

# SENATE BILL No. 859

September 22, 2009, Introduced by Senators PAPPAGEORGE, McMANUS and BROWN and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 50, 205, 215, 217, 224, 225, 226, 227, 228, 229, 233, 234, 237, 256, 257, 258, 259, 801b, 801h, 803a, 803b, 803m, 803p, 811f, 904, 905, and 907 (MCL 257.50, 257.205, 257.215, 257.217, 257.224, 257.225, 257.226, 257.227, 257.228, 257.229, 257.233, 257.234, 257.237, 257.256, 257.257, 257.258, 257.259, 257.801b, 257.801h, 257.803a, 257.803b, 257.803m, 257.803p, 257.811f, 257.904, 257.905, and 257.907), section 205 as amended by 1980 PA 398, section 217 as amended by 2005 PA 36, section 224 as amended by 2006 PA 177, section 225 as amended by 1995 PA 129, section 226 as amended by 2004 PA 163, section 227 as amended by 1995 PA 287, section 229 as amended by 1988 PA 276, section 233 as amended by 2006 PA 599, section 234 as amended by 2002 PA 552,

section 237 as amended by 1980 PA 460, section 256 as amended by 1987 PA 34, section 257 as amended by 1992 PA 309, section 258 as amended by 1999 PA 73, section 801b as amended by 1986 PA 311, section 801h as added by 1996 PA 551, section 803a as amended and section 803p as added by 1996 PA 404, section 803b as amended by 2004 PA 426, section 803m as amended by 2003 PA 152, section 811f as amended by 2006 PA 562, section 904 as amended by 2008 PA 461, and section 907 as amended by 2008 PA 463; and to repeal acts and parts of acts.

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

1           Sec. 50. "Registration" means a registration ~~certificate,~~  
2 plate, ~~adhesive tab,~~ or other indicator of registration issued  
3 under this act for display on a vehicle.

4           Sec. 205. (1) The secretary of state shall maintain an office  
5 in ~~the state capitol complex, and in other places in the state as~~  
6 the secretary of state considers necessary to carry out the powers  
7 and duties vested in the secretary of state. ~~At least 1 office~~  
8 ~~shall be established in each county of the state and in each city~~  
9 ~~of the state having a population of 10,000 or more, but not within~~  
10 ~~a radius of 5 miles from a county office location. This subsection~~  
11 ~~does not apply in a county having a population of 300,000 or more,~~  
12 ~~nor to contiguous cities having a combined population of 10,000 or~~  
13 ~~more. A person licensed under section 248, is not eligible for~~  
14 ~~appointment to conduct, manage, or be an employee of a branch or~~  
15 ~~fee office of the secretary of state.~~

16           (2) A bond may be required of a person in an office  
17 established under subsection (1) in an amount that the secretary of

1 state prescribes to cover the safe handling of money received under  
2 this act. The secretary of state shall not be held personally  
3 liable for a loss of money because of armed robbery, larceny,  
4 embezzlement, riot, act of God, or other act of a person resulting  
5 in a loss of money ~~which~~**THAT** is within the authority and  
6 responsibility of the secretary of state as the administrator of  
7 this act.

8 (3) A person appointed to conduct a branch office shall  
9 receive compensation fixed by the secretary of state ~~,~~and  
10 necessary expenses of the office. The compensation and expenses  
11 shall be paid out of the Michigan transportation fund **CREATED IN**  
12 **SECTION 10 OF 1951 PA 51, MCL 247.660**, and shall be deducted from  
13 the fund before the fund is certified to the state treasurer.

14 Sec. 215. ~~It is a misdemeanor for any~~ **A** person ~~to~~**SHALL NOT**  
15 drive or move or ~~for~~an owner **SHALL NOT** knowingly ~~to~~permit to be  
16 driven or moved upon any highway any vehicle of a type required to  
17 be registered ~~hereunder which~~**UNDER THIS ACT THAT** is not registered  
18 or for which a certificate of title has not been applied for or for  
19 which the appropriate fee has not been paid when and as required  
20 ~~hereunder~~**UNDER THIS ACT**, except as provided in ~~subsection (b) of~~  
21 section ~~217~~**217(1)(B)**. **A PERSON WHO VIOLATES THIS SECTION IS GUILTY**  
22 **OF A MISDEMEANOR PUNISHABLE BY A FINE OF \$200.00.**

23 Sec. 217. (1) An owner of a vehicle that is subject to  
24 registration under this act shall apply to the secretary of state,  
25 upon an appropriate form furnished by the secretary of state, for  
26 the registration of the vehicle and issuance of a certificate of  
27 title for the vehicle. A vehicle brought into this state from

1 another state or jurisdiction that has a rebuilt, salvage, scrap,  
2 flood, or comparable certificate of title issued by that other  
3 state or jurisdiction shall be issued a rebuilt, salvage, scrap, or  
4 flood certificate of title by the secretary of state. The  
5 application shall be accompanied by the required fee. An  
6 application for a certificate of title shall bear the signature or  
7 verification and certification of the owner. The application shall  
8 contain all of the following:

9 (a) The owner's name, the owner's bona fide residence, and  
10 either of the following:

11 (i) If the owner is an individual, the owner's mailing address.

12 (ii) If the owner is a firm, association, partnership, limited  
13 liability company, or corporation, the owner's business address.

14 (b) A description of the vehicle including the make or name,  
15 style of body, and model year; the number of miles, not including  
16 the tenths of a mile, registered on the vehicle's odometer at the  
17 time of transfer; whether the vehicle is a flood vehicle or another  
18 state previously issued the vehicle a flood certificate of title;  
19 whether the vehicle is to be or has been used as a taxi or police  
20 vehicle, or by a political subdivision of this state, unless the  
21 vehicle is owned by a dealer and loaned or leased to a political  
22 subdivision of this state for use as a driver education vehicle;  
23 whether the vehicle has previously been issued a salvage or rebuilt  
24 certificate of title from this state or a comparable certificate of  
25 title from any other state or jurisdiction; vehicle identification  
26 number; and the vehicle's weight fully equipped, if a passenger  
27 vehicle registered in accordance with section 801(1)(a), and, if a

1 trailer coach or pickup camper, in addition to the weight, the  
2 manufacturer's serial number, or in the absence of the serial  
3 number, a number assigned by the secretary of state. A number  
4 assigned by the secretary of state shall be permanently placed on  
5 the trailer coach or pickup camper in the manner and place  
6 designated by the secretary of state.

7 (c) A statement of the applicant's title and the names and  
8 addresses of the holders of security interests in the vehicle and  
9 in an accessory to the vehicle, in the order of their priority.

10 (d) Further information that the secretary of state reasonably  
11 requires to enable the secretary of state to determine whether the  
12 vehicle is lawfully entitled to registration and the owner entitled  
13 to a certificate of title. If the secretary of state is not  
14 satisfied as to the ownership of a late model vehicle or other  
15 vehicle having a value over \$2,500.00, before registering the  
16 vehicle and issuing a certificate of title, the secretary of state  
17 may require the applicant to file a properly executed surety bond  
18 in a form prescribed by the secretary of state and executed by the  
19 applicant and a company authorized to conduct a surety business in  
20 this state. The bond shall be in an amount equal to twice the value  
21 of the vehicle as determined by the secretary of state and shall be  
22 conditioned to indemnify or reimburse the secretary of state, any  
23 prior owner, and any subsequent purchaser or lessee of the vehicle  
24 and their successors in interest against any expense, loss, or  
25 damage, including reasonable attorney's fees, by reason of the  
26 issuance of a certificate of title for the vehicle or on account of  
27 any defect in the right, title, or interest of the applicant in the

1 vehicle. An interested person has a right of action to recover on  
2 the bond for a breach of the conditions of the bond, but the  
3 aggregate liability of the surety to all persons shall not exceed  
4 the amount of the bond. The bond shall be returned at the end of 3  
5 years, or before 3 years if the vehicle is no longer registered in  
6 this state and the currently valid certificate of title is  
7 surrendered to the secretary of state, unless the secretary of  
8 state has received notification of the pendency of an action to  
9 recover on the bond. If the secretary of state is not satisfied as  
10 to the ownership of a vehicle that is valued at \$2,500.00 or less  
11 and that is not a late model vehicle, the secretary of state shall  
12 require the applicant to certify that the applicant is the owner of  
13 the vehicle and entitled to register and title the vehicle.

14 (e) Except as provided in subdivision (f), an application for  
15 a commercial vehicle shall also have attached a scale weight  
16 receipt of the motor vehicle fully equipped as of the time the  
17 application is made. A scale weight receipt is not necessary if  
18 there is presented with the application a registration receipt of  
19 the previous year that shows on its face the empty weight of the  
20 motor vehicle as registered with the secretary of state that is  
21 accompanied by a statement of the applicant that there has not been  
22 structural change in the motor vehicle that has increased the empty  
23 weight and that the previous registered weight is the true weight.

24 (f) An application for registration of a vehicle on the basis  
25 of elected gross weight shall include a declaration by the  
26 applicant specifying the elected gross weight for which application  
27 is being made.

1 (g) If the application is for a certificate of title of a  
2 motor vehicle registered in accordance with section 801(1)(p), the  
3 application shall include the manufacturer's suggested base list  
4 price for the model year of the vehicle. Annually, the secretary of  
5 state shall publish a list of the manufacturer's suggested base  
6 list price for each vehicle being manufactured. Once a base list  
7 price is published by the secretary of state for a model year for a  
8 vehicle, the base list price shall not be affected by subsequent  
9 increases in the manufacturer's suggested base list price but shall  
10 remain the same throughout the model year unless changed in the  
11 annual list published by the secretary of state. If the secretary  
12 of state's list has not been published for that vehicle by the time  
13 of the application for registration, the base list price shall be  
14 the manufacturer's suggested retail price as shown on the label  
15 required to be affixed to the vehicle under 15 USC 1232. If the  
16 manufacturer's suggested retail price is unavailable, the  
17 application shall list the purchase price of the vehicle as defined  
18 in section 801.

19 (2) An applicant for registration of a leased pickup truck or  
20 passenger vehicle that is subject to registration under this act,  
21 except a vehicle that is subject to a registration fee under  
22 section 801g, shall disclose in writing to the secretary of state  
23 the lessee's name, the lessee's bona fide residence, and either of  
24 the following:

25 (a) If the lessee is an individual, the lessee's Michigan  
26 driver license number or Michigan personal identification number  
27 or, if the lessee does not have a Michigan driver license or

1 Michigan personal identification number, the lessee's mailing  
2 address.

3 (b) If the lessee is a firm, association, partnership, limited  
4 liability company, or corporation, the lessee's business address.

5 (3) The secretary of state shall maintain the information  
6 described in subsection (2) on the secretary of state's computer  
7 records.

