

# HOUSE BILL NO. 6277

June 22, 2022, Introduced by Reps. Garza, Hood, Weiss and Neeley and referred to the Committee on Transportation.

A bill to amend 2018 PA 327, entitled

"An act to prohibit a local government or law enforcement agency from operating a motor vehicle storage facility or towing operation; to prohibit a local government or law enforcement agency from accepting consideration from an authorized vendor that operates a motor vehicle storage facility; to prohibit a local government or law enforcement agency from requiring an authorized vendor to deliver a motor vehicle to a motor vehicle storage facility operated by a different authorized vendor; to provide for exceptions; to prescribe the powers and duties of certain state and local departments, entities, and officials; to prescribe the powers and duties of certain law enforcement agencies; and to provide for remedies and penalties,"

by amending sections 1 and 2 (MCL 123.1401 and 123.1402) and by

adding section 3b.

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

1           Sec. 1. As used in this act:

2           (a) "Authorized vendor" means an individual or entity that a  
3 local government or law enforcement agency designates through  
4 contract, permit, practice, or license to have authority to remove  
5 or store motor vehicles at the request of the local government or  
6 law enforcement agency.

7           **(b) "Jurisdictional area" means the area within the**  
8 **jurisdiction of a department of state police post.**

9           (c) ~~(b)~~—"Law enforcement agency" means the department of state  
10 police, the department of natural resources, or a law enforcement  
11 agency of a county, township, city, village, or airport authority,  
12 that is responsible for the prevention and detection of crime and  
13 enforcement of the criminal laws of this state.

14           (d) ~~(e)~~—"Local government" means a county, city, village,  
15 township, or an authority established by law.

16           (e) ~~(d)~~—"Motor vehicle" means that term as defined in section  
17 33 of the Michigan vehicle code, 1949 PA 300, MCL 257.33.

18           (f) ~~(e)~~—"Motor vehicle storage facility" means a facility  
19 operated to hold motor vehicles that have been taken into custody  
20 for safekeeping.

21           (g) ~~(f)~~—"Towing operation" means the moving or removing of  
22 motor vehicles by providing wrecker, towing, or other recovery  
23 services.

24           Sec. 2. Except as otherwise provided in section 3, ~~or 3a,~~  
25 ~~beginning on the effective date of this act, or 3b,~~ a local  
26 government or law enforcement agency shall not do any of the  
27 following:

1 (a) Operate a motor vehicle storage facility or towing  
2 operation.

3 (b) Accept any consideration, financial or other, from an  
4 authorized vendor that operates a motor vehicle storage facility.

5 (c) Require an authorized vendor to deliver a motor vehicle to  
6 a motor vehicle storage facility operated by a different authorized  
7 vendor.

8 **Sec. 3b. (1) The department of technology, management, and**  
9 **budget shall enter into a contract with an authorized vendor to**  
10 **provide motor vehicle storage facilities and towing operations on**  
11 **behalf of the department of state police in each jurisdictional**  
12 **area. The department of state police shall use an authorized vendor**  
13 **within each jurisdictional area to provide the services described**  
14 **in this subsection.**

15 (2) Before entering into or renewing a contract described  
16 under subsection (1), the department of technology, management, and  
17 budget shall, in accordance with the management and budget act,  
18 1984 PA 431, MCL 18.1101 to 18.1594, issue a request for  
19 qualifications for the purpose of selecting an authorized vendor to  
20 operate a motor vehicle storage facility or towing operation in  
21 each jurisdictional area.

22 (3) The department of technology, management, and budget shall  
23 follow the standard public procurement process as provided in the  
24 management and budget act, 1984 PA 431, MCL 18.1101 to 18.1594,  
25 when issuing the request for qualifications under subsection (2).

26 (4) Subsection (2) applies to a contract described under that  
27 subsection that is entered into or renewed on or after the  
28 effective date of the amendatory act that added this section  
29 regardless of the cost or value of the contract.