

SENATE BILL No. 491

September 12, 2013, Introduced by Senators BRANDENBURG, ROBERTSON, GREEN, MARLEAU, CASPERSON and BOOHER and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 219 (MCL 257.219), as amended by 2010 PA 155.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

4 (a) The application contains a false or fraudulent statement,
5 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 the
8 vehicle under this act.

9 (b) The secretary of state has reasonable ground to believe

1 that the vehicle is a stolen or embezzled vehicle, or that the
2 granting of registration would constitute a fraud against the
3 rightful owner or other person having a valid lien upon the
4 vehicle.

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

7 (d) At the time of the application, the operator's or
8 chauffeur's license of the owner or co-owner or lessee or co-lessee
9 is suspended, revoked, or denied, except for an applicant who ~~has~~
10 ~~been~~ **WAS** issued a license under section 304, or the operator has
11 never been licensed by this state ~~for~~ **BECAUSE OF** a third or
12 subsequent violation of section 625 or 625m, a local ordinance
13 substantially corresponding to section 625 or 625m, or a law of
14 another state substantially corresponding to section 625 or 625m,
15 or ~~for~~ **BECAUSE OF** a fourth or subsequent suspension or revocation
16 under section 904.

17 (e) The required fee has not been paid.

18 (f) The applicant, at the time of applying for registration or
19 a transfer of registration other than a temporary registration
20 issued under section 226b, fails to present a certificate of
21 compliance or waiver for a motor vehicle as required under either
22 part 63 or part 65 of the natural resources and environmental
23 protection act, 1994 PA 451, MCL 324.6301 to 324.6321 and 324.6501
24 to 324.6539.

25 (g) The application for registration of a vehicle with an
26 elected gross weight of 55,000 pounds or more is not accompanied
27 with proof of payment of the federal highway use tax levied under

1 the surface transportation assistance act of 1982, Public Law 97-
2 424.

3 (H) THE VEHICLE IS AN OFF-ROAD VEHICLE MANUFACTURED
4 EXCLUSIVELY FOR OFF-ROAD USE AS INDICATED BY EITHER THE ORIGINAL
5 VEHICLE IDENTIFICATION NUMBER OR A VEHICLE IDENTIFICATION NUMBER
6 ASSIGNED BY THE DEPARTMENT, UNLESS THE APPLICATION IS ACCOMPANIED
7 BY A WRITTEN STATEMENT FROM THE MANUFACTURER OF THE OFF-ROAD
8 VEHICLE CERTIFYING THAT THE OFF-ROAD VEHICLE MAY BE MODIFIED FOR
9 ON-ROAD USE. AS USED IN THIS SUBDIVISION, OFF-ROAD VEHICLE INCLUDES
10 A GOLF CART.

11 (2) The secretary of state shall refuse issuance of a
12 certificate of title or a salvage certificate of title upon any of
13 the following grounds:

14 (a) The application contains a false or fraudulent statement,
15 the applicant has failed to furnish required information or
16 reasonable additional information requested by the secretary of
17 state, or the applicant is not entitled to the issuance of a
18 certificate of title or salvage certificate of title under this
19 act.

20 (b) The secretary of state has reasonable ground to believe
21 that the vehicle is a stolen or embezzled vehicle or that the
22 issuance of a certificate of title or a salvage certificate of
23 title would constitute a fraud against the rightful owner or other
24 person having a valid security interest upon the vehicle.

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

26 (D) THE VEHICLE IS AN OFF-ROAD VEHICLE THAT WAS MANUFACTURED
27 EXCLUSIVELY FOR OFF-ROAD USE AS INDICATED BY EITHER THE ORIGINAL

1 VEHICLE IDENTIFICATION NUMBER OR A VEHICLE IDENTIFICATION NUMBER
2 ASSIGNED BY THE DEPARTMENT, UNLESS THE APPLICATION IS ACCOMPANIED
3 BY A WRITTEN STATEMENT FROM THE MANUFACTURER OF THE OFF-ROAD
4 VEHICLE CERTIFYING THAT THE OFF-ROAD VEHICLE MAY BE MODIFIED FOR
5 ON-ROAD USE. AS USED IN THIS SUBDIVISION, OFF-ROAD VEHICLE INCLUDES
6 A GOLF CART.

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