

# HOUSE BILL No. 4720

April 27, 1989, Introduced by Reps. Joe Young, Jr., Watkins, Joe Young, Sr., Varga, DeMars, Kilpatrick, Rocca, Pitoniak, Law and Nye and referred to the Committee on Transportation.

A bill to amend sections 216, 226, and 802 of Act No. 300 of the Public Acts of 1949, entitled as amended "Michigan vehicle code," section 216 as amended by Act No. 214 of the Public Acts of 1988, section 226 as amended by Act No. 142 of the Public Acts of 1987, and section 802 as amended by Act No. 346 of the Public Acts of 1988, being sections 257.216, 257.226, and 257.802 of the Michigan Compiled Laws.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 216, 226, and 802 of Act No. 300 of the  
2 Public Acts of 1949, section 216 as amended by Act No. 214 of the  
3 Public Acts of 1988, section 226 as amended by Act No. 142 of the  
4 Public Acts of 1987, and section 802 as amended by Act No. 346 of  
5 the Public Acts of 1988, being sections 257.216, 257.226, and

1 257.802 of the Michigan Compiled Laws, are amended to read as  
2 follows:

3       Sec. 216. Every motor vehicle, trailer coach, trailer,  
4 semitrailer, and pole trailer, when driven or moved upon a high-  
5 way, shall be subject to the registration and certificate of  
6 title provisions of this act except the following:

7       (a) A vehicle driven or moved upon a highway in conformance  
8 with the provisions of this act relating to manufacturers, trans-  
9 porters, dealers, or nonresidents.

10       (b) A vehicle which is driven or moved upon a highway only  
11 for the purpose of crossing that highway from 1 property to  
12 another.

13       (c) An implement of husbandry.

14       (d) Special mobile equipment for which the secretary of  
15 state may issue a special registration to an individual, partner-  
16 ship, corporation, or association not licensed as a dealer to  
17 identify the equipment when being moved over the streets and  
18 highways upon payment of the required fee.

19       (e) A vehicle which is propelled exclusively by electric  
20 power obtained from overhead trolley wires though not operated  
21 upon rails.

22       (f) Any vehicle subject to registration, but owned by the  
23 government of the United States.

24       (g) A certificate of title need not be obtained for a trail-  
25 er, semitrailer, or pole trailer weighing less than 2,500 pounds  
26 respectively.

1 (h) A vehicle driven or moved upon the highway only for the  
2 purpose of securing a weight receipt from a weighmaster as is  
3 required in section 801, or for obtaining a vehicle inspection by  
4 a law enforcement agency before titling or registration, and then  
5 only by the most direct route.

6 (i) A certificate of title need not be obtained for a vehi-  
7 cle owned by a manufacturer or dealer and held for sale, even  
8 though incidentally moved on the highway or used for purposes of  
9 testing or demonstration.

10 (j) A bus or school bus, as defined in section 4b or 57,  
11 which is not self-propelled and used exclusively as a construc-  
12 tion shanty.

13 (k) A certificate of title need not be obtained for a  
14 moped.

15 (l) For 3 days immediately following the date of a properly  
16 assigned title from any person other than a vehicle dealer, a  
17 registration need not be obtained for a motor vehicle driven or  
18 moved upon the highway for the sole purpose of transporting the  
19 vehicle in the most direct route from the place of purchase to a  
20 place of storage if the driver has in his or her possession the  
21 assigned title and a dated bill of sale.

22 (M) A NEW MOTOR VEHICLE PURCHASED IN THIS STATE FOR WHICH  
23 THE SECRETARY OF STATE MAY ISSUE A SPECIAL REGISTRATION TO A PUR-  
24 CHASER WHO CERTIFIES THAT THE VEHICLE WILL BE PRIMARILY USED,  
25 STORED, AND REGISTERED IN A FOREIGN COUNTRY AND WILL NOT BE  
26 RETURNED TO THIS STATE BY THE PURCHASER FOR USE OR STORAGE.

1        Sec. 226.. (1) A vehicle registration issued by the  
2 secretary of state shall expire on the owner's birthday, unless  
3 another expiration date is provided for under this act or unless  
4 the registration is for the following vehicles, in which case  
5 registration shall expire on the last day of February:

6        (a) A commercial vehicle other than a pickup truck or van  
7 owned by an individual.