8 (4) Except as provided in subsection (5), a dealer selling,  
9 leasing, or exchanging vehicles required to be titled, within 15  
10 days after delivering a vehicle to the purchaser or lessee, and a  
11 person engaged in the sale of vessels required to be numbered by  
12 part 801 of the natural resources and environmental protection act,  
13 1994 PA 451, MCL 324.80101 to 324.80199, within 15 days after  
14 delivering a boat trailer weighing less than 2,500 pounds to the  
15 purchaser or lessee, shall apply to the secretary of state for a  
16 new title, if required, and transfer or secure registration plates  
17 ~~and secure a certificate of registration~~ for the vehicle or boat  
18 trailer, in the name of the purchaser or lessee. The dealer's  
19 license may be suspended or revoked in accordance with section 249  
20 for failure to apply for a title when required or for failure to  
21 transfer or secure registration plates ~~and certificate of~~  
22 ~~registration~~ within the 15 days required by this section. If the  
23 dealer or person fails to apply for a title when required, and to  
24 transfer or secure registration plates ~~and secure a certificate of~~  
25 ~~registration~~ and pay the required fees within 15 days of delivery  
26 of the vehicle or boat trailer, a title and registration for the  
27 vehicle or boat trailer may subsequently be acquired only upon the



1 payment of a transfer fee of \$15.00 in addition to the fees  
2 specified in section 806. The purchaser or lessee of the vehicle or  
3 the purchaser of the boat trailer shall sign the application,  
4 including, when applicable, the declaration specifying the maximum  
5 elected gross weight, as required by subsection (1)(f), and other  
6 necessary papers to enable the dealer or person to secure the  
7 title, registration plates, and transfers from the secretary of  
8 state. If the secretary of state mails or delivers a purchaser's  
9 certificate of title to a dealer, the dealer shall mail or deliver  
10 the certificate of title to the purchaser not more than 5 days  
11 after receiving the certificate of title from the secretary of  
12 state.

13 (5) A dealer selling or exchanging an off lease or buy back  
14 vehicle shall apply to the secretary of state for a new title for  
15 the vehicle within 15 days after it receives the certificate of  
16 title from the lessor or manufacturer under section 235 and  
17 transfer or secure registration plates ~~and secure a certificate of~~  
18 ~~registration~~ for the vehicle in the name of the purchaser. The  
19 dealer's license may be suspended or revoked in accordance with  
20 section 249 for failure to apply for a title when required or for  
21 failure to transfer or secure registration plates ~~and certificate~~  
22 ~~of registration~~ within the 15-day period. If the dealer or person  
23 fails to apply for a title when required, and to transfer or secure  
24 registration plates ~~and secure a certificate of registration~~ and  
25 pay the required fees within the 15-day time period, a title and  
26 registration for the vehicle may subsequently be acquired only upon  
27 the payment of a transfer fee of \$15.00 in addition to the fees

1 specified in section 806. The purchaser of the vehicle shall sign  
2 the application, including, when applicable, the declaration  
3 specifying the maximum elected gross weight, as required by  
4 subsection (1)(f), and other necessary papers to enable the dealer  
5 or person to secure the title, registration plates, and transfers  
6 from the secretary of state. If the secretary of state mails or  
7 delivers a purchaser's certificate of title to a dealer, the dealer  
8 shall mail or deliver the certificate of title to the purchaser not  
9 more than 5 days after receiving the certificate of title from the  
10 secretary of state.

11 (6) If a vehicle is delivered to a purchaser or lessee who has  
12 valid Michigan registration plates that are to be transferred to  
13 the vehicle, and an application for title, if required, and  
14 registration for the vehicle is not made before delivery of the  
15 vehicle to the purchaser or lessee, the registration plates shall  
16 be affixed to the vehicle immediately, and the dealer shall provide  
17 the purchaser or lessee with an instrument in writing, on a form  
18 prescribed by the secretary of state, ~~which~~**THAT** shall serve as a  
19 temporary registration for the vehicle for a period of 15 days from  
20 the date the vehicle is delivered.

21 (7) An application for a certificate of title that indicates  
22 the existence of a security interest in the vehicle or in an  
23 accessory to the vehicle, if requested by the security interest  
24 holder, shall be accompanied by a copy of the security agreement  
25 ~~which~~**THAT** need not be signed. The request may be made of the  
26 seller on an annual basis. The secretary of state shall indicate on  
27 the copy the date and place of filing of the application and return

1 the copy to the person submitting the application who shall forward  
2 it to the holder of the security interest named in the application.

3 (8) If the seller does not prepare the credit information,  
4 contract note, and mortgage, and the holder, finance company,  
5 credit union, or banking institution requires the installment  
6 seller to record the lien on the title, the holder, finance  
7 company, credit union, or banking institution shall pay the seller  
8 a service fee of not more than \$10.00. The service fee shall be  
9 paid from the finance charges and shall not be charged to the buyer  
10 in addition to the finance charges. The holder, finance company,  
11 credit union, or banking institution shall issue its check or bank  
12 draft for the principal amount financed, payable jointly to the  
13 buyer and seller, and there shall be imprinted on the back side of  
14 the check or bank draft the following:

15 "Under Michigan law, the seller must record a first lien in  
16 favor of (name of lender) \_\_\_\_\_ on the vehicle with  
17 vehicle identification number \_\_\_\_\_ and title the vehicle  
18 only in the name(s) shown on the reverse side." On the front of the  
19 sales check or draft, the holder, finance company, credit union, or  
20 banking institution shall note the name(s) of the prospective  
21 owner(s). Failure of the holder, finance company, credit union, or  
22 banking institution to comply with these requirements frees the  
23 seller from any obligation to record the lien or from any liability  
24 that may arise as a result of the failure to record the lien. A  
25 service fee shall not be charged to the buyer.

26 (9) In the absence of actual malice proved independently and  
27 not inferred from lack of probable cause, a person who in any

1 manner causes a prosecution for larceny of a motor vehicle; for  
2 embezzlement of a motor vehicle; for any crime an element of which  
3 is the taking of a motor vehicle without authority; or for buying,  
4 receiving, possessing, leasing, or aiding in the concealment of a  
5 stolen, embezzled, or converted motor vehicle knowing that the  
6 motor vehicle has been stolen, embezzled, or converted, is not  
7 liable for damages in a civil action for causing the prosecution.  
8 This subsection does not relieve a person from proving any other  
9 element necessary to sustain his or her cause of action.

10 (10) Receipt by the secretary of state of a properly tendered  
11 application for a certificate of title on which a security interest  
12 in a vehicle is to be indicated is a condition of perfection of a  
13 security interest in the vehicle and is equivalent to filing a  
14 financing statement under the uniform commercial code, 1962 PA 174,  
15 MCL 440.1101 to 440.11102, with respect to the vehicle. When a  
16 security interest in a vehicle is perfected, it has priority over  
17 the rights of a lien creditor as lien creditor is defined in  
18 section 9102 of the uniform commercial code, 1962 PA 174, MCL  
19 440.9102.

20 Sec. 224. (1) ~~Except as otherwise provided in this act~~  
21 ~~regarding tabs or stickers, upon~~ **UPON** registering a vehicle, the  
22 secretary of state shall issue to the owner 1 registration plate.

23 (2) A registration plate shall display the registration number  
24 assigned to the vehicle for which the registration plate is issued  
25 ~~;~~ **AND** the name of this state, which may be abbreviated. ~~;~~ ~~and when~~  
26 ~~the registration plate expires, which may be shown by a tab or~~  
27 ~~sticker furnished by the secretary of state.~~

1           (3) A registration plate issued for motor vehicles owned and  
2 operated by this state; a state institution; a municipality; a  
3 privately incorporated, nonprofit volunteer fire department; or a  
4 nonpublic, nonprofit college or university of this state shall not  
5 expire at any particular time but shall be renewed when the  
6 registration plate is worn out or is illegible. This registration  
7 plate shall be assigned upon proper application and payment of the  
8 applicable fee and may be used on any eligible vehicle titled to  
9 the applicant if a written record is kept of the vehicles upon  
10 which the registration plate is used. The written record shall  
11 state the time the registration plate is used on a particular  
12 vehicle. The record shall be open to inspection by a law  
13 enforcement officer or a representative of the secretary of state.

14           (4) A registration plate issued for a vehicle owned by the  
15 civil air patrol as organized under 36 USC 201 to 208; a vehicle  
16 owned by a nonprofit organization and used to transport equipment  
17 for providing dialysis treatment to children at camp; an emergency  
18 support vehicle used exclusively for emergencies and owned and  
19 operated by a federally recognized nonprofit charitable  
20 organization; a vehicle owned and operated by a nonprofit veterans  
21 center; a motor vehicle having a truck chassis and a locomotive or  
22 ship's body ~~which~~**THAT** is owned by a nonprofit veterans  
23 organization and used exclusively in parades and civic events; a  
24 vehicle owned and operated by a nonprofit recycling center or a  
25 federally recognized nonprofit conservation organization until  
26 December 31, 2000; a motor vehicle owned and operated by a senior  
27 citizen center; and a registration plate issued for buses including

1 station wagons, carryalls, or similarly constructed vehicles owned  
2 and operated by a nonprofit parents' transportation corporation  
3 used for school purposes, parochial school, society, church Sunday  
4 school, or other grammar school, or by a nonprofit youth  
5 organization or nonprofit rehabilitation facility shall be issued  
6 upon proper application and payment of the applicable tax provided  
7 in section 801(1)(g) or (h) to the applicant for the vehicle  
8 identified in the application. The vehicle shall be used  
9 exclusively for activities of the school or organization and shall  
10 be designated by proper signs showing the school or organization  
11 operating the vehicle. The registration plate shall expire on  
12 December 31 in the fifth year following the date of issuance. The  
13 registration plate may be transferred to another vehicle upon  
14 proper application and payment of a \$10.00 transfer fee.

15 (5) ~~Beginning January 1, 2007, the~~ **THE** department shall ~~not~~  
16 ~~issue or transfer a standard design beads on paint registration~~  
17 ~~plate or issue a registration tab or sticker for that plate, but~~  
18 ~~shall offer a new standard design registration plate that complies~~  
19 ~~with the requirements of this act. The new standard design~~  
20 ~~registration plate shall be~~ **IS** of a common color scheme and design  
21 that is made of fully reflectorized material and shall be clearly  
22 visible at night. ~~The implementation of this subsection is~~  
23 ~~contingent upon appropriations sufficient to cover the costs to the~~  
24 ~~department of designing, manufacturing, distributing, and issuing~~  
25 ~~the new standard design registration plate. The secretary of state~~  
26 ~~shall file a written report with the secretary of the senate and~~  
27 ~~the clerk of the house of representatives of the costs incurred and~~

1 ~~revenue expended to meet the requirements of this subsection within~~  
2 ~~30 days after all of the standard design beads on paint~~  
3 ~~registration plates to be replaced under this subsection have been~~  
4 ~~replaced.~~

5 (6) The registration plate and the required letters and  
6 numerals on the registration plate shall be of sufficient size to  
7 be plainly readable from a distance of 100 feet during daylight.  
8 The secretary of state may issue a tab or tabs designating the  
9 month and year of expiration.

10 (7) The secretary of state shall issue for every passenger  
11 motor vehicle rented without a driver the same type of registration  
12 plate as the type of registration plate issued for private  
13 passenger vehicles.

14 (8) A person shall not operate a vehicle on the public  
15 highways or streets of this state displaying a registration plate  
16 other than the registration plate issued for the vehicle by the  
17 secretary of state, except as provided in this chapter for  
18 nonresidents, and by assignment provided in subsection (3).

19 (9) The registration plate displayed on a vehicle registered  
20 on the basis of elected gross weight shall indicate the elected  
21 gross weight for which the vehicle is registered.

22 Sec. 225. (1) A registration plate issued for a vehicle shall  
23 be attached to the rear of the vehicle. Except that a registration  
24 plate issued for a truck tractor or road tractor shall be attached  
25 to the front of that vehicle.

