

HOUSE BILL NO. 4858

August 29, 2019, Introduced by Rep. Huizenga and referred to the Committee on Appropriations.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 80130, 80315, 81114, and 82156 (MCL 324.80130, 324.80315, 324.81114, and 324.82156), sections 80130, 80315, and 82156 as amended by 2015 PA 77 and section 81114 as amended by 2017 PA 199.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 80130. (1) The secretary of state may provide a
- 2 commercial lookup service of records maintained under this part.
- 3 For each individual record looked up, the secretary of state shall



1 charge a fee specified annually by the legislature, or if none, a
2 market-based price established by the secretary of state. The
3 secretary of state shall process a commercial lookup request only
4 if the request is in a form or format prescribed by the secretary
5 of state. The secretary of state shall credit fees collected under
6 this subsection ~~on and after October 1, 2005~~ to the transportation
7 administration collection fund created in section 810b of the
8 Michigan vehicle code, 1949 PA 300, MCL 257.810b, through October
9 1, ~~2019~~-2023.

10 (2) To provide an individual, historical boating record, the
11 secretary of state shall create and maintain a computerized central
12 file that includes the information contained on application forms
13 received under this part and the name of each person who is
14 convicted of an offense, who fails to comply with an order or
15 judgment issued, or against whom an order is entered under this
16 part. The computerized central file ~~shall~~**must** be interfaced with
17 the law enforcement information network as provided in the C.J.I.S.
18 policy council act, 1974 PA 163, MCL 28.211 to 28.215.

19 (3) The secretary of state shall not provide an entire
20 computerized central or other file of records maintained under this
21 part to a nongovernmental person or entity unless the purchaser
22 pays the prescribed fee or price for each individual record
23 contained within the computerized file.

24 (4) A certified copy of an order, record, or paper maintained
25 under this part is admissible in evidence in the same manner as the
26 original and is prima facie proof of the facts stated in the
27 original.

28 Sec. 80315. (1) The secretary of state shall make available to
29 the public records maintained under this part, other than those



1 declared to be confidential by law or that are restricted by law
2 from disclosure to the public, under procedures prescribed in this
3 part and in the freedom of information act, 1976 PA 442, MCL 15.231
4 to 15.246.

5 (2) The secretary of state may provide a commercial lookup
6 service of watercraft title records maintained under this part. For
7 each individual record looked up, the secretary of state shall
8 charge a fee specified annually by the legislature, or if none, a
9 market-based price established by the secretary of state. The
10 secretary of state shall process a commercial lookup request only
11 if the request is in a form or format prescribed by the secretary
12 of state. The secretary of state shall credit fees collected under
13 this subsection ~~on and after October 1, 2005~~ to the transportation
14 administration collection fund created in section 810b of the
15 Michigan vehicle code, 1949 PA 300, MCL 257.810b, through October
16 1, ~~2019~~.**2023**.

17 (3) The secretary of state shall create and maintain a
18 computerized central file that includes the information contained
19 on application forms received under this part. The computerized
20 central file ~~shall~~**must** be interfaced with the law enforcement
21 information network as provided in the C.J.I.S. policy council act,
22 1974 PA 163, MCL 28.211 to 28.215.

23 (4) The secretary of state shall not provide an entire
24 computerized central or other file of records maintained under this
25 part to a nongovernmental person or entity unless the purchaser
26 pays the prescribed fee or price for each individual record
27 contained within the computerized file.

28 (5) A certified copy of an order, record, or paper maintained
29 under this part is admissible in evidence in the same manner as the



1 original and is prima facie proof of the facts stated in the
2 original.

3 Sec. 81114. (1) The secretary of state shall make available to
4 the public records maintained under this part, other than those
5 declared to be confidential by law or that are restricted by law
6 from disclosure to the public, under procedures prescribed in this
7 part and in the freedom of information act, 1976 PA 442, MCL 15.231
8 to 15.246.

9 (2) The secretary of state may provide a commercial lookup
10 service of ORV operation, title, and registration records
11 maintained under this part. For each individual record looked up,
12 the secretary of state shall charge a fee specified annually by the
13 legislature, or if none, a market-based price established by the
14 secretary of state. The secretary of state shall process a
15 commercial lookup request only if the request is in a form or
16 format prescribed by the secretary of state. The secretary of state
17 shall credit fees collected under this subsection to the
18 transportation administration collection fund created in section
19 810b of the Michigan vehicle code, 1949 PA 300, MCL 257.810b,
20 through October 1, ~~2024~~.**2023**.

21 (3) The secretary of state shall create and maintain a
22 computerized central file that includes the information contained
23 on application forms received under this part and the name of each
24 person who is convicted of an offense, who fails to comply with an
25 order or judgment issued, or against whom an order is entered under
26 this part. The computerized central file ~~shall~~**must** be interfaced
27 with the law enforcement information network as provided in the
28 C.J.I.S. policy council act, 1974 PA 163, MCL 28.211 to 28.215.

29 (4) The secretary of state may purge a record of an ORV



1 certificate of title and any record pertaining to it 7 years after
2 the title was issued or the record was made or received.

3 (5) The secretary of state shall not provide an entire
4 computerized central or other file of records maintained under this
5 part to a nongovernmental person or entity unless the purchaser
6 pays the prescribed fee or price for each individual record
7 contained within the computerized file.

8 (6) A certified copy of an order, record, or paper maintained
9 under this part is admissible in evidence in the same manner as the
10 original and is prima facie proof of the facts stated in the
11 original.

12 Sec. 82156. (1) The secretary of state shall make available to
13 the public records maintained under this part, other than those
14 declared to be confidential by law or that are restricted by law
15 from disclosure to the public, under procedures prescribed in this
16 part and in the freedom of information act, 1976 PA 442, MCL 15.231
17 to 15.246.

18 (2) The secretary of state may provide a commercial lookup
19 service of snowmobile operation, title, and registration records
20 maintained under this part. For each individual record looked up,
21 the secretary of state shall charge a fee specified annually by the
22 legislature, or if none, a market-based price established by the
23 secretary of state. The secretary of state shall process a
24 commercial lookup request only if the request is in a form or
25 format prescribed by the secretary of state. The secretary of state
26 shall credit fees collected under this subsection ~~on and after~~
27 ~~October 1, 2005~~ to the transportation administration collection
28 fund created in section 810b of the Michigan vehicle code, 1949 PA
29 300, MCL 257.810b, through October 1, ~~2019~~**2023**.



1 (3) To provide an individual, historical snowmobiling record,
2 the secretary of state shall create and maintain a computerized
3 central file that includes the information contained on application
4 forms received under this part and the name of each person who is
5 convicted of an offense, who fails to comply with an order or
6 judgment issued, or against whom an order is entered under this
7 part or former 1968 PA 74. The computerized central file ~~shall~~**must**
8 be interfaced with the law enforcement information network as
9 provided in the C.J.I.S. policy council act, 1974 PA 163, MCL
10 28.211 to 28.215.

11 (4) The secretary of state shall not provide an entire
12 computerized central or other file of records maintained under this
13 part to a nongovernmental person or entity unless the purchaser
14 pays the prescribed fee or price for each individual record
15 contained within the computerized file.

16 (5) A certified copy of an order, record, or paper maintained
17 in this record is admissible in evidence in like manner as the
18 original and is prima facie proof of the facts stated in the
19 original.