8        (b) A trailer or semitrailer owned by a business, corpora-  
9 tion, or person other than an individual; or a pole trailer.

10       (2) The expiration date for a registration issued to a  
11 motorcycle shall be March 31.

12       (3) The expiration date for a registration bearing the let-  
13 ters "SEN" or "REP" shall be February 1.

14       (4) In the case of a vehicle owned by a business, corpora-  
15 tion, or an owner other than an individual, the secretary of  
16 state may assign or reassign the expiration date of the  
17 registration.

18       (5) The secretary of state shall:

19       (a) After December 31, 1982, if the year designated on the  
20 registration is 1984, after December 31, 1987, if the registra-  
21 tion is to expire on the last day of February in 1989, or after  
22 the October 1 immediately preceding the year designated on the  
23 registration for all years other than 1984 or 1989, issue a reg-  
24 istration upon application and payment of the proper fee for a  
25 commercial vehicle, other than a pickup or van owned by an indi-  
26 vidual; a trailer owned by a business, corporation, or person  
27 other than an individual.

1 (b) On or after January 1 of the year designated on an  
2 international registration plan registration plate, issue a reg-  
3 istration under section 801g upon application and payment of the  
4 proper apportioned fee for a commercial vehicle engaged in inter-  
5 state commerce.

6 (c) After the February 14 immediately preceding the year  
7 designated on a registration, issue a registration upon applica-  
8 tion and payment of the proper fee for a motorcycle.

9 (d) Beginning 45 days before the owner's birthday and 90  
10 days before the expiration date assigned by the secretary of  
11 state, issue a registration for a vehicle other than those desig-  
12 nated in subsection (1)(a) or (b). However, if an owner whose  
13 registration period begins 45 days before his or her birthday  
14 will be out of the state during the 45 days immediately preceding  
15 expiration of a registration or for other good cause shown cannot  
16 apply for a renewal registration within the 45-day period, appli-  
17 cation for a renewal registration may be made not more than 6  
18 months before expiration.

19 (6) Except as otherwise provided in this subsection, the  
20 secretary of state, upon application and payment of the proper  
21 fee, shall issue a registration for a vehicle to a resident which  
22 shall expire on the owner's birthday. If the owner's next birth-  
23 day is at least 6 months but not more than 12 months in the  
24 future, the owner shall receive a registration valid until the  
25 owner's next birthday. If the owner's next birthday is less than  
26 6 months in the future, the owner shall receive a registration  
27 valid until the owner's birthday following the owner's next

1 birthday. The tax required under this act for a registration  
2 described in this section shall bear the same relationship to the  
3 tax required under section 801 for a 12-month registration as the  
4 length of time of the registration bears to 12 months. Partial  
5 months shall be considered as whole months in the calculation of  
6 the required tax and in the determination of the length of time  
7 between the application for a registration and the owner's next  
8 birthday. The tax required for that registration shall be  
9 rounded off to whole dollars as provided in section 801.

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

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

18 (9) The secretary of state may issue a special  
19 registration:

20 (a) For a new vehicle purchased outside of this state and  
21 delivered in this state to the purchaser by the manufacturer of  
22 that vehicle for removal to a place outside of this state, if a  
23 certification is made that the vehicle will be primarily used,  
24 stored, and registered outside of this state and will not be  
25 returned to this state by the purchaser for use or storage.

26 (b) For a vehicle purchased in this state and delivered to  
27 the purchaser by a dealer or by the owner of the vehicle for

1 removal to a place outside of this state, if a certification is  
2 made that the vehicle will be primarily used, stored, and regis-  
3 tered outside of this state and will not be returned to this  
4 state by the purchaser for use or storage.

5 (10) A special registration issued under subsection (9)  
6 shall be valid for not more than 30 days after the date of issu-  
7 ance and a fee shall be collected for each special registration  
8 as provided in section 802(3). The special registration may be  
9 in the form determined by the secretary of state. If a dealer  
10 makes a retail sale of a vehicle to a purchaser who is qualified  
11 and eligible to obtain a special registration, the dealer shall  
12 make application for the special registration for the purchaser.  
13 If a person other than a dealer sells a vehicle to a purchaser  
14 who is qualified and eligible to obtain a special registration,  
15 the purchaser shall appear in person, or by a person exercising  
16 the purchaser's power of attorney, at an office of the secretary  
17 of state and furnish a certification that the person is the bona  
18 fide purchaser or that the person has granted the power of attor-  
19 ney, together with other forms required for the issuance of the  
20 special registration. The certification required in this section  
21 shall contain the following: the address of the purchaser; a  
22 statement that the vehicle is purchased for registration outside  
23 of this state; a statement that the vehicle shall be primarily  
24 used, stored, and registered outside of this state; the name of  
25 the jurisdiction in which the vehicle is to be registered; and  
26 other information desired by the secretary of state.