26 (2) A registration plate shall at all times be securely  
27 fastened in a horizontal position to the vehicle for which the

1 plate is issued so as to prevent the plate from swinging. The plate  
2 shall be attached at a height of not less than 12 inches from the  
3 ground, measured from the bottom of the plate, in a place and  
4 position ~~which~~**THAT** is clearly visible. The plate shall be  
5 maintained free from foreign materials that obscure or partially  
6 obscure the registration information, and in a clearly legible  
7 condition.

8 (3) A registration plate ~~or the expiration tab on the~~  
9 ~~registration plate~~ shall be of a different color designated by the  
10 secretary of state with a marked contrast between the color of the  
11 registration plate and the numerals or letters on the plate. The  
12 secretary of state may provide a distinctive registration plate as  
13 a replacement for a standard plate. To honor a special or  
14 historical event, the secretary of state may provide a  
15 commemorative plate as a replacement for a standard plate.

16 (4) A person shall not attach a name plate, insignia, or  
17 advertising device to a motor vehicle registration plate in a  
18 manner ~~which~~**THAT** obscures or partially obscures the registration  
19 information.

20 (5) A person shall not operate a motor vehicle ~~which~~**THAT** has  
21 a name plate, insignia, or advertising device attached to a motor  
22 vehicle registration plate in a manner ~~which~~**THAT** obscures or  
23 partially obscures the registration information.

24 (6) A person who violates this section is responsible for a  
25 civil infraction.

26 Sec. 226. (1) A vehicle registration issued by the secretary  
27 of state expires on the owner's birthday, unless another expiration



1 date is provided for under this act or unless the registration is  
2 for the following vehicles, in which case registration expires on  
3 the last day of February:

4 (a) A commercial vehicle except for a commercial vehicle  
5 issued a registration under the international registration plan or  
6 a pickup truck or van owned by an individual.

7 (b) Except for a trailer or semitrailer issued a registration  
8 under the international registration plan, a trailer or semitrailer  
9 owned by a business, corporation, or person other than an  
10 individual; or a pole trailer.

11 (2) ~~Until February 1, 2005, the expiration date for a~~  
12 ~~registration issued for a motorcycle is March 31. Beginning~~  
13 ~~February 1, 2005, the~~ **THE** expiration date for a registration issued  
14 for a motorcycle is the motorcycle owner's birthday.

15 (3) The expiration date for a registration bearing the letters  
16 "SEN" or "REP" is February 1.

17 (4) In the case of a vehicle owned by a business, corporation,  
18 or an owner other than an individual, the secretary of state may  
19 assign or reassign the expiration date of the registration.

20 (5) The secretary of state shall do all of the following:

21 (a) After the October 1 immediately preceding the year  
22 designated on the registration, issue a registration upon  
23 application and payment of the proper fee for a commercial vehicle,  
24 other than a pickup or van owned by an individual; or a trailer  
25 owned by a business, corporation, or person other than an  
26 individual.

27 (b) Beginning 60 days before the expiration date assigned on

1 an international registration plan registration plate, issue a  
2 registration under section 801g upon application and payment of the  
3 proper apportioned fee for a commercial vehicle engaged in  
4 interstate commerce.

5 (c) Beginning 45 days before the owner's birthday and 120 days  
6 before the expiration date assigned by the secretary of state,  
7 ~~issue-PROCESS~~ a **RENEWAL** registration for a vehicle other than those  
8 designated in subsection (1)(a) or (b). ~~However, if-IF~~ an owner  
9 whose registration period begins 45 days before his or her birthday  
10 will be out of the state during the 45 days immediately preceding  
11 expiration of a registration or for other good cause shown cannot  
12 apply for a renewal registration within the 45-day period,  
13 application for a renewal registration may be made not more than 6  
14 months before expiration.

15 (6) Except as otherwise provided in this subsection, the  
16 secretary of state, upon application and payment of the proper fee,  
17 shall ~~issue-PROCESS~~ a **RENEWAL** registration for a vehicle or a  
18 motorcycle to a resident that shall expire on the owner's birthday.  
19 If the owner's next birthday is at least 6 months but not more than  
20 12 months in the future, the owner shall receive a **RENEWAL**  
21 registration valid until the owner's next birthday. If the owner's  
22 next birthday is less than 6 months in the future, the owner shall  
23 receive a **RENEWAL** registration valid until the owner's birthday  
24 following the owner's next birthday. The tax required under this  
25 act for a registration described in this subsection shall be either  
26 of the following:

27 (a) For an original registration, the tax shall bear the same

1 relationship to the tax required under section 801 for a 12-month  
2 registration as the length of the registration bears to 12 months.

3 (b) For a renewal of a registration, either of the following:

4 (i) For a registration that is for at least 6 months but not  
5 more than 12 months, the same amount as for 12 months.

6 (ii) For a renewal of a registration that is for more than 12  
7 months, 2 times the amount for 12 months.

8 Partial months shall be considered as whole months in the  
9 calculation of the required tax and in the determination of the  
10 length of time between the application for a registration and the  
11 owner's next birthday. The tax required for that registration shall  
12 be rounded off to whole dollars as provided in section 801.

13 (7) A certificate of title shall remain valid until canceled  
14 by the secretary of state for cause or upon a transfer of an  
15 interest shown on the certificate of title.

16 (8) The secretary of state, upon request, shall issue special  
17 registration for commercial vehicles, valid for 6 months after the  
18 date of issue, if the full registration fee exceeds \$50.00, on the  
19 payment of 1/2 the full registration fee and a service charge as  
20 enumerated in section 802(1).

21 (9) The secretary of state may issue a special registration  
22 for each of the following:

23 (a) A new vehicle purchased or leased outside of this state  
24 and delivered in this state to the purchaser or lessee by the  
25 manufacturer of that vehicle for removal to a place outside of this  
26 state, if a certification is made that the vehicle will be  
27 primarily used, stored, and registered outside of this state and

1 will not be returned to this state by the purchaser or lessee for  
2 use or storage.

3 (b) A vehicle purchased or leased in this state and delivered  
4 to the purchaser or lessee by a dealer or by the owner of the  
5 vehicle for removal to a place outside of this state, if a  
6 certification is made that the vehicle will be primarily used,  
7 stored, and registered outside of this state and will not be  
8 returned to this state by the purchaser or lessee for use or  
9 storage.

10 (10) A special registration issued under subsection (9) is  
11 valid for not more than 14 days after the date of issuance, and a  
12 fee shall be collected for each special registration as provided in  
13 section 802(3). The special registration may be in the form  
14 determined by the secretary of state. If a dealer makes a retail  
15 sale or lease of a vehicle to a purchaser or lessee who is  
16 qualified and eligible to obtain a special registration, the dealer  
17 shall apply for the special registration for the purchaser or  
18 lessee. If a person other than a dealer sells or leases a vehicle  
19 to a purchaser or lessee who is qualified and eligible to obtain a  
20 special registration, the purchaser or lessee shall appear in  
21 person, or by a person exercising the purchaser's or lessee's power  
22 of attorney, at an office of the secretary of state and furnish a  
23 certification that the person is the bona fide purchaser or lessee  
24 or that the person has granted the power of attorney, together with  
25 other forms required for the issuance of the special registration  
26 and provide the secretary of state with proof that the vehicle is  
27 covered by a Michigan no-fault insurance policy issued pursuant

1 **ACCORDING** to section 3101 of the insurance code of 1956, 1956 PA  
2 218, MCL 500.3101, or proof that the vehicle is covered by a policy  
3 of insurance issued by an insurer ~~pursuant~~**ACCORDING** to section  
4 3163 of the insurance code of 1956, 1956 PA 218, MCL 500.3163. The  
5 certification required in this subsection shall contain all of the  
6 following:

7 (a) The address of the purchaser or lessee.

8 (b) A statement that the vehicle is purchased or leased for  
9 registration outside of this state.

10 (c) A statement that the vehicle shall be primarily used,  
11 stored, and registered outside of this state.

12 (d) The name of the jurisdiction in which the vehicle is to be  
13 registered.

14 (e) Other information requested by the secretary of state.

15 ~~—(11) Upon request, the secretary of state may issue a~~  
16 ~~registration valid for 6 months after the date of issuance for use~~  
17 ~~on a trailer or semitrailer weighing 1,500 pounds or less and that~~  
18 ~~is used for recreational purposes, upon payment of 1/2 the full~~  
19 ~~registration fee imposed under section 801(1)(l). This subsection~~  
20 ~~does not apply after October 1, 2003.~~

21 **(11)** ~~(12)~~In the case of a commercial vehicle, trailer, or  
22 semitrailer issued a registration under the international  
23 registration plan, the secretary of state in mutual agreement with  
24 the owner may assign or reassign the expiration date of the  
25 registration. ~~However, the~~**THE** expiration date agreed to shall be  
26 either March 31, June 30, September 30, or December 31. Renewals  
27 expiring on or after September 30, 1993 shall be for a minimum of

1 at least 12 months if there is a change in the established  
2 expiration date.

3 (12) ~~(13)~~—The expiration date for a multiyear registration  
4 issued for a leased vehicle shall be the date the lease expires but  
5 shall not be for a period longer than 24 months.

6 Sec. 227. (1) Application for renewal of a vehicle  
7 registration shall be made by the owner upon proper application and  
8 by payment of the registration fee for the vehicle, as provided by  
9 law.

10 (2) Every such application shall be accompanied by the  
11 certificate of title pertaining to the vehicle, showing ownership  
12 in the person applying for registration at the time of the  
13 application. ~~However, the~~ **THE** secretary of state may waive the  
14 presentation of the certificate of title.

15 (3) ~~Beginning January 1, 1983, every~~ **EVERY** application for  
16 renewal of a motor vehicle registration made by mail, shall be  
17 accompanied by proof of vehicle insurance in a form determined by  
18 the secretary of state.

19 (4) ~~Beginning January 1, 1981, every~~ **EVERY** application for  
20 renewal of a motor vehicle registration made in person at a  
21 secretary of state field office shall be accompanied by proof of  
22 vehicle insurance in a form determined by the secretary of state.

23 (5) Notwithstanding subsections (3) and (4), the secretary of  
24 state shall accept as proof of vehicle insurance a transmission of  
25 the applicant's vehicle identification number only for an insured  
26 vehicle for which vehicle registration is sought. The secretary of  
27 state may determine in what format the secretary of state will

1 receive vehicle identification number information. The transmission  
2 to the secretary of state of a vehicle identification number is  
3 proof of insurance to the secretary of state for motor vehicle  
4 registration purposes only and is not evidence that a policy of  
5 insurance actually exists between an insurer and an individual.  
6 Vehicle identification numbers received by the secretary of state  
7 under this subsection are confidential, are not subject to the  
8 freedom of information act, ~~Act No. 442 of the Public Acts of 1976,~~  
9 ~~being sections 15.231 to 15.246 of the Michigan Compiled Laws 1976~~  
10 **PA 442, MCL 15.231 TO 15.246**, and shall not be disclosed to any  
11 person except pursuant ~~to~~ **ACCORDING** to an order by a court of  
12 competent jurisdiction in connection with a claim or fraud  
13 investigation or prosecution.

