

HOUSE BILL No. 6449

September 24, 2002, Introduced by Rep. Richner and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 219 and 904c (MCL 257.219 and 257.904c), section 219 as amended by 1999 PA 267 and section 904c as amended by 1999 PA 73.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

4 (a) The application contains a false or fraudulent state-
5 ment, the applicant has failed to furnish required information or
6 reasonable additional information requested by the secretary of
7 state, or the applicant is not entitled to the registration of
8 the vehicle under this act.

1 (b) The secretary of state has reasonable ground to believe
2 that the vehicle is a stolen or embezzled vehicle, or that the
3 granting of registration would constitute a fraud against the
4 rightful owner or other person having a valid lien upon the
5 vehicle.

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

8 (d) The operator's or chauffeur's license of the owner or
9 co-owner or lessee or co-lessee is suspended ~~, revoked, or~~
10 ~~denied~~ or the operator has never been licensed by this state at
11 the time of the application for a third or subsequent violation
12 of section 625 or 625m or a local ordinance substantially corre-
13 sponding to section 625 or 625m or a fourth or subsequent suspen-
14 sion or revocation under section 904. This subdivision takes
15 effect June 1, 2000.

16 (E) THE OPERATOR'S OR CHAUFFEUR'S LICENSE OF THE OWNER OR
17 LESSEE IS REVOKED OR THE APPLICATION FOR A LICENSE IS DENIED FOR
18 A VIOLATION OF THIS ACT OR A LOCAL ORDINANCE SUBSTANTIALLY CORRE-
19 SPONDING TO THIS ACT.

20 (F) ~~(e)~~ The required fee has not been paid.

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

1 (H) ~~(g)~~ The application for registration of a vehicle with
2 an elected gross weight of 55,000 pounds or more is not accom-
3 panied with proof of payment of the federal highway use tax
4 levied pursuant to the surface transportation assistance act of
5 1982, Public Law 97-424, 96 Stat. 2097.

6 (2) The secretary of state shall refuse issuance of a cer-
7 tificate of title or a salvage certificate of title upon any of
8 the following grounds:

9 (a) The application contains a false or fraudulent state-
10 ment, the applicant has failed to furnish required information or
11 reasonable additional information requested by the secretary of
12 state, or the applicant is not entitled to the issuance of a cer-
13 tificate of title or salvage certificate of title under this
14 act.

15 (b) The secretary of state has reasonable ground to believe
16 that the vehicle is a stolen or embezzled vehicle or that the
17 issuance of a certificate of title or a salvage certificate of
18 title would constitute a fraud against the rightful owner or
19 other person having a valid security interest upon the vehicle.

20 (c) The required fee has not been paid.

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

1 Sec. 904c. (1) ~~When a~~ A peace officer WHO detains the
2 driver of a motor vehicle for a violation of SECTION 219(1)(E) OR
3 FOR A VIOLATION OF a law of this state or local ordinance for
4 which vehicle immobilization is required ~~, the peace officer~~
5 shall do all of the following:

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

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

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

13 (d) Notify the secretary of state through the law enforce-
14 ment information network in a form prescribed by the secretary of
15 state that the registration plate was confiscated and destroyed,
16 and a temporary plate was issued.

17 (2) A temporary vehicle registration plate issued under this
18 section is valid until the charges against the person are dis-
19 missed, the person pleads guilty or nolo contendere to those
20 charges, or the person is found guilty of or is acquitted of
21 those charges.