

# SENATE BILL No. 550

May 31, 2005, Introduced by Senator JOHNSON and referred to the Committee on Appropriations.

A bill to amend 1994 PA 451, entitled  
"Natural resources and environmental protection act,"  
by amending sections 80130, 80315, 81114, and 82156 (MCL 324.80130,  
324.80315, 324.81114, and 324.82156), as amended by 1997 PA 102.

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

1       Sec. 80130. (1) The secretary of state may provide a  
2       commercial lookup service of records maintained under this part.  
3       For each individual record looked up, the secretary of state shall  
4       charge a fee specified annually by the legislature, or if none, a  
5       market-based price established by the secretary of state. The  
6       secretary of state shall process a commercial lookup request only  
7       if the request is in a form or format prescribed by the secretary  
8       of state. ~~The secretary of state may use the fee revenues received~~

1 ~~from the service for necessary expenses.~~ BEGINNING OCTOBER 1,  
2 2005, THE FEES COLLECTED UNDER THIS SUBSECTION SHALL BE CREDITED TO  
3 THE TRANSPORTATION ADMINISTRATION COLLECTION FUND CREATED IN  
4 SECTION 810B OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL  
5 257.810B.

6 (2) In order to provide an individual, historical boating  
7 record, the secretary of state shall create and maintain a  
8 computerized central file that includes the information contained  
9 on application forms received under this part and the name of each  
10 person who is convicted of an offense, who fails to comply with an  
11 order or judgment issued, or against whom an order is entered under  
12 this part. The computerized central file shall be interfaced with  
13 the law enforcement information network as provided in the L.E.I.N.  
14 policy council act of 1974, 1974 PA 163, MCL 28.211 to 28.216.

15 (3) The secretary of state shall not provide an entire  
16 computerized central or other file of records maintained under this  
17 part to a nongovernmental person or entity unless the purchaser  
18 pays the prescribed fee or price for each individual record  
19 contained within the computerized file.

20 (4) A certified copy of an order, record, or paper maintained  
21 under this part is admissible in evidence in the same manner as the  
22 original and is prima facie proof of the facts stated in the  
23 original.

24 Sec. 80315. (1) Records maintained under this part, other than  
25 those declared to be confidential by law or ~~which~~ **THAT** are  
26 restricted by law from disclosure to the public, shall be available  
27 to the public ~~pursuant to~~ **UNDER** procedures prescribed in this

1 part, and in the freedom of information act, 1976 PA 442, MCL  
2 15.231 to 15.246.

3 (2) The secretary of state may provide a commercial lookup  
4 service of watercraft title records maintained under this part. For  
5 each individual record looked up, the secretary of state shall  
6 charge a fee specified annually by the legislature, or if none, a  
7 market-based price established by the secretary of state. The  
8 secretary of state shall process a commercial lookup request only  
9 if the request is in a form or format prescribed by the secretary  
10 of state. ~~The secretary of state may use fee revenues received~~  
11 ~~from the service for necessary expenses.~~ **BEGINNING OCTOBER 1,**  
12 **2005, THE FEES COLLECTED UNDER THIS SUBSECTION SHALL BE CREDITED TO**  
13 **THE TRANSPORTATION ADMINISTRATION COLLECTION FUND CREATED IN**  
14 **SECTION 810B OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL**  
15 **257.810B.**

16 (3) The secretary of state shall create and maintain a  
17 computerized central file that includes the information contained  
18 on application forms received under this part. The computerized  
19 central file shall be interfaced with the law enforcement  
20 information network as provided in the L.E.I.N. policy council act  
21 of 1974, 1974 PA 163, MCL 28.211 to 28.216.

22 (4) The secretary of state shall not provide an entire  
23 computerized central or other file of records maintained under this  
24 part to a nongovernmental person or entity, unless the purchaser  
25 pays the prescribed fee or price for each individual record  
26 contained within the computerized file.

27 (5) A certified copy of an order, record, or paper maintained

1 under this part is admissible in evidence in the same manner as the  
2 original and is prima facie proof of the facts stated in the  
3 original.

4 Sec. 81114. (1) Records maintained under this part, other than  
5 those declared to be confidential by law or ~~which~~ **THAT** are  
6 restricted by law from disclosure to the public, shall be available  
7 to the public ~~pursuant to~~ **UNDER** procedures prescribed in this  
8 part, and in the freedom of information act, 1976 PA 442, MCL  
9 15.231 to 15.246.

