

# HOUSE BILL NO. 5194

November 05, 2019, Introduced by Reps. Markkanen, Steven Johnson, Eisen and LaFave and referred to the Committee on Transportation.

A bill to amend 1974 PA 300, entitled  
"Motor vehicle service and repair act,"  
by amending section 2 (MCL 257.1302), as amended by 2016 PA 430.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 2. As used in this act:

2           (a) "Administrator" means the secretary of state or any  
3 individual designated by the secretary of state to act in his or  
4 her place.

5           (b) "Advertise" means to advise, announce, apprise, command,



1 give notice of, inform, make known, or publish any material that  
2 calls to the attention of the public the availability of parts and  
3 services.

4 (c) "Approved educational institution" means a school,  
5 academy, or other similar establishment approved by the  
6 administrator under section 13a to provide training to mechanics or  
7 mechanical trainees under this act.

8 (d) "Automobile or light truck" means a motor vehicle that has  
9 a gross vehicle weight of less than ~~10,000~~ **14,000** pounds.

10 (e) "BAIID mechanic" means a specialty mechanic who holds a  
11 certification from the department under section 10 to perform BAIID  
12 service.

13 (f) "BAIID service" means the installation, removal, repair,  
14 or other servicing of breath alcohol ignition interlock devices.

15 (g) "Breath alcohol ignition interlock device" or "BAIID"  
16 means that term as defined in section 20d of the Michigan vehicle  
17 code, 1949 PA 300, MCL 257.20d.

18 (h) "Contract" means a written or oral agreement, or a similar  
19 understanding or arrangement, in which a person agrees that another  
20 person will perform work, labor, diagnosis, repair, reconditioning,  
21 replacement, adjustment, or alteration, directly or indirectly, on  
22 a motor vehicle.

23 (i) "Customer" means the owner or operator of a motor vehicle.

24 (j) "Department" means the department of state.

25 (k) "Distressed vehicle" means that term as defined in section  
26 12a of the Michigan vehicle code, 1949 PA 300, MCL 257.12a.

27 (l) "Estimate" means a written statement that itemizes as  
28 closely as possible the price for labor, by showing the labor price  
29 per hour, the number of hours required to perform the work, and the



1 price of parts necessary for a specific repair.

2 (m) "Facility" or "motor vehicle repair facility" means a  
3 place of business that is required to register under this act and  
4 that, for compensation, is engaged in the business of performing,  
5 or employs individuals who perform, maintenance, diagnosis, vehicle  
6 body work, or repair service, or, beginning July 1, 2016, BAIID  
7 service, on a motor vehicle. The term does not include any of the  
8 following:

9 (i) A person that engages only in the business of repairing the  
10 motor vehicles of a single commercial or industrial establishment  
11 or governmental agency.

12 (ii) An individual who is repairing his or her own or a family  
13 member's motor vehicle.

14 (iii) A business that does not diagnose the operation of a motor  
15 vehicle, does not remove parts from a motor vehicle to be  
16 remachined, and does not install finished machined or remachined  
17 parts on a motor vehicle. This subparagraph does not apply to a  
18 motor vehicle repair facility that engages in the business of  
19 performing, or employing individuals who perform, vehicle body  
20 work.

21 (iv) A BAIID facility described in section 625k(14)(d) of the  
22 Michigan vehicle code, 1949 PA 300, MCL 257.625k.

23 (n) "Heavy-duty truck" means a motor vehicle that has a gross  
24 vehicle weight of ~~10,000~~ **14,000** pounds or more and includes both  
25 single-unit and combination tractor trailer or tractor semitrailer  
26 vehicles.

27 (o) "Late model vehicle" means that term as defined in section  
28 24b of the Michigan vehicle code, 1949 PA 300, MCL 257.24b.

29 (p) "Lien" means a security interest in or other encumbrance



1 on a motor vehicle. The term includes a security interest created  
2 by agreement, a judicial lien obtained by legal or equitable  
3 process or proceedings, a common-law lien, or a statutory lien on a  
4 vehicle.

