

HOUSE BILL No. 6187

June 8, 2006, Introduced by Reps. Palsrok, Pastor, Condino, Farrah, Mayes, Accavitti, Miller, Gillard, Meisner, Kolb, Nofs, Huizenga, Proos, Farhat and Hildenbrand and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 233 (MCL 257.233), as amended by 2005 PA 317.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 233. (1) If the owner of a registered vehicle transfers
2 or assigns the title or interest in the vehicle, the registration
3 plates issued for the vehicle shall be removed and transferred to
4 the owner's spouse, mother, father, sister, brother, or child to
5 whom title or interest in the vehicle is transferred, or retained
6 and preserved by the owner for transfer to another vehicle upon
7 application and payment of the required fees. A person shall not
8 transfer the plates to a vehicle without applying for a proper
9 certificate of registration describing the vehicle to which the

1 plates are being transferred except as provided in section 217(4).
2 If the owner of a registered vehicle acquires another vehicle
3 without transferring or assigning the title or interest in the
4 vehicle for which the plates were issued, the owner may have the
5 plates transferred to the subsequently acquired vehicle upon
6 application and payment of the required fees.

7 (2) A person shall not purchase or lease another vehicle or an
8 interest in another vehicle with the intent to circumvent the
9 restrictions created by immobilization of a vehicle under this act.

10 (3) A person shall not transfer or attempt to transfer
11 ownership or right of possession of a vehicle subject to forfeiture
12 or ordered forfeited under this act with the intent to avoid the
13 forfeiture of that vehicle.

14 (4) During the time a vehicle is subject to a temporary
15 registration plate, vehicle forfeiture, immobilization,
16 registration denial, or the period from adjudication to
17 immobilization or forfeiture under this act, a person shall not
18 without a court order transfer or assign the title or an interest
19 in the vehicle to a person who is not subject to payment of a use
20 tax under section 3 of the use tax act, 1937 PA 94, MCL 205.93.

21 (5) A person who violates subsection (2), (3), or (4) is
22 guilty of a misdemeanor punishable by imprisonment for not more
23 than 1 year or a fine of not more than \$1,000.00, or both.

24 (6) A person whose operator's or chauffeur's license is
25 suspended, revoked, or denied for, or who has never been licensed
26 by this state and was convicted for, a third or subsequent
27 violation of section 625 or 625m, of a local ordinance

1 substantially corresponding to section 625 or 625m, or of a law of
2 another state substantially corresponding to section 625 or 625m,
3 or for a fourth or subsequent suspension or revocation under
4 section 904 shall not purchase, lease, or otherwise acquire a motor
5 vehicle during the suspension, revocation, or denial period. A
6 person who violates this subsection is guilty of a misdemeanor
7 punishable by imprisonment for not more than 93 days or a fine of
8 not more than \$100.00, or both.

9 (7) If the assigned holder of registration plates applies for
10 a new registration certificate, the application shall be
11 accompanied either by the old registration certificate or by a
12 certificate of title showing the person to be the assigned holder
13 of the registration plates for which the old registration
14 certificate had been issued. A person who fails or neglects to
15 fulfill the requirements of this subsection is guilty of a
16 misdemeanor punishable by imprisonment for not more than 93 days or
17 a fine of not more than \$100.00, or both.

18 (8) The owner shall indorse on the certificate of title as
19 required by the secretary of state an assignment of the title with
20 warranty of title in the form printed on the certificate with a
21 statement of all security interests in the vehicle or in
22 accessories on the vehicle and deliver or cause the certificate to
23 be mailed or delivered to the purchaser or transferee at the time
24 of the delivery to the purchaser or transferee of the vehicle. The
25 certificate shall show the payment or satisfaction of any security
26 interest as shown on the original title.

27 (9) Upon the delivery of a motor vehicle and the transfer,

1 sale, or assignment of the title or interest in a motor vehicle by
2 a person, including a dealer, the effective date of the transfer of
3 title or interest in the vehicle ~~shall be~~ **IS** the date of
4 ~~execution of~~ **SIGNATURE ON** either the application for title or the
5 assignment of the certificate of title **BY THE PURCHASER,**
6 **TRANSFeree, OR ASSIGNEE.**