

NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT (EXCERPT)
Act 451 of 1994

***** 324.80314.amended THIS AMENDED SECTION IS EFFECTIVE MARCH 29, 2019 *****

324.80314.amended Loss, mutilation, or illegibility of certificate of title; application and fee for duplicate copy; issuance and contents of duplicate copy; rights and indemnification of purchaser; surrender and cancellation of original certificate; conditions not requiring duplicate of lost watercraft certificate of title at time of transfer; record; definitions.

Sec. 80314. (1) If a certificate of title is lost, mutilated, or becomes illegible, the person to whom that certificate of title was issued may apply to the secretary of state for a duplicate copy of the certificate of title upon a form prescribed by the secretary of state and accompanied by the fee prescribed by section 80311. The applicant shall certify the application. Upon an applicant's compliance with this section, the secretary of state shall issue to that applicant a duplicate copy of the certificate of title that contains the legend, "This is a duplicate certificate and may be subject to the rights of a person under the original certificate.". As provided under section 80320(4), the department of state is not required to issue a duplicate certificate of title to the owner of a watercraft if the title is subject to a security interest. A purchaser of watercraft who obtains title to the watercraft through a duplicate copy of the watercraft's certificate of title acquires only those rights in the watercraft that the holder of the duplicate certificate of title had. At the time of purchase, a watercraft purchaser may require the seller to indemnify the purchaser and subsequent purchasers of the watercraft against a loss that the purchaser or subsequent purchasers may suffer by reason of a claim presented upon the original certificate of title. If the original certificate of title is recovered by the owner, the owner shall immediately surrender it to the secretary of state for cancellation.

(2) The secretary of state is not required to issue a duplicate of a lost watercraft certificate of title when ownership of the watercraft is being transferred if all of the following conditions are met:

(a) The transferor personally appears before an authorized representative of the secretary of state and does all of the following:

(i) Provides evidence of the transferor's identity and ownership interest in the watercraft that is satisfactory to the authorized representative of the secretary of state.

(ii) Pays the fee required under section 80311.

(b) The transferee or the transferee's representative accompanies the transferor in appearing before the authorized agent of the secretary of state and does all of the following:

(i) Applies for an original certificate of title for the watercraft.

(ii) Provides evidence of the transferee's identity that is satisfactory to the authorized representative of the secretary of state.

(iii) Pays the fee required under section 80311.

(3) If a duplicate certificate of title is not required for the transfer of a watercraft under subsection (2), the secretary of state shall maintain a record specifying that ownership of the watercraft was transferred without a surrender of the watercraft's certificate of title.

(4) As used in this section, "transfer" or "transferred" includes a conveyance, assignment, and gift.

History: Add. 1995, Act 58, Imd. Eff. May 24, 1995;—Am. 2018, Act 678, Eff. Mar. 29, 2019.

Popular name: Act 451

Popular name: NREPA

Popular name: Watercraft Title Act