

MICHIGAN VEHICLE CODE (EXCERPT)

Act 300 of 1949

OFFENSES AGAINST REGISTRATION LAWS AND CANCELLATION OF REGISTRATION

257.255 Valid registration plate required; printed or electronic copy; exceptions; violation of subsection (1) as civil infraction or misdemeanor; penalty; nonpayment of apportioned fee under international registration plan as misdemeanor; penalty; impoundment; towing and storage costs; care of load in vehicle; impounded vehicle subject to lien; hearing; certification of unpaid judgment; foreclosure sale; pandemic expiration extension.

Sec. 255.

(1) Except as otherwise provided in this chapter, a person shall not operate, nor shall an owner knowingly permit to be operated, upon any highway, a vehicle required to be registered under this act unless, except as otherwise provided in this subsection, no later than 30 days after the vehicle is registered or the vehicle's registration is renewed, a valid registration plate issued for the vehicle by the department for the current registration year is attached to and displayed on the vehicle as required by this chapter. For purposes of this subsection, a printed or electronic copy of a valid registration or verification of a valid registration through the L.E.I.N. is proof that the vehicle is registered or that the vehicle's registration has been renewed. A registration plate is not required for a wrecked or disabled vehicle, or vehicle destined for repair or junking, that is being transported or drawn on a highway by a wrecker or a registered motor vehicle. The 30-day period described in this subsection does not apply to the first registration of a vehicle after a transfer of ownership or to a transfer registration under section 809.

(2) Except as otherwise provided in this section, a person who violates subsection (1) is responsible for a civil infraction. However, if the vehicle is a commercial vehicle that is required to be registered according to the schedule of elected gross vehicle weights under section 801(1)(k), the person is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$500.00, or both.

(3) A person who operates a vehicle licensed under the international registration plan and does not have a valid registration due to nonpayment of the apportioned fee is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or by a fine of not more than \$100.00, or both. In addition, a police officer may impound the vehicle until a valid registration is obtained. If the vehicle is impounded, the towing and storage costs of the vehicle, and the care or preservation of the load in the vehicle are the owner's responsibility. Vehicles impounded are subject to a lien in the amount of the apportioned fee and any fine and costs incurred under this subsection, subject to a valid lien of prior record. If the apportioned fee, fine, and costs are not paid within 90 days after impoundment, then following a hearing before the judge or magistrate who imposed the fine and costs, the judge or magistrate shall certify the unpaid judgment to the prosecuting attorney of the county in which the violation occurred. The prosecuting attorney shall enforce the lien by foreclosure sale in accordance with the procedure authorized by law for chattel mortgage foreclosures.

(4) A noncommercial vehicle registration described in subsection (1) that expires on or after March 1, 2020 but is renewed on or before March 31, 2021 is not in violation of this section. A noncommercial vehicle registration described in subsection (1) that expires after March 31, 2021 but before August 1, 2021, but is renewed within 120 days after the date of the expiration is not in violation of this section. A commercial vehicle registration described in subsection (1) that expires on or after March 1, 2020 but is renewed on or before March 31, 2021 is not in violation of this section. A commercial vehicle registration described in subsection (1) that expires after March 31, 2021 but before August 1, 2021, but is renewed within 120 days after the date of the expiration is not in violation of this section.

History: 1949, Act 300, Eff. Sept. 23, 1949 ;-- Am. 1961, Act 26, Imd. Eff. May 11, 1961 ;-- Am. 1962, Act 58, Eff. Mar. 28, 1963 ;-- Am. 1963, Act 88, Eff. Sept. 6, 1963 ;-- Am. 1984, Act 330, Imd. Eff. Dec. 26, 1984 ;-- Am. 1987, Act 34, Eff. Aug. 26, 1987 ;-- Am. 2003, Act 9, Eff. Sept. 1, 2003 ;-- Am. 2018, Act 64, Eff. June 12, 2018 ;-- Am. 2020, Act 127, Imd. Eff. July 1, 2020 ;-- Am. 2020, Act 241, Eff. Oct. 28, 2020 ;-- Am. 2020, Act 304, Imd. Eff. Dec. 29, 2020 ;-- Am. 2021, Act 71, Imd. Eff. July 29, 2021

