

HOUSE BILL No. 4827

May 16, 1989, Introduced by Reps. Alley, Pridnia, Stupak, Hart, DeMars, Bartnik, Gnodtke, Ouwinga, Trim and Hickner and referred to the Committee on Conservation, Recreation and Environment.

A bill to amend sections 6, 9, 10, 11, and 13 of Act No. 319 of the Public Acts of 1975, entitled

"An act to provide for the registration and regulation of off-road recreation vehicles; and to provide penalties,"

sections 6 and 9 as amended by Act No. 91 of the Public Acts of 1986, being sections 257.1606, 257.1609, 257.1610, 257.1611, and 257.1613 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 6, 9, 10, 11, and 13 of Act No. 319 of
2 the Public Acts of 1975, sections 6 and 9 as amended by Act
3 No. 91 of the Public Acts of 1986, being sections 257.1606,
4 257.1609, 257.1610, 257.1611, and 257.1613 of the Michigan
5 Compiled Laws, are amended to read as follows:

6 Sec. 6. (1) The owner of an ORV requiring registration by
7 this state shall file an application for registration with the

1 department on forms provided by the department. The application
2 shall be signed by the owner of the vehicle, and shall be accom-
3 panied by a fee of ~~-\$9.00-~~ \$18.00. Upon receipt of the applica-
4 tion in approved form and upon payment of the appropriate fee,
5 the department shall enter the application upon its records and
6 shall issue to the applicant a certificate of registration con-
7 taining the registration number awarded to the vehicle, the
8 COMPLETE name and address of the owner, and other information as
9 the department considers necessary. The certificate of registra-
10 tion shall be pocket-size, shall accompany the vehicle, shall be
11 legible, and shall be made available for inspection by a law
12 enforcement officer.

13 (2) The department shall issue to the applicant a registra-
14 tion decal. The assigned registration decal shall be permanently
15 attached to the vehicle in the manner prescribed and in the loca-
16 tion designated by the department of natural resources under
17 rules promulgated by the commission pursuant to the administra-
18 tive procedures act of 1969, Act No. 306 of the Public Acts of
19 1969, as amended, being sections 24.201 to 24.328 of the Michigan
20 Compiled Laws, before the vehicle may legally operate in accord-
21 ance with this act.

22 (3) If a check or draft in payment of the required fee is
23 not paid on its first presentation, the department may suspend a
24 certificate of registration if the fee remains unpaid after rea-
25 sonable notice or demand. If the fee is still delinquent 15 days
26 after the department gives notice to the person tendering the

1 check or draft, a ~~\$5.00~~ \$10.00 penalty shall be assessed and
2 collected in addition to the fee.

3 (4) When the owner of a vehicle which is permitted to be
4 operated on a highway pursuant to the Michigan vehicle code, Act
5 No. 300 of the Public Acts of 1949, as amended, being sections
6 257.1 to 257.923 of the Michigan Compiled Laws, desires registra-
7 tion to permit use of that vehicle as an ORV, the owner of the
8 vehicle shall make application and payment of appropriate fee as
9 detailed in subsection (1). Upon receipt of application and
10 proper fee, the department shall enter the application upon its
11 records and shall provide the owner with a certificate of regis-
12 tration imprinted with the ORV registration number awarded to the
13 vehicle and a registration decal. The assigned registration
14 decal shall be permanently attached to the vehicle in the manner
15 prescribed under the rules promulgated by the commission pursuant
16 to Act No. 306 of the Public Acts of 1969, as amended, before the
17 vehicle may be legally operated off the highway in accordance
18 with this act.

19 Sec. 9. (1) The owner of an ORV shall notify the department
20 within 15 days if the vehicle is destroyed, abandoned, sold, or
21 an interest ~~therein~~ IN THE VEHICLE is transferred, either
22 wholly or in part, to another person; or if the owner's address
23 no longer conforms to the address appearing on the certificate of
24 registration. The notice shall consist of a surrender of the
25 certificate of registration, on which appropriate information
26 shall be noted in a place to be provided. When the surrender of
27 the certificate is by reason of the vehicle being destroyed or

1 abandoned, the department shall cancel the certificate, and enter
2 that fact in its records. The number may then be reassigned.

3 (2) If the surrender is by reason of a change of address on
4 the part of the owner, the new address shall be recorded by the
5 department and the certificate of registration bearing that
6 information shall be returned to the owner.