14 (6) **FOR A REGISTRATION RENEWAL THAT IS CONDUCTED AT A**  
15 **SECRETARY OF STATE BRANCH OFFICE, A \$10.00 SERVICE FEE SHALL BE**  
16 **ASSESSED. EXCEPT AS PROVIDED IN THIS SUBSECTION, THE SERVICE FEE**  
17 **SHALL BE DEPOSITED INTO THE GENERAL FUND OF THIS STATE. FROM THE**  
18 **\$10.00 SERVICE FEE ASSESSED IN THIS SUBSECTION, EACH FISCAL YEAR**  
19 **THE SECRETARY OF STATE SHALL DEPOSIT THE FIRST \$2,000,000.00 OR 20%**  
20 **OF THE TOTAL AMOUNT OF THE \$10.00 SERVICE FEE COLLECTED UNDER THIS**  
21 **SUBSECTION FOR EACH YEAR, WHICHEVER IS LESS, INTO THE LICENSE PLATE**  
22 **REISSUE FUND CREATED IN SUBSECTION (7).**

23 (7) **THE LICENSE PLATE REISSUE FUND IS CREATED WITHIN THE STATE**  
24 **TREASURY. THE STATE TREASURER MAY RECEIVE MONEY OR OTHER ASSETS**  
25 **FROM ANY SOURCE FOR DEPOSIT INTO THE FUND. THE STATE TREASURER**  
26 **SHALL DIRECT THE INVESTMENT OF THE FUND. THE STATE TREASURER SHALL**  
27 **CREDIT TO THE FUND INTEREST AND EARNINGS FROM FUND INVESTMENTS.**

1 MONEY IN THE FUND AT THE CLOSE OF THE FISCAL YEAR SHALL REMAIN IN  
2 THE FUND AND SHALL NOT LAPSE TO THE GENERAL FUND. MONEY IN THE FUND  
3 SHALL BE USED BY THE SECRETARY OF STATE FOR COSTS ASSOCIATED WITH  
4 REISSUING LICENSE PLATES.

5 (8) EXCEPT AS PROVIDED IN THIS SUBSECTION, BEGINNING JANUARY  
6 1, 2015, THE SECRETARY SHALL ISSUE A REPLACEMENT PLATE TO EACH  
7 REGISTERED VEHICLE EVERY 5 YEARS. THE SECRETARY OF STATE MAY EXEMPT  
8 SPECIAL REGISTRATION PLATES FROM THE REQUIREMENT OF THIS  
9 SUBSECTION.

10 Sec. 228. (1) If a person, after making application for or  
11 obtaining the registration of a vehicle or a certificate of title,  
12 moves from the address named in the application as shown ~~upon a~~  
13 ~~registration certificate or~~ **ON A** certificate of title, the person  
14 within 10 days after moving shall notify the secretary of state in  
15 writing of the old and new addresses.

16 (2) A person who violates this section is responsible for a  
17 civil infraction.

18 Sec. 229. (1) If a ~~registration certificate,~~ registration  
19 plate, certificate of title, or duplicate certificate of title is  
20 lost, mutilated, or becomes illegible, the person entitled to  
21 possession of a ~~registration certificate,~~ registration plate,  
22 certificate of title, or duplicate certificate of title or the  
23 legal representative or successor in interest of that person as  
24 shown by the records of the department shall immediately make  
25 application for and may obtain a duplicate or a new registration  
26 **PLATE** under a new registration **PLATE** number, as determined to be  
27 most advisable by the department, upon the applicant furnishing



1 information satisfactory to the department and upon payment of the  
2 required fee. Every duplicate certificate of title shall contain  
3 the legend: "This is a duplicate certificate and may be subject to  
4 the rights of a person under the original certificate", and shall  
5 be delivered to the person entitled to possession of a ~~registration~~  
6 ~~certificate or~~ certificate of title under section 222. Upon  
7 issuance of a duplicate registration ~~certificate or~~ plate, the  
8 previous registration ~~certificate or~~ plate last issued shall be  
9 void.

10 (2) If a certificate of title is lost at the time that  
11 ownership of the vehicle is to be transferred to another person,  
12 the secretary of state need not issue a duplicate certificate of  
13 title if all of the following are met:

14 (a) The person from whom ownership of the vehicle is to be  
15 transferred appears in person at a secretary of state office and  
16 supplies evidence satisfactory to the secretary of state of his or  
17 her identity and his or her ownership of the vehicle and pays the  
18 fee required under section 806.

19 (b) The person to whom the vehicle is to be transferred, or  
20 his or her legal representative, accompanies the person described  
21 under subdivision (a) and makes application for an original  
22 certificate of title, supplies evidence satisfactory to the  
23 secretary of state of his or her identity, and pays the fee  
24 required under section 806.

25 (3) If the secretary of state does not issue a duplicate  
26 certificate of title ~~pursuant~~ **ACCORDING** to subsection (2), the  
27 secretary of state's records shall indicate the transfer of the

1 vehicle without a surrender of the certificate of title.

2       Sec. 233. (1) If the owner of a registered vehicle transfers  
3 or assigns the title or interest in the vehicle, the registration  
4 plates issued for the vehicle shall be removed and transferred to  
5 the owner's spouse, mother, father, sister, brother, or child to  
6 whom title or interest in the vehicle is transferred, or retained  
7 and preserved by the owner for transfer to another vehicle upon  
8 application and payment of the required fees. A person shall not  
9 transfer the plates to a vehicle without applying for a proper  
10 ~~certificate of registration~~ describing the vehicle to which the  
11 plates are being transferred except as provided in section 217(4).  
12 If the owner of a registered vehicle acquires another vehicle  
13 without transferring or assigning the title or interest in the  
14 vehicle for which the plates were issued, the owner may have the  
15 plates transferred to the subsequently acquired vehicle upon  
16 application and payment of the required fees.

17       (2) A person shall not purchase or lease another vehicle or an  
18 interest in another vehicle with the intent to circumvent the  
19 restrictions created by immobilization of a vehicle under this act.

20       (3) A person shall not transfer or attempt to transfer  
21 ownership or right of possession of a vehicle subject to forfeiture  
22 or ordered forfeited under this act with the intent to avoid the  
23 forfeiture of that vehicle.

24       (4) During the time a vehicle is subject to a temporary  
25 registration plate, vehicle forfeiture, immobilization,  
26 registration denial, or the period from adjudication to  
27 immobilization or forfeiture under this act, a person shall not

1 without a court order transfer or assign the title or an interest  
2 in the vehicle to a person who is not subject to payment of a use  
3 tax under section 3 of the use tax act, 1937 PA 94, MCL 205.93.

4 (5) A person who violates subsection (2), (3), or (4) is  
5 guilty of a misdemeanor punishable by imprisonment for not more  
6 than 1 year or a fine of not more than \$1,000.00, or both.

7 (6) A person whose operator's or chauffeur's license is  
8 suspended, revoked, or denied for, or who has never been licensed  
9 by this state and was convicted for, a third or subsequent  
10 violation of section 625 or 625m, of a local ordinance  
11 substantially corresponding to section 625 or 625m, or of a law of  
12 another state substantially corresponding to section 625 or 625m,  
13 or for a fourth or subsequent suspension or revocation under  
14 section 904 shall not purchase, lease, or otherwise acquire a motor  
15 vehicle during the suspension, revocation, or denial period. A  
16 person who violates this subsection is guilty of a misdemeanor  
17 punishable by imprisonment for not more than 93 days or a fine of  
18 not more than \$100.00, or both.

19 (7) If the assigned holder of registration plates applies for  
20 a new registration, ~~certificate,~~ the application shall be  
21 accompanied ~~either by the old registration certificate or by a~~  
22 certificate of title showing the person to be the assigned holder  
23 of the registration plates. ~~for which the old registration~~  
24 ~~certificate had been issued.~~ A person who fails or neglects to  
25 fulfill the requirements of this subsection is guilty of a  
26 misdemeanor punishable by imprisonment for not more than 93 days or  
27 a fine of not more than \$100.00, or both.

1           (8) The owner shall ~~indorse~~**ENDORSE** on the certificate of  
2 title as required by the secretary of state an assignment of the  
3 title with warranty of title in the form printed on the certificate  
4 with a statement of all security interests in the vehicle or in  
5 accessories on the vehicle and deliver or cause the certificate to  
6 be mailed or delivered to the purchaser or transferee at the time  
7 of the delivery to the purchaser or transferee of the vehicle. The  
8 certificate shall show the payment or satisfaction of any security  
9 interest as shown on the original title.

10           (9) Upon the delivery of a motor vehicle and the transfer,  
11 sale, or assignment of the title or interest in a motor vehicle by  
12 a person, including a dealer, the effective date of the transfer of  
13 title or interest in the vehicle is the date of signature on either  
14 the application for title or the assignment of the certificate of  
15 title by the purchaser, transferee, or assignee.

16           Sec. 234. (1) The purchaser or transferee, unless the person  
17 is a licensed dealer, shall present or cause to be presented the  
18 certificate of title and registration ~~certificate~~**PLATE NUMBER** if  
19 plates are being transferred to another vehicle, assigned as  
20 provided in this act, to the secretary of state accompanied by the  
21 fees as provided by law, whereupon a new certificate of title ~~and~~  
22 ~~registration certificate~~ shall be issued to the assignee. The  
23 certificate of title shall be mailed or delivered to the owner or  
24 another person the owner may direct in a separate instrument in a  
25 form the secretary of state shall prescribe.

26           (2) If the secretary of state mails or delivers a purchaser's  
27 or transferee's certificate of title to a dealer, the dealer shall

1 mail or deliver that certificate of title to the purchaser or  
2 transferee not more than 5 days after receiving the certificate of  
3 title from the secretary of state.

4 (3) Unless the transfer is made and the fee paid within 15  
5 days, the vehicle is considered to be without registration, the  
6 secretary of state may repossess the license plates, and transfer  
7 of the vehicle ownership may be effected and a valid registration  
8 acquired thereafter only upon payment of a transfer fee of \$15.00  
9 in addition to the fee provided for in section 806.

10 (4) If a security interest is reserved or created at the time  
11 of the transfer, the parties shall comply with the requirements of  
12 section 238.

13 Sec. 237. (1) The secretary of state, upon receipt of a  
14 properly endorsed certificate of title and application for transfer  
15 of registration accompanied by the required fee, shall transfer the  
16 registration ~~thereof~~ under its registration number to the newly  
17 acquired vehicle and shall issue a new ~~registration certificate and~~  
18 certificate of title. ~~as upon an original registration.~~

19 (2) The secretary of state shall retain and appropriately file  
20 every surrendered certificate of title, the file to be so  
21 maintained as to permit the tracing of title of the vehicles  
22 designated in the file for a period of 6 years, except that records  
23 of stolen vehicles reported in section 253 may be destroyed after  
24 being maintained on file for the year of entry plus 4 years.

25 (3) The secretary of state shall retain the records for 2  
26 years after the date of notification that a vehicle has been  
27 processed for scrap.

1           Sec. 256. (1) A person shall not lend to another person, or  
2 knowingly permit the use of, any certificate of title, ~~registration~~  
3 ~~certificate,~~ registration plate, special plate, or permit issued to  
4 him or her if the person receiving or using the certificate of  
5 title, ~~registration certificate,~~ registration plate, special plate,  
6 or permit would not be entitled to the use thereof. A person shall  
7 not carry or display upon a vehicle any ~~registration certificate or~~  
8 registration plate not issued for the vehicle or not otherwise  
9 lawfully used under this act.

