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Senate Bill 1012 (as introduced 2-15-00)
Sponsor: Senator Mat J. Dunaskiss
Committee: Transportation and Tourism

Date Completed: 2-29-00

CONTENT

The bill would amend the Michigan Vehicle Code to permit a police officer who found a motorcycle that did not have a visible vehicle identification number to seize the motorcycle to determine if it were stolen or otherwise in violation of law; provide for the detention, examination, and return of a motorcycle; establish monetary damages for unlawful detention of a motorcycle; and, permit a person to file a civil action in district court to enforce the bill.

A police officer who seized a motorcycle under the bill would have to do all of the following:

- Secure and transport the motorcycle in a manner and to a place that would protect it from damage.
- Determine, if possible, whether the motorcycle was stolen.
- Facilitate an examination of the motorcycle by a forensic laboratory specialist or other trained specialist to determine if the vehicle identification number could be restored or otherwise located, if necessary.
- Return the motorcycle to the person from whom it had been seized or to the lawful owner, within 30 calendar days after the date of the seizure, unless otherwise required by law.

A person who violated the bill would be liable for damages of \$10 for each day the seized motorcycle was unlawfully detained beyond 30 calendar days.

A person could enforce the bill by filing a civil action in the district court that had jurisdiction of the place where the motorcycle had been seized. The district court would have to conduct a hearing on the action within 10 days from the date of the filing in a manner prescribed in the Revised Judicature Act. A person who prevailed in the action would have to be awarded costs and actual attorney fees.

Proposed MCL 257.230a

Legislative Analyst: L. Arasim

FISCAL IMPACT

The bill would have minimal fiscal impact on State and local government.

Fiscal Analyst: B. Baker

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.