

SENATE BILL No. 277

February 19, 2009, Introduced by Senators JELINEK, ANDERSON, BIRKHOLZ, PAPPAGEORGE and BARCIA and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 255 (MCL 257.255), as amended by 2003 PA 9, and by adding sections 224a and 233c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 224A. (1) THE SECRETARY OF STATE SHALL NOT ISSUE A
2 REGISTRATION PLATE FOR A SPECIAL PURPOSE GOVERNMENT VEHICLE THAT
3 HAS BEEN TRANSFERRED FROM AN AGENCY OR UNIT OF LOCAL GOVERNMENT OF
4 THIS STATE UNTIL THE SECRETARY OF STATE RECEIVES SATISFACTORY
5 EVIDENCE OF ALL OF THE FOLLOWING:

6 (A) THAT THE VEHICLE HAS BEEN MODIFIED IN A MANNER THAT
7 REMOVES THE DISTINCTIVE MARKINGS THAT CHARACTERIZE IT AS A SPECIAL
8 PURPOSE VEHICLE.

1 (B) FOR A FORMER STATE POLICE VEHICLE, THAT THE FRONT PUSH
2 BAR, STATE POLICE INSIGNIA, ANY DISTINCTIVE RED OR BLUE LIGHTS, AND
3 ANY SPECIALIZED EQUIPMENT THAT IS DISTINCTIVE TO STATE POLICE
4 VEHICLES HAVE BEEN REMOVED.

5 (2) THE SECRETARY OF STATE MAY ISSUE A TEMPORARY REGISTRATION
6 PLATE THAT IS VALID FOR NOT MORE THAN 15 DAYS TO ALLOW A PERSON WHO
7 SEEKS TO REGISTER A SPECIAL PURPOSE VEHICLE THAT HAS BEEN
8 TRANSFERRED FROM AN AGENCY OR UNIT OF LOCAL GOVERNMENT OF THIS
9 STATE TO COMPLY WITH THE REQUIREMENTS FOR OBTAINING A REGISTRATION
10 PLATE UNDER THIS SECTION.

11 (3) AS USED IN THIS SECTION, "SPECIAL PURPOSE VEHICLE" MEANS A
12 VEHICLE WITH A DISTINCTIVE COLOR, PATTERN, OR MARKINGS THAT
13 IDENTIFY IT AS A VEHICLE USED BY A GOVERNMENT OFFICER OR EMPLOYEE
14 IN PERFORMING OFFICIAL DUTIES, INCLUDING, BUT NOT LIMITED TO, A
15 STATE OR LOCAL GOVERNMENT POLICE VEHICLE, AMBULANCE, OR FIRE TRUCK.

16 SEC. 233C. A PERSON WHO SELLS AT AUCTION A SPECIAL PURPOSE
17 VEHICLE, AS DEFINED IN SECTION 224A, SHALL INFORM POTENTIAL BUYERS
18 OF THE SPECIAL REQUIREMENTS UNDER THAT SECTION FOR OBTAINING A
19 REGISTRATION PLATE. A BUYER MAY RESCIND THE SALE WITHIN 90 DAYS IF
20 HE OR SHE DID NOT RECEIVE THE NOTICE REQUIRED IN THIS SECTION
21 BEFORE ENTERING INTO THE SALES AGREEMENT.

22 Sec. 255. (1) Except as otherwise provided in this chapter, a
23 person shall not operate, nor shall an owner knowingly permit to be
24 operated, upon any highway, a vehicle required to be registered
25 under this act unless there is attached to and displayed on the
26 vehicle, as required by this chapter, a valid registration plate
27 issued for the vehicle by the department for the current

1 registration year. A registration plate shall not be required upon
2 any wrecked or disabled vehicle, or vehicle destined for repair or
3 junking, which is being transported or drawn upon a highway by a
4 wrecker or a registered motor vehicle.

5 (2) Except as otherwise provided in this section, a person who
6 violates subsection (1) is responsible for a civil infraction.
7 However, if the vehicle is a commercial vehicle ~~which~~**THAT** is
8 required to be registered according to the schedule of elected
9 gross vehicle weights under section 801(1)(k), the person is guilty
10 of a misdemeanor punishable by imprisonment for not more than 90
11 days or a fine of not more than \$500.00, or both.

12 (3) A person who operates a vehicle licensed under the
13 international registration plan and does not have a valid
14 registration due to nonpayment of the apportioned fee is guilty of
15 a misdemeanor, punishable by imprisonment for not more than 90
16 days, or by a fine of not more than \$100.00, or both. In addition,
17 a police officer may impound the vehicle until a valid registration
18 is obtained. If the vehicle is impounded, the towing and storage
19 costs of the vehicle, and the care or preservation of the load in
20 the vehicle shall be the owner's responsibility. Vehicles impounded
21 shall be subject to a lien in the amount of the apportioned fee and
22 any fine and costs incurred under this subsection, subject to a
23 valid lien of prior record. If the apportioned fee, fine, and costs
24 are not paid within 90 days after impoundment, then following a
25 hearing before the judge or magistrate who imposed the fine and
26 costs, the judge or magistrate shall certify the unpaid judgment to
27 the prosecuting attorney of the county in which the violation

1 occurred. The prosecuting attorney shall enforce the lien by
2 foreclosure sale in accordance with the procedure authorized by law
3 for chattel mortgage foreclosures.

4 (4) A PERSON WHO OPERATES IN VIOLATION OF SUBSECTION (1) A
5 SPECIAL PURPOSE VEHICLE, AS DEFINED IN SECTION 224A, THAT WAS
6 TRANSFERRED FROM OWNERSHIP OF THIS STATE OR A UNIT OF LOCAL
7 GOVERNMENT OF THIS STATE, IS GUILTY OF A MISDEMEANOR PUNISHABLE BY
8 IMPRISONMENT FOR NOT MORE THAN 93 DAYS OR A FINE OF NOT MORE THAN
9 \$500.00, OR BOTH.