

HOUSE BILL NO. 5146

October 28, 2025, Introduced by Reps. Rogers, DeSana, Steckloff, Neyer, McKinney, Harris, Brixie, Hoskins, Hope, Scott, Martus, Bierlein, Price, Dievendorf, McFall, Wooden, Glanville, Foreman, Myers-Phillips, Young, Paiz, Skaggs, Breen, Conlin, BeGole and Hoadley and referred to Committee on Regulatory Reform.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 252a, 252d, 252e, 252f, 252g, 252i, 252k, and
252l (MCL 257.252a, 257.252d, 257.252e, 257.252f, 257.252g,
257.252i, 257.252k, and 257.252l), sections 252a, 252f, and 252g as
amended by 2018 PA 347, sections 252d and 252e as amended by 2022
PA 89, section 252i as added by 2004 PA 493, and sections 252k and
252l as amended by 2008 PA 539, and by adding sections 68a, 252n,
and 252o; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 68a. "Towing agency" means a person engaged in the**
 2 **business of removing vehicles from public or private property by**
 3 **means including, but not limited to, towing, relocating, and**
 4 **storing vehicles.**

5 Sec. 252a. (1) A person shall not abandon a vehicle in this
 6 state. It is presumed that the last titled owner of the vehicle is
 7 responsible for abandoning the vehicle unless the person provides a
 8 record of the sale as that term is defined in section 240. A person
 9 ~~who~~**that** violates this subsection and ~~who~~ fails to redeem the
 10 vehicle before disposition of the vehicle under section 252g is
 11 responsible for a civil infraction and ~~shall~~**must** be ordered to pay
 12 a civil fine of \$50.00.

13 (2) As used in this section and sections 252b ~~through to~~ 252l,
 14 "abandoned vehicle" means any of the following:

15 (a) A vehicle that ~~has remained~~**is** on private property without
 16 the consent of the owner ~~if the vehicle is located in 1 of the~~
 17 **following:**

18 (i) In a private tow-away zone that meets the requirements of
 19 **section 252k.**

20 (ii) On real property that is appurtenant to and obviously part
 21 **of a single- or dual-family residence.**

22 (b) A vehicle that has remained on public property for a
 23 period of not less than 48 hours, or on a state trunk line highway
 24 as described in section 1 of 1951 PA 51, MCL 247.651, as follows:

25 (i) If a valid registration plate is affixed to the vehicle,
 26 for a period of not less than 18 hours.

27 (ii) If a valid registration plate is not affixed to the
 28 vehicle.

29 (c) A vehicle, other than a late-model vehicle, to which all

1 of the following apply:

2 (i) An insurance company has not acquired ownership of the
3 vehicle under section 217c.

4 (ii) The vehicle cannot be disposed of under section 248c.

5 (iii) The vehicle has remained in the custody of a vehicle
6 salvage pool or broker site without the consent of the vehicle
7 salvage pool operator or the broker for a period of not less than
8 60 days.

9 (3) If a vehicle has remained on public property for the
10 period of time described in subsection (2) (b) ~~so that it and~~
11 qualifies as abandoned, a police agency ~~having that has~~
12 jurisdiction over the vehicle or the **police** agency's designee shall
13 determine whether the vehicle has been reported stolen and may
14 affix a written notice to the vehicle. The written notice ~~shall~~
15 **must** contain the following information:

16 (a) The date and time the notice was affixed.

17 (b) The name and address of the police agency taking the
18 action.

19 (c) The name and badge number of the police officer affixing
20 the notice.

21 (d) The date and time the vehicle may be taken into custody
22 and stored at the owner's expense or scrapped if the vehicle is not
23 removed.

24 (e) The year, make, and vehicle identification number of the
25 vehicle, if available.

26 (4) If the vehicle is an abandoned vehicle, the police agency
27 or the **police** agency's designee may have the towing agency take the
28 vehicle into custody.

29 (5) A police agency that has received a vehicle taken into

1 custody as abandoned shall do all of the following:

2 (a) Recheck to determine if the vehicle has been reported
3 stolen.

4 (b) ~~Within~~ **Not later than** 24 hours after the vehicle is taken
5 into custody, enter the vehicle as abandoned into the law
6 enforcement information network, and notify the secretary of state
7 through the law enforcement information network that the vehicle
8 has been taken into custody as abandoned. Each notification ~~shall~~
9 **must** contain the following information:

10 (i) The year, make, and vehicle identification number of the
11 vehicle, if available.

12 (ii) The address or approximate location from which the vehicle
13 was taken into custody.

14 (iii) The date on which the vehicle was taken into custody.

15 (iv) The date the vehicle is being entered into the law
16 enforcement information network and whether the information is
17 being entered ~~within~~ **not later than** 24 hours after the vehicle was
18 taken into custody.

19 (v) The name and address of the police agency that had the
20 vehicle taken into custody.

21 (vi) The name and business address of the custodian of the
22 vehicle.

23 (vii) The name of the court that has jurisdiction over the
24 case.

25 (c) ~~Within 7~~ **Not later than 3** days after receiving notice
26 under subdivision (b) that the vehicle has been taken into custody,
27 the secretary of state shall do both of the following:

28 (i) Send to the last titled owner and secured party, as shown
29 by the records of the secretary of state as described in section

221 or 237, by first-class mail or personal service, notice that the vehicle is considered abandoned. The form for the notice ~~shall~~ **must** be furnished by the secretary of state ~~. Each notice form shall~~ **and must** contain **all of** the following information:

(A) The year, make, and vehicle identification number of the vehicle if available.

(B) The address or approximate location from which the vehicle was taken into custody.

(C) The date on which the vehicle was taken into custody.

(D) The name and address of the police agency that had the vehicle taken into custody.

(E) The name and business address of the custodian of the vehicle.

(F) The procedure to redeem the vehicle.

(G) The procedure to contest the fact that the vehicle is considered abandoned or the reasonableness of the towing fees and daily storage fees.

(H) A form petition that the owner may file in person or by mail with the specified court that requests a hearing on the police agency's action.

(I) A warning that the failure to redeem the vehicle or to request a hearing within 20 days after the date of the notice may result in the sale of the vehicle and the termination of all rights of the owner and the secured party to the vehicle or the proceeds of the sale.

(ii) Enter the information described in subparagraph (i) on a website maintained by the department for public use ~~in locating to~~ **locate** vehicles that are removed under this section as abandoned. The department shall maintain the data on the website for 1 year or

1 until the vehicle is disposed of under this act, whichever occurs
2 first.

