

**SUBSTITUTE FOR
SENATE BILL NO. 491**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 219 (MCL 257.219), as amended by 2010 PA 155.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 219. (1) The secretary of state shall refuse issuance of
2 a registration or a transfer of registration upon any of the
3 following grounds:

4 (a) The application contains a false or fraudulent statement,
5 the applicant has failed to furnish required information or
6 reasonable additional information requested by the secretary of
7 state, or the applicant is not entitled to the registration of the
8 vehicle under this act.

9 (b) The secretary of state has reasonable ground to believe
10 that the vehicle is a stolen or embezzled vehicle, or that the

1 granting of registration would constitute a fraud against the
2 rightful owner or other person having a valid lien upon the
3 vehicle.

4 (c) The registration of the vehicle is suspended or revoked
5 for any reason provided in the motor vehicle laws of this state.

6 (d) At the time of the application, the operator's or
7 chauffeur's license of the owner or co-owner or lessee or co-lessee
8 is suspended, revoked, or denied, except for an applicant who ~~has~~
9 ~~been~~ **WAS** issued a license under section 304, or the operator has
10 never been licensed by this state ~~for~~ **BECAUSE OF** a third or
11 subsequent violation of section 625 or 625m, a local ordinance
12 substantially corresponding to section 625 or 625m, or a law of
13 another state substantially corresponding to section 625 or 625m,
14 or ~~for~~ **BECAUSE OF** a fourth or subsequent suspension or revocation
15 under section 904.

16 (e) The required fee has not been paid.

17 (f) The applicant, at the time of applying for registration or
18 a transfer of registration other than a temporary registration
19 issued under section 226b, fails to present a certificate of
20 compliance or waiver for a motor vehicle as required under either
21 part 63 or part 65 of the natural resources and environmental
22 protection act, 1994 PA 451, MCL 324.6301 to 324.6321 and 324.6501
23 to 324.6539.

24 (g) The application for registration of a vehicle with an
25 elected gross weight of 55,000 pounds or more is not accompanied
26 with proof of payment of the federal highway use tax levied under
27 the surface transportation assistance act of 1982, Public Law 97-

1 424.

2 (H) THE VEHICLE IS AN OFF-ROAD VEHICLE MANUFACTURED
3 EXCLUSIVELY FOR OFF-ROAD USE AS SPECIFIED ON THE MANUFACTURER'S
4 CERTIFICATE OF ORIGIN, OR AN OFF-ROAD VEHICLE, USING EITHER THE
5 ORIGINAL VEHICLE IDENTIFICATION NUMBER OR A VEHICLE IDENTIFICATION
6 NUMBER ASSIGNED BY THE SECRETARY OF STATE, THAT WAS ORIGINALLY
7 MANUFACTURED EXCLUSIVELY FOR OFF-ROAD USE AND MODIFIED FOR USE ON
8 THE PUBLIC ROADWAYS. AS USED IN THIS SUBDIVISION, OFF-ROAD VEHICLE
9 INCLUDES A GOLF CART AND DOES NOT INCLUDE A MOTORCYCLE.

10 (2) The secretary of state shall refuse issuance of a
11 certificate of title or a salvage certificate of title upon any of
12 the following grounds:

13 (a) The application contains a false or fraudulent statement,
14 the applicant has failed to furnish required information or
15 reasonable additional information requested by the secretary of
16 state, or the applicant is not entitled to the issuance of a
17 certificate of title or salvage certificate of title under this
18 act.

19 (b) The secretary of state has reasonable ground to believe
20 that the vehicle is a stolen or embezzled vehicle or that the
21 issuance of a certificate of title or a salvage certificate of
22 title would constitute a fraud against the rightful owner or other
23 person having a valid security interest upon the vehicle.

24 (c) The required fee has not been paid.

25 (D) THE VEHICLE IS AN OFF-ROAD VEHICLE MANUFACTURED
26 EXCLUSIVELY FOR OFF-ROAD USE AS SPECIFIED ON THE MANUFACTURER'S
27 CERTIFICATE OF ORIGIN, OR AN OFF-ROAD VEHICLE, USING EITHER THE

1 ORIGINAL VEHICLE IDENTIFICATION NUMBER OR A VEHICLE IDENTIFICATION
2 NUMBER ASSIGNED BY THE SECRETARY OF STATE, THAT WAS ORIGINALLY
3 MANUFACTURED EXCLUSIVELY FOR OFF-ROAD USE AND MODIFIED FOR USE ON
4 THE PUBLIC ROADWAYS. THIS SUBDIVISION DOES NOT PROHIBIT OR
5 OTHERWISE AFFECT THE TITLING OF OFF-ROAD VEHICLES AS PROVIDED IN
6 PART 811 OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT,
7 1994 PA 451, MCL 324.81101 TO 324.81150. AS USED IN THIS
8 SUBDIVISION, OFF-ROAD VEHICLE INCLUDES A GOLF CART AND DOES NOT
9 INCLUDE A MOTORCYCLE.

10 (3) The secretary of state shall not issue a registration for
11 a vehicle for which a temporary registration plate was issued under
12 section 904c until the violation resulting in the issuance of the
13 plate is adjudicated or the vehicle is transferred to a person who
14 is subject to payment of a use tax under section 3 of the use tax
15 act, 1937 PA 94, MCL 205.93.