

HOUSE BILL No. 4660

May 21, 1987, Introduced by Rep. Saunders and referred to the Committee on Transportation.

A bill to amend sections 216 and 219 of Act No. 300 of the Public Acts of 1949, entitled as amended "Michigan vehicle code," section 216 as amended by Act No. 32 of the Public Acts of 1985 and section 219 as amended by Act No. 67 of the Public Acts of 1985, being sections 257.216 and 257.219 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 216 and 219 of Act No. 300 of the
2 Public Acts of 1949, section 216 as amended by Act No. 32 of the
3 Public Acts of 1985 and section 219 as amended by Act No. 67 of
4 the Public Acts of 1985, being sections 257.216 and 257.219 of
5 the Michigan Compiled Laws, are amended to read as follows:

6 Sec. 216. (1) Every motor vehicle, trailer coach, trailer,
7 semitrailer, and pole trailer, when driven or moved upon a

1 highway, shall be subject to the ~~registration and~~ certificate
2 of title provisions of this act except the following:

3 (a) A vehicle driven or moved upon a highway in conformance
4 with the provisions of this act relating to manufacturers, trans-
5 porters, dealers, or nonresidents.

6 ~~(b) A vehicle which is driven or moved upon a highway only~~
7 ~~for the purpose of crossing that highway from + property to~~
8 ~~another.~~

9 (B) ~~(c)~~ An implement of husbandry.

10 (C) ~~(d)~~ Special mobile equipment for which the secretary
11 of state may issue a special registration to an individual, part-
12 nership, corporation, or association, not licensed as a dealer,
13 to identify the equipment when being moved over the streets and
14 highways, upon payment of the required fee.

15 (D) ~~(e)~~ A vehicle which is propelled exclusively by elec-
16 tric power obtained from overhead trolley wires ~~though~~ BUT not
17 operated upon rails.

18 (E) ~~(f) Any~~ A vehicle ~~subject to registration, but~~ owned
19 by the government of the United States.

20 (F) ~~(g)~~ A ~~certificate of title need not be obtained for~~
21 ~~a~~ trailer, semitrailer, or pole trailer weighing less than 2,500
22 pounds. ~~respectively.~~

23 (G) ~~(h)~~ A vehicle driven or moved upon the highway ~~only~~
24 ~~for the purpose of securing a weight receipt from a weighmaster~~
25 ~~as is required in section 801, or for obtaining~~ BY THE MOST
26 DIRECT ROUTE TO OBTAIN a vehicle inspection by a law enforcement

1 agency before titling. ~~or registration, and then only by the~~
2 ~~most direct route.~~

3 (H) ~~(i) A certificate of title need not be obtained for~~
4 ~~a~~ vehicle owned by a manufacturer or dealer and held for sale ~~7~~
5 ~~even though~~ WHICH IS incidentally moved on the highway or used
6 for purposes of testing or demonstration.

7 (I) ~~(j) A bus or school bus, as defined in section 4b or~~
8 57, which is not self-propelled and IS used exclusively as a con-
9 struction shanty.

10 (J) ~~(k) A certificate of title need not be obtained for~~
11 ~~a~~ moped.

12 (2) EVERY MOTOR VEHICLE, TRAILER COACH, TRAILER, SEMITRAIL-
13 ER, AND POLE TRAILER, WHEN DRIVEN OR MOVED UPON A HIGHWAY, SHALL
14 BE SUBJECT TO THE REGISTRATION PROVISIONS OF THIS ACT EXCEPT THE
15 FOLLOWING:

16 (A) A VEHICLE DRIVEN OR MOVED UPON A HIGHWAY IN CONFORMANCE
17 WITH THE PROVISIONS OF THIS ACT RELATING TO MANUFACTURERS, TRANS-
18 PORTERS, DEALERS, OR NONRESIDENTS.

19 (B) A VEHICLE WHICH IS DRIVEN OR MOVED UPON A HIGHWAY ONLY
20 FOR THE PURPOSE OF CROSSING THAT HIGHWAY FROM 1 PROPERTY TO
21 ANOTHER.

22 (C) AN IMPLEMENT OF HUSBANDRY.

23 (D) SPECIAL MOBILE EQUIPMENT FOR WHICH THE SECRETARY OF
24 STATE MAY ISSUE A SPECIAL REGISTRATION TO AN INDIVIDUAL, PARTNER-
25 SHIP, CORPORATION, OR ASSOCIATION, NOT LICENSED AS A DEALER, TO
26 IDENTIFY THE EQUIPMENT WHEN BEING MOVED OVER THE STREETS AND
27 HIGHWAYS, UPON PAYMENT OF THE REQUIRED FEE.

