

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

257.248k Mobility dealer endorsement.

Sec. 248k.

(1) The secretary of state may create a mobility dealer endorsement for the purposes of this act. All of the following apply if the secretary of state creates a mobility dealer endorsement under this section:

(a) Only a licensed used or secondhand vehicle dealer is eligible for a mobility dealer endorsement.

(b) The secretary of state shall prescribe the form and content of an application for a mobility dealer endorsement and the application shall require the signature of the applicant.

(c) A mobility dealer is not prohibited from also obtaining a broker license, if that broker license is issued for the sole purpose of brokering new vehicles that are modified by the addition of permanently affixed ambulatory assistance devices.

(2) Notwithstanding any other law of this state, a mobility dealer may do any of the following:

(a) Display, hold in inventory, demonstrate, solicit the sale of, or offer for sale a mobility vehicle, regardless of the chassis make of the mobility vehicle.

(b) If the transaction occurs through or by a franchised dealer of the motor vehicle's chassis line make, arrange for the sale and delivery of a new mobility motor vehicle to a purchaser at the mobility dealer's place of business.

(c) Sell and install mobility equipment and accessories and other goods and services to meet the particular needs of disabled drivers and passengers.

(d) Provide mobility vehicle maintenance and repair services, subject to the following:

(i) Except as provided in subparagraph (ii), a mobility dealer shall not perform repairs on mobility vehicles or other motor vehicles without a license as a repair facility under the motor vehicle service and repair act, 1974 PA 300, MCL 257.1301 to 257.1340.

(ii) A mobility dealer may perform repairs on parts that are unique to a mobility vehicle, do not alter the operating condition of a mobility vehicle, and were not part of the original manufactured motor vehicle without a license as a repair facility under the motor vehicle service and repair act, 1974 PA 300, MCL 257.1301 to 257.1340.

(3) A mobility dealer shall not do any of the following:

(a) Represent that it is engaged in the sale of new motor vehicles.

(b) Sell or transfer, or offer to sell or transfer, a new motor vehicle by assigning the vehicle's certificate of origin.

(c) Sell or offer to sell an adapted vehicle that does not have proof that it has been adapted or modified in compliance with 49 CFR part 568 or 49 CFR part 595.

(4) As used in this section:

(a) "Mobility dealer" means a used or secondhand vehicle dealer that holds an endorsement as a mobility dealer from the department under this section.

(b) "Mobility equipment" means mechanical or electronic devices, parts, or accessories that are specifically designed to facilitate the use of a motor vehicle by an aging or disabled individual, in compliance with 49 CFR part 571, and that are permanently attached to or incorporated in the vehicle.

(c) "Mobility vehicle" means a motor vehicle that is specially designed and equipped to transport an individual with a disability, in compliance with 49 CFR part 568 or 49 CFR part 595, and that meets all of the following:

(i) Is designed and built or modified to allow vehicle ingress and egress for an individual who is in a wheelchair or scooter.

(ii) Is equipped with 1 or more of the following:

(A) An electronic or mechanical wheelchair, scooter, or platform lift that enables an individual to enter or exit the vehicle while occupying a wheelchair or scooter.

(B) An electronic or mechanical wheelchair ramp.

(C) A system to secure a wheelchair or scooter that allows for safe transportation of an individual while he or she is occupying the wheelchair or scooter and that is installed as an integral part or permanent attachment to the vehicle's chassis.

History: Add. 2016, Act 425, Eff. Apr. 4, 2017