

Act No. 227
Public Acts of 2020
Approved by the Governor
October 16, 2020
Filed with the Secretary of State
October 16, 2020
EFFECTIVE DATE: October 16, 2020

**STATE OF MICHIGAN
100TH LEGISLATURE
REGULAR SESSION OF 2020**

Introduced by Reps. Markkanen, Steven Johnson, Eisen and LaFave

ENROLLED HOUSE BILL No. 5194

AN ACT to amend 1974 PA 300, entitled “An act to regulate the practice of servicing and repairing motor vehicles; to proscribe unfair and deceptive practices; to provide for training and certification of mechanics; to provide for the registration of motor vehicle repair facilities; to provide for enforcement; and to prescribe penalties,” by amending section 2 (MCL 257.1302), as amended by 2016 PA 430.

The People of the State of Michigan enact:

Sec. 2. As used in this act:

(a) “Administrator” means the secretary of state or any individual designated by the secretary of state to act in his or her place.

(b) “Advertise” means to advise, announce, apprise, command, give notice of, inform, make known, or publish any material that calls to the attention of the public the availability of parts and services.

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

(d) “Automobile or light truck” means a motor vehicle that has a gross vehicle weight rating of less than 14,000 pounds.

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

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

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

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

(i) “Customer” means the owner or operator of a motor vehicle.

(j) “Department” means the department of state.

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

(l) “Estimate” means a written statement that itemizes as closely as possible the price for labor, by showing the labor price per hour, the number of hours required to perform the work, and the price of parts necessary for a specific repair.

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

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

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

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

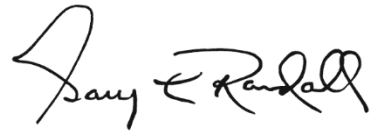
(iv) A BAIID facility described in section 625k(14)(d) of the Michigan vehicle code, 1949 PA 300, MCL 257.625k.

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

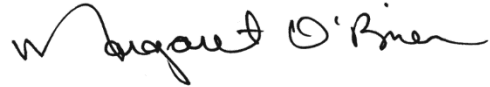
(o) "Late model vehicle" means that term as defined in section 24b of the Michigan vehicle code, 1949 PA 300, MCL 257.24b.

(p) "Lien" means a security interest in or other encumbrance on a motor vehicle. The term includes a security interest created by agreement, a judicial lien obtained by legal or equitable process or proceedings, a common-law lien, or a statutory lien on a vehicle.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved _____

Governor