3 (6) The owner may contest the fact that the vehicle is
4 considered abandoned or the reasonableness of the towing fees and
5 daily storage fees by requesting a hearing and posting a bond equal
6 to \$40.00 plus the amount of the accrued towing and storage fees. A
7 request for a hearing ~~shall be~~ **is** made by filing a petition with
8 the court specified in the notice described in subsection (5)(c)
9 ~~within~~ **not later than** 20 days after the date of the notice. Subject
10 to subsection (8), if the owner requests a hearing, the matter
11 ~~shall~~ **must** be resolved after a hearing conducted under sections
12 252e and 252f. An owner who requests a hearing may obtain release
13 of the vehicle by posting a towing and storage bond in an amount
14 equal to the \$40.00 plus the accrued towing and storage fees with
15 the court. The owner of a vehicle who requests a hearing may obtain
16 release of the vehicle by paying a fee of \$40.00 to the court and
17 the accrued towing and storage fees instead of posting the towing
18 and storage bond.

19 (7) Subject to subsection (9), if the owner does not request a
20 hearing under subsection (6), ~~he or she~~ **the owner** may obtain the
21 release of the vehicle by paying a fee of \$40.00 and the accrued
22 towing and storage fees to the custodian of the vehicle. The
23 custodian of the vehicle shall forward \$25.00 of the fee to the
24 secretary of state ~~within~~ **not later than** 30 days after receipt in a
25 manner prescribed by the secretary of state, who shall deposit the
26 fee into the abandoned vehicle fund created in section 252h.

27 (8) The secured party may contest the reasonableness of the
28 towing fees and daily storage fees and request a hearing in the
29 same manner and subject to the same requirements as the owner of

1 the vehicle under subsection (6). If both the owner and the secured
2 party request a hearing to contest the reasonableness of the towing
3 fees and daily storage fees ~~within~~**not later than** 20 days after the
4 date of the notice, the court shall dismiss the secured party's
5 petition and proceed with the owner's petition as provided in
6 subsection (6), unless the owner is in default on a contract or
7 agreement with the secured party regarding that vehicle. If the
8 owner is in default on a contract or agreement with the secured
9 party regarding that vehicle, the court shall dismiss the owner's
10 petition and proceed with the secured party's petition in the same
11 manner as provided in subsection (6). If the secured party redeems
12 the vehicle, the owner may only seek damages related to the
13 reasonableness of the towing fees and daily storage fees from the
14 secured party. If the court finds, after a hearing on the
15 reasonableness of the towing fees and daily storage fees, that the
16 owner's or the secured party's challenge was frivolous, the court
17 may award reasonable attorney fees to the custodian of the vehicle.

18 (9) If the owner does not redeem the vehicle or request a
19 hearing within 10 days after the date of the notice described in
20 subsection (5)(c), the secured party may obtain the release of the
21 vehicle by paying a \$40.00 fee plus the accrued charges to the
22 custodian of the vehicle. The custodian of the vehicle shall
23 forward \$25.00 of the fee to the secretary of state, who shall
24 deposit the fee into the abandoned vehicle fund created in section
25 252h.

26 (10) If a vehicle has remained on private property without the
27 consent of the property owner, the owner of the private property
28 may have the vehicle taken into custody as an abandoned vehicle ~~by~~
29 **in accordance with 1 of the following, as applicable:**

(a) If the vehicle is removed from a private tow-away zone, section 252k.

(b) If the vehicle is located on real property that is appurtenant to and obviously part of a single- or dual-family residence, by contacting a local towing agency. ~~A local towing agency is considered~~ As used in this subdivision, "local towing agency" means a towing agency whose storage lot is located within not more than 15 miles from the border of the local unit of government having jurisdiction over the abandoned vehicle.

(11) Before a towing agency may remove a vehicle from private property, the towing agency shall do all of the following:

(a) Make a reasonable effort to take as many photographs as necessary to show that the vehicle is parked on private property in violation of section 252k or 252l.

(b) Record the time and date when a photograph under subdivision (a) was taken.

(c) Maintain the photograph and record under subdivisions (a) and (b) in electronic or printed form, for the earlier of the following dates:

(i) Not less than 30 days after the date on which the vehicle is recovered by the owner or lienholder.

(ii) Not less than 2 years after the date on which the vehicle was towed.

(12) ~~(11)~~ Before removing the vehicle from private property, the towing agency shall provide notice by telephone, or otherwise, to a police agency having jurisdiction over the vehicle that the vehicle is being removed. ~~Within~~ **Not later than** 24 hours after receipt of the notice from the towing agency, the police agency shall determine if the vehicle has been reported stolen and enter

the vehicle into the law enforcement information network as an abandoned vehicle. Verification by the police agency of compliance with this section is not necessary and is not a predicate to the entrance of the vehicle into the law enforcement information network.

(13) ~~(12) Within~~ **Not later than** 24 hours after ~~taking the~~ **notice of the removal of an** abandoned vehicle, ~~into custody,~~ the police agency shall notify the secretary of state through the law enforcement information network that the vehicle has been taken into custody as abandoned. Each notification ~~shall~~ **must** contain the following information:

(a) The year, make, and vehicle identification number of the vehicle if available.

(b) The address or approximate location from which the vehicle was taken into custody.

(c) The date on which the vehicle was taken into custody.

(d) The date the vehicle is being entered into the law enforcement information network and whether the information is being entered ~~within~~ **not later than** 24 hours after the vehicle was taken into custody.

(e) The name and address of the police agency that had the vehicle taken into custody.

(f) The name and business address of the custodian of the vehicle.

(g) The name of the court that has jurisdiction over the case.

(14) ~~(13) Within 7~~ **Not later than 3 business** days after being notified under subsection ~~(12),~~ **(13)**, the secretary of state shall do both of the following:

(a) Send to the owner and secured party, as shown by the

1 records of the secretary of state, by first-class mail or personal
2 service, notice that the vehicle is considered abandoned. The form
3 for the notice ~~shall~~**must** be furnished by the secretary of state.
4 Each notice form ~~shall~~**must** contain the following information:

5 (i) The year, make, and vehicle identification number of the
6 vehicle if available.

7 (ii) The location from which the vehicle was taken into
8 custody.

9 (iii) The date on which the vehicle was taken into custody.

10 (iv) The name of the towing agency that had the vehicle taken
11 into custody.

12 (v) The business address of the custodian of the vehicle.

13 (vi) The procedure to redeem the vehicle.

14 (vii) The procedure to contest the fact that the vehicle is
15 considered abandoned or the reasonableness of the towing fees and
16 daily storage fees.