10           (2) Except as otherwise provided in this section, a person who  
11 violates this section is guilty of a misdemeanor ~~and~~ punishable by  
12 imprisonment for not more than 90 days ~~and~~ or by a fine of not more  
13 than \$100.00, or both.

14           (3) A person who displays upon a commercial vehicle ~~which~~ **THAT**  
15 is required to be registered according to the schedule of elected  
16 gross vehicle weights under section 801(1)(k) any registration  
17 plate not issued for the vehicle or not otherwise lawfully used  
18 under this act is guilty of a misdemeanor ~~and~~ punishable by  
19 imprisonment for not more than 90 days ~~and~~ or by a fine of not more  
20 than \$500.00, or both.

21           Sec. 257. (1) A person who commits any of the following acts  
22 is guilty of a felony:

23           (a) Alters with fraudulent intent any certificate of title ~~and~~  
24 ~~registration certificate,~~ or registration plate issued by the  
25 department.

26           (b) Forges or counterfeits any such document or plate  
27 purporting to have been issued by the department.

1 (c) Alters or falsifies with fraudulent intent or forges any  
2 assignment upon a certificate of title.

3 (d) Holds or uses such a document or plate knowing the same to  
4 have been altered, forged, or falsified.

5 (e) Knowingly possesses, sells, or offers for sale a stolen,  
6 false, or counterfeit certificate of title, ~~registration~~  
7 ~~certificate,~~ registration plate, **OR** registration decal. ~~or~~  
8 ~~registration tab.~~

9 (2) A person who is convicted of a second violation of this  
10 section shall be punished by imprisonment for not less than 2 years  
11 or more than 7 years ~~or~~ by a fine of not less than \$1,500.00 or  
12 more than \$7,000.00, or both.

13 (3) A person who is convicted of a third or subsequent  
14 violation of this section shall be punished by imprisonment for not  
15 less than 5 years or more than 15 years ~~or~~ by a fine of not less  
16 than \$5,000.00 or more than \$15,000.00, or both.

17 Sec. 258. (1) The secretary of state may cancel, revoke, or  
18 suspend the registration of a vehicle, a certificate of title ~~or~~  
19 ~~registration certificate,~~ or registration plate if any of the  
20 following apply:

21 (a) The secretary of state determines that the registration ~~or~~  
22 **PLATE OR** certificate of title ~~or plate~~ was fraudulently or  
23 erroneously issued.

24 (b) The secretary of state determines that the licensee has  
25 made or is making an unlawful use of his or her registration,  
26 ~~certificate,~~ plate, or certificate of title.

27 (c) A registered vehicle has been dismantled or wrecked.

1 (d) The secretary of state determines that the required fee  
2 has not been paid and it is not paid upon reasonable notice or  
3 demand.

4 (e) A ~~registration certificate or~~ registration plate is  
5 knowingly displayed upon a vehicle other than the one for which it  
6 was issued.

7 (f) The secretary of state determines that the owner has  
8 committed an offense under this act involving the registration or  
9 certificate of title.

10 (g) The secretary of state is authorized to do so under this  
11 act.

12 (h) Upon receiving notification from another state or foreign  
13 country that a certificate of title issued by the secretary of  
14 state has been surrendered by the owner in conformity with the laws  
15 of that state or foreign country.

16 (i) It is shown by satisfactory evidence that delivery of a  
17 motor vehicle in the possession of a dealer was not made to the  
18 applicant registered under this act. The money paid for  
19 registration and license fees may be refunded to the party who  
20 applies for the refund.

21 (2) If the licensee's offense consists of hauling on the  
22 registered vehicle a gross weight more than 1,000 pounds in excess  
23 of the elected gross weight specified on the owners' registration,  
24 ~~certificate,~~ the registration shall be canceled and the vehicle  
25 shall not again be operated on the highways, roads, or streets  
26 until it is registered again and new plates are issued. The new  
27 registration fee shall be computed on the basis of twice the



1 difference between the original registration fee and the  
2 registration fee applicable to the gross weight constituting the  
3 violation of the elected gross weight. One-half of the new  
4 registration fee shall be a penalty. The period of the new  
5 registration fee shall not extend beyond the termination date of  
6 the canceled registration. ~~certificate.~~—The new registration fee  
7 shall not exceed the maximum gross weight of the vehicle or  
8 combination of vehicles as determined by the number of axles and  
9 the legal weight applicable to those axles as specified by section  
10 722. The gross weight of a vehicle or combination of vehicles may  
11 be determined by weighing the individual axles or group of axles,  
12 and the total weight on all axles is the gross vehicle weight.

13 (3) Before the secretary of state makes a cancellation under  
14 subsection (1)(a), (b), (e), (f), or (g), the person affected by  
15 the cancellation shall be given notice and an opportunity to be  
16 heard.

17 Sec. 259. (a) All license plates, certificates of title,  
18 ~~registration certificates~~ or the license of any dealer or wrecker,  
19 shall be ~~deemed~~ **CONSIDERED** to be the property of the state of  
20 Michigan and whenever the department as authorized hereunder  
21 cancels or suspends the registration of a vehicle or a certificate  
22 of title, or the license of any dealer or wrecker, the owner or  
23 person in possession of the same shall immediately return the  
24 evidence of registration, title, or license so cancelled or  
25 suspended to the department.

26 (b) It is unlawful for any person to fail or refuse to  
27 surrender to the department upon demand any registration,

1 certificate of title or license of any dealer as required in this  
2 section.

3       Sec. 801b. (1) If a person, through error either on his or her  
4 own part or that of the secretary of state, pays the specific tax  
5 required by section 801 or 802 more than once on the same  
6 equipment, the secretary of state, upon application and  
7 satisfactory proof, shall refund the amount paid in error. A claim  
8 shall be filed within 1 year after the date of payment and verified  
9 by the secretary of state before a refund is made. If an  
10 application for a dealer license provided for in section 248 is  
11 withdrawn by the applicant or the applicant's heir, before issuance  
12 of the dealer license, the fees that accompanied the application  
13 under sections 803, 803a, and 807 may be refunded by the secretary  
14 of state upon application and satisfactory proof.

15       (2) If a person's license to drive a motor vehicle is revoked,  
16 suspended, or denied for medical or physical reasons, the person  
17 may return the registration plates and obtain a refund on the  
18 plates prorated on a monthly basis for the time period remaining in  
19 the registration year from the date the plates are returned.  
20 ~~However, the~~ **THE** refund shall not exceed the original registration  
21 fee.

22       (3) Upon the death of a spouse, the surviving spouse may  
23 return registration plates and obtain a refund on the plates  
24 prorated on a monthly basis for the time period remaining in the  
25 registration year from the date the plates are returned. ~~However,~~  
26 ~~the~~ **THE** refund shall not exceed the original registration fee.

27       (4) The owner of a registered vehicle who transfers or assigns

1 title or interest in that registered vehicle before placing upon  
2 the registered vehicle the registration plates ~~or tabs~~ issued for  
3 that registered vehicle may obtain a refund in full from the  
4 secretary of state for the registration plates. ~~or tabs.~~  
5 Registration plates ~~, or tabs issued for 1978 and thereafter~~ shall  
6 be returned by the owner within 30 days following the date of  
7 transfer or assignment.

8 (5) The owner of a vehicle registered ~~pursuant~~ **ACCORDING** to  
9 section 801d(2) who transfers or assigns title or interest in the  
10 vehicle may obtain a refund on the registration for each unused,  
11 whole registration period remaining on the registration from the  
12 date the plates are returned and the application for a refund is  
13 made.

14 (6) In the case of an original application for registration  
15 plates issued under section 217a or 803b, the secretary of state  
16 shall issue a refund prorated on a monthly basis from the date of  
17 application for the time period remaining in the previously issued  
18 registration, if an application for the refund is made and  
19 satisfactory proof is presented to the secretary of state. A refund  
20 shall not be made if the amount due is less than \$5.00.

21 (7) In the case of an original application for the  
22 registration plates bearing the letters "SEN" or "REP", the  
23 secretary of state shall issue a refund prorated on a monthly basis  
24 from the date of application for the time period remaining in the  
25 previously issued registration.

26 (8) In the case of an original application and issuance of an  
27 international registration plan registration plate under section

1 801g, the secretary of state shall make a refund as a credit  
2 prorated on a monthly basis from the date of application for the  
3 months remaining for the previously issued registration on the same  
4 vehicle, if an application for the refund as a credit is made and  
5 satisfactory proof of eligibility is presented to the secretary of  
6 state. A refund as a credit shall not exceed the total amount of  
7 the Michigan apportioned fees assessed for the plates issued under  
8 section 801g nor be made if the amount due is less than \$5.00. For  
9 the purpose of this subsection, a month shall mean 30 consecutive  
10 days and a partial month shall be considered as a whole month.

11 Sec. 801h. (1) Notwithstanding any other provision in this  
12 act, the owner or lessee of a fleet of 25 or more vehicles that are  
13 or will be registered under section 801 may apply to the secretary  
14 of state for special registration plates for any number of 25 or  
15 more vehicles in a fleet. An application shall be on a form  
16 prescribed by the secretary of state and include an agreement that,  
17 at a minimum, the applicant agrees to pay annual fleet registration  
18 taxes under this section.

19 (2) Upon approval of the application and payment of the  
20 required registration taxes, the secretary of state may issue the  
21 applicant a registration plate under section 224 ~~and a registration~~  
22 ~~certificate under section 222~~ for each vehicle. The registration  
23 plate ~~and certificate~~ shall each be in a format as prescribed by  
24 the secretary of state.

25 (3) The name, emblem, trademark, or logo of the company issued  
26 fleet registration plates under this section shall be prominently  
27 displayed on the right and left sides of all vehicles registered

1 under this section by that applicant. The name, emblem, trademark,  
2 or logo shall contain letters, figures, or numerals in sharp  
3 contrast to the background of the name, emblem, trademark, or logo  
4 and shall be of such size, shape, and color as to be readily  
5 legible during daylight hours from a distance of 50 feet.

6 (4) The registration tax for each vehicle registered under  
7 this section shall be paid annually. Registration taxes under this  
8 section are payable in full not later than the due date provided in  
9 section 226. If the owner of a vehicle registered under this  
10 section fails to pay the annual registration tax for that vehicle  
11 or fails to comply with the terms of the fleet registration plate  
12 agreement provided in subsection (1), the secretary of state shall  
13 immediately suspend the registration of all vehicles registered by  
14 that owner under this section. The registration shall remain  
15 suspended and the owner shall not apply for the registration or  
16 reregistration of a vehicle under this section until payment in  
17 full of the tax owed is made. After providing notice to the owner,  
18 the secretary of state shall notify law enforcement of any plate  
19 suspended under this section.

20 (5) At any time an owner or lessee in good standing may add a  
21 vehicle to the list of vehicles registered under this section. To  
22 add a vehicle, the owner or lessee shall make application to the  
23 secretary of state, in a form prescribed by the secretary of state,  
24 accompanied by the registration taxes required under section 801.

25 (6) At any time an owner or lessee may delete the registration  
26 of a vehicle from the list of vehicles registered under this  
27 section. To delete a vehicle, the owner shall notify the secretary

1 of state of the proposed deletion in a form prescribed by the  
2 secretary of state and surrender to the secretary of state the  
3 registration plate assigned to the deleted vehicle.

