNOWMOBILE AND ENTITLED TO TITLE THE
20 SNOWMOBILE.

21 SEC. 82103H. (1) A SNOWMOBILE CERTIFICATE OF TITLE SHALL BE
22 MANUFACTURED IN A MANNER TO PROHIBIT AS NEARLY AS POSSIBLE THE
23 ABILITY TO REPRODUCE, ALTER, COUNTERFEIT, FORGE, OR DUPLICATE THE
24 CERTIFICATE WITHOUT READY DETECTION AND SHALL CONTAIN ON ITS FACE
25 THE INFORMATION SET FORTH IN THE APPLICATION, INCLUDING A NOTA-
26 TION OF ALL SECURED INTERESTS IN THE SNOWMOBILE, THE DATE ON

1 WHICH THE APPLICATION WAS FILED, AND OTHER INFORMATION REQUIRED
2 BY THE DEPARTMENT OF STATE.

3 (2) THE DEPARTMENT OF STATE SHALL PRESCRIBE A UNIFORM METHOD
4 OF NUMBERING SNOWMOBILE CERTIFICATES OF TITLE.

5 (3) A SNOWMOBILE CERTIFICATE OF TITLE SHALL CONTAIN A FORM
6 FOR ASSIGNMENT AND WARRANTY OF TITLE BY THE OWNER WITH SPACE FOR
7 THE NOTATION OF A SECURITY INTEREST IN THE SNOWMOBILE. THE SNOW-
8 MOBILE CERTIFICATE OF TITLE MAY ALSO CONTAIN OTHER FORMS THAT THE
9 DEPARTMENT OF STATE CONSIDERS NECESSARY TO FACILITATE THE EFFEC-
10 TIVE ADMINISTRATION OF THIS PART. THE CERTIFICATE SHALL BEAR THE
11 COAT OF ARMS OF THIS STATE.

12 (4) A PERSON WHO INTENTIONALLY REPRODUCES, ALTERS, COUNTER-
13 FEITS, FORGES, OR DUPLICATES A SNOWMOBILE CERTIFICATE OF TITLE OR
14 WHO USES A REPRODUCED, ALTERED, COUNTERFEITED, FORGED, OR DUPLI-
15 CATED SNOWMOBILE CERTIFICATE OF TITLE IS SUBJECT TO THE FOLLOWING
16 PENALTIES:

17 (A) IF THE INTENT OF REPRODUCTION, ALTERATION, COUNTERFEIT-
18 ING, FORGING, DUPLICATION, OR USE WAS TO COMMIT OR AID IN THE
19 COMMISSION OF AN OFFENSE PUNISHABLE BY IMPRISONMENT FOR 1 OR MORE
20 YEARS, THE PERSON COMMITTING THE REPRODUCTION, ALTERATION, COUN-
21 TERFEITING, FORGING, DUPLICATION, OR USE IS GUILTY OF A MISDE-
22 MEANOR PUNISHABLE BY IMPRISONMENT FOR A PERIOD EQUAL TO THAT
23 WHICH COULD BE IMPOSED FOR THE COMMISSION OF THE OFFENSE THE
24 PERSON HAD THE INTENT TO AID OR COMMIT. THE COURT MAY ALSO
25 ASSESS A FINE OF NOT MORE THAN \$5,000.00 AGAINST THE PERSON.

26 (B) IF THE INTENT OF THE REPRODUCTION, ALTERATION,
27 COUNTERFEITING, FORGING, DUPLICATION, OR USE WAS TO COMMIT OR AID

1 IN THE COMMISSION OF AN OFFENSE PUNISHABLE BY IMPRISONMENT FOR
2 NOT MORE THAN 1 YEAR, THE PERSON COMMITTING THE REPRODUCTION,
3 ALTERATION, COUNTERFEITING, FORGING, DUPLICATION, OR USE IS
4 GUILTY OF A MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE
5 THAN 1 YEAR OR A FINE OF NOT MORE THAN \$1,000.00, OR BOTH.