17 (viii) A form petition that the owner may file in person or by
18 mail with the specified court that requests a hearing on the
19 custodian's action.

20 (ix) A warning that the failure to redeem the vehicle or to
21 request a hearing within 20 days after the date of the notice may
22 result in the sale of the vehicle and the termination of all rights
23 of the owner and the secured party to the vehicle or the proceeds
24 of the sale.

25 (b) Enter the information described in subdivision (a) on a
26 website maintained by the department for public use in locating
27 vehicles that are removed under this section as abandoned.

28 **(15)** ~~(14)~~—The owner may contest the fact that the vehicle is
29 abandoned or, unless the towing fees and daily storage fees are

1 established by contract with the local governmental unit or local
2 law enforcement agency and comply with section 252i, the
3 reasonableness of the towing fees and daily storage fees by
4 requesting a hearing. A request for a hearing ~~shall be~~ **is** made by
5 filing a petition with the court specified in the notice ~~within not~~
6 **later than** 20 days after the date of the notice. Subject to
7 subsection ~~(16), (17)~~, if the owner requests a hearing, the matter
8 ~~shall~~ **must** be resolved after a hearing conducted under section
9 252f. An owner who requests a hearing may obtain release of the
10 vehicle by posting with the court a towing and storage bond in an
11 amount equal to \$40.00 plus the accrued towing and storage fees.
12 The owner of a vehicle who requests a hearing may obtain release of
13 the vehicle by paying a fee of \$40.00 to the court plus the towing
14 and storage fees instead of posting the towing and storage bond. An
15 owner requesting a hearing but not taking possession of the vehicle
16 shall post with the court a towing and storage bond in an amount
17 equal to \$40.00 plus the accrued towing and storage fees.

18 **(16)** ~~(15)~~ Subject to subsection ~~(17), (18)~~, if the owner does
19 not request a hearing, ~~he or she~~ **the owner** may obtain the release
20 of the vehicle by paying a fee of \$40.00 plus the accrued charges
21 to the custodian of the vehicle. The custodian shall forward \$25.00
22 of the fee collected under this subsection to the secretary of
23 state ~~within not later than~~ 30 days after receipt in a manner
24 prescribed by the secretary of state, who shall deposit the fee
25 into the abandoned vehicle fund created in section 252h. **If the**
26 **release is obtained during business hours for a vehicle that was**
27 **towed or removed under this section, the vehicle must be released**
28 **to the owner not later than 30 minutes after the release is**
29 **obtained. The vehicle's owner has the right to inspect the vehicle**

1 before accepting the vehicle's return. A vehicle owner must not be
2 required to provide a waiver that would release the towing agency
3 from liability for damages incurred during the towing and storage
4 as a condition of the release of the vehicle. A detailed, signed
5 receipt with the legal name of the towing agency must be given to
6 the person that pays the towing or storage charges at the time of
7 payment. This subsection does not apply to authorized emergency
8 vehicles or property owned by a governmental entity. A towing
9 agency shall accept payment for accrued towing or storage charges
10 by any debit card, major credit card, certified check, or cash.

11 (17) ~~(16)~~—The secured party may contest the reasonableness of
12 the towing fees and daily storage fees and request a hearing in the
13 same manner and subject to the same requirements as the owner under
14 subsection ~~(14)~~.—(15). If both the owner and the secured party
15 request a hearing to contest the reasonableness of the towing fees
16 and daily storage fees ~~within~~**not later than** 20 days after the date
17 of the notice, the court shall dismiss the secured party's petition
18 and proceed with the owner's petition as provided in subsection
19 ~~(14)~~,—(15), unless the owner is in default on a contract or
20 agreement with the secured party regarding that vehicle. If the
21 owner is in default on a contract or agreement with the secured
22 party regarding that vehicle, the court shall dismiss the owner's
23 petition and proceed with the secured party's petition in the same
24 manner as provided in subsection ~~(14)~~.—(15). If the secured party
25 redeems the vehicle, the owner may only seek damages related to the
26 reasonableness of the towing fees and daily storage fees from the
27 secured party. If the court finds, after a hearing on the
28 reasonableness of the towing fees and daily storage fees, that the
29 owner's or the secured party's challenge was frivolous, the court

1 shall award to the custodian costs, including reasonable attorney
2 fees, against the owner or secured party.

3 **(18)** ~~(17)~~—If the owner does not redeem the vehicle or request
4 a hearing within 10 days after the date of the notice, the secured
5 party may obtain the release of the vehicle by paying a fee of
6 \$40.00 and the accrued towing and storage fees to the custodian of
7 the vehicle. The custodian shall forward \$25.00 of the fee
8 collected under this subsection to the secretary of state ~~within~~
9 **not later than** 30 days after receipt in a manner prescribed by the
10 secretary of state, who shall deposit the fee into the abandoned
11 vehicle fund created in section 252h.

12 **(19)** ~~(18)~~—Not less than 20 days after the disposition of the
13 hearing described in subsection (6) or, if a hearing is not
14 requested, not less than 20 days after the date of the notice, the
15 police agency if the abandoned vehicle is found on public property,
16 or the custodian of the vehicle if the vehicle is found on private
17 property, shall offer the vehicle for sale at a public sale under
18 section 252g.

19 **(20)** ~~(19)~~—The custodian of a vehicle described in this section
20 shall allow the owner of the vehicle or a secured party to inspect
21 the vehicle during regular business hours at the location where the
22 vehicle is being held. ~~The custodian of the vehicle may charge the~~
23 ~~secured party a fee of not more than \$75.00 to inspect the vehicle~~
24 ~~or, if the actual cost necessary to allow the inspection is greater~~
25 ~~than \$75.00, the actual cost necessary to allow the inspection. If~~
26 ~~the custodian of the vehicle charges the secured party more than~~
27 ~~\$75.00 as provided in this subsection, the custodian shall provide~~
28 ~~the secured party with an itemized invoice for the actual costs~~
29 ~~assessed.~~ The custodian of the vehicle shall allow the owner of the

1 vehicle to inspect the vehicle and retrieve personal property from
2 the vehicle without paying a fee. ~~for the first visit. After the~~
3 ~~first visit by the owner to inspect the vehicle or retrieve~~
4 ~~personal property from the vehicle as provided in this subsection,~~
5 ~~the custodian may charge the owner of the vehicle a fee of not more~~
6 ~~than \$25.00 for each subsequent visit.~~

7 **(21)** ~~(20)~~ If the ownership of a vehicle that is considered
8 abandoned under this section cannot be determined either because of
9 the condition of the vehicle identification numbers or because a
10 check with the records of the secretary of state as described in
11 section 221 or 237 does not reveal ownership, the police agency may
12 sell the vehicle at public sale as provided in section 252g not
13 less than 30 days after public notice of the sale has been
14 published.

