

# HOUSE BILL No. 4724

May 20, 1999, Introduced by Reps. Richner, Rick Johnson, Jellema, Bishop, Garcia, Howell, Sanborn, Kuipers, Patterson, Toy, Pappageorge and Bovin and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 219 and 904c (MCL 257.219 and 257.904c), section 219 as amended by 1998 PA 346 and section 904c as added by 1998 PA 359.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 219. (1) The secretary of state shall refuse issuance  
2 of a registration or a transfer of registration upon any of the  
3 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 registration of  
8 the vehicle under this act.

1 (b) The secretary of state has reasonable ground to believe  
2 that the vehicle is a stolen or embezzled vehicle, or that the  
3 granting of registration would constitute a fraud against the  
4 rightful owner or other person having a valid lien upon the  
5 vehicle.

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

8 (d) The operator's or chauffeur's license of the owner or  
9 lessee is suspended ~~, revoked, or denied~~ or the operator has  
10 never been licensed by this state at the time of the application  
11 for a third or subsequent violation of section 625 or 625m or a  
12 local ordinance substantially corresponding to section 625 or  
13 625m or a fourth or subsequent suspension ~~or revocation~~ under  
14 section 904. This subdivision takes effect June 1, 2000.

15 (E) THE OPERATOR'S OR CHAUFFEUR'S LICENSE OF THE OWNER OR  
16 LESSEE IS REVOKED OR THE APPLICATION FOR A LICENSE IS DENIED FOR  
17 A VIOLATION OF THIS ACT OR A LOCAL ORDINANCE SUBSTANTIALLY CORRE-  
18 SPONDING TO THIS ACT.

19 (F) ~~(e)~~ The required fee has not been paid.

20 (G) ~~(f)~~ The applicant, at the time of applying for regis-  
21 tration or a transfer of registration other than a temporary reg-  
22 istration issued ~~pursuant to~~ UNDER section 226b, fails to  
23 present a certificate of compliance or waiver for a motor vehicle  
24 as required under either part 63 or part 65 of the natural  
25 resources and environmental protection act, 1994 PA 451, MCL  
26 324.6301 to 324.6321 and 324.6501 to 324.6539.

1           (H) ~~(g)~~ The application for registration of a vehicle with  
2 an elected gross weight of 55,000 pounds or more is not  
3 accompanied with proof of payment of the federal highway use tax  
4 levied ~~pursuant to~~ UNDER the surface transportation assistance  
5 act of 1982, Public Law 97-424, 96 Stat. 2097.

6           (2) The secretary of state shall refuse issuance of a cer-  
7 tificate of title or a salvage certificate of title upon any of  
8 the following grounds:

9           (a) The application contains a false or fraudulent state-  
10 ment, the applicant has failed to furnish required information or  
11 reasonable additional information requested by the secretary of  
12 state, or the applicant is not entitled to the issuance of a cer-  
13 tificate of title or salvage certificate of title under this  
14 act.

15           (b) The secretary of state has reasonable ground to believe  
16 that the vehicle is a stolen or embezzled vehicle or that the  
17 issuance of a certificate of title or a salvage certificate of  
18 title would constitute a fraud against the rightful owner or  
19 other person having a valid security interest upon the vehicle.

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

21           (d) The operator's or chauffeur's license of the owner or  
22 lessee is suspended, revoked, or denied or the operator has never  
23 been licensed by this state at the time of the application for a  
24 third or subsequent violation of section 625 or 625m or a local  
25 ordinance substantially corresponding to section 625 or 625m or a  
26 fourth or subsequent suspension or revocation under section 904.  
27 This subdivision takes effect June 1, 2000.

1           Sec. 904c. (1) When a peace officer detains the driver of a  
2 motor vehicle for a violation of SECTION 219(1)(E) OR FOR A VIO-  
3 LATION OF a law of this state or local ordinance for which vehi-  
4 cle immobilization is required, the peace officer shall do all of  
5 the following:

6           (a) Immediately confiscate the vehicle's registration plate  
7 and destroy it.

8           (b) Issue a temporary vehicle registration plate for the  
9 vehicle in the same form prescribed by the secretary of state for  
10 temporary registration plates issued under section 226a.

11           (c) Place the temporary vehicle registration plate on the  
12 vehicle in the manner required by the secretary of state.

13           (d) Notify the secretary of state through the law enforce-  
14 ment information network in a form prescribed by the secretary of  
15 state that the registration plate was confiscated and destroyed,  
16 and a temporary plate was issued.

17           (2) A temporary vehicle registration plate issued under this  
18 section is valid for 100 days unless extended by the court.