

HOUSE BILL No. 4321

February 23, 1999, Introduced by Reps. Geiger, Wojno, Hale, DeHart, Cherry, Prusi, Schauer, Tesanovich, Patterson, Shackleton, Garcia, Caul, Birkholz, Middaugh, Mortimer, Tabor, Ehardt, Bogardus, Pappageorge, Jelinek, Rick Johnson, Van Woerkom, Mead, Jellema, Byl, Jansen, LaForge and Scranton and referred to the Committee on Regulatory Reform.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 222 (MCL 257.222), as amended by 1993 PA
300.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 222. (1) Except as otherwise provided in this act, the
2 secretary of state shall issue a registration certificate and a
3 certificate of title when registering a vehicle and upon receipt
4 of the required fees. A vehicle brought into this state from
5 another state or jurisdiction that has a rebuilt, salvage, or
6 scrap certificate of title issued by that other state or juris-
7 diction shall be issued a rebuilt, salvage, or scrap certificate
8 of title by the secretary of state.

9 (2) The registration certificate shall be delivered to the
10 owner and shall contain on its face the date issued, the name and

1 address of the owner, the registration number assigned to the
2 vehicle, and a description of the vehicle as determined by the
3 secretary of state.

4 (3) The certificate of title shall be manufactured in a
5 manner to prohibit as nearly as possible the ability to repro-
6 duce, alter, counterfeit, forge, or duplicate the certificate of
7 title without ready detection and contain on its face ~~the~~ ALL
8 OF THE FOLLOWING:

9 (A) THE identical information required on the face of the
10 registration certificate. ~~if~~

11 (B) IF the vehicle is a motor vehicle, the number of miles,
12 not including the tenths of a mile, registered on the vehicle's
13 odometer at the time of transfer. ~~except for a vehicle owned~~
14 ~~by a dealer and loaned to a political subdivision of this state~~
15 ~~for use as a driver education vehicle~~, if

16 (C) IF the vehicle is to be used or has been used as a taxi,
17 as a police vehicle, or by a political subdivision of this state,
18 ~~whether~~ EXCEPT FOR A VEHICLE OWNED BY A DEALER AND LOANED TO
19 A POLITICAL SUBDIVISION OF THIS STATE FOR USE AS A DRIVER EDUCA-
20 TION VEHICLE.

21 (D) WHETHER the vehicle is a salvage vehicle. ~~if~~

22 (E) IF the vehicle has previously been issued a rebuilt cer-
23 tificate of title from this state or a comparable certificate of
24 title from ~~any other~~ ANOTHER state or jurisdiction. ~~if~~

25 (F) IF the vehicle has been issued a scrap certificate of
26 title from this state or a comparable certificate of title from
27 ~~any other~~ ANOTHER state or jurisdiction. ~~a~~

1 (G) A statement of the owner's title and of all security
2 interests in the vehicle or in an accessory on the vehicle as set
3 forth in the application. ~~the~~

4 (H) THE date that the application was filed. ~~and any~~

5 (I) ANY other information that the secretary of state may
6 require.

7 (J) A SEAL. AS USED IN THIS SUBDIVISION, "SEAL" MEANS A
8 DISTINGUISHING SEAL THAT IS DEVELOPED BY THE SECRETARY OF STATE,
9 THAT IS DIFFICULT TO DUPLICATE, AND THAT WILL AID IN THE PREVEN-
10 TION OF FRAUD.

11 (4) ~~The~~ EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION,
12 THE certificate of title shall ~~contain, upon the reverse side,~~
13 BE IN A 2-PART FORM THAT IS DESIGNED BY THE SECRETARY OF STATE
14 AND THAT CONTAINS a form for assignment of title or interest and
15 warranty of title by the owner with space for the notation of a
16 security interest in the vehicle and in an accessory on the vehi-
17 cle, that at the time of a transfer shall be certified and
18 signed, and space for a written odometer mileage statement that
19 is required upon transfer pursuant to section 233a. THE 2-PART
20 FORM SHALL CONSIST OF 1 PART THAT THE BUYER EXECUTES TO TRANSFER
21 TITLE AND 1 PART THAT THE SELLER FILES WITH THE SECRETARY OF
22 STATE OR RETAINS FOR PROOF OF SALE. The ~~reverse side of the~~
23 certificate of title may also contain other forms that the secre-
24 tary of state considers necessary to facilitate the effective
25 administration of this act. The certificate shall bear the coat
26 of arms of this state.

1 (5) The certificate of title shall be mailed or delivered to
2 the owner or other person the owner may direct in a separate
3 instrument, in a form the secretary of state shall prescribe.

4 (6) A person who intentionally reproduces, alters, counter-
5 feits, forges, or duplicates a certificate of title or who uses a
6 reproduced, altered, counterfeited, forged, or duplicated certif-
7 icate of title shall be punished as follows:

8 (a) If the intent of reproduction, alteration, counterfeit-
9 ing, forging, duplication, or use was to commit or aid in the
10 commission of an offense punishable by imprisonment for 1 or more
11 years, the person committing the reproduction, alteration, coun-
12 terfeiting, forging, duplication, or use is guilty of a misde-
13 meanor, punishable by imprisonment for a period equal to that
14 which could be imposed for the commission of the offense the
15 person had the intent to aid or commit. The court may also
16 assess a fine of not more than \$10,000.00 against the person.

17 (b) If the intent of the reproduction, alteration, counter-
18 feiting, forging, duplication, or use was to commit or aid in the
19 commission of an offense punishable by imprisonment for not more
20 than 1 year, the person committing the reproduction, alteration,
21 counterfeiting, forging, duplication, or use is guilty of a mis-
22 demeanor, punishable by imprisonment for not more than 1 year, or
23 a fine of not more than \$1,000.00, or both.

24 (7) The certificate of title for a police vehicle, a vehicle
25 owned by a political subdivision of this state, a salvage vehi-
26 cle, a rebuilt vehicle, and a scrap vehicle shall be different in
27 color from the certificate of title for all other vehicles.

1 (8) A scrap certificate of title shall contain a legend that
2 the vehicle is not to be titled or registered and is to be used
3 for parts or scrap metal only.

4 (9) A certificate of title shall not be issued for a vehicle
5 ~~which~~ THAT has had a salvage certificate of title unless the
6 certificate of title contains a legend ~~which~~ THAT would dis-
7 close the vehicle's former condition to consumers and potential
8 purchasers.