

HOUSE BILL No. 5147

November 17, 1987, Introduced by Rep. Ciaramitaro and referred to the
Committee on Consumers.

A bill to amend section 249 of Act No. 300 of the Public
Acts of 1949, entitled as amended,
"Michigan vehicle code,"
as amended by Act No. 115 of the Public Acts of 1981, being sec-
tion 257.249 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 249 of Act No. 300 of the Public Acts of
2 1949, as amended by Act No. 115 of the Public Acts of 1981, being
3 section 257.249 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 249. The secretary of state may deny the application
6 of any person for a license as a dealer and refuse to issue the
7 person a license as a dealer, or, may suspend or revoke a license
8 already issued, if the secretary finds that the applicant or
9 licensee has done 1 or more of the following:

1 (a) Has made A false statement of a material fact in his or
2 her application.

3 (b) Has not complied with the provisions of this chapter.

4 (c) Has sold or offered for sale ~~any~~ A new vehicle of a
5 type required to be registered under this act without having
6 authority of a contract with a manufacturer or distributor of the
7 new vehicle.

8 (d) Has been guilty of a fraudulent act in connection with
9 selling or otherwise dealing in vehicles of a type required to be
10 registered under this act.

11 (e) Has entered into or is about to enter into a contract or
12 agreement with a manufacturer or distributor of vehicles of a
13 type required to be registered under this act, which is contrary
14 to ~~any~~ A provision of this act.

15 (f) Has no established place of business ~~which~~ THAT is
16 used or will be used for the purpose of selling, displaying, and
17 offering for sale or dealing in vehicles of a type required to be
18 registered UNDER THIS ACT, and ~~does not have~~ HAS NO proper
19 servicing facilities.

20 (g) If the applicant is a corporation or partnership, any
21 stockholder, officer, director, or partner of the applicant has
22 been ~~guilty~~ CONVICTED of ~~any~~ AN act or omission ~~which~~ THAT
23 would be cause for refusing, revoking, or suspending a license
24 issued to the officer, director, or partner as an individual.

25 (h) Has possessed a vehicle or a vehicle part which has been
26 confiscated under section 415 of THE MICHIGAN PENAL CODE, Act
27 No. 328 of the Public Acts of 1931, as amended, being section

1 750.415 of the Michigan Compiled Laws. The secretary of state
2 shall conduct a hearing pursuant to THE ADMINISTRATIVE PROCEDURES
3 ACT OF 1969, Act No. 306 of the Public Acts of 1969, as amended,
4 being sections 24.201 to ~~24.315~~ 24.328 of the Michigan Compiled
5 Laws, before the secretary of state takes any action under this
6 subdivision.

7 (i) Has been convicted under section 415 of Act No. 328 of
8 the Public Acts of 1931, as amended.

9 (J) HAS FAILED TO PROVIDE WRITTEN NOTICE TO A PROSPECTIVE
10 BUYER OF A MOTOR VEHICLE, WHICH THE APPLICANT OR LICENSEE REPRE-
11 SENTS AS A NEW MOTOR VEHICLE OR AS A DEMONSTRATOR, OF ALL REPAIRS
12 MADE TOTALING \$250.00 OR MORE AT RETAIL VALUATION TO THE VEHICLE
13 WHICH HE OR SHE HAS OR SHOULD HAVE KNOWLEDGE OF, WHETHER OR NOT
14 THOSE REPAIRS WERE MADE BY HIM OR HER.