HOUSE BILL No. 4453

March 3, 2005, Introduced by Rep. Dillon and referred to the Committee on Banking and Financial Services.

A bill to amend 1994 PA 451, entitled

"Natural resources and environmental protection act,"

by amending section 81108 (MCL 324.81108), as added by 1995 PA 58.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1   Sec. 81108. (1) An application for an ORV certificate of title

2 shall be on a form prescribed by the department of state. The

3 application shall be certified by the owner or purchaser and shall

4 contain, in addition to other information required by the

5 department of state, the following information:

6   (a) The applicant's name and address.

7   (b) A statement of any security interest or other liens on the

8 ORV, along with the name and address of any lienholder.

9   (c) If a lien is not outstanding, a statement of that fact.

1   (d) A description of the ORV, including the year, make, model

2   or series, and vehicle identification number.

3   (2) An application for an ORV certificate of title that

4   indicates the existence of a security interest in the ORV shall, if

5   requested by the security interest holder, be accompanied by a copy

6   of the security agreement, which may be unsigned. The department of

7   state shall indicate on the copy the date and place of filing and

8   shall return the copy to the person who filed the application. The

9   filer shall forward the copy to the security interest holder

10   identified in the application.

11   **(3) RECEIPT BY THE SECRETARY OF STATE OF A PROPERLY TENDERED**

12   **APPLICATION FOR AN ORV CERTIFICATE OF TITLE THAT INDICATES THE**

13   **EXISTENCE OF A SECURITY INTEREST IN THE ORV IS A PERFECTION OF A**

14   **SECURITY INTEREST IN THE ORV AND IS EQUIVALENT TO FILING A**

15   **FINANCING STATEMENT UNDER THE UNIFORM COMMERCIAL CODE, 1962 PA 174,**

16   **MCL 440.1101 TO 440.11102, WITH RESPECT TO THE ORV. WHEN A SECURITY**

17   **INTEREST IN AN ORV IS PERFECTED, IT HAS PRIORITY OVER THE RIGHTS OF**

18   **A LIEN CREDITOR.**