10 (2) The secretary of state may provide a commercial lookup  
11 service of ORV operation, title, and registration records  
12 maintained under this part. For each individual record looked up,  
13 the secretary of state shall charge a fee specified annually by the  
14 legislature, or if none, a market-based price established by the  
15 secretary of state. The secretary of state shall process a  
16 commercial lookup request only if the request is in a form or  
17 format prescribed by the secretary of state. ~~The secretary of~~  
18 ~~state may use the revenues received from the service for necessary~~  
19 ~~expenses.~~ **BEGINNING OCTOBER 1, 2005, THE FEES COLLECTED UNDER THIS**  
20 **SUBSECTION SHALL BE CREDITED TO THE TRANSPORTATION ADMINISTRATION**  
21 **COLLECTION FUND CREATED IN SECTION 810B OF THE MICHIGAN VEHICLE**  
22 **CODE, 1949 PA 300, MCL 257.810B.**

23 (3) The secretary of state shall create and maintain a  
24 computerized central file that includes the information contained  
25 on application forms received under this part and the name of each  
26 person who is convicted of an offense, who fails to comply with an  
27 order or judgment issued, or against whom an order is entered under

1 this part. The computerized central file shall be interfaced with  
2 the law enforcement information network as provided in the L.E.I.N.  
3 policy council act of 1974, 1974 PA 163, MCL 28.211 to 28.216.

4 (4) The secretary of state may purge a record of an ORV  
5 certificate of title and any record pertaining to it 7 years after  
6 the title was issued or the record was made or received.

7 (5) The secretary of state shall not provide an entire  
8 computerized central or other file of records maintained under this  
9 part to a nongovernmental person or entity, unless the purchaser  
10 pays the prescribed fee or price for each individual record  
11 contained within the computerized file.

12 (6) A certified copy of an order, record, or paper maintained  
13 under this part is admissible in evidence in the same manner as the  
14 original and is prima facie proof of the facts stated in the  
15 original.

16 Sec. 82156. (1) Records maintained under this part, other than  
17 those declared to be confidential by law or ~~which~~ **THAT** are  
18 restricted by law from disclosure to the public, shall be available  
19 to the public ~~pursuant to~~ **UNDER** procedures prescribed in this  
20 part, and in the freedom of information act, 1976 PA 442, MCL  
21 15.231 to 15.246.

22 (2) The secretary of state may provide a commercial lookup  
23 service of snowmobile operation, title, and registration records  
24 maintained under this part. For each individual record looked up,  
25 the secretary of state shall charge a fee specified annually by the  
26 legislature, or if none, a market-based price established by the  
27 secretary of state. The secretary of state shall process a

1 commercial lookup request only if the request is in a form or  
2 format prescribed by the secretary of state. ~~The secretary of~~  
3 ~~state may use the revenues received from the service for necessary~~  
4 ~~expenses.~~ **BEGINNING OCTOBER 1, 2005, THE FEES COLLECTED UNDER THIS**  
5 **SUBSECTION SHALL BE CREDITED TO THE TRANSPORTATION ADMINISTRATION**  
6 **COLLECTION FUND CREATED IN SECTION 810B OF THE MICHIGAN VEHICLE**  
7 **CODE, 1949 PA 300, MCL 257.810B.**

8 (3) In order to provide an individual, historical snowmobiling  
9 record, the secretary of state shall create and maintain a  
10 computerized central file that includes the information contained  
11 on application forms received under this part and the name of each  
12 person who is convicted of an offense, who fails to comply with an  
13 order or judgment issued, or against whom an order is entered under  
14 this part or former 1968 PA 74. The computerized central file shall  
15 be interfaced with the law enforcement information network as  
16 provided in the L.E.I.N. policy council act of 1974, 1974 PA 163,  
17 MCL 28.211 to 28.216.

18 (4) The secretary of state shall not provide an entire  
19 computerized central or other file of records maintained under this  
20 part to a nongovernmental person or entity, unless the purchaser  
21 pays the prescribed fee or price for each individual record  
22 contained within the computerized file.

23 (5) A certified copy of an order, record, or paper maintained  
24 in this record is admissible in evidence in like manner as the  
25 original and is prima facie proof of the facts stated in the  
26 original.

27 Enacting section 1. This amendatory act takes effect October

1 1, 2005.

2 Enacting section 2. This amendatory act does not take effect  
3 unless all of the following bills of the 93rd Legislature are  
4 enacted into law:

5 (a) Senate Bill No. 549.

6

7 (b) Senate Bill No. 548.

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