

HOUSE BILL No. 5496

October 1, 2009, Introduced by Reps. Wayne Schmidt, Sheltroun and Mayes and referred to the Committee on Tourism, Outdoor Recreation and Natural Resources.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 82105 and 82113 (MCL 324.82105 and 324.82113), section 82105 as amended by 2008 PA 399 and section 82113 as amended by 1998 PA 297.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 82105. (1) Before operating a snowmobile requiring
2 registration in this state, the owner shall apply for registration
3 with the department of state on forms provided by the department of
4 state. If the snowmobile was purchased from a retail dealer in this
5 state, application for initial registration shall be made with the
6 dealer at the point of sale. The dealer shall issue a temporary
7 registration permit in a form received from and approved by the

1 department of state that is valid for 15 days after the date of
2 sale. Each retail dealer shall submit applications for
3 registrations and fees to the department of state not less than
4 once each week. The application shall include the new owner's
5 signature, ~~and, beginning July 1, 2009, the new owner's name,~~ and
6 bona fide residence address and the names and addresses of holders
7 of any security interest in the snowmobile and its accessories in
8 the order of priority. The application shall be accompanied by a
9 fee of ~~\$22.00 if paid before July 1, 2009 or \$30.00. if paid on or~~
10 ~~after July 1, 2009.~~ Upon receipt of the application in approved
11 form, the department of state shall enter the application upon its
12 records and issue to the applicant a certificate of registration
13 and decal. The certificate of registration shall contain the number
14 awarded to the snowmobile, the name and address of the owner, other
15 information the department of state considers necessary, and ~~7~~
16 ~~beginning July 1, 2009,~~ the name and address of the holders of
17 secured interests. A person shall not operate a snowmobile that is
18 required to be registered in this state unless the person possesses
19 the certificate of registration in legible form. The person shall
20 make the certificate of registration available for inspection upon
21 demand by a peace officer.

22 (2) If the secretary of state is not satisfied as to the
23 ownership of a snowmobile that is worth more than \$2,500.00, before
24 registering the snowmobile and issuing a certificate of
25 registration, the secretary of state may require the applicant to
26 file a properly executed surety bond in a form prescribed by the
27 secretary of state and executed by the applicant and a company

1 authorized to conduct a surety business in this state. The bond
2 shall be in an amount equal to twice the value of the snowmobile as
3 determined by the secretary of state and shall be conditioned to
4 indemnify or reimburse the secretary of state, any prior owner, and
5 any subsequent purchaser of the snowmobile and their successors in
6 interest against any expense, loss, or damage, including reasonable
7 attorney fees, incurred as a result of the issuance of a
8 certificate of registration for the snowmobile or any defect in the
9 right, title, or interest of the applicant in the snowmobile. An
10 interested person has a right of action to recover on the bond for
11 a breach of the conditions of the bond, but the aggregate liability
12 of the surety to all persons shall not exceed the amount of the
13 bond. The bond shall be returned at the end of 3 years, or before 3
14 years if the snowmobile is no longer registered in this state and
15 the current valid certificate of registration is surrendered to the
16 secretary of state, unless the secretary of state has received
17 notification of the pendency of an action to recover on the bond.
18 If the secretary of state is not satisfied as to the ownership of a
19 snowmobile that is worth \$2,500.00 or less, the secretary of state
20 shall require the applicant to certify that the applicant is the
21 owner of the snowmobile and entitled to register the snowmobile.

22 (3) ~~The~~ **SUBJECT TO SUBSECTION (4), THE** certificate of
23 registration and registration decal authorizes the operation of the
24 snowmobile for a 3-year period that begins on October 1 and expires
25 on September 30 of the third year. The certificate of registration
26 and registration decal may be renewed beginning July 1 of the
27 expiration year by payment of a fee of ~~\$22.00 before July 1, 2009~~

1 ~~er \$30.00. on or after July 1, 2009.~~ The registration decal shall
2 be displayed as prescribed by rule promulgated by the department of
3 state.

4 **(4) A CERTIFICATE OF REGISTRATION AND REGISTRATION DECAL**
5 **ISSUED TO A STATE, COUNTY, OR MUNICIPAL LAW ENFORCEMENT AGENCY MORE**
6 **THAN 180 DAYS AFTER THE EFFECTIVE DATE OF THE AMENDATORY ACT THAT**
7 **ADDED THIS SUBSECTION DOES NOT EXPIRE.**

8 **(5)** ~~(4)~~—The department of state may destroy a record of a
9 certificate of registration 7 years after expiration of the
10 certificate.

11 Sec. 82113. (1) The owner of a snowmobile having been issued a
12 certificate of registration for the snowmobile shall affix to each
13 side of the forward half of the cowl above the footwell of the
14 snowmobile the registration decal assigned to that snowmobile. The
15 registration decal shall be as prescribed by the department.
16 ~~Beginning July 1, 1999~~ **SUBJECT TO SUBSECTION (2)**, the registration
17 decal shall include the registration expiration date. ~~and~~ **THE**
18 **REGISTRATION DECAL SHALL ALSO INCLUDE** the registration number, ~~and~~
19 **WHICH** shall contain 2 letters and 4 numbers. The **LETTERS AND**
20 numbers shall contrast **WITH THE BACKGROUND** so as to be distinctly
21 visible and legible. A number other than the number awarded to the
22 snowmobile on the registration certificate, or granted reciprocity
23 under this part, shall not be attached or otherwise displayed on
24 the snowmobile.

25 **(2) REGISTRATION DECALS ISSUED TO STATE, COUNTY, AND MUNICIPAL**
26 **LAW ENFORCEMENT AGENCIES MORE THAN 180 DAYS AFTER THE EFFECTIVE**
27 **DATE OF THE AMENDATORY ACT THAT ADDED THIS SUBSECTION SHALL NOT**

1 INCLUDE A REGISTRATION EXPIRATION DATE BUT SHALL INCLUDE THE WORDS
2 "LAW ENFORCEMENT", BE BLACK IN BACKGROUND COLOR, AND OTHERWISE BE
3 OF UNIFORM DESIGN AND SIZE.

4 (3) ~~(2)~~—Not earlier than 90 days before the expiration date of
5 a certificate, a registration decal or other device may be issued
6 indicating that the certificate of registration is in full force
7 and effect.

8 (4) ~~(3)~~—A certificate of registration ~~shall expire~~ **EXPIRES**
9 pursuant to section 82105.

10 (5) ~~(4)~~—The department of state may award a certificate of
11 number directly or may authorize a person to act as its agent for
12 the awarding of a certificate of number.