

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

257.11 Dealer defined.

Sec. 11.

- (1) Except as otherwise provided in this section, "dealer" means a person who is 1 or more of the following:
 - (a) A person who in a 12-month period did 1 or more of the following:
 - (i) Engaged in the business of purchasing, selling, exchanging, brokering, leasing, or dealing in vehicles of a type required to be titled under this act.
 - (ii) Engaged in the business of purchasing, selling, exchanging, brokering, or dealing in salvageable parts of 5 or more vehicles.
 - (iii) Engaged in the business of buying 5 or more vehicles to sell vehicle parts or process into scrap metal.
 - (b) A person engaged in the actual remanufacturing of engines or transmissions.
- (2) There is a rebuttable presumption that a person who in a 12-month period buys and sells, exchanges, brokers, leases, or deals in 5 or more vehicles, or buys and sells, exchanges, brokers, or deals in salvageable parts for 5 or more vehicles, or buys 5 or more vehicles to sell vehicle parts or to process into scrap metal is engaged in a business of being a dealer as described in subsection (1).
- (3) Dealer does not include any of the following:
 - (a) A financial institution, as defined in section 10 of 1909 PA 99, MCL 129.40, or an entity wholly owned by 1 or more financial institutions.
 - (b) A bank holding company.
 - (c) A person who buys or sells remanufactured vehicle engine and transmission salvageable vehicle parts or who receives in exchange used engines or transmissions if the primary business of the person is the selling of new vehicle parts and the person is not engaged in any other activity that requires a dealer license under this act.
 - (d) For purposes of dealer licensing, a person who negotiates the lease of a vehicle of a type required to be titled under this act for a lease term of less than 120 days.
 - (e) A person whose business is the financing of the purchase, sale, or lease of vehicles of a type required to be titled under this act and that is not otherwise engaged in activities of a dealer as described in subsection (1).
 - (f) An employee or agent of a dealer acting in the scope of his or her employment or agency.
 - (g) An insurer, as defined in section 106 of the insurance code of 1956, 1956 PA 218, MCL 500.106.
 - (h) A person engaged in leasing vehicles solely for commercial or other nonhousehold use.
 - (i) A lessor selling 1 or more off lease vehicles.
 - (j) A person who has received a vehicle under section 252g(3)(a) for the purpose of selling that vehicle to a dealer licensed under this act.

History: 1949, Act 300, Eff. Sept. 23, 1949 ;-- Am. 1978, Act 507, Eff. July 1, 1979 ;-- Am. 1990, Act 154, Imd. Eff. June 28, 1990 ;-- Am. 2002, Act 652, Eff. Jan. 1, 2003 ;-- Am. 2003, Act 37, Imd. Eff. July 3, 2003 ;-- Am. 2008, Act 539, Imd. Eff. Jan. 13, 2009