15 **(22)** ~~(21)~~ The secretary of state shall release a vehicle for
16 disposition under section 252b or 252g ~~within~~ **not later than** 45
17 days after the vehicle is entered into the law enforcement
18 information network as an abandoned vehicle.

19 **(23)** If a towing agency tows or removes a vehicle and intends
20 to require the owner, operator, or person in control of the vehicle
21 to pay a towing and storage fee to redeem the vehicle, the towing
22 agency shall file and keep on record with the department of state
23 police and any county police and local police agency in the towing
24 agency's applicable service area a copy of the current fees charged
25 for towing and storage services. The towing agency shall post at
26 each vehicle storage site another copy of the towing and storage
27 fee schedule and any written contracts with a property owner,
28 lessor, or person in control of property that authorize the towing
29 agency to remove a vehicle under this section. The towing and

1 **storage fees must not exceed the charges established under section**
 2 **252i.**

3 Sec. 252d. (1) A police agency or a governmental agency
 4 designated by the police agency may provide for the immediate
 5 removal of a vehicle from public or private property to a place of
 6 safekeeping at the expense of the last titled owner of the vehicle
 7 in any of the following circumstances:

8 (a) If the vehicle is in such a condition that the continued
 9 operation of the vehicle ~~upon~~**on** the highway would constitute an
 10 immediate hazard to the public.

11 (b) If the vehicle is parked or standing ~~upon~~**on** the highway
 12 in such a manner as to create an immediate public hazard or an
 13 obstruction of traffic.

14 (c) If a vehicle is parked in a posted ~~tow-away~~**tow-away** zone
 15 **on public property or in a private tow-away zone that meets the**
 16 **requirements of section 252k.**

17 (d) If there is reasonable cause to believe that the vehicle
 18 or any part of the vehicle is stolen.

19 (e) If the vehicle must be seized to preserve evidence of a
 20 crime, or if there is reasonable cause to believe that the vehicle
 21 was used in the commission of a crime.

22 (f) If removal is necessary in the interest of public safety
 23 because of fire, flood, storm, snow, natural or man-made disaster,
 24 or other emergency.

25 (g) ~~If~~**On the express or written instructions of the owner or**
 26 **person in charge of private property, if** the vehicle ~~is hampering~~
 27 **hampers** the use of ~~the~~ private property by the owner or person in
 28 charge of that **private** property or is parked in a manner that
 29 impedes the movement of another vehicle.

(h) If the vehicle is stopped, standing, or parked in a space designated as parking for persons with disabilities and is not permitted by law to be stopped, standing, or parked in a space designated as parking for persons with disabilities.

(i) If the vehicle is located in a clearly identified access aisle or access lane immediately adjacent to a space designated as parking for persons with disabilities.

(j) If the vehicle is interfering with the use of a ramp or a curb-cut by persons with disabilities.

(k) ~~If~~ **Subject to chapter IIA of this act, if** the vehicle has been involved in a traffic crash and cannot be safely operated from the scene of the crash.

~~(2) Unless the vehicle is ordered to be towed by a police agency or a governmental agency designated by a police agency~~
Except for a vehicle removed under subsection (1)(a), (d), (e), or (k), if the owner or other person that is legally entitled to possess a vehicle to be towed or removed arrives at the location where the vehicle is located before the actual towing or removal of the vehicle, the vehicle must be disconnected from the tow truck, and the owner or other person that is legally entitled to possess the vehicle may take possession of the vehicle and remove it without interference ~~upon~~ **as follows:**

(a) If the vehicle is fully connected and ready to be towed or removed, on the payment of the reasonable service fee. ~~for which~~
The fee may not exceed more than 1/2 of the maximum towing fee under section 252i, and a receipt must be provided.

(b) If the vehicle is not fully connected and ready to be towed or removed, the tow truck operator shall release the vehicle without charging a fee.

1 (3) A police agency that authorizes the removal of a vehicle
2 under subsection (1) shall do all of the following:

3 (a) Check to determine if the vehicle has been reported stolen
4 before authorizing the removal of the vehicle.

5 (b) Enter the vehicle into the law enforcement information
6 network as an impounded vehicle ~~within-not later than~~ 24 hours
7 after ordering the impound of the vehicle. Except as provided in
8 subsection (5), if the vehicle ~~has-is~~ not ~~been~~ redeemed by the
9 owner within 7 days after the impound, the towing agency shall
10 notify the police agency of that fact and the police agency shall
11 deem the vehicle abandoned. The police agency shall enter the
12 vehicle into the law enforcement information network as abandoned
13 ~~within-not later than~~ 24 hours ~~of-after~~ notification by the towing
14 agency, and follow the procedures set forth in section 252a.

15 (4) If an impounded vehicle is released before the police
16 agency enters the vehicle into the law enforcement information
17 network as abandoned, the towing agency or custodian shall notify
18 the police agency that authorized the removal ~~within-not later than~~
19 24 hours ~~of-after~~ releasing the impounded vehicle.

20 (5) A vehicle impounded under subsection (1)(d), (e), or (k)
21 must first be released by the police agency that authorized the
22 removal ~~prior to-before~~ the towing agency or custodian releasing
23 the vehicle to the vehicle owner.

24 (6) Not less than 20 days but not more than 30 days after a
25 vehicle has been released under subsection (5), the towing agency
26 or custodian shall notify the police agency to enter the vehicle as
27 abandoned and the police agency shall enter the vehicle into the
28 law enforcement information network as abandoned ~~within-not later~~
29 ~~than~~ 24 hours ~~of-after~~ receiving notice and follow the procedures

1 set forth in section 252a if the impounded vehicle has not been
2 redeemed.

3 **(7) The towing agency that tows a vehicle may enter a vehicle**
4 **for the purpose of removal. The towing agency that enters a vehicle**
5 **is liable for any damage to the vehicle or property in the vehicle**
6 **if the entry was not done in accordance with the standards of**
7 **reasonable care.**

8 Sec. 252e. (1) The following courts have jurisdiction to
9 determine if a police agency, towing agency or custodian, or
10 private property owner has acted properly in reporting or
11 processing a vehicle under section 252a, 252b(6) to (11), or 252d:

12 (a) ~~The district~~ **District** court.