6 SEC. 82103I. (1) IF THE TRANSFER OF OWNERSHIP OF A SNOWMO-
7 BILE IS BY OPERATION OF LAW, INCLUDING BUT NOT LIMITED TO INHERI-
8 TANCE, DEVISE, BEQUEST, ORDER IN BANKRUPTCY, INSOLVENCY, REPLEV-
9 IN, OR EXECUTION OF SALE, OR WHEN A SNOWMOBILE IS SOLD TO SATISFY
10 A STORAGE OR REPAIR CHARGE, OR IF REPOSSESSION OCCURS UPON
11 DEFAULT IN PERFORMANCE OF THE TERMS OF A SECURITY AGREEMENT, UPON
12 THE SURRENDER OF THE PRIOR CERTIFICATE OF TITLE OR THE
13 MANUFACTURER'S OR IMPORTER'S CERTIFICATE, OR, WHEN THAT IS NOT
14 POSSIBLE, UPON PRESENTATION OF SATISFACTORY PROOF TO THE DEPART-
15 MENT OF STATE OF OWNERSHIP AND A RIGHT OF POSSESSION TO THE SNOW-
16 MOBILE, AND UPON PAYMENT OF THE FEES PRESCRIBED IN SECTION 82103F
17 AND PRESENTATION OF AN APPLICATION FOR A CERTIFICATE OF TITLE,
18 THE DEPARTMENT OF STATE MAY ISSUE TO THE APPLICANT A CERTIFICATE
19 OF TITLE TO THE SNOWMOBILE. A CERTIFICATION BY THE PERSON, OR
20 AGENT OF THE PERSON, TO WHOM POSSESSION OF THE SNOWMOBILE PASSED,
21 SETTING FORTH THE FACTS ENTITLING THE PERSON TO POSSESSION AND
22 OWNERSHIP, TOGETHER WITH A COPY OF THE JOURNAL ENTRY, COURT
23 ORDER, OR INSTRUMENT UPON WHICH THE CLAIM OF POSSESSION AND
24 OWNERSHIP IS FOUNDED, SHALL BE SATISFACTORY PROOF OF OWNERSHIP
25 AND RIGHT OF POSSESSION. IF THE APPLICANT CANNOT PRODUCE PROOF
26 OF OWNERSHIP, THE APPLICANT MAY APPLY TO THE DEPARTMENT OF STATE
27 AND SUBMIT EVIDENCE THAT THE APPLICANT HAS, AND THE DEPARTMENT OF

1 STATE, IF THE DEPARTMENT FINDS THE EVIDENCE SUFFICIENT, MAY THEN
2 ISSUE A CERTIFICATE OF TITLE. IF, FROM THE RECORDS IN THE OFFICE
3 OF THE DEPARTMENT OF STATE, A LIEN APPEARS TO BE ON THE SNOWMO-
4 BILE, THE CERTIFICATE OF TITLE SHALL CONTAIN A STATEMENT OF THE
5 LIEN, UNLESS THE APPLICATION IS ACCOMPANIED BY PROPER EVIDENCE OF
6 TERMINATION OF THE LIEN.

7 (2) UPON THE DEATH OF AN OWNER OF 1 OR MORE SNOWMOBILES
8 WHOSE TOTAL VALUE DOES NOT EXCEED \$25,000.00, WHO DOES NOT LEAVE
9 OTHER PROPERTY NECESSITATING PROBATE, AND WHO DOES NOT HAVE A
10 WILL, THE SPOUSE OR HEIRS OF THE DECEDENT SPECIFIED IN SECTION
11 106 OF THE REVISED PROBATE CODE, 1978 PA 642, MCL 700.106, MAY
12 APPLY FOR A CERTIFICATE OF TITLE. THE APPLICATION SHALL BE
13 ACCOMPANIED BY ALL OF THE FOLLOWING:

14 (A) A CERTIFICATION SETTING FORTH THE FACT THAT THE APPLI-
15 CANT IS THE SURVIVING SPOUSE OR HEIR OF THE DECEDENT.

16 (B) A COPY OF THE DECEDENT'S DEATH CERTIFICATE.