1 (E) A VEHICLE WHICH IS PROPELLED EXCLUSIVELY BY ELECTRIC
2 POWER OBTAINED FROM OVERHEAD TROLLEY WIRES BUT NOT OPERATED UPON
3 RAILS.

4 (F) A VEHICLE OWNED BY THE GOVERNMENT OF THE UNITED STATES.

5 (G) A VEHICLE DRIVEN OR MOVED UPON THE HIGHWAY BY THE MOST
6 DIRECT ROUTE TO SECURE A WEIGHT RECEIPT FROM A WEIGHMASTER, AS
7 REQUIRED IN SECTION 801, OR TO OBTAIN A VEHICLE INSPECTION BY A
8 LAW ENFORCEMENT AGENCY BEFORE TITLING OR REGISTRATION.

9 (H) A BUS OR SCHOOL BUS, AS DEFINED IN SECTION 4B OR 57,
10 WHICH IS NOT SELF-PROPELLED AND IS USED EXCLUSIVELY AS A CON-
11 STRUCTION SHANTY.

12 Sec. 219. (1) The secretary of state shall refuse issuance
13 of a registration or a transfer of registration UNDER THIS ACT
14 upon any of the following grounds:

15 (a) The application contains a false or fraudulent state-
16 ment, the applicant has failed to furnish required information or
17 reasonable additional information requested by the secretary of
18 state, or the applicant is not entitled to the registration of
19 the vehicle under this 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 granting of registration would constitute a fraud against the
23 rightful owner or other person having a valid lien upon the
24 vehicle.

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

1 (d) The required fee has not been paid.

2 (e) The applicant, at the time of applying for registration
3 or a transfer of registration other than a temporary registration
4 issued pursuant to section 226b, fails to present a certificate
5 of compliance or waiver for a motor vehicle as required under the
6 vehicle emissions inspection and maintenance act, ACT NO. 83 OF
7 THE PUBLIC ACTS OF 1980, BEING SECTIONS 257.1051 TO 257.1074 OF
8 THE MICHIGAN COMPILED LAWS.

9 (f) The application for registration of a vehicle with an
10 elected gross weight of 55,000 pounds or more is not accompanied
11 with proof of payment of the federal highway use tax levied pur-
12 suant to the surface transportation assistance act of 1982,
13 Public Law 97-424, 96 Stat. 2097.

14 (G) THE VEHICLE IS AN ORV AS DEFINED IN SECTION 1 OF ACT
15 NO. 319 OF THE PUBLIC ACTS OF 1975, BEING SECTION 257.1601 OF THE
16 MICHIGAN COMPILED LAWS, UNLESS A POLICE OFFICER EXAMINES THE ORV
17 AND A POLICE AGENCY CERTIFIES ALL OF THE FOLLOWING:

18 (i) THE ORV MEETS THE NATIONAL HIGHWAY TRAFFIC SAFETY
19 ADMINISTRATION'S STANDARDS FOR A MOTOR VEHICLE FOR HIGHWAY USE.

20 (ii) IF THE ORV HAS 3 OR MORE WHEELS, IT IS EQUIPPED WITH A
21 DIFFERENTIAL GEAR WHICH OPERATES CONTINUALLY.

22 (iii) THE ORV IS EQUIPPED WITH TIRES APPROVED FOR HIGHWAY
23 USE BY THE FEDERAL DEPARTMENT OF TRANSPORTATION.

24 (iv) THE ORV IS DESIGNATED FOR ON-ROAD USE BY ITS MANUFAC-
25 Turer OR HAS BEEN PROPERLY MODIFIED FOR ON-ROAD USE.

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

4 (a) The application contains a false or fraudulent state-
5 ment, 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 issuance of a cer-
8 tificate of title or salvage certificate of title under this
9 act.

10 (b) The secretary of state has reasonable ground to believe
11 that the vehicle is a stolen or embezzled vehicle or that the
12 issuance of a certificate of title or a salvage certificate of
13 title would constitute a fraud against the rightful owner or
14 other person having a valid security interest upon the vehicle.

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

16 (D) THE VEHICLE IS A TRAILER, SEMITRAILER, OR POLE TRAILER
17 WEIGHING LESS THAN 2,500 POUNDS.