

**SUBSTITUTE FOR
HOUSE BILL NO. 5685**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 215, 226a, 234, and 243 (MCL 257.215,
257.226a, 257.234, and 257.243), section 226a as amended by 2006 PA
516, section 234 as amended by 2002 PA 552, and section 243 as
amended by 1989 PA 299.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 215. ~~It is a misdemeanor for any~~ **A** person ~~to~~ **shall not**
2 drive or move or ~~for~~ an owner **shall not** knowingly ~~to~~ permit to be
3 driven or moved upon any highway any vehicle of a type required to
4 be registered ~~hereunder which~~ **under this act that** is not registered
5 or for which a certificate of title has not been applied for or for
6 which the appropriate fee has not been paid when and as required



1 ~~hereunder, under this act~~, except as provided in ~~subsection (b) of~~
 2 section 217. **A person who violates this section is responsible for**
 3 **a civil infraction.**

4 Sec. 226a. (1) Temporary registration plates or markers may be
 5 issued to licensed dealers in vehicles and to persons engaged in
 6 the sale of vessels required to be numbered by part 801 of the
 7 natural resources and environmental protection act, 1994 PA 451,
 8 MCL 324.80101 to 324.80199, upon application accompanied by the
 9 proper fee, for use by purchasers or lessees of vehicles, for a
 10 **period** not to exceed 15 days pending receipt of regular
 11 registration plates from the dealer or person. Only 1 temporary
 12 plate or marker may be issued to a purchaser or lessee of a
 13 vehicle. If a dealer or person requires a purchaser or lessee of a
 14 vehicle or purchaser or lessee of a vessel to pay for a temporary
 15 plate or marker, the dealer or person shall not charge the
 16 purchaser or lessee more than the dealer or person was charged by
 17 the secretary of state for the individual plate or marker. The
 18 secretary of state shall determine the composition and design of
 19 the temporary registration plates or markers.

20 (2) A temporary registration plate or marker ~~shall~~**must** show
 21 in ink the date of issue, a description of the vehicle for which
 22 issued, and any other information required by the secretary of
 23 state. A dealer or person shall immediately notify the secretary of
 24 state of each temporary registration plate or marker issued by the
 25 dealer or person, on a form prescribed by the secretary of state.
 26 ~~Upon the attachment of~~**When** the regular plate **is attached** to a
 27 vehicle for which a temporary registration plate or marker ~~has been~~
 28 **was** issued, the temporary plate ~~shall~~**must** be destroyed.

29 (3) All temporary registration plates or markers ~~shall~~**must** be



1 serially numbered and upon issuance the number ~~shall~~**must** be noted
2 on the statement of vehicle sale form or in the case of a boat
3 trailer on a form prescribed by the secretary of state.

4 (4) A dealer or person, upon demand, shall immediately
5 surrender any temporary registration plates or markers in his or
6 her possession if the secretary of state finds, after
7 investigation, that the dealer or person has violated this section,
8 and the dealer or person shall immediately forfeit any right to the
9 temporary registration plates or markers.

10 (5) The secretary of state may issue a registration plate upon
11 application and payment of the proper fee to an individual,
12 partnership, corporation, or association who in the ordinary course
13 of business has occasion to legally repossess a vehicle in which a
14 security interest is held. A registration plate issued ~~pursuant to~~
15 **under** this subsection ~~shall~~**must** be used to move and dispose of a
16 vehicle.

17 (6) The secretary of state may issue a registration plate upon
18 application and payment of the proper fee to an individual,
19 partnership, corporation, or association ~~who~~**that** in the ordinary
20 course of business has occasion to legally pick up or deliver a
21 vehicle not required to be titled under this act, to legally pick
22 up or deliver a commercial motor vehicle being driven to a facility
23 to undergo aftermarket modification, or to repair or service a
24 vehicle, or to persons defined as dealers under part 801 of the
25 natural resources and environmental protection act, 1994 PA 451,
26 MCL 324.80101 to 324.80199, ~~for the purpose of delivering to~~
27 **deliver** a vessel or trailer to a customer or to and from a boat
28 show or exposition. A registration plate issued under this
29 subsection ~~shall~~**must** be used to move the vehicle.



1 (7) The secretary of state may issue a registration plate upon
 2 application and payment of the proper fee to an individual,
 3 partnership, corporation, or association ~~who~~**that** in the ordinary
 4 course of business operates an auto auction, and ~~who~~**that** in the
 5 ordinary course of business has occasion to legally pick up a
 6 vehicle ~~which~~**that** will be offered for sale at the auction, or
 7 deliver a vehicle ~~which~~**that** has been offered for sale at the
 8 auction. The registration plate ~~shall~~**must** be used only to move
 9 vehicles as provided in this subsection. Auto auctions that ~~make~~
 10 ~~application~~**apply** for a registration plate under this subsection
 11 shall furnish a surety bond as required by the secretary of state.

