

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

257.230a Motorcycle without visible vehicle identification number; seizure; procedure; "person" defined.

Sec. 230A. (1) A police officer who finds a motorcycle that does not have a visible vehicle identification number may seize the motorcycle to determine if the motorcycle is stolen or otherwise in violation of law.

(2) A police officer who seizes a motorcycle under subsection (1) shall do all of the following:

(a) Secure and transport the motorcycle in a manner and to a place that will protect it from damage.

(b) Determine, if possible, whether or not the motorcycle is stolen.

(c) If necessary, facilitate an examination of the motorcycle by a forensic laboratory specialist or other trained specialist to determine if the vehicle identification number can be restored or otherwise located.

(d) Unless otherwise required by law, return the motorcycle to the person from whom it was seized or to the lawful owner, within 30 calendar days after the date of the seizure.

(3) A police agency holding a motor vehicle unlawfully beyond the 30 calendar days prescribed in subsection (2) is liable for damages.

(4) A person may enforce the provisions of this section by filing a civil action in the district court that has jurisdiction of the place where the motorcycle was seized. The district court shall conduct a hearing on the action within 10 days from the date of the filing in a manner prescribed in the revised judicature act of 1961, 1961 PA 236, MCL 600.101 to 600.9948.

(5) A person who prevails in an action authorized under subsection (4) shall be awarded costs and actual attorney fees.

(6) As used in this section, "person" means an individual, partnership, corporation, association, governmental entity, or other legal entity.

History: Add. 2000, Act 408, Eff. Mar. 28, 2001.

Compiler's note: Section number "Sec. 230A." at the beginning of this section evidently should read "Sec. 230a.".