13 (b) ~~A municipal~~ **Municipal** court.

14 **(c) If the alleged conduct includes a violation of the**
15 **Michigan consumer protection act, 1976 PA 331, MCL 445.901 to**
16 **445.922, circuit court.**

17 (2) The court specified in the notice prescribed in section
18 252a(5) (b) or 252b(7) or as provided in section 252d(3) (b) is the
19 court that has territorial jurisdiction at the location from where
20 the vehicle was removed, impounded, or considered abandoned. Venue
21 in the district court is governed by section 8312 of the revised
22 judicature act of 1961, 1961 PA 236, MCL 600.8312. **Venue in the**
23 **circuit court is determined under section 1621 of the revised**
24 **judicature act of 1961, 1961 PA 236, MCL 600.1621.**

25 (3) If the owner fails to pay the accrued towing and storage
26 fees, the towing and storage bond posted with the court to secure
27 release of the vehicle under section 252a, 252b, or 252d must be
28 used to pay the towing and storage fees.

29 (4) The remedies under sections 252 to 254 are the exclusive

remedies for the disposition of abandoned vehicles.

Sec. 252f. (1) ~~Upon~~**On** the filing of a petition **in district court or municipal court as** prescribed in section 252a, 252b, or 252d, signed by the owner of the vehicle that has been taken into custody, or, ~~upon~~**on** the filing of a petition **in district court or municipal court as** prescribed in section 252a signed by the secured party regarding a vehicle that has been taken into custody, the court shall do both of the following:

(a) Schedule a hearing ~~within~~**not later than** 30 days ~~for the purpose of determining~~**after the filing of the petition to determine** whether the police agency, towing agency or custodian, or private property owner acted properly.

(b) Notify the owner or the secured party, as applicable, towing agency or custodian, and police agency or if the vehicle was removed from private property, notify the private property owner also of the time and place of the hearing.

(2) At the hearing ~~specified in~~**scheduled under** subsection (1), the police agency, towing agency or custodian, or, if the vehicle was removed from private property, the private property owner ~~shall have~~**has** the burden of showing by a preponderance of the evidence that it has complied with the requirements of this act in reporting or processing the abandoned vehicle or vehicle removed under section 252d.

(3) After the hearing, the court shall make a decision that includes 1 or more of the following:

(a) A finding that the police agency complied with the procedures established for the processing of an abandoned vehicle or a vehicle removed under section 252a, 252b, or 252d, and an order providing a period of 10 days after the decision for the

owner or the secured party, if applicable, to redeem the vehicle. If the owner or the secured party does not redeem the vehicle within 10 days, the police agency shall dispose of the vehicle under section 252b or 252g. The court shall forward \$25.00 of the fee collected under section 252b or 252g to the secretary of state ~~within~~ **not later than** 30 days after the court's decision in a manner prescribed by the secretary of state. The towing and storage fees and \$15.00 of the fee collected under section 252b or 252g ~~shall~~ **must** be forwarded to the towing agency.

(b) A finding that the police agency did not enter the vehicle as abandoned into the law enforcement information network ~~within~~ **not later than** 24 hours after the vehicle was taken into custody as required by section 252a(5) (b) or ~~(12)~~ **(13)**. After making the finding, the court shall issue an order directing that the vehicle immediately be released to the owner or the secured party, if applicable, and directing 1 of the following:

(i) That the police agency reimburse the owner or the secured party, if applicable, for the storage charges accrued before the police agency entered the vehicle into the law enforcement information network as required by section 252a(5) (b) or ~~(12)~~ **(13)** if the owner or the secured party paid the accrued storage charges.

(ii) If the owner or the secured party has not paid the accrued storage charges but has posted a fee or bond with the court, that the police agency shall pay directly to the owner or secured party the amount of the storage charges accrued before the police agency entered the vehicle into the law enforcement information network as required by section 252a(5) (b) or ~~252a(12)~~ **(13)** plus interest no later than 10 days after the date of the order. The court shall release the bond posted by the owner or secured party in full to

1 the custodian after the court has received notice from the police
2 agency that the police agency has issued the payment required by
3 this subparagraph to the owner or secured party.

4 (c) A finding that the police agency improperly determined
5 that the vehicle was abandoned. After making the finding, the court
6 shall ~~issue an order directing that~~ **all of the following, as**
7 **applicable:**

8 (i) **That the** vehicle be immediately released to the owner. ~~and~~
9 ~~directing the~~

10 (ii) **That the** custodian ~~to~~ reimburse the owner for the accrued
11 towing and storage charges, if the owner paid the accrued towing
12 and storage charges. ~~The court shall order the~~

13 (iii) **That the** police agency ~~to~~ reimburse the custodian for
14 accrued towing and storage charges paid to the owner under this
15 subdivision.

16 (iv) If the owner has not paid the accrued towing and storage
17 charges, ~~the court shall order that~~ the police agency ~~to~~ pay the
18 accrued towing and storage charges. ~~The court shall also order the~~

19 (v) **That the** police agency ~~to~~ pay any other fees associated
20 ~~with recovering the vehicle, or to~~ reimburse the owner for any
21 other fees associated with recovering the vehicle paid by the
22 owner. ~~The court shall also order any~~

23 (vi) **That any** fee or bond posted by the owner ~~to~~ be returned to
24 the owner.

25 (vii) **That the** police agency reimburse the owner for actual
26 damages as a result of the removal, transportation, and storage of
27 the vehicle, attorney fees, and court costs to file the petition
28 under this section.

29 (d) A finding that the towing fees and daily storage fees were

1 reasonable.

2 (e) A finding that the towing fees and daily storage fees were
3 unreasonable and ~~issue an order directing~~ the towing agency or
4 custodian of the vehicle to provide the last titled owner of the
5 vehicle or the secured party, if applicable, with an appropriate
6 reduction or refund.

7 (f) A finding that the owner of the real property complied
8 with ~~the provisions of~~ section 252k or 252l.