17 (C) A CERTIFIED STATEMENT SETTING FORTH THE NAMES AND
18 ADDRESSES OF ANY OTHER IMMEDIATE HEIRS.

19 (D) A CERTIFIED STATEMENT STATING THAT CREDITORS OF THE
20 DECEDENT DO NOT EXIST OR, IF THEY DO EXIST, AN ORIGINAL DISCHARGE
21 OR TERMINATION STATEMENT EXECUTED BY EACH CREDITOR.

22 (E) A PAYMENT OF THE FEES PRESCRIBED BY SECTION 82103F.

23 SEC. 82103J. (1) IF A CERTIFICATE OF TITLE IS LOST OR MUTI-
24 LATED OR BECOMES ILLEGIBLE, APPLICATION SHALL BE MADE TO THE
25 DEPARTMENT OF STATE BY THE OWNER OF THE SNOWMOBILE FOR A DUPLI-
26 CATE COPY OF THE CERTIFICATE OF TITLE UPON A FORM PRESCRIBED BY
27 THE DEPARTMENT OF STATE AND ACCOMPANIED BY THE FEES PRESCRIBED BY

1 SECTION 82103F. THE APPLICATION SHALL BE CERTIFIED BY THE PERSON
2 MAKING THE APPLICATION. THE DEPARTMENT OF STATE SHALL THEN ISSUE
3 A DUPLICATE COPY OF THE CERTIFICATE OF TITLE TO THE PERSON ENTI-
4 TLED TO RECEIVE THE DUPLICATE COPY UNDER THIS ACT. EACH DUPLI-
5 CATE CERTIFICATE OF TITLE SHALL CONTAIN THE LEGEND, "THIS IS A
6 DUPLICATE CERTIFICATE AND MAY BE SUBJECT TO THE RIGHTS OF A
7 PERSON UNDER THE ORIGINAL CERTIFICATE", AND SHALL BE DELIVERED TO
8 THE PERSON ENTITLED TO POSSESSION. A SUBSEQUENT PURCHASER OF THE
9 SNOWMOBILE IN THE CHAIN OF TITLE ORIGINATING THROUGH THE DUPLI-
10 CATE COPY ACQUIRES ONLY THOSE RIGHTS THAT THE ORIGINAL HOLDER OF
11 THE CERTIFIED COPY HAD IN THE SNOWMOBILE. AT THE TIME OF PUR-
12 CHASE, A PURCHASER OF THE SNOWMOBILE MAY REQUIRE THE SELLER TO
13 INDEMNIFY THE PURCHASER AND SUBSEQUENT PURCHASERS OF THE SNOWMO-
14 BILE AGAINST A LOSS WHICH THE PURCHASER OR SUBSEQUENT PURCHASERS
15 MAY SUFFER BY REASON OF A CLAIM PRESENTED UPON THE ORIGINAL
16 CERTIFICATE. IF THE ORIGINAL CERTIFICATE OF TITLE IS RECOVERED
17 BY THE OWNER, THE OWNER SHALL IMMEDIATELY SURRENDER IT TO THE
18 DEPARTMENT OF STATE FOR CANCELLATION.

19 (2) IF A CERTIFICATE OF TITLE IS LOST AT THE TIME THAT
20 OWNERSHIP OF THE SNOWMOBILE IS TO BE TRANSFERRED TO ANOTHER
21 PERSON, THE DEPARTMENT OF STATE NEED NOT ISSUE A DUPLICATE CER-
22 TIFICATE OF TITLE IF ALL OF THE FOLLOWING ARE MET:

23 (A) THE PERSON FROM WHOM OWNERSHIP OF THE SNOWMOBILE IS TO
24 BE TRANSFERRED APPEARS IN PERSON AT A DEPARTMENT OF STATE OFFICE
25 AND SUPPLIES EVIDENCE SATISFACTORY TO THE DEPARTMENT OF STATE OF
26 HIS OR HER IDENTITY AND HIS OR HER OWNERSHIP OF THE SNOWMOBILE
27 AND PAYS THE FEES REQUIRED UNDER SECTION 82103F.