7 (3) The transferee of a vehicle registered under this act,
8 within 15 days after acquiring the vehicle, shall make applica-
9 tion to the department for transfer of the certificate of regis-
10 tration to that transferee giving THE COMPLETE name, address, and
11 number of the vehicle, and the transferee shall pay to the
12 department a transfer fee of ~~-\$2.00-~~ \$4.00 and the applicable
13 registration fee. The registration fee shall be ~~-\$6.00-~~ \$12.00
14 if the transferred registration, at the time of application,
15 would have expired in 1 year or less and ~~-\$3.00-~~ \$6.00 if the
16 transferred registration, at the time of application, would have
17 expired in more than 1 year but less than 2 years. A registra-
18 tion fee shall not be imposed if the transferred registration
19 would have expired in more than 2 years. Upon receipt of the
20 application and the appropriate fees, the department shall trans-
21 fer the certificate of registration issued for the vehicle to the
22 new owner. The transferred certificate of registration shall
23 expire on the third April 30 after the date of application.
24 Unless the application is made and the fee paid within 15 days,
25 the vehicle shall be considered to be without certificate of reg-
26 istration, and a person shall not operate the vehicle until a
27 certificate is issued.

1 (4) If any certificate of registration is lost, mutilated,
2 or illegible, the owner of the vehicle shall obtain a replacement
3 certificate upon application and payment of a fee of ~~-\$2.00-~~
4 \$4.00.

5 (5) If a registration decal is lost, mutilated, or illegi-
6 ble, the owner of the vehicle, upon furnishing satisfactory
7 information to the department, shall be issued a replacement
8 decal without fee.

9 Sec. 10. A dealer or manufacturer, upon application to the
10 department upon forms provided by the department, may obtain cer-
11 tificates of registration and registration decals for use in the
12 testing or demonstrating of ORVs upon payment of ~~-\$10.00-~~ \$20.00
13 for each of the first 2 registration certificates. Additional
14 certificates and decals, as the dealer may require, may be issued
15 at a cost of ~~-\$5.00-~~ \$10.00 each and used by the applicant only
16 in the testing or demonstrating of the vehicles by temporary
17 placement of the decals on the vehicle being tested or
18 demonstrated. Any 1 certificate issued pursuant to this section
19 may be used for only 1 vehicle at a given time. The temporary
20 placement of decals shall be as prescribed by this act or rules
21 promulgated ~~hereunder~~ UNDER THIS ACT.

22 Sec. 11. (1) Beginning not later than January 1, 1976, a
23 manufacturer of an ORV shall stamp or permanently affix to the
24 frame or body members of the vehicle an identifying number unique
25 to that vehicle. The number shall be located in a place where it
26 is easily visible with minimum physical effort, and it shall be
27 termed the VIN. A manufacturer shall furnish to the department

1 information as to the location of vehicle identification numbers
2 on vehicles the manufacturer produces. The VIN shall be entered
3 on the registration certificate issued by the department to the
4 vehicle owner.

5 (2) The owner of a specially assembled, constructed, or
6 reconstructed ORV may make application ~~—~~ IN A FORM PRESCRIBED
7 BY THE DEPARTMENT AND accompanied by the required fee of ~~—\$2.00—~~
8 ~~in a form as may be prescribed by the department~~ \$4.00, for a
9 special identifying number. ~~The~~ IF THE owner ~~shall furnish~~
10 ~~such~~ FURNISHES information ~~as will satisfy~~ REQUIRED BY the
11 department that the person making application is the owner,
12 accompanied by an affidavit from a law enforcement officer that
13 the vehicle complies with the safety equipment requirements of
14 section 20, ~~whereupon~~ the department shall assign a special VIN
15 for the vehicle. The owner shall cause that number to be affixed
16 as directed by the department. The special number shall be
17 regarded as that vehicle's permanent VIN.

18 (3) A person in possession of a vehicle with an altered,
19 intentionally defaced, or obliterated VIN is guilty of a misde-
20 meanor, ~~and may be imprisoned~~ PUNISHABLE BY IMPRISONMENT for
21 not more than 1 year, or ~~—fined—~~ BY A FINE OF not more than
22 \$1,000.00, or both.

23 Sec. 13. (1) An ORV ~~—~~ owned by a person who does not
24 reside in this state ~~—~~ may be operated within the state not to
25 exceed 20 days in any 1 year, if the vehicle is registered in
26 some other jurisdiction and has attached to it the registration
27 number issued by the other jurisdiction.

1 (2) The department of natural resources may issue special
2 permits and stickers FOR A CALENDAR YEAR to out of state vehicles
3 operated by a resident of a state or country where registration
4 is not required. ~~, for a calendar year.~~ The fee for this
5 permit shall be ~~\$6.00~~ \$12.00. Persons who may be authorized to
6 issue special permits, except employees of the department of nat-
7 ural resources, shall add ~~50 cents~~ \$1.00 to the basic fee as a
8 service charge which they shall retain as compensation for each
9 special permit issued.