

# HOUSE BILL NO. 5171

October 29, 2019, Introduced by Reps. Maddock, Hall, Miller, Eisen, Inman, Griffin, Hornberger, Webber, Berman, Vaupel, Bellino, Howell, Brann, Crawford, Rendon, Wozniak, Meerman, Filler, Markkanen, O'Malley, Paquette and LaFave and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 208c and 226 (MCL 257.208c and 257.226), section 208c as amended by 2008 PA 539 and section 226 as amended by 2018 PA 342, and by adding section 205a.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1           **Sec. 205a. (1) No later than 1 year after the effective date**  
2 **of the amendatory act that added this section, the secretary of**  
3 **state shall develop and implement a program to allow a financial**  
4 **institution to provide services provided by the secretary of state**



1 in its branch offices.

2 (2) Subject to subsection (3), the secretary of state shall  
3 allow a financial institution that applies to the secretary of  
4 state upon a form developed by the secretary of state to  
5 participate in the program described in subsection (1) if the  
6 financial institution satisfies the requirements for participation  
7 established by the secretary of state.

8 (3) The secretary of state may require an employee of a  
9 financial institution that participates in the program described in  
10 subsection (1) to obtain a bond or errors and omissions insurance  
11 in an amount that the secretary of state prescribes to cover the  
12 safe handling of money under this act.

13 (4) A financial institution may charge a fee for services  
14 provided by the financial institution under a program described in  
15 subsection (1). Except as otherwise provided in this subsection, a  
16 fee charged by a financial institution under this subsection may  
17 exceed the fee charged by the secretary of state for the service  
18 being offered. If a financial institution charges a higher fee than  
19 the secretary of state for a service, the financial institution may  
20 retain the difference between the fee charged and the fee charged  
21 for the same service by the secretary of state. However, a  
22 financial institution shall remit an amount equal to the service  
23 fee charged by the secretary of state for the service provided by  
24 the financial institution, and shall remit all money collected  
25 under section 801 for the renewal of a vehicle registration as  
26 provided in section 226 to the state treasurer, who shall credit  
27 the money to the Michigan transportation fund created in section 10  
28 of 1951 PA 51, MCL 247.660.

29 (5) The joint committee on administrative rules may promulgate



1 rules to implement this section in the same manner as under the  
 2 administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to  
 3 24.328.

4 (6) As used in this section:

5 (a) "Financial institution" means a state or national bank, a  
 6 state or federally chartered savings and loan association, a state  
 7 or federally chartered savings bank, a state or federally chartered  
 8 credit union, or other regulated lending institution that maintains  
 9 a principal office or branch office in this state under the laws of  
 10 this state or the United States.

11 (b) "Services provided by the secretary of state in its branch  
 12 offices" means the renewal of a vehicle registration as provided in  
 13 section 226(6) and the renewal of an operator's license as provided  
 14 in section 811.

15 Sec. 208c. (1) Except as provided in this section and in  
 16 section 232, personal information in a record maintained under this  
 17 act shall not be disclosed, unless the person requesting the  
 18 information furnishes proof of identity satisfactory to the  
 19 secretary of state and certifies that the personal information  
 20 requested will be used for a permissible purpose identified in this  
 21 section or in section 232. However, highly restricted personal  
 22 information shall be used and disclosed only as expressly permitted  
 23 in section 307 or as otherwise expressly provided by law.

24 (2) Personal information in a record maintained under this act  
 25 shall be disclosed by the secretary of state if required to carry  
 26 out the purposes of federal law or federal regulations.

27 (3) Personal information in a record maintained under this act  
 28 may be disclosed by the secretary of state as follows:

29 (a) For use by a federal, state, or local governmental agency,



1 including a court or law enforcement agency, in carrying out the  
2 agency's functions, or by a private person or entity acting on  
3 behalf of a governmental agency in carrying out the agency's  
4 functions.

5 (b) For use in connection with matters of motor vehicle and  
6 driver safety or auto theft; motor vehicle emissions; motor vehicle  
7 product alterations, recalls, or advisories; performance monitoring  
8 of motor vehicles; motor vehicle market research activities,  
9 including survey research; and the removal of nonowner records from  
10 the original records of motor vehicle manufacturers.