1 (B) THE PERSON TO WHOM THE SNOWMOBILE IS TO BE TRANSFERRED,
2 OR HIS OR HER LEGAL REPRESENTATIVE, ACCOMPANIES THE PERSON
3 DESCRIBED UNDER SUBDIVISION (A) AND MAKES APPLICATION FOR AN
4 ORIGINAL CERTIFICATE OF TITLE, SUPPLIES EVIDENCE SATISFACTORY TO
5 THE DEPARTMENT OF STATE OF HIS OR HER IDENTITY, AND PAYS THE FEES
6 REQUIRED UNDER SECTION 82103F.

7 (3) IF THE DEPARTMENT OF STATE DOES NOT ISSUE A DUPLICATE
8 CERTIFICATE OF TITLE PURSUANT TO SUBSECTION (2), THE DEPARTMENT
9 OF STATE'S RECORDS SHALL INDICATE THE TRANSFER OF THE SNOWMOBILE
10 WITHOUT A SURRENDER OF THE CERTIFICATE OF TITLE.

11 SEC. 82103K. (1) THE DEPARTMENT OF STATE SHALL MAINTAIN 1
12 OR MORE INDEXES PERTAINING TO SNOWMOBILE CERTIFICATES OF TITLE.
13 UPON RECEIVING AN APPLICATION FOR A SNOWMOBILE CERTIFICATE OF
14 TITLE, THE DEPARTMENT OF STATE MAY CHECK THE INFORMATION IN THE
15 APPLICATION AND ACCOMPANYING DOCUMENTS AGAINST THE INDEXES OF
16 TITLED, REGISTERED, STOLEN, AND RECOVERED SNOWMOBILES AND AGAINST
17 OTHER RECORDS MAINTAINED BY THE DEPARTMENT OF STATE.

18 (2) THE DEPARTMENT OF STATE SHALL EXAMINE AND DETERMINE THE
19 GENUINENESS, REGULARITY, AND LEGALITY OF EVERY APPLICATION FOR A
20 SNOWMOBILE CERTIFICATE OF TITLE OR REGISTRATION CERTIFICATE AND
21 MAY IN ALL CASES MAKE INVESTIGATION AS IT CONSIDERS NECESSARY OR
22 MAY REQUIRE ADDITIONAL INFORMATION. THE DEPARTMENT OF STATE
23 SHALL REJECT AN APPLICATION IF NOT SATISFIED WITH THE GENUINE-
24 NESS, REGULARITY, OR LEGALITY OF THE APPLICATION OR THE TRUTH OF
25 A STATEMENT CONTAINED IN THE APPLICATION, OR FOR ANY OTHER
26 REASON, WHEN AUTHORIZED BY LAW.

1 (3) THE DEPARTMENT OF STATE MAY TAKE POSSESSION OF A
2 SNOWMOBILE CERTIFICATE OF TITLE, REGISTRATION CERTIFICATE, OR
3 REGISTRATION DECAL ISSUED BY IT UPON EXPIRATION, REVOCATION, CAN-
4 CELLATION, OR SUSPENSION OF THE TITLE, CERTIFICATE, OR DECAL, OR
5 THAT IS FICTITIOUS, OR THAT HAS BEEN UNLAWFULLY OR ERRONEOUSLY
6 ISSUED. THE DEPARTMENT OF STATE OR AN AGENT OF THE DEPARTMENT OF
7 STATE MAY TAKE POSSESSION AND CUSTODY OF A REGISTRATION DECAL OR
8 NUMBER FOUND ATTACHED TO A SNOWMOBILE FOR WHICH THE DECAL OR
9 NUMBER WAS NOT ISSUED OR WHEN ANY OTHER UNLAWFUL USE IS BEING
10 MADE OF THE DECAL OR NUMBER. EXPIRATION, REVOCATION, CANCELLA-
11 TION, OR SUSPENSION OF A SNOWMOBILE CERTIFICATE OF TITLE DOES
12 NOT, IN ITSELF, AFFECT THE VALIDITY OF A SECURITY INTEREST NOTED
13 ON THE CERTIFICATE OF TITLE.