4 (7) A vehicle not titled or leased in the name of the  
5 applicant is not eligible for registration under this section. A  
6 vehicle registered under section 801g is not eligible for  
7 registration under this section. Passenger vehicle rental fleets  
8 are not eligible for registration under this section.

9 (8) The secretary of state or the authorized representative of  
10 the secretary of state may visit and examine the vehicle  
11 registration records of an owner whose vehicles are registered  
12 under this act. This authority only applies to visits during the  
13 regular business hours of the owner and to those vehicles and  
14 records necessary for the secretary of state to determine an  
15 owner's compliance with this section.

16 Sec. 803a. (1) The secretary of state may issue to the owner  
17 of an historic vehicle an historic vehicle registration plate ~~which~~  
18 **THAT** shall bear the inscription "historical vehicle - Michigan" and  
19 the registration number.

20 (2) The owner of an historic vehicle applying for an historic  
21 vehicle registration plate ~~or a registration tab~~ under this section  
22 shall pay a fee of \$30.00, shall certify that the vehicle for which  
23 the registration is requested is owned and operated solely as an  
24 historic vehicle, and shall certify that the vehicle has been  
25 inspected and found safe to operate on the highways of this state.  
26 ~~The registration certificate need not specify the weight of the~~  
27 ~~historic vehicle.~~ The registration issued under this section is

1 transferable to another historic vehicle upon completion of the  
2 application for transfer and payment of the fee in the manner  
3 described in section 809.

4 (3) A registration issued under this section shall expire on  
5 April 15 in the tenth year following the date of issuance of the  
6 registration.

7 (4) The secretary of state may revoke a registration issued  
8 under this section, for cause shown and after a hearing, for  
9 failure of the applicant to comply with this section, for use of  
10 the vehicle for which the registration was issued for purposes  
11 other than those enumerated in section 20a, or because the vehicle  
12 is not safe to operate on the highways of this state.

13 Sec. 803b. (1) The secretary of state may issue 1 personalized  
14 vehicle registration plate ~~which~~**THAT** shall be used on the  
15 passenger motor vehicle, pick-up truck, motorcycle, van, motor  
16 home, hearse, bus, trailer coach, or trailer for which the plate is  
17 issued instead of a standard plate. Personalized plates shall bear  
18 letters and numbers as the secretary of state prescribes. The  
19 secretary of state shall not issue a letter combination ~~which~~**THAT**  
20 might carry a connotation offensive to good taste and decency. The  
21 personalized plates shall be made of the same material as standard  
22 plates. Personalized plates shall not be a duplication of another  
23 registration plate.

24 (2) An application for a personalized registration plate shall  
25 be submitted to the secretary of state ~~pursuant~~**ACCORDING** to  
26 section 217. Application for an original personalized registration  
27 plate shall be accompanied with payment of a service fee of \$8.00

1 for the first month and of \$2.00 per month for each additional  
2 month of the registration period in addition to the regular vehicle  
3 registration fee. A second duplicate registration plate may be  
4 obtained by requesting that option on the application and paying an  
5 additional service fee of \$5.00. The original and duplicate service  
6 fees shall be deposited in the transportation administration  
7 collection fund created in section 810b. Application for the  
8 renewal of a personalized registration plate shall be accompanied  
9 with payment of a service fee of \$15.00 in addition to the regular  
10 vehicle registration fee. The service fee shall be credited to the  
11 Michigan transportation fund and shall be allocated ~~pursuant~~  
12 **ACCORDING** to section 10 of 1951 PA 51, MCL 247.660. The amount  
13 allocated to the state trunk line fund shall be used by the state  
14 transportation department for litter pickup and cleanup on state  
15 roads and rights of way.

16 (3) The expiration date for a personalized registration plate  
17 shall be ~~pursuant~~ **ACCORDING** to section 226. ~~Upon the issuance or~~  
18 ~~renewal of a personalized registration plate, the secretary of~~  
19 ~~state may issue a tab or tabs designating the month and year of~~  
20 ~~expiration. Upon the renewal of a personalized registration plate,~~  
21 ~~the secretary of state shall issue a new tab or tabs for the rear~~  
22 ~~plate designating the next expiration date of the plate. Upon~~  
23 renewal, the secretary of state shall not issue the owner a new  
24 exact duplicate of the expired plate unless the plate is illegible  
25 and the owner pays the service fee and registration fee for an  
26 original personalized registration plate.

27 (4) The sequence of letters or numbers or combination of



1 letters and numbers on a personalized plate shall not be given to a  
2 different person in a subsequent year unless the person to whom the  
3 plate was issued does not reapply before the expiration date of the  
4 plate.

5 (5) An applicant who applies for a registration plate under  
6 section 217d, 803e, 803f, 803j, 803k, 803l, 803n, or 803o is  
7 eligible to request, and the secretary of state may issue, the  
8 registration plate with a sequence of letters and numbers otherwise  
9 authorized under this section.

10 (6) The secretary of state may issue a temporary permit to a  
11 person who has submitted an application and the proper fees for a  
12 personalized plate if the applicant's vehicle registration may  
13 expire prior to receipt of his or her personalized plate. The  
14 temporary registration shall be valid for not more than 60 days  
15 after the date of issuance. The temporary permit shall be issued  
16 without a fee.

17 Sec. 803m. (1) The secretary of state may issue 2 special  
18 organization motor vehicle registration plates to an applicant for  
19 use on a passenger motor vehicle, pickup truck, van, or motor home  
20 for which the plates are issued instead of standard plates. A  
21 special organization motor vehicle registration plate is a  
22 registration plate issued by the secretary of state that bears on  
23 its face the symbol or emblem of an organization.

24 (2) Special organization plates shall bear letters and numbers  
25 as the secretary of state prescribes. Special organization plates  
26 may contain the symbol of the organization to the left of the plate  
27 number. The secretary of state shall not issue a letter combination

1 or permit the use of a symbol ~~which~~**THAT** might carry a connotation  
2 offensive to good taste and decency. The special organization  
3 plates shall be made of the same material as standard plates.  
4 Special organization plates shall not be a duplication of another  
5 registration plate.

6 (3) In order to qualify its members to receive special  
7 organization plates, an organization shall meet all of the  
8 following criteria:

9 (a) Be a nonprofit fraternal or public service organization.

10 (b) Certify that it consists of not less than 500 members and  
11 that not less than 500 members will apply for special organization  
12 registration plates.

13 (c) Have a recognizable state, national, or international  
14 symbol or emblem of the organization.

15 (d) Submit a service fee of \$500.00 for the initial  
16 manufacture of the symbols or emblems for the special registration  
17 plates.

18 (e) Not practice or influence others to practice any form of  
19 discrimination prohibited by the Elliott-Larsen civil rights act,  
20 1976 PA 453, MCL 37.2101 to 37.2804.

21 (4) If an organization meets the criteria set forth in  
22 subsection (3), the organization may request the secretary of state  
23 to manufacture special organization registration plates for its  
24 members. A request shall be accompanied by all of the following:

25 (a) A copy of the organization's charter and bylaws, if any.

26 (b) A statement of the organization's consent to use of the  
27 organization's symbol or emblem on special organization plates. The

1 statement shall be signed by the president or chief executive  
2 officer of the organization.

3 (c) A sample of the organization's symbol or emblem.

4 (d) The name of the organization's representative who will  
5 serve as a contact person with the secretary of state.

6 (5) A member of an organization ~~which~~**THAT** has met the  
7 criteria set forth in subsection (3) shall individually make  
8 application for a special organization plate and submit with the  
9 application the organization's confirmation of membership on a form  
10 provided by the secretary of state.

11 (6) An application for a special organization registration  
12 plate shall be submitted to the secretary of state ~~pursuant~~  
13 **ACCORDING** to the procedures prescribed in section 217. In addition  
14 to the regular registration fee, each application for a new special  
15 organization plate shall be accompanied by a service fee of \$25.00.  
16 The service fee prescribed in this subsection shall not be charged  
17 in connection with an application for a renewal ~~tab~~**REGISTRATION**  
18 for an existing special organization plate. A special organization  
19 registration plate shall expire as provided in section 226.

20 (7) The secretary of state may issue a temporary registration  
21 permit to a person who submits an application and the proper fees  
22 for a special organization plate, if the applicant's current  
23 vehicle registration will expire before his or her receipt of an  
24 organization plate. The temporary registration shall expire upon  
25 the applicant's receipt of an organization plate or upon the  
26 expiration of 60 days after the date of issuance, whichever occurs  
27 first. A temporary permit issued under this subsection shall be

1 issued without charge.

2 ~~—— (8) This section shall apply to an organization described in~~  
3 ~~section 811c only to the extent provided by section 811e.~~

4 Sec. 803p. (1) The owner of an historic vehicle may use an  
5 authentic Michigan registration plate of the same year as the model  
6 year in which the vehicle was manufactured instead of an historic  
7 vehicle registration plate issued under section 803a by presenting  
8 the authentic plate number and year to the secretary of state at  
9 the time of registration. The owner of an historic vehicle may  
10 purchase an authentic Michigan registration plate from another  
11 person and restore the plate to its authentic condition for use  
12 ~~pursuant~~ **ACCORDING** to this section. An authentically restored plate  
13 shall be considered an authentic Michigan registration plate.

14 (2) The owner of an historic vehicle applying to use an  
15 authentic Michigan registration plate under this section shall pay  
16 a fee of \$35.00, shall certify that the vehicle for which the  
17 registration is requested is owned and operated solely as an  
18 historic vehicle, and shall certify that the vehicle has been  
19 inspected and found safe to operate on the highways of this state.  
20 ~~The registration certificate need not specify the weight of the~~  
21 ~~historic vehicle.~~ The registration issued under this section is not  
22 transferable to another historic vehicle.

23 (3) A registration issued under this section shall remain  
24 valid until the registrant either sells, transfers, or scraps the  
25 vehicle or modifies the vehicle in a manner that requires the  
26 issuance of a new certificate of title for the vehicle under this  
27 act.

1           (4) After a hearing and for cause shown, the secretary of  
2 state may revoke a registration issued under this section for  
3 failure of the applicant to comply with this section, for use of  
4 the vehicle for which the registration was issued for purposes  
5 other than those enumerated in section 20a, or because the vehicle  
6 is not safe to operate on the highways of this state.

7           Sec. 811f. (1) The secretary of state may, upon application,  
8 issue 1 fund-raising plate instead of a standard registration plate  
9 to a person for use on a passenger motor vehicle or motor home or a  
10 pickup truck or van used exclusively to transport personal  
11 possessions or family members for nonbusiness purposes.

12           (2) A person may be issued a fund-raising plate for use on a  
13 vehicle under this act by applying to the secretary of state  
14 pursuant to section 217. An application for an original fund-  
15 raising plate shall be accompanied by a \$25.00 fund-raising  
16 donation, payment of the regular vehicle registration tax  
17 prescribed under this act, and a \$10.00 service fee. An application  
18 for renewal of a fund-raising plate shall be accompanied by payment  
19 of the vehicle registration tax required under section 801 and a  
20 \$10.00 fund-raising donation. Application for a replacement fund-  
21 raising plate shall be accompanied by payment of only the fee  
22 prescribed under section 804.