11 (c) For use in the normal course of business by a legitimate  
12 business, including the agents, employees, and contractors of the  
13 business, but only to verify the accuracy of personal information  
14 submitted by an individual to the business or its agents,  
15 employees, or contractors, and if the information as so submitted  
16 is no longer correct, to obtain the correct information, for the  
17 sole purpose of preventing fraud by pursuing legal remedies  
18 against, or recovering on a debt against, the individual.

19 (d) For use in connection with a civil, criminal,  
20 administrative, or arbitration proceeding in a federal, state, or  
21 local court or governmental agency or before a self-regulatory  
22 body, including use for service of process, investigation in  
23 anticipation of litigation, and the execution or enforcement of  
24 judgments and orders, or pursuant to an order of a federal, state,  
25 or local court, an administrative agency, or a self-regulatory  
26 body.

27 (e) For use in legitimate research activities and in preparing  
28 statistical reports for commercial, scholarly, or academic purposes  
29 by a bona fide research organization, if the personal information



1 is not published, redisclosed, or used to contact individuals.

2 (f) For use by an insurer or insurance support organization,  
3 or by a self-insured entity, or its agents, employees, or  
4 contractors, in connection with claims investigating activity,  
5 antifraud activity, rating, or underwriting.

6 (g) For use in providing notice to the owner of an abandoned,  
7 towed, or impounded vehicle or for use by the custodian of a  
8 vehicle that is considered an abandoned vehicle as defined in  
9 sections 252a, 252b, and 252d.

10 (h) For use either by a private detective or private  
11 investigator licensed under the professional investigator licensure  
12 act, 1965 PA 285, MCL 338.821 to 338.851, or by a private security  
13 guard agency or alarm system contractor licensed under the private  
14 security business and security alarm act, 1968 PA 330, MCL 338.1051  
15 to ~~338.1083~~, **338.1092**, only for a purpose permitted under this  
16 section.

17 (i) For use by an employer, or the employer's agent or  
18 insurer, to obtain or verify information relating either to the  
19 holder of a commercial driver license that is required under  
20 federal law or to the holder of a chauffeur's license that is  
21 required under chapter 3.

22 (j) For use by a car rental business, or its employees,  
23 agents, contractors, or service firms, for the purpose of making  
24 rental decisions.

25 (k) For use in connection with the operation of private toll  
26 transportation facilities.

27 (l) For use by a news medium in the preparation and  
28 dissemination of a report related in part or in whole to the  
29 operation of a motor vehicle or public safety. "News medium"



1 includes a newspaper, a magazine or periodical published at regular  
2 intervals, a news service, a broadcast network, a television  
3 station, a radio station, a cablecaster, or an entity employed by  
4 any of the foregoing.

5 (m) For any use by an individual requesting information  
6 pertaining to himself or herself or requesting in writing that the  
7 secretary of state provide information pertaining to himself or  
8 herself to the individual's designee. A request for disclosure to a  
9 designee, however, may be submitted only by the individual.

10 **(n) For use by a financial institution participating in a**  
11 **program developed under section 205a.**

12 (4) Medical and disability information in a record maintained  
13 under this act may be used and disclosed for purposes of subsection  
14 (3) (a), (d), or (m).

15 Sec. 226. (1) A vehicle registration issued by the secretary  
16 of state expires on the owner's birthday, unless another expiration  
17 date is provided for under this act or unless the registration is  
18 for the following vehicles, in which case registration expires on  
19 the last day of February:

20 (a) A commercial vehicle except for a commercial vehicle  
21 issued a registration under the international registration plan or  
22 a pickup truck or van owned by an individual.

23 (b) Except for a trailer or semitrailer issued a registration  
24 under the international registration plan, a trailer or semitrailer  
25 owned by a business, corporation, or person other than an  
26 individual; or a pole trailer.

27 (2) The expiration date for a registration issued for a  
28 motorcycle is the motorcycle owner's birthday.

29 (3) The expiration date for a registration bearing the letters



1 "SEN" or "REP" is February 1.

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

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

6 (a) After the October 1 immediately preceding the year  
7 designated on the registration, issue a registration upon  
8 application and payment of the proper fee for a commercial vehicle,  
9 other than a pickup or van owned by an individual; or a trailer  
10 owned by a business, corporation, or person other than an  
11 individual.

12 (b) Beginning 60 days before the expiration date assigned on  
13 an international registration plan registration plate, issue a  
14 registration under section 801g upon application and payment of the  
15 proper apportioned fee for a commercial vehicle engaged in  
16 interstate commerce.