Compiler's Notes: Enacting section 1 of Act 71 of 2021 provides: "Enacting section 1. Sections 216(2), 217(11) and (12), 226(11) and (13), 255(4), 301(6), 306(1), (2), (4), and (6), 306a(4), 309(11), 312k(1), 314(7), 801k(1) and (2), and 811(5) of the Michigan vehicle code, 1949 PA 300, MCL 257.216, 257.217, 257.226, 257.255, 257.301, 257.306, 257.306a, 257.309, 257.312k, 257.314, 257.801k, and 257.811, as amended by this amendatory act, are intended to be retroactive and apply retroactively."

257.256 Unlawful lending or use of certificate of title, registration certificate, registration plate, special plate, or permit; unlawful carrying or display of registration certificate or plate; violation as misdemeanor; penalty; unlawful display of registration plate on commercial vehicle.

Sec. 256.

(1) A person shall not lend to another person, or knowingly permit the use of, any certificate of title, registration certificate, registration plate, special plate, or permit issued to him or her if the person receiving or using the certificate of title, registration certificate, registration plate, special plate, or permit would not be entitled to the use thereof. A person shall not carry or display upon a vehicle any registration certificate or registration plate not issued for the vehicle or not otherwise lawfully used under this act.

(2) Except as otherwise provided in this section, a person who violates this section is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or by a fine of not more than \$100.00, or both.

(3) A person who displays upon a commercial vehicle which is required to be registered according to the schedule of elected gross vehicle weights under section 801(1)(k) any registration plate not issued for the vehicle or not otherwise lawfully used under this act is guilty of a misdemeanor, punishable by imprisonment for not more than 90 days, or by a fine of not more than \$500.00, or both.

History: 1949, Act 300, Eff. Sept. 23, 1949 ;-- Am. 1987, Act 34, Eff. Aug. 26, 1987

257.257 Altering, forging, or falsifying documents; violation; penalty.

Sec. 257.

(1) A person who commits any of the following acts is guilty of a felony:

(a) Alters with fraudulent intent a certificate of title, registration certificate, or registration plate issued by the department.

(b) Forges or counterfeits a certificate of title, registration certificate, or registration plate purporting to have been issued by the department.

(c) Alters or falsifies with fraudulent intent or forges an assignment upon a certificate of title.

(d) Holds or uses a certificate of title, registration certificate, or registration plate knowing that it has been altered, forged, or falsified.

(e) Knowingly possesses, sells, or offers for sale a stolen, false, or counterfeit certificate of title, registration certificate, registration plate, registration decal, or registration tab.

(f) Fraudulently indicates on a certificate of title that there is no security interest on record for the vehicle.

(g) Forges or counterfeits a letter from the holder of a security interest in a vehicle stating that the security interest has been released.

(2) A person who is convicted of a second violation of this section shall be punished by imprisonment for not less than 2 years or more than 7 years, or by a fine of not less than \$1,500.00 or more than \$7,000.00, or both.

(3) A person who is convicted of a third or subsequent violation of this section shall be punished by imprisonment for not less than 5 years or more than 15 years, or by a fine of not less than \$5,000.00 or more than \$15,000.00, or both.

(4) A person who is convicted of a violation of subsection (1)(f) or (g), in addition to any other penalty, shall pay restitution to the holder of a security interest in the vehicle in the amount of the outstanding lien on the vehicle.

History: 1949, Act 300, Eff. Sept. 23, 1949 ;-- Am. 1992, Act 309, Eff. Mar. 31, 1993 ;-- Am. 2014, Act 289, Eff. Mar. 31, 2015

257.258 Registration or certificate of title; grounds for cancellation; elected gross weight violations; penalty; notice; hearing.

Sec. 258.