1       (11) THE SECRETARY OF STATE MAY ISSUE A SPECIAL REGISTRATION  
2 FOR A NEW MOTOR VEHICLE PURCHASED IN THIS STATE AND DELIVERED TO  
3 THE PURCHASER BY A DEALER OR MANUFACTURER OF THAT VEHICLE FOR  
4 REMOVAL TO A FOREIGN COUNTRY. A SPECIAL REGISTRATION ISSUED  
5 UNDER THIS SUBSECTION SHALL BE VALID FOR NOT MORE THAN 90 DAYS  
6 AFTER THE DATE OF ISSUANCE. A FEE SHALL BE COLLECTED FOR EACH  
7 SPECIAL REGISTRATION AS PROVIDED IN SECTION 802(12). THE SPECIAL  
8 REGISTRATION SHALL BE IN A FORM DETERMINED BY THE SECRETARY OF  
9 STATE. WHEN A DEALER MAKES A RETAIL SALE OF A NEW MOTOR VEHICLE  
10 TO A PURCHASER WHO IS ELIGIBLE TO OBTAIN A SPECIAL REGISTRATION,  
11 THE DEALER SHALL APPLY FOR THE SPECIAL REGISTRATION ON BEHALF OF  
12 THE PURCHASER. IF A MANUFACTURER SELLS A VEHICLE TO A PURCHASER  
13 WHO IS ELIGIBLE TO OBTAIN A SPECIAL REGISTRATION, THE PURCHASER  
14 SHALL APPEAR IN PERSON, OR BY A PERSON EXERCISING THE PURCHASER'S  
15 POWER OF ATTORNEY, AT AN OFFICE OF THE SECRETARY OF STATE AND  
16 FURNISH A CERTIFICATION THAT THE PERSON IS THE BONA FIDE PUR-  
17 CHASER OR THAT THE PERSON HAS THE PURCHASER'S POWER OF ATTORNEY,  
18 TOGETHER WITH OTHER FORMS REQUIRED FOR THE ISSUANCE OF THE SPE-  
19 CIAL REGISTRATION. THE CERTIFICATION REQUIRED IN THIS SECTION  
20 SHALL ALSO CONTAIN THE FOLLOWING: THE NAME AND ADDRESS OF THE  
21 PURCHASER; THE NAME AND ADDRESS OF THE PERSON EXERCISING THE  
22 POWER OF ATTORNEY, IF ANY; A STATEMENT THAT THE VEHICLE IS PUR-  
23 CHASED FOR REGISTRATION IN A FOREIGN COUNTRY; A STATEMENT THAT  
24 THE VEHICLE SHALL BE PRIMARILY USED, STORED, AND REGISTERED OUT-  
25 SIDE OF THIS COUNTRY AND WILL NOT BE RETURNED TO THIS STATE BY  
26 THE PURCHASER FOR USE OR STORAGE; THE NAME OF THE JURISDICTION IN



1 WHICH THE VEHICLE IS TO BE REGISTERED; AND OTHER INFORMATION  
2 REQUIRED BY THE SECRETARY OF STATE.

3       Sec. 802. (1) For a special registration issued as provided  
4 for in section 226(8), there shall be paid 1/2 the tax imposed  
5 under section 801 and in addition a fee of \$10.00. The fee shall  
6 be credited to the Michigan transportation fund and used to  
7 defray the expenses of the special registration.

8       (2) For all commercial vehicles registered after August 31  
9 for the period expiring the last day of February and all motorcy-  
10 cles registered after September 30 for the period expiring on the  
11 last day of March, a tax of 1/2 the rate otherwise imposed by  
12 this act shall be collected. This subsection is not applicable  
13 to vehicles registered by manufacturers or dealers under  
14 sections 244 to 247a.

