

HOUSE SUBSTITUTE FOR  
SENATE BILL NO. 495

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending sections 80130, 80315, 81114, and 82156 (MCL 324.80130,  
324.80315, 324.81114, and 324.82156), as amended by 2005 PA 174.

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

1       Sec. 80130. (1) The secretary of state may provide a  
2 commercial lookup service of records maintained under this part.  
3 For each individual record looked up, the secretary of state shall  
4 charge a fee specified annually by the legislature, or if none, a  
5 market-based price established by the secretary of state. The  
6 secretary of state shall process a commercial lookup request only  
7 if the request is in a form or format prescribed by the secretary  
8 of state. Fees collected under this subsection on and after October

1 1, 2005 shall be credited to the transportation administration  
2 collection fund created in section 810b of the Michigan vehicle  
3 code, 1949 PA 300, MCL 257.810b, **THROUGH OCTOBER 1, 2011.**

4 (2) In order to provide an individual, historical boating  
5 record, the secretary of state shall create and maintain a  
6 computerized central file that includes the information contained  
7 on application forms received under this part and the name of each  
8 person who is convicted of an offense, who fails to comply with an  
9 order or judgment issued, or against whom an order is entered under  
10 this part. The computerized central file shall be interfaced with  
11 the law enforcement information network as provided in the ~~L.E.I.N.~~  
12 **C.J.I.S.** policy council act, ~~of 1974,~~ 1974 PA 163, MCL 28.211 to  
13 ~~28.216~~ **28.215.**

14 (3) The secretary of state shall not provide an entire  
15 computerized central or other file of records maintained under this  
16 part to a nongovernmental person or entity unless the purchaser  
17 pays the prescribed fee or price for each individual record  
18 contained within the computerized file.

19 (4) A certified copy of an order, record, or paper maintained  
20 under this part is admissible in evidence in the same manner as the  
21 original and is prima facie proof of the facts stated in the  
22 original.

23 Sec. 80315. (1) Records maintained under this part, other than  
24 those declared to be confidential by law or that are restricted by  
25 law from disclosure to the public, shall be available to the public  
26 under procedures prescribed in this part, and in the freedom of  
27 information act, 1976 PA 442, MCL 15.231 to 15.246.

1           (2) The secretary of state may provide a commercial lookup  
2 service of watercraft title records maintained under this part. For  
3 each individual record looked up, the secretary of state shall  
4 charge a fee specified annually by the legislature, or if none, a  
5 market-based price established by the secretary of state. The  
6 secretary of state shall process a commercial lookup request only  
7 if the request is in a form or format prescribed by the secretary  
8 of state. Fees collected under this subsection on and after October  
9 1, 2005 shall be credited to the transportation administration  
10 collection fund created in section 810b of the Michigan vehicle  
11 code, 1949 PA 300, MCL 257.810b, **THROUGH OCTOBER 1, 2011.**

12           (3) The secretary of state shall create and maintain a  
13 computerized central file that includes the information contained  
14 on application forms received under this part. The computerized  
15 central file shall be interfaced with the law enforcement  
16 information network as provided in the ~~L.E.I.N.-C.J.I.S.~~ policy  
17 council act, ~~of 1974,~~ 1974 PA 163, MCL 28.211 to ~~28.216~~ **28.215.**

18           (4) The secretary of state shall not provide an entire  
19 computerized central or other file of records maintained under this  
20 part to a nongovernmental person or entity, unless the purchaser  
21 pays the prescribed fee or price for each individual record  
22 contained within the computerized file.

23           (5) A certified copy of an order, record, or paper maintained  
24 under this part is admissible in evidence in the same manner as the  
25 original and is prima facie proof of the facts stated in the  
26 original.

27           Sec. 81114. (1) Records maintained under this part, other than

1 those declared to be confidential by law or that are restricted by  
2 law from disclosure to the public, shall be available to the public  
3 under procedures prescribed in this part, and in the freedom of  
4 information act, 1976 PA 442, MCL 15.231 to 15.246.