9 (g) A finding that the owner of the real property did not
10 comply with the provisions of section 252k or 252l, and ~~issue an~~
11 ~~order requiring~~ the owner of the real property to reimburse the
12 last titled owner of the vehicle or the secured party, if
13 applicable, for the accrued towing and storage charges, **any damages**
14 **resulting from the removal, transportation, and storage of the**
15 **vehicle, attorney fees, and court costs to file the petition under**
16 **this section.**

17 (h) A finding that the towing agency did not comply with the
18 procedures established for the proper removal and reporting of an
19 abandoned vehicle removed under section ~~252a(11)~~, **252a(12)**, 252b,
20 or 252d. After making the finding, the court shall ~~issue an order~~
21 ~~directing~~ that the vehicle immediately be released to the owner or
22 the secured party, if applicable, and ~~directing~~ 1 of the following:

23 (i) That the towing agency reimburse the owner or the secured
24 party, if applicable, for the storage charges accrued before the
25 police agency entered the vehicle into the law enforcement
26 information network as required by section 252a(5)(b) or ~~(12)~~,
27 **(13)**, if the owner or the secured party paid the accrued storage
28 charges, **for any damages resulting from the removal,**
29 **transportation, and storage of the vehicle, attorney fees, and**

1 **court costs to file the petition under this section.**

2 (ii) If the owner or the secured party, if applicable, has not
3 paid the accrued towing and storage charges but has posted a fee or
4 bond with the court, that the bond and storage charges accrued
5 before the police agency entered the vehicle into the law
6 enforcement information network as required by section 252a(5) (b)
7 or ~~(12)~~-(13) be returned to the owner or the secured party, and
8 that the remainder of any fee posted with the court be paid to the
9 custodian.

10 (i) A finding that the towing agency did comply with the
11 procedures established for the proper removal and reporting of an
12 abandoned vehicle removed under section ~~252a(11)~~, **252a(12)**, 252b,
13 or 252d.

14 (4) A hearing **in district court** under this section ~~shall~~**must**
15 be conducted by a district court magistrate, if a district court
16 magistrate has been appointed by the court. The appeal of a
17 district court magistrate's decision under this section ~~shall~~**must**
18 be heard by a judge of the district court.

19 (5) **This section does not apply to actions under section**
20 **252e(1) (c) except to the extent that the owner or secured party, if**
21 **applicable, is entitled to the remedies in this section in addition**
22 **to any remedies available for violations of the Michigan consumer**
23 **protection act, 1976 PA 331, MCL 445.901 to 445.922, and any**
24 **additional remedies that may be available to the owner or secured**
25 **party under the laws of this state.**

26 Sec. 252g. (1) Subject to section ~~252a(18)~~, **252a(19)**, a public
27 sale for a vehicle ~~and its contents~~ that has been determined to be
28 abandoned under section 252a or removed under section 252d ~~shall~~
29 **and the vehicle's contents must** be conducted ~~in the following~~

1 ~~manner~~**as follows:**

2 (a) It ~~shall~~**must** be under the control of the police agency.
3 However, a police agency may designate the custodian of the vehicle
4 or a third party to conduct the auction.

5 (b) It ~~shall~~**must** be open to the public and consist of open
6 auction bidding or bidding by sealed bids. If sealed bids are
7 received, the person submitting the bid ~~shall~~**must** receive a
8 receipt for the bid from the police agency or the agency's designee
9 or, if the vehicle is being sold under section ~~252a(18)~~**, 252a(19)**,
10 the custodian of the vehicle.

11 (c) Except as otherwise provided in sections ~~252a(18)~~**252a(19)**
12 and ~~(19)~~**(20)** and 252b(7), it shall be held not less than 5 days
13 after public notice of the sale has been published.

14 (d) Except as otherwise provided in this subdivision, the
15 public notice ~~shall~~**must** be published at least once in a newspaper
16 having a general circulation within the county in which the vehicle
17 was abandoned. The public notice ~~shall~~**must** give a description of
18 the vehicle for sale and ~~shall~~ state the time, date, and location
19 of the sale. The requirements of this subdivision may be satisfied
20 by publishing a notice of the public auction once in a newspaper
21 having a general circulation within the county in which the auction
22 is to occur, if the notice states that the auction is an abandoned
23 vehicle auction, lists the date, time, and location of the auction,
24 and provides a website address where a complete description of each
25 vehicle to be auctioned appears for not less than 5 consecutive
26 days before the date of the auction. As used in this subdivision,
27 "complete description" means a description of the vehicle's model
28 year, manufacturer make, model name, and vehicle identification
29 number.

1 (2) The money received from the public sale of the vehicle
2 ~~shall~~**must** be applied in the following order of priority:

3 (a) Accrued towing and storage charges. However, if the money
4 received from the public sale does not satisfy the accrued towing
5 and storage charges, the towing company may collect the balance of
6 those unpaid fees from the last titled owner, subject to section
7 252i.

8 (b) Expenses incurred by the police agency or the custodian of
9 the vehicle.

10 (c) Payment of the \$40.00 abandoned vehicle fee described in
11 section 252f(3)(a).

12 (d) Any extra money ~~shall~~**must** be sent to the department of
13 treasury's unclaimed property division to be disbursed as follows:

14 (i) To the secured party, if any, in the amount of the debt
15 outstanding on the vehicle.

16 (ii) Remainder to the owner. A reasonable attempt ~~shall~~**must** be
17 made to mail the remainder to the last titled owner. If delivery of
18 the remainder cannot be accomplished, the remainder ~~shall become~~
19 **becomes** the property of the unit of government governing the
20 location from which the vehicle was towed.

21 (3) If there are no bidders on the vehicle, the police agency
22 or the custodian of the vehicle may do 1 of the following:

23 (a) Turn the vehicle over to the towing firm or the custodian
24 of the vehicle to satisfy charges against the vehicle. However, if
25 the value of the vehicle does not satisfy the towing fees and
26 accrued daily storage fees, the custodian of the vehicle may
27 collect the balance of those unpaid fees from the last titled
28 owner, subject to section 252i.

29 (b) Obtain title to the vehicle for the police agency or the

unit of government the police agency represents, by doing the following:

(i) Paying the towing and storage charges.

(ii) Applying for title to the vehicle.

(c) Hold another public sale under subsection (1).

(4) A person ~~who~~**that** acquires **the** ownership of a vehicle under subsection (1) or (3) that has been designated as a distressed vehicle shall apply for a salvage certificate of title ~~within~~**not later than** 15 days after obtaining the vehicle.

(5) ~~Upon~~**On** disposition of the vehicle, the police agency or towing agency or custodian shall provide the secretary of state and the police agency, if that police agency did not conduct the sale, with the vehicle's disposition and the name of the agency that disposed of it and the police agency shall cancel the entry in the law enforcement information network.

(6) Not less than 25 days after the date of notice required under section 252a, if the police agency does not provide a copy of the bill of sale by the police agency for the abandoned vehicle to the towing agency or custodian or police agency's designee, the towing agency or custodian or police agency designee may obtain an original of the bill of sale by submitting an application to the secretary of state in a form as determined by the secretary of state.

