

USED MOTOR VEHICLE PARTS (EXCERPT)
Act 119 of 1986

257.1352 Record of transaction.

Sec. 2.

(1) A dealer shall maintain a permanent record of each transaction concerning the buying or receiving of any used motor vehicle part from a person, other than an end-user or scrap tire processor that is regulated under part 169 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.16901 to 324.16911, or a licensee, on a record of transaction form prescribed in subsection (5), legibly written in ink in the English language. Each record of transaction form shall be filled out in duplicate by the dealer or agent with 1 copy given to the customer and 1 copy retained by the dealer. At the time a dealer receives or purchases a used motor vehicle part from a person other than an end-user, scrap tire processor, or licensee, the dealer or agent shall accurately record all of the following information on a record of transaction form:

- (a) A general description of the used motor vehicle part received or purchased.
- (b) The vehicle identification number of the vehicle the used motor vehicle part came from.
- (c) The state of origin of the used motor vehicle part.
- (d) The date of the transaction.
- (e) The name of the individual who is conducting the transaction on behalf of the dealer.

(f) The name, date of birth, driver's license number or state of Michigan personal identification card number, and street and house number of the individual with whom the transaction is being made, together with a legible imprint of the right thumb of the individual with whom the transaction is made, or if that is not possible, then the left thumb or a finger of that individual. However, the thumbprint or fingerprint is only required on the record of transaction form retained by the dealer. The dealer or agent shall make a thumbprint or fingerprint available to the local police agency or the department of state police only during the course of a police investigation involving a used motor vehicle part described on the record of transaction. This subdivision does not apply to a transaction involving an insurance company that has acquired ownership of a late model vehicle by the payment of damages due to an accident and a dealer that buys the vehicle from the insurance company for salvage.

(g) The price paid or to be paid by the dealer for the used motor vehicle part.

(h) Subject to section 2a, the form of payment made to the customer. The dealer or agent shall indicate the number of a check, money order, or bank draft and the transaction number of any direct deposit or electronic transfer to the customer's account at a financial institution.

(i) The signature of the individual with whom the transaction is made.

(2) A dealer or agent shall number the record of each transaction consecutively, commencing with the number 1 and the calendar year; and, if the transaction includes the buying or receiving of 1 or more used motor vehicle tires, tire wheels or rims, or continuous tire tread, shall place the transaction number on a tag that the dealer or agent must attach to each of those items the dealer or agent bought or received.

(3) The record of transaction forms of a dealer and each used motor vehicle part received by a dealer as the result of a transaction are open to an inspection by the local police agency and the Michigan state police at all times during the ordinary business hours of the dealer. As a condition of doing business, a dealer is considered to have given consent to the inspection described in this subsection. The record of transaction forms of a dealer are not open to inspection by the general public.

(4) A dealer shall retain each record of a transaction for at least 1 year after the transaction to which the record pertains. A dealer that goes out of business or changes the dealer's business address to another local jurisdiction either within or out of this state shall transmit to the local police agency the records of all transactions made by the dealer in the 1-year period before the dealer closes or moves. After a period of 1 year from the date of the transaction, if a police investigation concerning a used motor vehicle part described on the record of transaction has not occurred, the dealer and local police agency shall destroy, and not keep a permanent record of, the records of the transaction.

(5) The form of the record of transaction shall be 8-1/2 by 11 inches in size and shall be as follows:

"Record of Transaction

#

(Transaction number printed
on the form)

(1) Description of Property

(2) _____
(Vehicle Identification Number)

(3) _____
(State of Origin)

(4) _____, ____

(5) _____

(Date)

(Name of
Dealer/Employee)

(6) _____,

_____, ____

(Name of Customer)

(Date
of
Birth)

(Driver's License No./
Mich. Personal ID Number)

(Street Address)

(City & State)

(Zip)

(7) _____
(Price Paid)

(8) _____

(Check no., bank draft
no., money order no.,
transaction no., or cash)

Thumbprint

(Signature of Customer)

History: 1986, Act 119, Eff. Mar. 31, 1987 ;-- Am. 2016, Act 112, Eff. Aug. 8, 2016 ;-- Am. 2017, Act 57, Eff. Sept. 13, 2017