14 SEC. 821031. (1) RECORDS OF THE DEPARTMENT OF STATE MADE
15 AND KEPT PURSUANT TO THIS PART ARE PUBLIC RECORDS, EXCEPT AS OTH-
16 ERWISE PROVIDED IN THIS ACT.

17 (2) THE DEPARTMENT OF STATE MAY PROVIDE A COMMERCIAL LOOK-UP
18 SERVICE OF SNOWMOBILE TITLE AND REGISTRATION RECORDS ON A FEE
19 BASIS. A PERSON SHALL BE CHARGED THE FEE FOR EACH TRANSFER
20 TRANSACTION CONTAINED IN THE TITLE OR RECORDS. THE DEPARTMENT OF
21 STATE SHALL NOT PROCESS A COMMERCIAL LOOK-UP REQUEST UNLESS IT IS
22 IN A FORM PRESCRIBED BY THE DEPARTMENT OF STATE.

23 (3) THE DEPARTMENT OF STATE SHALL FURNISH INFORMATION ON A
24 TITLE WITHOUT CHARGE TO A PEACE OFFICER, AS DEFINED IN SECTION
25 80104, WHEN ENGAGED IN OFFICIAL DUTIES.

26 (4) THE DEPARTMENT OF STATE MAY PURGE A RECORD OF A
27 SNOWMOBILE CERTIFICATE OF TITLE AND ANY RECORD PERTAINING TO IT

1 10 YEARS AFTER THE TITLE WAS ISSUED OR THE RECORD WAS MADE OR
2 RECEIVED IF THE SNOWMOBILE'S REGISTRATION HAS BEEN EXPIRED OR
3 CANCELED FOR NOT LESS THAN 3 YEARS.

4 Sec. 82105. (1) The owner of each snowmobile requiring reg-
5 istration by this state before operation of the snowmobile in
6 this state shall file an application for registration with the
7 department of state on forms provided by the department of state
8 ACCOMPANIED BY THE REQUIRED FEES. If the snowmobile was pur-
9 chased from a retail dealer in this state, application for ini-
10 tial registration shall be made with the dealer at the point of
11 sale. The dealer shall issue a temporary registration permit in
12 a form received from and approved by the department of state that
13 is valid for 15 days after the date of sale. Each retail dealer
14 shall submit registrations and fees to the department of state
15 not less than once each week. The application shall be signed by
16 the owner of the snowmobile. ~~and shall be accompanied by a fee~~
17 ~~of \$22.00.~~ Upon receipt of the application in approved form, the
18 department of state shall enter the application upon its records
19 and issue to the applicant a certificate of registration and
20 decal. The certificate of registration shall contain the number
21 awarded to the snowmobile, the name and address of the owner, and
22 other information the department of state considers necessary.
23 The certificate of registration shall be pocket-size, shall
24 accompany the vehicle, shall be legible, and shall be made avail-
25 able for inspection upon demand by a peace officer.

26 (2) IF THE DEPARTMENT OF STATE IS NOT SATISFIED AS TO THE
27 OWNERSHIP OF A SNOWMOBILE WITH A VALUE OF MORE THAN \$2,500.00