(1) The secretary of state may cancel, revoke, or suspend the registration of a vehicle, a certificate of title, registration certificate, or registration plate if any of the following apply:

- (a) The secretary of state determines that the registration, certificate of title, or plate was fraudulently or erroneously issued.
 - (b) The secretary of state determines that the licensee has made or is making an unlawful use of his or her registration certificate, plate, or certificate of title.
 - (c) A registered vehicle has been dismantled or wrecked.
 - (d) The secretary of state determines that the required fee has not been paid and it is not paid upon reasonable notice or demand.
 - (e) A registration certificate or registration plate is knowingly displayed upon a vehicle other than the one for which it was issued.
 - (f) The secretary of state determines that the owner has committed an offense under this act involving the registration or certificate of title.
 - (g) The secretary of state is authorized to do so under this act.
 - (h) Upon receiving notification from another state or foreign country that a certificate of title issued by the secretary of state has been surrendered by the owner in conformity with the laws of that state or foreign country.
 - (i) It is shown by satisfactory evidence that delivery of a motor vehicle in the possession of a dealer was not made to the applicant registered under this act. The money paid for registration and license fees may be refunded to the party who applies for the refund.
 - (j) The owner is a motor carrier subject to an out-of-service order. As used in this subdivision, "out-of-service order" means that term as defined in 49 CFR 390.5, and also includes an out-of-service order issued under 49 CFR 386.73. A law enforcement officer may also confiscate a registration plate issued to a motor carrier described in this subdivision.
- (2) If the licensee's offense consists of hauling on the registered vehicle a gross weight more than 1,000 pounds in excess of the elected gross weight specified on the owners' registration certificate, the registration shall be canceled and the vehicle shall not again be operated on the highways, roads, or streets until it is registered again and new plates are issued. The new registration fee shall be computed on the basis of twice the difference between the original registration fee and the registration fee applicable to the gross weight constituting the violation of the elected gross weight. One-half of the new registration fee shall be a penalty. The period of the new registration fee shall not extend beyond the termination date of the canceled registration certificate. The new registration fee shall not exceed the maximum gross weight of the vehicle or combination of vehicles as determined by the number of axles and the legal weight applicable to those axles as specified by section 722. The gross weight of a vehicle or combination of vehicles may be determined by weighing the individual axles or group of axles, and the total weight on all axles is the gross vehicle weight.
- (3) Before the secretary of state makes a cancellation under subsection (1)(a), (b), (e), (f), or (g), the person affected by the cancellation shall be given notice and an opportunity to be heard.

History: 1949, Act 300, Eff. Sept. 23, 1949 ;-- Am. 1951, Act 270, Eff. Sept. 28, 1951 ;-- Am. 1959, Act 250, Imd. Eff. Aug. 21, 1959 ;-- Am. 1968, Act 214, Eff. Nov. 15, 1968 ;-- Am. 1969, Act 309, Imd. Eff. Aug. 14, 1969 ;-- Am. 1998, Act 347, Eff. Oct. 1, 1999 ;-- Am. 1999, Act 73, Eff. Oct. 1, 1999 ;-- Am. 2018, Act 74, Eff. June 17, 2018

257.259 Evidence of registration; title; dealers' or wreckers' licenses; return to state on cancellation or suspension; failure or refusal to surrender unlawful.

Sec. 259.

- (1) All registration plates, certificates of title, registration certificates or the license of any dealer or wrecker, are the property of this state, shall contain information required by this act, and shall be made in a manner and bear information and be in a configuration as prescribed by the department. When the department cancels or suspends the registration of a vehicle or a certificate of title or the license of any dealer or wrecker as authorized by this act, the owner or person in possession of the same shall immediately return the evidence of the canceled or suspended registration, title, or license to the department.
- (2) It is unlawful for any person to fail or refuse to surrender to the department upon demand any registration plate, registration, certificate of title, or license of any dealer as required in this section.

History: 1949, Act 300, Eff. Sept. 23, 1949 ;-- Am. 1951, Act 270, Eff. Sept. 28, 1951 ;-- Am. 2015, Act 11, Eff. July 8, 2015