

## **Definitions**

**Assembled Vehicle.** A vehicle that:

1. Is built (assembled) from new or used materials and parts by someone not recognized as a manufacturer (usually an individual). Example: homemade vehicle.
2. Is altered or modified to the extent that it no longer reflects its original manufacturer configuration. Example: a Volkswagen made into a dune buggy.
3. Has had its body replaced with that from another vehicle. Example: pickup truck has its cab replaced.
4. Is assembled from a kit (often called "kit cars"), even if a Manufacturers Certificate of Origin is provided.

**Complete Restoration.** Also called "ground up" restoration, it involves the disassembly and reconditioning of an entire vehicle to like new or better condition.

**Historic Vehicle.** A vehicle which is over 25 years old, and which is owned solely as a collector's item and for participation in club activities, exhibitions, tours, parades, and similar uses, including mechanical testing, but is not used for general transportation.

**Older Model Vehicle.** A vehicle weighing 8,000 pounds or less, manufactured in the sixth model year immediately preceding the current model year, or manufactured in any model year before that model year; or, if more than 8,000 pounds, a vehicle manufactured in a model year preceding the fifteenth model year before the current model year.

**Reconditioning.** Involves improving certain portions of a vehicle; the work involved is usually more than paint work but less than restoration. Example: replacing quarter panels, door skins or floorboards without restoring the engine compartment or drive train.

## **Titling, Registration & Fees**

### **From Michigan Secretary of State:**

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#### **Assembled Vehicles**

Some owners want to know how they can title and register an assembled vehicle. An assembled vehicle is:

1. One built (assembled) from new or used materials and parts by someone not recognized as a manufacturer (usually an individual). Example: homemade vehicle.
2. One altered or modified to the extent that it no longer reflects its original manufacturer configuration. Example: a Volkswagen made into a dune buggy.
3. One which has had its body replaced with that from another vehicle. Example: pickup truck has its cab replaced.
4. One assembled from a kit (often called "kit cars"), even if a Manufacturers Certificate of Origin is provided.

#### **Procedure to title an assembled vehicle:**

1. You will need ownership documents for all vehicles or major component parts used in assembling the vehicle. This includes:
  - Titles
  - Assigned ownership documents (example: Release of Abandoned Vehicle notice from police department)
  - Original bills of sale

The following parts must be accounted for in the ownership documents presented:

- Engine
  - Transmission
  - Body Parts (doors, front and rear clips)
  - Frame including axles
2. You will also be asked to complete a certification statement summarizing the building of the vehicle. It should include:
    - A description of the vehicle and its parts
    - Who assembled the vehicle
    - When and where it was assembled or reconstructed
    - Any special information about the vehicle to assist the investigator
  3. A Vehicle Number/On-Road Equipment Inspection (form TR-54) completed by a police officer must be submitted. The inspection will verify the vehicle has all equipment required for on-road registration.
  4. All assembled vehicles require a state-assigned vehicle identification number (VIN). There is a \$10 fee for this.
  5. When you apply for your assembled vehicle title, tax is due on all parts unless paid at time of purchase.
  6. A license plate cannot be sold until the Department's Regulatory Monitoring Division places the assigned VIN sticker on the vehicle and releases the new title to the owner. The Regulatory Monitoring Division will contact you for an appointment, usually at a local State Police Post or Secretary of State branch office. A 30-day or 60-day permit may be purchased if you need to register the vehicle before the Regulatory Monitoring Division places the new VIN sticker on the vehicle.

## Vehicle Restoration

Does your heart beat faster when you see a restored or modified '34 Ford or '57 Chevy? Are you dreaming about restoring your own classic car? This information may be helpful if you decide to pay someone to improve or restore the condition of your older or classic vehicle.

The Michigan Department of State, Bureau of Information Security, Regulatory Monitoring Division, is responsible for administering the Motor Vehicle Service & Repair Act. This law regulates the diagnosis, service and repair of motor vehicles. The Regulatory Monitoring Division regulates motor vehicle repair shops, investigates complaints and informs consumers of their rights.

Complaints investigated by the division involving restoration work are usually complex. This makes them very difficult to resolve to the satisfaction of the customer or the restoration shop. Use this information to avoid many of the pitfalls that may occur when restoration work is being performed.

### What You Should Know

- Only repair facilities registered with the Michigan Department of State can perform restoration work for compensation. Ask to see the registration certificate before contracting for repairs.
- Complaints involving restoration work usually arise because there is not a clear understanding of the work desired and the costs involved.
- Restoration work typically falls into three categories: paint work, reconditioning, and complete restoration.

**Paint Work** includes the preparation of the surfaces to be painted and the application of paint to specific panels or to the entire vehicle. This may or may not include dent and rust removal and/or panel repair.

**Reconditioning** involves improving certain portions of the vehicle. The work involved is usually more than paint work but less than restoration. Example: replacing quarter panels, door skins or floorboards without restoring the engine compartment or drive train.

**Complete Restoration** (also called "ground up" restoration) involves the disassembly and reconditioning of the entire vehicle to like new or better condition.