1 THAT IS LESS THAN 6 YEARS OLD, BEFORE REGISTERING THE SNOWMOBILE
2 AND ISSUING A CERTIFICATE OF REGISTRATION, THE DEPARTMENT OF
3 STATE MAY REQUIRE THE APPLICANT TO FILE A PROPERLY EXECUTED
4 SURETY BOND IN A FORM PRESCRIBED BY THE DEPARTMENT OF STATE AND
5 EXECUTED BY THE APPLICANT AND A COMPANY AUTHORIZED TO CONDUCT A
6 SURETY BUSINESS IN THIS STATE. THE BOND SHALL BE IN AN AMOUNT
7 EQUAL TO TWICE THE VALUE OF THE SNOWMOBILE AS DETERMINED BY THE
8 DEPARTMENT OF STATE AND SHALL BE CONDITIONED TO INDEMNIFY OR
9 REIMBURSE THE DEPARTMENT OF STATE, ANY PRIOR OWNER, AND ANY SUB-
10 SEQUENT PURCHASER OF THE SNOWMOBILE AND THEIR SUCCESSORS IN
11 INTEREST AGAINST ANY EXPENSE, LOSS, OR DAMAGE, INCLUDING REASON-
12 ABLE ATTORNEY FEES, BY REASON OF THE ISSUANCE OF A CERTIFICATE OF
13 REGISTRATION TO THE SNOWMOBILE OR ON ACCOUNT OF ANY DEFECT IN THE
14 RIGHT, TITLE, OR INTEREST OF THE APPLICANT IN THE SNOWMOBILE. AN
15 INTERESTED PERSON HAS A RIGHT OF ACTION TO RECOVER ON THE BOND
16 FOR A BREACH OF THE CONDITIONS OF THE BOND, BUT THE AGGREGATE
17 LIABILITY OF THE SURETY TO ALL PERSONS SHALL NOT EXCEED THE
18 AMOUNT OF THE BOND. THE DEPARTMENT OF STATE SHALL RETURN THE
19 BOND TO THE PERSON WHO EXECUTED THE BOND AT THE END OF 3 YEARS,
20 OR BEFORE 3 YEARS IF THE SNOWMOBILE IS NO LONGER REGISTERED IN
21 THIS STATE AND THE CURRENTLY VALID CERTIFICATE OF REGISTRATION IS
22 SURRENDERED TO THE DEPARTMENT OF STATE, UNLESS THE DEPARTMENT OF
23 STATE HAS RECEIVED NOTIFICATION OF THE PENDENCY OF AN ACTION TO
24 RECOVER ON THE BOND.

25 (3) IF THE DEPARTMENT OF STATE IS NOT SATISFIED AS TO THE
26 OWNERSHIP OF A SNOWMOBILE WITH A VALUE OF \$2,500.00 OR LESS THAT
27 IS AT LEAST 6 YEARS OLD, THE DEPARTMENT OF STATE SHALL REQUIRE

1 THE APPLICANT TO CERTIFY THAT THE APPLICANT IS THE OWNER OF THE
2 SNOWMOBILE AND ENTITLED TO REGISTER THE SNOWMOBILE.

3 (4) ~~—(2) The owner of a snowmobile at the time application~~
4 ~~for a certificate of registration is made shall pay a fee of~~
5 ~~\$22.00 and be issued a certificate of registration and a regis-~~
6 ~~tration decal.~~ The certificate of registration and registration
7 decal authorizes the operation of the snowmobile for a 3-year
8 period that begins on October 1 and expires on September 30 of
9 the third year. The certificate of registration and registration
10 decal may be renewed by payment of a fee of \$22.00 beginning
11 July 1 of the expiration year. The registration decal shall be
12 displayed as prescribed by rule promulgated by the department of
13 state.

14 (5) ~~—(3) The department of state may destroy a record of a~~
15 ~~certificate of registration 5 years after expiration of the~~
16 ~~certificate.~~

17 (6) IF A PERSON SELLS OR TRANSFERS A SNOWMOBILE AND THE
18 TRANSFEREE DOES NOT APPLY FOR A SNOWMOBILE REGISTRATION IN HIS OR
19 HER NAME WITHIN 30 DAYS AFTER THE TRANSFER UNDER THIS PART, THE
20 DEPARTMENT OF STATE SHALL CANCEL THE REGISTRATION ON THE SNOWMO-
21 BILE THAT IS IN THE TRANSFEROR'S NAME.

22 Sec. 82116. (1) A snowmobile that is manufactured after
23 December 1, 1972 for sale in this state shall have an identifying
24 number that is stamped into the frame of the snowmobile or into a
25 plate affixed to the frame and is unique from an identifying
26 number on any other snowmobile. The number shall be stamped in a
27 place where it is easily visible with a minimum of physical

1 effort and it shall be termed the vehicle number. A manufacturer
2 shall furnish to a requesting police agency, to the department of
3 state, and to the department information as to the location of
4 vehicle numbers on snowmobiles it produces. The vehicle number
5 shall be printed on BOTH THE CERTIFICATE OF TITLE AND the certifi-
6 cate of registration issued by the department of state to the
7 owner.