23           (3) The secretary of state may issue a personalized fund-  
24 raising plate upon application and the payment of the personalized  
25 registration plate fee prescribed under section 803b in addition to  
26 the fees and donations prescribed under subsection (2) and the  
27 regular vehicle registration tax prescribed under this act.

1           (4) A disabled person who applies for a fund-raising plate  
2 under this section and who pays the required service fees shall be  
3 issued, as determined by the secretary of state, a disabled  
4 person's plate as provided in section 803d for his or her fund-  
5 raising plate. The secretary of state shall require the same proof  
6 that the applicant is a disabled person as is required for issuance  
7 of a permanent windshield placard under section 675.

8           (5) A fund-raising plate expires pursuant to section 226. ~~The~~  
9 ~~secretary of state may issue a tab or tabs designating the month~~  
10 ~~and year of expiration for an original or renewal fund raising~~  
11 ~~plate.~~

12           (6) The secretary of state may issue a temporary registration  
13 permit to a person who submits an application and the proper fees  
14 and donation for a fund-raising plate, if the applicant's current  
15 vehicle registration will expire before his or her receipt of a  
16 fund-raising plate. The temporary registration shall expire upon  
17 the applicant's receipt of a fund-raising plate or upon the  
18 expiration of 30 days after the date of issuance, whichever occurs  
19 first. The temporary permit shall be issued without a separate fee.

20           Sec. 904. (1) A person whose operator's or chauffeur's license  
21 or registration ~~certificate~~ has been suspended or revoked and who  
22 has been notified as provided in section 212 of that suspension or  
23 revocation, whose application for license has been denied, or who  
24 has never applied for a license, shall not operate a motor vehicle  
25 upon a highway or other place open to the general public or  
26 generally accessible to motor vehicles, including an area  
27 designated for the parking of motor vehicles, within this state.

1           (2) A person shall not knowingly permit a motor vehicle owned  
2 by the person to be operated upon a highway or other place open to  
3 the general public or generally accessible to motor vehicles,  
4 including an area designated for the parking of vehicles, within  
5 this state by a person whose license or registration ~~certificate~~ is  
6 suspended or revoked, whose application for license has been  
7 denied, or who has never applied for a license, except as permitted  
8 under this act.

9           (3) Except as otherwise provided in this section, a person who  
10 violates subsection (1) or (2) is guilty of a misdemeanor  
11 punishable as follows:

12           (a) For a first violation, by imprisonment for not more than  
13 93 days or a fine of not more than \$500.00, or both. Unless the  
14 vehicle was stolen or used with the permission of a person who did  
15 not knowingly permit an unlicensed driver to operate the vehicle,  
16 the registration plates of the vehicle shall be canceled by the  
17 secretary of state upon notification by a peace officer.

18           (b) For a violation that occurs after a prior conviction, by  
19 imprisonment for not more than 1 year or a fine of not more than  
20 \$1,000.00, or both. Unless the vehicle was stolen, the registration  
21 plates of the vehicle shall be canceled by the secretary of state  
22 upon notification by a peace officer.

23           (4) A person who operates a motor vehicle in violation of  
24 subsection (1) and who, by operation of that motor vehicle, causes  
25 the death of another person is guilty of a felony punishable by  
26 imprisonment for not more than 15 years or a fine of not less than  
27 \$2,500.00 or more than \$10,000.00, or both. This subsection does

1 not apply to a person whose operator's or chauffeur's license was  
2 suspended because that person failed to answer a citation or comply  
3 with an order or judgment pursuant to ~~UNDER~~ section 321a.

4 (5) BEFORE OCTOBER 31, 2010, A PERSON WHO OPERATES A MOTOR  
5 VEHICLE IN VIOLATION OF SUBSECTION (1) AND WHO, BY OPERATION OF  
6 THAT MOTOR VEHICLE, CAUSES THE SERIOUS IMPAIRMENT OF A BODY  
7 FUNCTION OF ANOTHER PERSON IS GUILTY OF A FELONY PUNISHABLE BY  
8 IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR A FINE OF NOT LESS THAN  
9 \$1,000.00 OR MORE THAN \$5,000.00, OR BOTH. THIS SUBSECTION DOES NOT  
10 APPLY TO A PERSON WHOSE OPERATOR'S OR CHAUFFEUR'S LICENSE WAS  
11 SUSPENDED BECAUSE THAT PERSON FAILED TO ANSWER A CITATION OR COMPLY  
12 WITH AN ORDER OR JUDGMENT UNDER SECTION 321A.

13 (6) ~~(5)~~ A BEGINNING OCTOBER 31, 2010, A person who operates a  
14 motor vehicle in violation of subsection (1) and who, by operation  
15 of that motor vehicle, causes the serious impairment of a body  
16 function of another person is guilty of a felony punishable by  
17 imprisonment for not more than 5 years or a fine of not less than  
18 \$1,000.00 or more than \$5,000.00, or both. This subsection does not  
19 apply to a person whose operator's or chauffeur's license was  
20 suspended because that person failed to answer a citation or comply  
21 with an order or judgment pursuant to ~~UNDER~~ section 321a.

22 (7) ~~(6)~~ In addition to being subject to any other penalty  
23 provided for in this act, if a person is convicted under subsection  
24 (4), ~~or (5)~~, OR (6), the court may impose the sanction permitted  
25 under section 625n. If the vehicle is not ordered forfeited under  
26 section 625n, the court shall order vehicle immobilization under  
27 section 904d in the judgment of sentence.



1           (8) ~~(7)~~—A person shall not knowingly permit a motor vehicle  
2 owned by the person to be operated upon a highway or other place  
3 open to the general public or generally accessible to motor  
4 vehicles, including an area designated for the parking of vehicles,  
5 within this state, by a person whose license or registration  
6 ~~certificate~~ is suspended or revoked, whose application for license  
7 has been denied, or who has never been licensed except as permitted  
8 by this act. If a person permitted to operate a motor vehicle in  
9 violation of this subsection causes the serious impairment of a  
10 body function of another person by operation of that motor vehicle,  
11 the person knowingly permitting the operation of that motor vehicle  
12 is guilty of a felony punishable by imprisonment for not more than  
13 2 years ~~—~~or a fine of not less than \$1,000.00 or more than  
14 \$5,000.00, or both. If a person permitted to operate a motor  
15 vehicle in violation of this subsection causes the death of another  
16 person by operation of that motor vehicle, the person knowingly  
17 permitting the operation of that motor vehicle is guilty of a  
18 felony punishable by imprisonment for not more than 5 years ~~—~~or a  
19 fine of not less than \$1,000.00 or more than \$5,000.00, or both.

20           (9) ~~(8)~~—If the prosecuting attorney intends to seek an  
21 enhanced sentence under this section based upon the defendant  
22 having 1 or more prior convictions, the prosecuting attorney shall  
23 include on the complaint and information, or an amended complaint  
24 and information, filed in district court, circuit court, municipal  
25 court, or family division of circuit court, a statement listing the  
26 defendant's prior convictions.

27           (10) **BEFORE OCTOBER 31, 2010, A PRIOR CONVICTION UNDER THIS**

1 SECTION SHALL BE ESTABLISHED AT OR BEFORE SENTENCING BY 1 OR MORE  
2 OF THE FOLLOWING:

3 (A) AN ABSTRACT OF CONVICTION.

4 (B) A COPY OF THE DEFENDANT'S DRIVING RECORD.

5 (C) AN ADMISSION BY THE DEFENDANT.

6 (11) ~~(9) A~~ BEGINNING OCTOBER 31, 2010, A prior conviction  
7 under this section shall be established at or before sentencing by  
8 1 or more of the following:

9 (a) A copy of a judgment of conviction.

10 (b) An abstract of conviction.

11 (c) A transcript of a prior trial, plea, or sentencing.

12 (d) A copy of a court register of action.

13 (e) A copy of the defendant's driving record.

14 (f) Information contained in a presentence report.

15 (g) An admission by the defendant.

16 (12) ~~(10)~~ Upon receiving a record of a person's conviction or  
17 civil infraction determination for the unlawful operation of a  
18 motor vehicle or a moving violation reportable under section 732  
19 while the person's operator's or chauffeur's license is suspended  
20 or revoked, the secretary of state immediately shall impose an  
21 additional like period of suspension or revocation. This subsection  
22 applies only if the violation occurs during a suspension of  
23 definite length or if the violation occurs before the person is  
24 approved for a license following a revocation.

25 (13) ~~(11)~~ Upon receiving a record of a person's conviction or  
26 civil infraction determination for the unlawful operation of a  
27 motor vehicle or a moving violation reportable under section 732

1 while the person's operator's or chauffeur's license is  
2 indefinitely suspended or whose application for a license has been  
3 denied, the secretary of state immediately shall impose a 30-day  
4 period of suspension or denial.

5       **(14)** ~~(12)~~—Upon receiving a record of the conviction, bond  
6 forfeiture, or a civil infraction determination of a person for  
7 unlawful operation of a motor vehicle requiring a vehicle group  
8 designation while the designation is suspended or revoked under  
9 section 319b, or while the person is disqualified from operating a  
10 commercial motor vehicle by the United States secretary of  
11 transportation or under 49 USC 31301 to 31317, the secretary of  
12 state immediately shall impose an additional like period of  
13 suspension or revocation. This subsection applies only if the  
14 violation occurs during a suspension of definite length or if the  
15 violation occurs before the person is approved for a license  
16 following a revocation.

17       **(15)** ~~(13)~~—If the secretary of state receives records of more  
18 than 1 conviction or civil infraction determination resulting from  
19 the same incident, all of the convictions or civil infraction  
20 determinations shall be treated as a single violation for purposes  
21 of imposing an additional period of suspension or revocation under  
22 subsection ~~(10)~~, ~~(11)~~, ~~or (12)~~, **(13)**, **OR (14)**.

23       **(16)** ~~(14)~~—Before a person is arraigned before a district court  
24 magistrate or judge on a charge of violating this section, the  
25 arresting officer shall obtain the person's driving record from the  
26 secretary of state and shall furnish the record to the court. The  
27 driving record of the person may be obtained from the secretary of

1 state's computer information network.

2 (17) ~~(15)~~—This section does not apply to a person who operates  
3 a vehicle solely for the purpose of protecting human life or  
4 property if the life or property is endangered and summoning prompt  
5 aid is essential.

6 (18) ~~(16)~~—A person whose vehicle group designation is  
7 suspended or revoked and who has been notified as provided in  
8 section 212 of that suspension or revocation, or whose application  
9 for a vehicle group designation has been denied as provided in this  
10 act, or who has never applied for a vehicle group designation and  
11 who operates a commercial motor vehicle within this state, except  
12 as permitted under this act, while any of those conditions exist is  
13 guilty of a misdemeanor punishable, except as otherwise provided in  
14 this section, by imprisonment for not less than 3 days or more than  
15 93 days or a fine of not more than \$100.00, or both.

16 (19) ~~(17)~~—If a person has a second or subsequent suspension or  
17 revocation under this section within 7 years as indicated on the  
18 person's Michigan driving record, the court shall proceed as  
19 provided in section 904d.

20 (20) ~~(18)~~—Any period of suspension or revocation required  
21 under subsection ~~(10)~~, ~~(11)~~, ~~or~~ (12), (13), OR (14) does not apply  
22 to a person who has only 1 currently effective suspension or denial  
23 on his or her Michigan driving record under section 321a and was  
24 convicted of or received a civil infraction determination for a  
25 violation that occurred during that suspension or denial. This  
26 subsection may only be applied once during the person's lifetime.

