

HOUSE BILL NO. 6132

August 17, 2020, Introduced by Reps. Mueller, Sneller, Cambensy, Yaroch and Cherry and referred to the Committee on Judiciary.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 219, 904c, and 904f (MCL 257.219, 257.904c,
and 257.904f), section 219 as amended by 2018 PA 74, section 904c
as amended by 1999 PA 73, and section 904f as added by 1998 PA 358.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 219. (1) The secretary of state shall refuse issuance of
2 a registration or a transfer of registration ~~upon~~**on** any of the
3 following grounds:

4 (a) The application contains a false or fraudulent statement,



1 the applicant has failed to furnish required information or
2 reasonable additional information requested by the secretary of
3 state, or the applicant is not entitled to the registration of the
4 vehicle under this act.

5 (b) The secretary of state has reasonable ground to believe
6 that the vehicle is a stolen or embezzled vehicle, or that the
7 granting of registration would constitute a fraud against the
8 rightful owner or other person having a valid lien ~~upon~~ **on** the
9 vehicle.

10 (c) The registration of the vehicle is suspended or revoked
11 for any reason provided in the motor vehicle laws of this state.

12 (d) At the time of the application, the operator's or
13 chauffeur's license of the owner or co-owner or lessee or co-lessee
14 is suspended, revoked, or denied, except for an applicant who has
15 been issued a license under section 304, or the operator has never
16 been licensed by this state for a third or subsequent violation of
17 section 625 or 625m, a local ordinance substantially corresponding
18 to section 625 or 625m, or a law of another state substantially
19 corresponding to section 625 or 625m, or for a fourth or subsequent
20 suspension or revocation under section 904.

21 (e) The required fee has not been paid.

22 (f) The applicant, at the time of applying for registration or
23 a transfer of registration other than a temporary registration
24 issued under section 226b, fails to present a certificate of
25 compliance or waiver for a motor vehicle as required under either
26 part 63 or part 65 of the natural resources and environmental
27 protection act, 1994 PA 451, MCL 324.6301 to 324.6321 and 324.6501
28 to 324.6539.

29 (g) The application for registration of a vehicle with an



1 elected gross weight of 55,000 pounds or more is not accompanied
2 with proof of payment of the federal highway use tax levied under
3 the surface transportation assistance act of 1982, Public Law 97-
4 424.

5 (h) The applicant is a motor carrier subject to an out-of-
6 service order, the applicant has applied for a registration or
7 transfer registration as a subterfuge for a person subject to an
8 out-of-service order, or the applicant's business is operated,
9 managed, controlled by, or affiliated with a person that is
10 ineligible for registration, including, but not limited to, the
11 applicant, a relative or family member of the applicant, or a
12 corporate officer or shareholder of the applicant. As used in this
13 subdivision, "out-of-service order" means that term as defined in
14 49 CFR 390.5, and also includes an out-of-service order issued
15 under 49 CFR 386.73.

16 (2) The secretary of state shall refuse issuance of a
17 certificate of title or a salvage certificate of title upon any of
18 the following grounds:

19 (a) The application contains a false or fraudulent statement,
20 the applicant has failed to furnish required information or
21 reasonable additional information requested by the secretary of
22 state, or the applicant is not entitled to the issuance of a
23 certificate of title or salvage certificate of title under this
24 act.

25 (b) The secretary of state has reasonable ground to believe
26 that the vehicle is a stolen or embezzled vehicle or that the
27 issuance of a certificate of title or a salvage certificate of
28 title would constitute a fraud against the rightful owner or other
29 person having a valid security interest upon the vehicle.



(c) The required fee has not been paid.

(3) The secretary of state shall not issue a registration for a vehicle ~~for which a temporary registration plate was issued~~ **immobilized** under section 904c until the violation resulting in the ~~issuance of the plate~~ **immobilization** is adjudicated or the vehicle is transferred to a person ~~who~~ **that** is subject to payment of a use tax under section 3 of the use tax act, 1937 PA 94, MCL 205.93.

Sec. 904c. ~~(1)~~ When a peace officer detains the driver of a motor vehicle for a violation of a law of this state or local ordinance ~~for which~~ **that requires** vehicle immobilization, ~~is required,~~ the peace officer shall ~~do all of the following:~~

~~(a) Immediately confiscate the vehicle's registration plate and destroy it.~~

~~(b) Issue a temporary vehicle registration plate for the vehicle in the same form prescribed by the secretary of state for temporary registration plates issued under section 226a or 226b.~~

~~(c) Place the temporary vehicle registration plate on the vehicle in the manner required by the secretary of state.~~

~~(d) Notify~~ **notify** the secretary of state through the law enforcement information network in a form prescribed by the secretary of state that the ~~registration plate was confiscated and destroyed,~~ and a temporary plate was issued.

~~(2) A temporary vehicle registration plate issued under this section is valid until the charges against the person are dismissed, the person pleads guilty or nolo contendere to those charges, or the person is found guilty of or is acquitted of those charges.~~ **vehicle must be recorded as immobilized under this act.**

Sec. 904f. The vehicle registration records of the secretary of state ~~shall~~ **must** disclose ~~which vehicles~~ **that** are ~~assigned a~~



- 1 ~~temporary registration plate under section 904c or are immobilized~~
- 2 under this act.

