

HOUSE BILL No. 6175

June 8, 2006, Introduced by Reps. Hune and Gaffney and referred to the Committee on Insurance.

A bill to amend 1950 (Ex Sess) PA 27, entitled "Motor vehicle sales finance act," by amending section 17 (MCL 492.117).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 17. **(1)** ~~-(a)-~~ In addition to the cost of insurance
2 premiums and travel emergency benefits authorized in ~~the preceding~~
3 ~~section of this act~~ **SECTION 16**, the seller of a motor vehicle
4 under an installment sale contract may require the buyer to pay
5 ~~certain other~~ **ANY OF THE FOLLOWING** costs **IF** incurred in the sale
6 of a motor vehicle under ~~such~~ **THE** contract: ~~as follows:~~

7 **(A)** ~~1.~~ Fees, payable to the state of Michigan, **INCURRED** for
8 filing a lien or encumbrances on the certificate of title to a

1 motor vehicle sold under an installment sale contract or **ON ANY**
2 collateral security ~~thereto~~ **TAKEN TO SECURE THE BUYER'S**
3 **OBLIGATION UNDER THE CONTRACT.**

4 (B) ~~2.~~ Fees, payable to a public official, for filing or
5 recording and satisfying or releasing ~~the~~ **AN** installment sale
6 contract or **ANY** instruments securing the buyer's obligation **UNDER**
7 **THE CONTRACT.**

8 (C) ~~3.~~ Fees for notarization required in connection with the
9 filing and recording or satisfying and releasing a mortgage,
10 judgment lien, or **OTHER** encumbrance.

11 (2) ~~(b)~~ The seller of a motor vehicle under an installment
12 sale contract may also contract with the buyer to pay, on behalf of
13 the buyer, ~~such other~~ **ANY OF THE FOLLOWING** costs incidental to
14 the sale of a motor vehicle and contracted for voluntarily by the
15 buyer: ~~as follows:~~

16 (A) Fees ~~, payable to the state of Michigan,~~ **INCURRED** for
17 **THE PURPOSE OF** registration of the motor vehicle and issuance or
18 transfer of registration plates.

19 (B) **A FEE INCURRED FOR THE PURPOSE OF OBTAINING A CERTIFICATE**
20 **OF TITLE.**

21 (3) ~~(e)~~ The ~~foregoing~~ costs **DESCRIBED IN THIS SECTION** may
22 be charged, contracted for, collected, or received by the seller
23 from the buyer independently of the installment sale contract, or
24 the seller may extend credit to the buyer for the amount of ~~such~~
25 **THOSE** costs and include ~~such~~ **THAT** amount in the principal amount
26 financed under the installment sale contract.

27 (4) ~~(d)~~ ~~Such other costs~~ **COSTS DESCRIBED IN THIS SECTION AND**

1 paid or payable by the buyer shall not exceed the amount ~~which~~
2 **THAT** the seller expends or intends to expend ~~therefor~~ **FOR THOSE**
3 **COSTS**. Any ~~such costs which~~ **MONEY THAT** the seller has collected
4 from the buyer **FOR COSTS DESCRIBED IN THIS SECTION**, or ~~which have~~
5 ~~been~~ **THAT IS** included in the buyer's obligation under the
6 installment sale contract ~~which are~~ **AND IS** not disbursed by the
7 seller ~~, as contemplated~~ **AS THE PARTIES AGREED**, shall be
8 immediately refunded or credited to the buyer.