

HOUSE BILL NO. 6396

September 22, 2022, Introduced by Rep. Garza and referred to the Committee on Rules and Competitiveness.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 252e (MCL 257.252e), as amended by 2008 PA 539.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 252e. (1) The following courts have jurisdiction to
2 determine if a police agency, towing agency or custodian, or
3 private property owner has acted properly in reporting or
4 processing a vehicle under section 252a, 252b(6) to (11), or 252d:
5 (a) The district court.
6 (b) A municipal court.
7 (2) The court specified in the notice prescribed in section

1 252a(5) (b) or 252b(7) or as provided in section 252d(3) (b) ~~shall~~
2 **must** be the court that has territorial jurisdiction at the location
3 from where the vehicle was removed or considered abandoned. Venue
4 in the district court ~~shall be~~ **is** governed by section 8312 of the
5 revised judicature act of 1961, 1961 PA 236, MCL 600.8312.

6 (3) If the owner fails to pay the accrued towing and storage
7 fees, the towing and storage bond posted with the court to secure
8 release of the vehicle under section 252a, 252b, or 252d ~~shall~~ **must**
9 be used to pay the towing and storage fees.

10 (4) The remedies under sections 252 ~~through to~~ 254 are the
11 exclusive remedies for the disposition of abandoned vehicles. **This**
12 **subsection does not apply to a claim for benefits under sections**
13 **3121 to 3129 of the insurance code of 1956, 1956 PA 218, MCL**
14 **500.3121 to 500.3129.**

15 Enacting section 1. This amendatory act does not take effect
16 unless Senate Bill No. _____ or House Bill No. 6395 (request no.
17 03103'21) of the 101st Legislature is enacted into law.