27 (21) ~~(19)~~—For purposes of this section, a person who never

1 applied for a license includes a person who applied for a license,  
2 was denied, and never applied again.

3       Sec. 905. Any person who ~~shall forge,~~ **FORGES** or, without  
4 authority, ~~sign~~ **SIGNS** any evidence of ability to respond in damages  
5 as required by the secretary of state in the administration of  
6 chapter 5, and any person who ~~shall violate~~ **VIOLATES** any provisions  
7 of chapter 5 for which no penalty is otherwise provided, ~~shall be~~  
8 **IS** guilty of a misdemeanor and upon conviction shall be fined not  
9 less than \$100.00 ~~nor~~ **OR** more than \$1,000.00 ~~,~~ or imprisoned **FOR**  
10 not more than 90 days, or both. Any person whose operator's or  
11 chauffeur's license, ~~or~~ registration, ~~card~~ or other privilege to  
12 operate a motor vehicle has been suspended or revoked and  
13 restoration thereof or issuance of a new license or registration is  
14 contingent upon ~~the~~ furnishing ~~of~~ proof of financial responsibility  
15 and who during ~~such~~ **THE** suspension or revocation or in the absence  
16 of full authorization from the secretary of state drives any motor  
17 vehicle upon any highway or knowingly permits any motor vehicle  
18 owned by such person to be operated by another person upon any  
19 highway except as permitted ~~hereunder~~ **UNDER THIS ACT** shall be  
20 punished by a fine of not more than \$500.00 ~~and by~~ **OR** imprisonment  
21 for a period of not less than 2 days ~~nor~~ **OR** more than 1 year, or ~~by~~  
22 both. ~~such fine and imprisonment.~~

23       Sec. 907. (1) A violation of this act, or a local ordinance  
24 substantially corresponding to a provision of this act, that is  
25 designated a civil infraction shall not be considered a lesser  
26 included offense of a criminal offense.

27       (2) If a person is determined ~~pursuant to~~ **UNDER** sections 741

1 to 750 to be responsible or responsible "with explanation" for a  
2 civil infraction under this act or a local ordinance substantially  
3 corresponding to a provision of this act, the judge or district  
4 court magistrate may order the person to pay a civil fine of not  
5 more than \$100.00 and costs as provided in subsection (4). ~~However~~  
6 **BEGINNING OCTOBER 31, 2010**, if the civil infraction was a moving  
7 violation that resulted in an at-fault collision with another  
8 vehicle, a person, or any other object, the civil fine ordered  
9 under this section shall be increased by \$25.00 but the total civil  
10 fine shall not exceed \$100.00. ~~However, for~~ **FOR** a violation of  
11 section 674(1)(s) or a local ordinance substantially corresponding  
12 to section 674(1)(s), the person shall be ordered to pay costs as  
13 provided in subsection (4) and a civil fine of not less than  
14 \$100.00 or more than \$250.00. For a violation of section 328, the  
15 civil fine ordered under this subsection shall be not more than  
16 \$50.00. For a violation of section 710d, the civil fine ordered  
17 under this subsection shall not exceed \$10.00. For a violation of  
18 section 710e, the civil fine and court costs ordered under this  
19 subsection shall be \$25.00. For a violation of section 682 or a  
20 local ordinance substantially corresponding to section 682, the  
21 person shall be ordered to pay costs as provided in subsection (4)  
22 and a civil fine of not less than \$100.00 or more than \$500.00. For  
23 a violation of section 240, the civil fine ordered under this  
24 subsection shall be \$15.00. For a violation of section 252a(1), the  
25 civil fine ordered under this subsection shall be \$50.00. For a  
26 violation of section 676a(3), the civil fine ordered under this  
27 section shall be not more than \$10.00. For a violation of section

1 319f(1), the civil fine ordered under this section shall be not  
2 less than \$1,100.00 or more than \$2,750.00. For a violation of  
3 section 319g(1)(a), the civil fine ordered under this section shall  
4 be not more than \$10,000.00. For a violation of section 319g(1)(b),  
5 the civil fine ordered under this section shall be not less than  
6 \$2,750.00 or more than \$11,000.00. Permission may be granted for  
7 payment of a civil fine and costs to be made within a specified  
8 period of time or in specified installments, but unless permission  
9 is included in the order or judgment, the civil fine and costs  
10 shall be payable immediately.

11 (3) Except as provided in this subsection, if a person is  
12 determined to be responsible or responsible "with explanation" for  
13 a civil infraction under this act or a local ordinance  
14 substantially corresponding to a provision of this act while  
15 driving a commercial motor vehicle, he or she shall be ordered to  
16 pay costs as provided in subsection (4) and a civil fine of not  
17 more than \$250.00. If a person is determined to be responsible or  
18 responsible "with explanation" for a civil infraction under section  
19 319g or a local ordinance substantially corresponding to section  
20 319g, that person shall be ordered to pay costs as provided in  
21 subsection (4) and a civil fine of not more than \$10,000.00.

22 (4) If a civil fine is ordered under subsection (2) or (3),  
23 the judge or district court magistrate shall summarily tax and  
24 determine the costs of the action, which are not limited to the  
25 costs taxable in ordinary civil actions, and may include all  
26 expenses, direct and indirect, to which the plaintiff has been put  
27 in connection with the civil infraction, up to the entry of

1 judgment. Costs shall not be ordered in excess of \$100.00. A civil  
2 fine ordered under subsection (2) or (3) shall not be waived unless  
3 costs ordered under this subsection are waived. Except as otherwise  
4 provided by law, costs are payable to the general fund of the  
5 plaintiff.

6 (5) In addition to a civil fine and costs ordered under  
7 subsection (2) or (3) and subsection (4) and the justice system  
8 assessment ordered under subsection (14), the judge or district  
9 court magistrate may order the person to attend and complete a  
10 program of treatment, education, or rehabilitation.

11 (6) A district court magistrate shall impose the sanctions  
12 permitted under subsections (2), (3), and (5) only to the extent  
13 expressly authorized by the chief judge or only judge of the  
14 district court district.

15 (7) Each district of the district court and each municipal  
16 court may establish a schedule of civil fines, costs, and  
17 assessments to be imposed for civil infractions that occur within  
18 the respective district or city. If a schedule is established, it  
19 shall be prominently posted and readily available for public  
20 inspection. A schedule need not include all violations that are  
21 designated by law or ordinance as civil infractions. A schedule may  
22 exclude cases on the basis of a defendant's prior record of civil  
23 infractions or traffic offenses, or a combination of civil  
24 infractions and traffic offenses.

25 (8) The state court administrator shall annually publish and  
26 distribute to each district and court a recommended range of civil  
27 fines and costs for first-time civil infractions. This



1 recommendation is not binding upon the courts having jurisdiction  
2 over civil infractions but is intended to act as a normative guide  
3 for judges and district court magistrates and a basis for public  
4 evaluation of disparities in the imposition of civil fines and  
5 costs throughout the state.

6 (9) If a person has received a civil infraction citation for  
7 defective safety equipment on a vehicle under section 683, the  
8 court shall waive a civil fine, costs, and assessments upon receipt  
9 of certification by a law enforcement agency that repair of the  
10 defective equipment was made before the appearance date on the  
11 citation.

12 (10) A default in the payment of a civil fine or costs ordered  
13 under subsection (2), (3), or (4) or a justice system assessment  
14 ordered under subsection (14), or an installment of the fine,  
15 costs, or assessment, may be collected by a means authorized for  
16 the enforcement of a judgment under chapter 40 of the revised  
17 judicature act of 1961, 1961 PA 236, MCL 600.4001 to 600.4065, or  
18 under chapter 60 of the revised judicature act of 1961, 1961 PA  
19 236, MCL 600.6001 to 600.6098.

20 (11) If a person fails to comply with an order or judgment  
21 issued pursuant to this section within the time prescribed by the  
22 court, the driver's license of that person shall be suspended  
23 pursuant to section 321a until full compliance with that order or  
24 judgment occurs. In addition to this suspension, the court may also  
25 proceed under section 908.

26 (12) The court shall waive any civil fine, cost, or assessment  
27 against a person who received a civil infraction citation for a

1 violation of section 710d if the person, before the appearance date  
2 on the citation, supplies the court with evidence of acquisition,  
3 purchase, or rental of a child seating system meeting the  
4 requirements of section 710d.

5 (13) Until October 1, 2003, in addition to any civil fines and  
6 costs ordered to be paid under this section, the judge or district  
7 court magistrate shall levy an assessment of \$5.00 for each civil  
8 infraction determination, except for a parking violation or a  
9 violation for which the total fine and costs imposed are \$10.00 or  
10 less. An assessment paid before October 1, 2003 shall be  
11 transmitted by the clerk of the court to the state treasurer to be  
12 deposited into the Michigan justice training fund. An assessment  
13 ordered before October 1, 2003 but collected on or after October 1,  
14 2003 shall be transmitted by the clerk of the court to the state  
15 treasurer for deposit in the justice system fund created in section  
16 181 of the revised judicature act of 1961, 1961 PA 236, MCL  
17 600.181. An assessment levied under this subsection is not a civil  
18 fine for purposes of section 909.

19 (14) Effective October 1, 2003, in addition to any civil fines  
20 or costs ordered to be paid under this section, the judge or  
21 district court magistrate shall order the defendant to pay a  
22 justice system assessment of \$40.00 for each civil infraction  
23 determination, except for a parking violation or a violation for  
24 which the total fine and costs imposed are \$10.00 or less. Upon  
25 payment of the assessment, the clerk of the court shall transmit  
26 the assessment collected to the state treasury to be deposited into  
27 the justice system fund created in section 181 of the revised

1   judicature act of 1961, 1961 PA 236, MCL 600.181. An assessment  
2   levied under this subsection is not a civil fine for purposes of  
3   section 909.

4           (15) If a person has received a citation for a violation of  
5   section 223, the court shall waive any civil fine, costs, and  
6   assessment, upon receipt of certification by a law enforcement  
7   agency that the person, before the appearance date on the citation,  
8   produced a valid registration ~~certificate~~ that was valid on the  
9   date the violation of section 223 occurred.

10           (16) If a person has received a citation for a violation of  
11   section 328(1) for failing to produce a certificate of insurance  
12   pursuant ~~to~~ **ACCORDING** to section 328(2), the court may waive the fee  
13   described in section 328(3)(c) and shall waive any fine, costs, and  
14   any other fee or assessment otherwise authorized under this act  
15   upon receipt of verification by the court that the person, before  
16   the appearance date on the citation, produced valid proof of  
17   insurance that was in effect at the time the violation of section  
18   328(1) occurred. Insurance obtained subsequent to the time of the  
19   violation does not make the person eligible for a waiver under this  
20   subsection.

21           (17) As used in this section, "moving violation" means an act  
22   or omission prohibited under this act or a local ordinance  
23   substantially corresponding to this act that involves the operation  
24   of a motor vehicle and for which a fine may be assessed.

25           Enacting section 1. Sections 223 and 226c of the Michigan  
26   vehicle code, 1949 PA 300, MCL 257.223 and 257.226c, are repealed.

27           Enacting section 2. This amendatory act takes effect April 1,

1 2010.