15       (3) For each special registration as provided for in section  
16 226(9), a fee of \$5.00 shall be collected. The fee shall be  
17 credited to the Michigan transportation fund and used to defray  
18 the expenses of the special registrations.

19       (4) For temporary registration plates or markers as provided  
20 for in section 226a(1), a fee of \$5.00 for each group of 5 of  
21 those temporary registration plates or markers shall be  
22 collected. The fee shall be credited to the Michigan transporta-  
23 tion fund and used to defray the expenses of the temporary regis-  
24 tration plates or markers.

25       (5) For each temporary registration as provided for in  
26 section 226b, a fee of \$5.00 for a vehicle weighing 5,000 pounds  
27 or less or a fee of \$10.00 for a vehicle weighing more than 5,000

1 pounds shall be collected, the fee to be credited to the Michigan  
2 transportation fund and used to defray the expenses of the tempo-  
3 rary registrations.

4 (6) For registration plates as provided for in section  
5 226a(5), (6), and (7), a fee of \$40.00 for 2 registration plates  
6 and \$20.00 for each additional registration plate shall be  
7 collected. The fee shall be credited to the Michigan transporta-  
8 tion fund and used to defray the expenses of the temporary plates  
9 or markers.

10 (7) For special registrations issued for special mobile  
11 equipment as provided in section 216(d), a fee of \$15.00 each for  
12 the first 3 special registrations, and \$5.00 for each special  
13 registration issued in excess of the first 3 shall be collected.  
14 The fee shall be credited to the Michigan transportation fund and  
15 used to defray the expenses of the plates or markers.

16 (8) The secretary of state, upon request, may issue a regis-  
17 tration valid for 3 months for use on a vehicle with an elected  
18 gross weight of 24,000 pounds or greater on the payment of 1/4  
19 the full registration fee provided in section 801(1)(k) and in  
20 addition a service charge of \$10.00. The service charge shall be  
21 credited to the Michigan transportation fund of the state and  
22 used to defray the expense of the registration plates or tabs.

23 (9) Upon application to the secretary of state, an owner of  
24 a truck, truck tractor, or road tractor which is used exclusively  
25 for the purpose of gratuitously transporting farm crops between  
26 the field where produced and the place of storage or used to  
27 transport fertilizer, seed or spray material from the farm

1 location to the field may obtain a special registration. The fee  
2 for each special registration shall be \$15.00. The fee shall be  
3 credited to the Michigan transportation fund and used to defray  
4 the expenses of the special registration program. The special  
5 registration shall be valid for a period of up to 12 months and  
6 shall expire on December 31.

7 (10) The secretary of state, upon request, may issue a spe-  
8 cial registration valid for 3 or more months for a road tractor,  
9 truck, or truck tractor owned by a farmer, if the motor vehicle  
10 is used exclusively in connection with the farmer's farming oper-  
11 ations or for the transportation of the farmer and the farmer's  
12 family and not used for hire. The fee for the registration shall  
13 be 1/10 of the fee provided in section 801(1)(c) times the number  
14 of months for which the special registration is requested and, in  
15 addition, a service fee of \$10.00. The fee shall be credited to  
16 the Michigan transportation fund and used to defray the expenses  
17 of the registration. ~~No~~ A special registration shall NOT be  
18 issued for a motor vehicle for which the fee under section  
19 801(1)(c) would be less than \$50.00.

20 (11) The secretary of state, upon request, may issue a reg-  
21 istration valid for 3 months or more for use on a vehicle with an  
22 elected gross weight of 24,000 pounds or greater. The fee for  
23 the registration shall be 1/10 of the fee provided in  
24 section 801(1)(k), times the number of months for which the spe-  
25 cial registration is requested and, in addition, a service fee of  
26 \$10.00. The fee shall be credited to the Michigan transportation  
27 fund and used to defray the expenses of the registration.

1       (12) FOR EACH SPECIAL REGISTRATION AS PROVIDED FOR IN  
2 SECTION 226(11), A FEE OF \$10.00 SHALL BE COLLECTED. THE FEE  
3 SHALL BE CREDITED TO THE MICHIGAN TRANSPORTATION FUND AND USED TO  
4 DEFRAID THE EXPENSES OF THE SPECIAL REGISTRATIONS.