

HOUSE BILL NO. 4332

February 24, 2021, Introduced by Reps. Steven Johnson and Allor and referred to the Committee on Natural Resources and Outdoor Recreation.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 81116 (MCL 324.81116), as amended by 2017 PA 199.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 81116. (1) The owner of an ORV requiring licensure under
2 this part shall file an application for a license with the
3 department or a dealer on forms provided by the department. If an
4 ORV is sold by a dealer, the application for a license shall be

1 submitted to the department by the dealer in the name of the owner.
2 The application shall include a certification. The owner of the
3 vehicle shall sign the application or, if the application is filed
4 electronically, provide information requested by the department to
5 verify the owner's identity. The application shall be accompanied
6 by a fee as provided in subsection (2). A person shall not file an
7 application for a license that contains false information. Upon
8 receipt of the application in approved form and ~~upon~~ payment of the
9 appropriate fee, the department or dealer shall issue to the
10 applicant a license. A license ~~shall be issued and~~ is valid for the
11 12-month period beginning April 1 and ending **the following** March
12 31. ~~each year.~~

13 (2) The fee for a license is as follows:

14 (a) Except as provided in subdivision (c), if the license does
15 not authorize operation of the ORV on state ORV trails, \$26.25.

16 (b) Except as provided in subdivision (c), if the license
17 authorizes operation of the ORV on state ORV trails, \$36.25.

18 (c) For a license valid for a 12-month period beginning April
19 1, 2024 or a subsequent April 1, no fee.

20 (3) ~~Dealers~~ **A dealer** may purchase from the department ORV
21 licenses for resale to owners of vehicles requiring licensure under
22 this part. The department shall refund to ~~dealers~~ **a dealer** the
23 purchase price of any ORV licenses returned within 90 days after
24 the end of the 12-month period for which they were valid. A dealer
25 shall maintain and provide to the department records of ORV license
26 sales on forms provided by the department. In addition to the sale
27 of ORV licenses, a dealer engaged in the sale, lease, or rental of
28 ORVs as a regular business may sell any other license or permit
29 authorized by the department to be sold by other dealers under the

1 statutes of this state.

2 (4) Before a vehicle requiring an ORV license is operated, the
3 owner shall ensure that a license is permanently attached to the
4 vehicle in the manner prescribed **by** and, **subject to this**
5 **subsection**, in the location designated by the department. **The**
6 **license for a 2-wheel vehicle shall be attached as provided in**
7 **either of the following:**

8 (a) **Centered on the exposed surface of the rear fender.**

9 (b) **Located at a visible place on a front suspension fork.**

10 (5) If, ~~at the time of sale~~ **when a vehicle otherwise requiring**
11 **a license under this part is sold**, the purchaser certifies on a
12 form provided by the department that the ~~purchased vehicle~~
13 ~~otherwise requiring a license under this part~~ **vehicle** will be used
14 and stored outside of this state and will not be returned by the
15 purchaser to this state for use, ~~then~~ a license is not required **for**
16 **the vehicle.**

17 (6) If a license acquired by the owner of an ORV is lost or
18 destroyed, the department shall provide that person with a
19 replacement license free of charge. The department may require a
20 person requesting a replacement license to supply sufficient
21 evidence of the loss or destruction of the original license.