Sec. 252i. (1) A towing ~~service,~~**agency**, custodian of a vehicle, or both, ~~shall~~**is** not ~~be~~ precluded from the recovery of towing fees or, subject to subsection (2), storage fees from the last titled owner of a vehicle deemed abandoned under section 252a or section 252b, or removed under section 252d. **The towing and storage fees may not exceed the maximum amount that may be charged**

1 for the services under an applicable fee schedule set by local
 2 ordinance. Except as otherwise provided in this subsection, a
 3 towing agency, custodian of a vehicle, or both, shall not charge
 4 the owner of the vehicle, the owner's agent, the insurer of record,
 5 or any secured party more than the following, including any
 6 applicable administrative fee:

7 (a) For a vehicle under 11,000 pounds, a towing fee of \$175.00
 8 and a storage fee per 24 hours of \$25.00.

9 (b) For a vehicle from 11,000 to 17,000 pounds, a towing fee
 10 of \$250.00 and a storage fee per 24 hours of \$40.00.

11 (c) For a vehicle over 17,000 pounds, a towing fee of \$360.00
 12 and a storage fee per 24 hours of \$75.00.

13 (d) The maximum after-hours retrieval fee under section 252n,
 14 \$150.00.

15 (e) Except as authorized by local ordinance under subsection
 16 (4), a towing agency, custodian of a vehicle, or both, shall not
 17 charge any fees for services relating to the towing and storage of
 18 a vehicle other than set forth in this section.

19 (2) If a vehicle is released for disposition under section
 20 252b or section 252g, the **total** amount of storage fees that may be
 21 collected is ~~whichever 1 of the~~ **lowest amount of the** following: ~~is~~
 22 ~~the least amount.~~

23 (a) The daily storage rate established by contract or
 24 agreement with the law enforcement agency or unit of government
 25 that authorized the towing and storage of the vehicle.

26 (b) The daily storage rate charged by the storage facility.

27 (c) \$1,000.00.

28 (3) Subject to subsection (4), a towing agency may charge fees
 29 for special services, including, but not limited to, cleanup,

1 winching, specialized equipment, mileage surcharges, or labor, if
2 the special services are both of the following:

3 (a) Authorized by local ordinance.

4 (b) Performed at the request of a police officer at the scene
5 of the accident.

6 (4) Fees authorized under subsection (3) must not exceed the
7 maximum amounts that may be charged for the services in accordance
8 with an applicable schedule of fees set by local ordinance,
9 provided that the fees do not exceed the following, as applicable:

10 (a) Cleanup fee, \$25.00.

11 (b) Winching fee, \$150.00 per hour.

12 (c) Specialized equipment, \$75.00.

13 (d) Mileage surcharge, \$0.50 per mile for each mile over 50
14 miles in any 1 direction.

15 (e) Labor fee, \$75.00.

16 (f) Other fees authorized by applicable schedule of fees set
17 by local ordinance.

18 (5) ~~(3) Subsection (2) does not apply to a commercial vehicle~~
19 ~~or to a vehicle that is owned or leased by an entity other than an~~
20 ~~individual.~~ A towing agency, custodian of a vehicle, or both, shall
21 not charge the owner of the vehicle different fees or rates for
22 similar towing or storage services for a vehicle that is owned or
23 leased by an entity other than an individual.

24 (6) The towing and storage fees charged under this section
25 must conform with fees that are publicly posted by the towing
26 agency or storage service as follows:

27 (a) Prominently posted on 1 or more signs at any towing or
28 storage service place of business. The first line of each posted
29 sign must be in letters not less than 1-1/2 inches in height, and

1 the remaining lines of the sign must be in letters not less than
2 1/2 inch in height.

3 (b) If the towing or storage service has an online presence,
4 posted on the towing or storage service's website, social media
5 page, or other online location.

6 (7) A person that violates this section is responsible for a
7 civil infraction.

8 Sec. 252k. (1) Except as provided in this section and section
9 252l, an owner or lessor of private property must not establish a
10 private tow-away zone.

11 (2) Except as otherwise provided in section 252l, an owner or
12 lessor of private real property shall post a notice that meets all
13 of the following requirements before authorizing the towing or
14 removal of a vehicle from the real property without the consent of
15 the owner or other person ~~who~~**that** is legally entitled to possess
16 the vehicle:

17 (a) The notice ~~shall~~**must** be prominently displayed at each
18 point of entry for vehicular access to the real property. If the
19 real property lacks curbs or access barriers, not less than 1
20 notice ~~shall~~**must** be posted for each 100 feet of road frontage.

21 (b) The notice, **that must be at least 18 inches by 24 inches**
22 **in total size**, clearly indicates in letters not less than 2 inches
23 high on a contrasting background that unauthorized vehicles will be
24 towed away at the owner's expense. **If the property is a residential**
25 **property, the owner of the private property may include on the**
26 **notice a statement that only a tenant or guest may park on the real**
27 **property, subject to the terms of the property owner. If the**
28 **property is a commercial property, the owner of the private**
29 **property may include on the notice a statement that only a customer**

1 may park on the real property. In all cases, if it is not clear
2 which persons may park on the real property, the owner of the
3 private property shall include on the notice the address of the
4 property or the name of the business to which the notice applies.

5 (c) The notice provides the name and telephone number of the
6 towing ~~service~~**agency** responsible for ~~towing or removing vehicles a~~
7 **vehicle towed or removed** from that property.

8 (d) The notice is permanently installed with the bottom of the
9 notice located not less than 4 feet from the ground and is
10 continuously maintained on the property for not less than 24 hours
11 before a vehicle is towed or removed.

12 (e) If the parking restrictions are not enforceable at all
13 times, the notice states the times that the parking restrictions
14 are enforced.

15 (f) The notice has a statement that the failure to recover a
16 towed vehicle may result in a determination that the vehicle is
17 abandoned.

18 (3) In order to comply with the notice requirements under
19 subsection (2), the owner of a private property may modify an
20 existing sign by affixing to the existing sign stickers or an
21 addendum in lieu of replacing the sign.

22 (4) A towing agency shall ensure that a vehicle towed under
23 this section is taken to a location where the vehicle may be
24 recovered and that complies with all of the following:

25 (a) Unless it is not practicable, is located not more than 25
26 linear miles from the location of the private tow-away zone.

27 (b) Is well-lit.

28 (c) Is on or a reasonable distance from a regularly scheduled
29 route of 1 or more modes of public transportation, if any public

1 transportation is available in the municipality in which the
2 private tow-away zone is located.