8 (2) Possession of a snowmobile with an altered, defaced, or
9 obliterated vehicle number is a misdemeanor —, punishable by
10 imprisonment for not more than 1 year —, or by a fine of not
11 more than \$1,000.00, or both.

12 SEC. 82116A. (1) THE OWNER OF A SNOWMOBILE WHOSE VEHICLE
13 NUMBER HAS BEEN ALTERED, REMOVED, OR DEFACED, INCLUDING THE OWNER
14 OF A SNOWMOBILE WHO INTENDS TO TITLE THE SNOWMOBILE AS AN ASSEM-
15 BLED SNOWMOBILE, SHALL MAKE APPLICATION, IN A FORM PRESCRIBED BY
16 THE DEPARTMENT OF STATE, TO THE DEPARTMENT OF STATE FOR A SPECIAL
17 IDENTIFYING NUMBER ACCOMPANIED BY AN APPLICATION FOR A CERTIFI-
18 CATE OF TITLE AND THE REQUIRED FEES. THE OWNER SHALL FURNISH THE
19 INFORMATION THAT WILL SATISFY THE DEPARTMENT OF STATE THAT HE OR
20 SHE IS THE OWNER AND, AFTER BEING SATISFIED, THE DEPARTMENT OF
21 STATE SHALL ASSIGN A SPECIAL IDENTIFYING NUMBER FOR THE SNOWMO-
22 BILE, PRECEDED BY A SYMBOL INDICATING THIS STATE. THE DEPARTMENT
23 OF STATE SHALL MAINTAIN A RECORD OF ASSIGNED SPECIAL IDENTIFYING
24 NUMBERS. THE SPECIAL IDENTIFYING NUMBER SHALL BE APPLIED TO THE
25 SNOWMOBILE AS DIRECTED BY THE DEPARTMENT OF STATE, AND UPON VERI-
26 FICATION BY THE DEPARTMENT OF STATE THAT THE NUMBER IS AFFIXED TO

1 THE SNOWMOBILE, THE SPECIAL NUMBER SHALL BE REGARDED AS THE
2 IDENTIFYING NUMBER OF THE SNOWMOBILE.

3 (2) THE OWNER OF A SNOWMOBILE WHOSE VEHICLE NUMBER IS MISS-
4 ING SHALL MAKE APPLICATION, IN A FORM PRESCRIBED BY THE DEPART-
5 MENT OF STATE, TO THE DEPARTMENT OF STATE FOR A REPLACEMENT VEHI-
6 CLE NUMBER ACCOMPANIED BY THE REQUIRED FEES. THE OWNER SHALL
7 FURNISH THE INFORMATION THAT WILL SATISFY THE DEPARTMENT OF STATE
8 THAT HE OR SHE IS THE OWNER OF THE SNOWMOBILE. AFTER THE DEPART-
9 MENT OF STATE IS SATISFIED WITH THE INFORMATION PROVIDED, THE
10 DEPARTMENT OF STATE SHALL ASSIGN A REPLACEMENT VEHICLE NUMBER
11 THAT SHALL BE APPLIED TO THE SNOWMOBILE AS DIRECTED BY THE
12 DEPARTMENT OF STATE. UPON VERIFICATION BY THE DEPARTMENT OF
13 STATE THAT THE NUMBER IS AFFIXED TO THE SNOWMOBILE, THE DEPART-
14 MENT OF STATE SHALL NOTE ON THE CERTIFICATE OF TITLE RECORD FOR
15 THAT SNOWMOBILE THAT A REPLACEMENT VEHICLE NUMBER WAS ISSUED FOR
16 THAT SNOWMOBILE.

17 (3) THE FEE SHALL BE \$10.00 FOR A VEHICLE NUMBER REPLACED ON
18 OR ASSIGNED TO A SNOWMOBILE BY THE DEPARTMENT OF STATE UNDER THIS
19 SECTION.