12 **(8) A person who violates this section is responsible for a**
 13 **civil infraction.**

14 Sec. 234. (1) The purchaser or transferee, unless the person
 15 is a licensed dealer, shall present or cause to be presented the
 16 certificate of title and registration certificate if ~~plates are a~~
 17 **registration plate is** being transferred to another vehicle,
 18 assigned as provided in this act, to the secretary of state
 19 accompanied by the **required** fees, ~~as provided by law, whereupon and~~
 20 **the secretary of state shall issue** a new certificate of title and
 21 registration certificate ~~shall be issued~~ to the assignee. The
 22 **secretary of state shall mail or deliver the** certificate of title
 23 ~~shall be mailed or delivered~~ to the owner or another person
 24 **designated by** the owner ~~may direct~~ in a separate instrument in a
 25 form **prescribed by** the secretary of state. ~~shall prescribe.~~

26 (2) If the secretary of state mails or delivers a purchaser's
 27 or transferee's certificate of title to a dealer, the dealer shall
 28 mail or deliver that certificate of title to the purchaser or
 29 transferee not more than 5 days after receiving the certificate of



1 title from the secretary of state.

2 (3) Unless the transfer is made and the fee paid within 15
3 days, the vehicle is considered to be without registration, the
4 secretary of state may repossess the ~~license plates,~~ **registration**
5 **plate,** and ~~transfer ownership~~ of the vehicle ~~ownership~~ may be
6 ~~effected~~ **transferred** and a valid registration **may be** acquired
7 ~~thereafter~~ only upon payment of a transfer fee of \$15.00 in
8 addition to the fee provided for in section 806.

9 (4) If a security interest is reserved or created at the time
10 of the transfer, the parties shall comply with ~~the requirements of~~
11 section 238.

12 (5) **A person who violates this section is responsible for a**
13 **civil infraction.**

14 Sec. 243. (1) A nonresident owner, except as otherwise
15 provided in this section, owning any foreign vehicle ~~of a type~~
16 otherwise subject to registration under this act may operate or
17 permit the operation of the vehicle within this state without
18 registering the vehicle in, or paying any fees to, this state if
19 the vehicle ~~at all times~~ when operated in this state is duly
20 registered in, and displays ~~upon it~~ a valid registration
21 certificate and registration plate or plates issued for the vehicle
22 in the place of residence of the owner.

23 (2) A nonresident owner of a foreign vehicle operated within
24 this state for the transportation of persons or property for
25 compensation ~~shall~~ **must** register the vehicle and pay the same fees
26 for its registration as is required ~~with reference to~~ **for** like
27 vehicles owned by residents of this state, except that the
28 department may issue to the nonresident owner a temporary permit
29 authorizing the operation of the foreign vehicle within this state



1 for a period of 72 hours, without registering the vehicle, on the
2 payment of a fee as provided in section 802a. ~~of this act.~~ The
3 **secretary of state shall prescribe the form and determine the**
4 **manner of displaying the** temporary permit ~~shall be in a form as~~
5 ~~prescribed by, and shall be displayed on a foreign vehicle. in a~~
6 ~~manner determined by the secretary of state.~~ Each request for a
7 temporary permit under this subsection ~~shall~~ **must** be based on
8 emergency or infrequent need for the permit. The secretary of state
9 may refuse to issue a permit if he or she has reason to believe the
10 applicant has previously forged or misused a permit, has attempted
11 to circumvent the registration laws of this state, or has not
12 demonstrated an emergency or infrequent use.

13 (3) The secretary of state may designate an owner or
14 registrant having a fleet of motor vehicles currently registered
15 under this act to act as an agent for the secretary of state ~~for~~
16 ~~the purpose of issuing~~ **to issue** to himself or herself a temporary
17 registration under this section.

18 (4) A nonresident owner of a pleasure vehicle otherwise
19 subject to registration under this act shall not operate the
20 vehicle for a period exceeding 90 days without securing
21 registration in this state.

22 (5) Every nonresident, including any foreign corporation
23 carrying on business within this state and owning and operating in
24 that business any vehicle subject to registration as provided in
25 this chapter, shall register the vehicle and pay the same fee for
26 the registration as is required ~~with reference to~~ **for** like vehicles
27 owned by residents of this state, except as otherwise provided by
28 law.

29 (6) **A person who violates this section is responsible for a**



1 **civil infraction.**

2 Enacting section 1. This amendatory act does not take effect
3 unless House Bill No. 5802 of the 100th Legislature is enacted into
4 law.