5 (2) The secretary of state may provide a commercial lookup  
6 service of ORV operation, title, and registration records  
7 maintained under this part. For each individual record looked up,  
8 the secretary of state shall charge a fee specified annually by the  
9 legislature, or if none, a market-based price established by the  
10 secretary of state. The secretary of state shall process a  
11 commercial lookup request only if the request is in a form or  
12 format prescribed by the secretary of state. Fees collected under  
13 this subsection on and after October 1, 2005 shall be credited to  
14 the transportation administration collection fund created in  
15 section 810b of the Michigan vehicle code, 1949 PA 300, MCL  
16 257.810b, **THROUGH OCTOBER 1, 2011.**

17 (3) The secretary of state shall create and maintain a  
18 computerized central file that includes the information contained  
19 on application forms received under this part and the name of each  
20 person who is convicted of an offense, who fails to comply with an  
21 order or judgment issued, or against whom an order is entered under  
22 this part. The computerized central file shall be interfaced with  
23 the law enforcement information network as provided in the ~~L.E.I.N.~~  
24 **C.J.I.S.** policy council act, ~~of 1974,~~ 1974 PA 163, MCL 28.211 to  
25 ~~28.216~~ **28.215.**

26 (4) The secretary of state may purge a record of an ORV  
27 certificate of title and any record pertaining to it 7 years after

1 the title was issued or the record was made or received.

2 (5) The secretary of state shall not provide an entire  
3 computerized central or other file of records maintained under this  
4 part to a nongovernmental person or entity, unless the purchaser  
5 pays the prescribed fee or price for each individual record  
6 contained within the computerized file.

7 (6) A certified copy of an order, record, or paper maintained  
8 under this part is admissible in evidence in the same manner as the  
9 original and is prima facie proof of the facts stated in the  
10 original.

11 Sec. 82156. (1) Records maintained under this part, other than  
12 those declared to be confidential by law or that are restricted by  
13 law from disclosure to the public, shall be available to the public  
14 under procedures prescribed in this part, and in the freedom of  
15 information act, 1976 PA 442, MCL 15.231 to 15.246.

16 (2) The secretary of state may provide a commercial lookup  
17 service of snowmobile operation, title, and registration records  
18 maintained under this part. For each individual record looked up,  
19 the secretary of state shall charge a fee specified annually by the  
20 legislature, or if none, a market-based price established by the  
21 secretary of state. The secretary of state shall process a  
22 commercial lookup request only if the request is in a form or  
23 format prescribed by the secretary of state. Fees collected under  
24 this subsection on and after October 1, 2005 shall be credited to  
25 the transportation administration collection fund created in  
26 section 810b of the Michigan vehicle code, 1949 PA 300, MCL  
27 257.810b, **THROUGH OCTOBER 1, 2011.**

1           (3) In order to provide an individual, historical snowmobiling  
2 record, the secretary of state shall create and maintain a  
3 computerized central file that includes the information contained  
4 on application forms received under this part and the name of each  
5 person who is convicted of an offense, who fails to comply with an  
6 order or judgment issued, or against whom an order is entered under  
7 this part or former 1968 PA 74. The computerized central file shall  
8 be interfaced with the law enforcement information network as  
9 provided in the ~~L.E.I.N.-C.J.I.S.~~ policy council act, ~~of 1974,~~ 1974  
10 PA 163, MCL 28.211 to ~~28.216~~ **28.215**.

11           (4) The secretary of state shall not provide an entire  
12 computerized central or other file of records maintained under this  
13 part to a nongovernmental person or entity, unless the purchaser  
14 pays the prescribed fee or price for each individual record  
15 contained within the computerized file.

16           (5) A certified copy of an order, record, or paper maintained  
17 in this record is admissible in evidence in like manner as the  
18 original and is prima facie proof of the facts stated in the  
19 original.

20           Enacting section 1. This amendatory act takes effect September  
21 30, 2009.

22           Enacting section 2. This amendatory act does not take effect  
23 unless Senate Bill No. 494 of the 95th Legislature is enacted into  
24 law.