3 (5) If a vehicle is parked on private property that is a
4 private tow-away zone without the consent of the owner of the
5 private property or in violation of any posted parking condition or
6 regulation, the owner of the private property may have the vehicle
7 removed by a towing agency. The vehicle owner and the operator of
8 the vehicle parked in violation of this subsection are considered
9 to have consented to the removal and storage of the vehicle, to the
10 payment of the applicable fees established under section 252i, and
11 to the determination that a vehicle is abandoned pursuant to
12 section 252a. The owner or secured party of a vehicle that has been
13 removed under this section may recover the vehicle in accordance
14 with section 252a.

15 (6) If the owner or other person that is legally entitled to
16 possess a vehicle to be towed or removed under this section arrives
17 at the location where the vehicle is located before the actual
18 towing or removal of the vehicle, the vehicle must be disconnected
19 from the tow truck, and the owner or other person that is legally
20 entitled to possess the vehicle may take possession of the vehicle
21 and remove it without interference as follows:

22 (a) If the vehicle is fully connected and ready to be towed or
23 removed, on the payment of the reasonable service fee. The fee may
24 not exceed more than 1/2 of the maximum towing fee under section
25 252i, and a receipt must be provided.

26 (b) If the vehicle is not fully connected and ready to be
27 towed or removed, the tow truck operator shall release the vehicle
28 without charging a fee.

29 (7) If a municipality requires towing agency vehicles and

1 operators to be licensed, an owner of a private property located in
2 the municipality shall not cause the removal and storage of any
3 vehicle under this section by an unlicensed tow truck or unlicensed
4 tow truck operator.

5 (8) A vehicle must not be removed from private property except
6 on the written instruction of the owner or a person in control of
7 the private property.

8 (9) A towing agency shall not remove a vehicle from a private
9 tow-away zone except pursuant to a written contract entered into
10 with the owner of the private property on which the private tow-
11 away zone is located.

12 (10) The person or towing agency towing a vehicle may enter a
13 vehicle for the purpose of removal. The person or towing agency
14 that enters a vehicle is liable for any damage to the vehicle or
15 property in the vehicle if the entry was not done in accordance
16 with the standards of reasonable care.

17 Sec. 252l. Section ~~252k~~ 252k(1), (2), (5), and (9) does not
18 apply to any of the following:

19 (a) Real property that is appurtenant to and obviously part of
20 a single- or dual-family residence.

21 (b) ~~An instance when~~ **When** notice is personally given to the
22 owner or other legally entitled person in control of a vehicle that
23 the area where the vehicle is parked is reserved or otherwise
24 unavailable to unauthorized vehicles and that the vehicle is
25 subject to towing or removal from the private real property without
26 the consent of the owner or other legally entitled person in
27 control of the vehicle.

28 (c) A vehicle removed from private property under section
29 252d.

1 Sec. 252n. (1) A vehicle storage facility shall remain open
2 during both of the following periods of time to allow a vehicle
3 owner or secured party to retrieve a vehicle towed under this
4 chapter that is in the possession of the storage facility:

5 (a) If a towing agency is towing a vehicle and the vehicle
6 will be held by the storage facility.

7 (b) Between 9 a.m. and 12 noon on the day after any day during
8 which the storage facility accepted a towed vehicle for storage.

9 (2) A storage facility that accepts a towed vehicle for
10 storage under this chapter shall ensure that a notice is
11 conspicuously posted at the entrance to the storage facility that
12 states the telephone number that the owner or secured party of a
13 vehicle may use when the storage facility is closed to contact the
14 owner or representative of the storage facility to determine
15 whether the person may retrieve a vehicle or personal items from a
16 vehicle. The storage facility also shall provide that telephone
17 number to the local police agency. The storage facility shall
18 ensure that a process is in place to answer the calls at all times
19 day or night.

20 (3) If a storage facility receives a call from the owner or
21 secured party of a vehicle to recover a vehicle when the storage
22 facility is closed, the storage facility shall ensure, not later
23 than 3 hours of receiving the phone call, that a representative of
24 the storage facility is available to release the vehicle and accept
25 payment of all fees including an after-hours vehicle retrieval fee
26 established under section 252i.

27 (4) If a storage facility receives a call to recover personal
28 items from a vehicle when the storage facility is closed, the
29 storage facility shall notify the individual that an after-hours

1 retrieval fee applies and shall state the amount of the fee as
2 established under section 252i. The storage facility may not charge
3 an after-hours retrieval fee unless notice of the fee is provided.
4 If the individual recovers personal items after receiving the
5 notice, the storage facility may charge the after-hours retrieval
6 fee.

7 (5) This section also applies to a towing agency that
8 maintains a vehicle storage facility.

9 Sec. 252o. (1) A towing agency that tows vehicles from private
10 property or provides nonconsensual towing services under this
11 chapter shall not do either of the following:

12 (a) Give a person a benefit or advantage, including, but not
13 limited to, a pecuniary benefit, for information provided about a
14 vehicle parked on private property for an unauthorized purpose or
15 at a time when parking is not permitted.

16 (b) Except on a specific request to tow a vehicle by the owner
17 or person in control of private property under this chapter,
18 monitor, patrol, or surveil private property to identify a vehicle
19 parked for an unauthorized purpose and tow a motor vehicle parked
20 for an unauthorized purpose from such private property.

21 (2) In addition to any other penalty or remedy under this act
22 or the Michigan consumer protection act, 1976 PA 331, MCL 445.901
23 to 445.922, a towing agency that violates subsection (1) or section
24 252a(12) or (16), 252d(2), 252i, or 252k(6), (8), or (9) is
25 responsible for a civil infraction or guilty of a misdemeanor
26 punishable as follows:

27 (a) For a first violation, the individual is responsible for a
28 civil infraction.

29 (b) For a violation that occurs after 1 or more prior

1 judgments, the individual is guilty of a misdemeanor punishable by
2 imprisonment for not more than 90 days, a fine of not more than
3 \$500.00, or both.

4 Enacting section 1. Section 676c of the Michigan vehicle code,
5 1949 PA 300, MCL 257.676c, is repealed.

6 Enacting section 2. This amendatory act does not take effect
7 unless all of the following bills of the 103rd Legislature are
8 enacted into law:

9 (a) Senate Bill No. ____ (request no. S03417'25) or House Bill
10 No. 5147 (request no. H03417'25).

11 (b) Senate Bill No. ____ (request no. S03418'25) or House Bill
12 No. 5148 (request no. H03418'25).