17 (c) Beginning 45 days before the owner's birthday and 120 days  
18 before the expiration date assigned by the secretary of state,  
19 issue a registration for a vehicle other than those designated in  
20 subsection (1)(a) or (b). However, if an owner whose registration  
21 period begins 45 days before his or her birthday will be out of the  
22 state during the 45 days immediately preceding expiration of a  
23 registration or for other good cause shown cannot apply for a  
24 renewal registration within the 45-day period, application for a  
25 renewal registration may be made not more than 6 months before  
26 expiration.

27 (6) Except as otherwise provided in this subsection, the  
28 secretary of state **or a financial institution performing services**  
29 **provided by the secretary of state in its branch offices under**



1 **section 205a**, upon application and payment of the proper fee, shall  
2 issue a registration for a vehicle or a motorcycle to a resident  
3 that shall expire on the owner's birthday. If the owner's next  
4 birthday is at least 6 months but not more than 12 months in the  
5 future, the owner shall receive a registration valid until the  
6 owner's next birthday. If the owner's next birthday is less than 6  
7 months in the future, the owner shall receive a registration valid  
8 until the owner's birthday following the owner's next birthday. The  
9 tax required under this act for a registration described in this  
10 subsection shall be either of the following:

11 (a) For an original registration, the tax shall bear the same  
12 relationship to the tax required under section 801 for a 12-month  
13 registration as the length of the registration bears to 12 months.

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

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

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

19 Partial months shall be considered as whole months in the  
20 calculation of the required tax and in the determination of the  
21 length of time between the application for a registration and the  
22 owner's next birthday. The tax required for that registration shall  
23 be rounded off to whole dollars as provided in section 801.

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

27 (8) The secretary of state, upon request, shall issue special  
28 registration for commercial vehicles, valid for 6 months after the  
29 date of issue, if the full registration fee exceeds \$50.00, on the





1 payment of 1/2 the full registration fee and a service charge as  
2 enumerated in section 802(1).

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

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

12 (b) A vehicle purchased or leased in this state and delivered  
13 to the purchaser or lessee by a dealer or by the owner of the  
14 vehicle for removal to a place outside of this state, if a  
15 certification is made that the vehicle will be primarily used,  
16 stored, and registered outside of this state and will not be  
17 returned to this state by the purchaser or lessee for use or  
18 storage.

19 (10) A special registration issued under subsection (9) is  
20 valid for not more than 30 days after the date of issuance, and a  
21 fee shall be collected for each special registration as provided in  
22 section 802(3). The special registration may be in the form  
23 determined by the secretary of state. If a dealer makes a retail  
24 sale or lease of a vehicle to a purchaser or lessee who is  
25 qualified and eligible to obtain a special registration, the dealer  
26 shall apply for the special registration for the purchaser or  
27 lessee. If a person other than a dealer sells or leases a vehicle  
28 to a purchaser or lessee who is qualified and eligible to obtain a  
29 special registration, the purchaser or lessee shall appear in



1 person, or by a person exercising the purchaser's or lessee's power  
 2 of attorney, at an office of the secretary of state and furnish a  
 3 certification that the person is the bona fide purchaser or lessee  
 4 or that the person has granted the power of attorney, together with  
 5 other forms required for the issuance of the special registration  
 6 and provide the secretary of state with proof that the vehicle is  
 7 covered by a ~~Michigan no-fault~~ **an automobile** insurance policy  
 8 issued under section 3101 of the insurance code of 1956, 1956 PA  
 9 218, MCL 500.3101, or proof that the vehicle is covered by a policy  
 10 of insurance issued by an insurer under section 3163 of the  
 11 insurance code of 1956, 1956 PA 218, MCL 500.3163. The  
 12 certification required in this subsection shall contain all of the  
 13 following:

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

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

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

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

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

22 (11) In the case of a commercial vehicle, trailer, or  
 23 semitrailer issued a registration under the international  
 24 registration plan, the secretary of state in mutual agreement with  
 25 the owner may assign or reassign the expiration date of the  
 26 registration. However, the expiration date agreed to shall be  
 27 either March 31, June 30, September 30, or December 31 or beginning  
 28 on February 19, 2019, the last day of a calendar month. Renewals  
 29 expiring on or after June 30, 2020 shall be for a minimum of at



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

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

