

HOUSE BILL No. 5497

October 1, 2009, Introduced by Reps. Sheltroun, Wayne Schmidt 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 section 81116 (MCL 324.81116), as amended by 2006 PA
477.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 81116. (1) The owner of an ORV requiring licensure under
2 this part shall file an application for a license with the
3 department or a dealer on forms provided by the department. If an
4 ORV is sold by a dealer, the application for a license shall be
5 submitted to the department by the dealer in the name of the owner.
6 The application shall be signed by the owner of the vehicle and
7 shall be accompanied by a fee of \$16.25. A person shall not file an
8 application for registration that contains false information. Upon
9 receipt of the application in approved form and upon payment of the

1 appropriate fee, the department or dealer shall issue to the
2 applicant a license which, **SUBJECT TO SUBSECTION (2)**, shall be
3 valid for the 12-month period for which it is issued. ~~A-SUBJECT TO~~
4 **SUBSECTION (2)**, A license shall be issued for the 12-month period
5 beginning April 1 and ending March 31 each year.

6 (2) A LICENSE ISSUED TO A STATE, COUNTY, OR MUNICIPAL LAW
7 ENFORCEMENT AGENCY MORE THAN 180 DAYS AFTER THE EFFECTIVE DATE OF
8 THE AMENDATORY ACT THAT ADDED THIS SUBSECTION DOES NOT EXPIRE.
9 LICENSES ISSUED TO STATE, COUNTY, AND MUNICIPAL LAW ENFORCEMENT
10 AGENCIES MORE THAN 180 DAYS AFTER THE EFFECTIVE DATE OF THE
11 AMENDATORY ACT THAT ADDED THIS SUBSECTION SHALL NOT INCLUDE A
12 REGISTRATION EXPIRATION YEAR BUT SHALL INCLUDE THE WORDS "LAW
13 ENFORCEMENT", BE BLACK IN BACKGROUND COLOR, AND OTHERWISE BE OF
14 UNIFORM DESIGN AND SIZE.

15 (3) ~~(2) Dealers~~ A DEALER may purchase from the department ORV
16 licenses for resale to owners of vehicles requiring licensure under
17 this part. The department shall refund to ~~dealers~~ A DEALER the
18 purchase price of any ORV licenses returned within 90 days after
19 the end of the 12-month period for which they were valid. ~~The~~ A
20 dealer shall maintain and provide to the department records of ORV
21 license sales on forms provided by the department. In addition to
22 the sale of ORV licenses, a dealer engaged in the sale, lease, or
23 rental of ORVs as a regular business may sell any other license or
24 permit authorized by the department to be sold by other dealers
25 under the statutes of this state.

26 (4) ~~(3)~~ The license shall be permanently attached to the
27 vehicle in the manner prescribed and in the location designated by

1 the department before the vehicle may legally be operated in
2 accordance with this part.

3 (5) ~~(4)~~—If at the time of sale the purchaser certifies on a
4 form provided by the department that the purchased vehicle
5 otherwise requiring a license under this part will be used and
6 stored outside of this state and will not be returned by the
7 purchaser to this state for use, then a license is not required.

8 (6) ~~(5)~~—If a license acquired by the owner of an ORV is lost
9 or destroyed, the department shall provide that person with a
10 replacement license free of charge. The department may require a
11 person requesting a replacement license to supply sufficient
12 evidence of the loss or destruction of the original license.