### Other Important Information

- There are various levels of quality within the three restoration categories.
- The better the understanding regarding the quality of work desired, the greater the chance you will be satisfied with the work performed.
- Talking with others who have had restoration work done can help you identify a good restoration shop.
- Have the prospective restoration shop provide you with a list of customers who have had similar work performed. Check to see if they are satisfied with the work performed and the price agreed upon.
- Obtain a detailed written estimate before work is begun. (Because it can be difficult to accurately assess the cost of restoration work, it may be necessary for the repair facility to disassemble or remove paint from your vehicle to determine the extent of work needed. Obtain a written estimate for the cost of disassembly or paint removal).
- Discuss how long it will take to perform the work desired. Establish a project completion date.
- Find out if the shop encourages periodic visits to check on the progress of the work.
- Ask for a revised estimate each time significant changes are made to the original contract of if work is performed in stages.
- If the price quoted for the desired work is beyond your budget, it may be necessary to modify the amount of work you want done or remove the vehicle from the restoration shop.
- Obtain a final invoice that details the work performed. If, during the restoration process, you are periodically billed for time and materials, have the restoration shop explain the charges if they are unclear. Ask that photographs be provided.

- While the law does not prohibit a restoration shop from taking money in advance for work being performed, it is not a practice recommended by the Regulatory Monitoring Division. Advance payment can diminish your ability to work out a mutually agreeable resolution if a dispute arises.

### **If You Have a Dispute**

First, try to settle the dispute directly with the restoration shop. If you are unable to resolve the matter, you may file a complaint with the Regulatory Monitoring Division at 1-888-SOS-MICH (1-888-767-6424) or online.

If you believe you were charged for work not done, contact the Regulatory Monitoring Division immediately.

## **Historical and authentic license plates**

Michigan has a long and proud history as the automotive center of the world. Many residents enjoy restoring and collecting vintage automobiles, trucks and motorcycles. Since 1956, the state has issued historic and authentic license plates for antique vehicles used in parades, fairs, car shows, swap meets and other events.

### **Historical vehicles**

A historical vehicle must be:

- More than 25 years old
- Owned solely as a collector's item
- Used only for events such as historical club activities, parades and car show

Note: A vehicle registered with a historical plate cannot be used for routine transportation.

## **Historical license plate**

The historical license plate is white with a blue bar, displaying six numbers and the word "Historical" at the bottom. (Previous historical plates were navy with yellow letters.) Historical motorcycle plates have four numbers. Historical plates are renewed every 10 years.

Fee: \$30 -- All Secretary of State offices accept checks, cash, money orders, Discover and MasterCard at the counter. Make checks and money orders payable to State of Michigan.

## **Applying for a historical plate**

You may order a historical plate at any Secretary of State office or by mail. You'll need to submit the following:

- Proof of ownership, preferably a copy of the title. If you do not have the original title or a copy of it, present a previous registration as proof of ownership.
- Proof of Michigan no-fault insurance
- The \$30 fee
- A completed Application for the Historical Michigan License Plate

To request a historical plate by mail, send the completed application, proof of ownership, insurance and \$30 to the:

Michigan Department of State  
Office of Customer Services  
7064 Crowser Drive  
Lansing, MI 48918-1530

Your plate and tab will be mailed from Lansing to the address on the vehicle's registration within two weeks. Place the tab in the upper-right corner of the plate.

## **Authentic license plate**

A special provision in the law allows a historical vehicle owner to use an authentic Michigan license plate from the same year the historical vehicle was manufactured. The plate can be obtained through a private sale or any other means available.

Reproduction and remanufactured plates as well as authentic dealer and manufacturer plates are not allowed. The plate must display the correct colors for the year of issuance.

Fee: \$35 -- Make checks and money orders payable to State of Michigan.

Authentic license plate applications must be submitted by mail. Your request cannot be processed at a Secretary of State office.

## **Applying for an authentic plate**

Send the following items:

- A color photocopy, a color scan, or color photograph of the license plate (passenger, commercial, trailer or motorcycle). Do not mail the actual plate. Personalized, government, law enforcement, manufacturer, dealer, in-transit repair, disability and special purpose plates cannot be used as authentic license plates. If in doubt, check with the department before purchasing a license plate.
- Proof of ownership, preferably a copy of the title
- Proof of Michigan no-fault insurance
- \$35 - make checks or money orders payable to State of Michigan
- A completed Application for the Historical Michigan License Plate

Send the completed application, plate image, proof of ownership, insurance and \$35 to the:

Michigan Department of State  
Office of Customer Services  
7064 Crowner Drive  
Lansing, MI 48918-1530

Your new registration will arrive in about three weeks.

**From Michigan Compiled Laws:**

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CHAPTER 257 MOTOR VEHICLES  
MOTOR VEHICLE CODE  
CHAPTER II. ADMINISTRATION, REGISTRATION, CERTIFICATE OF TITLE AND ANTI-THEFT

MCLS § 257.218 (2016)  
MCL § 257.218

§ 257.218. **Specially** constructed **vehicles**; registration; interstate operation of vehicles; foreign registration, retention by owner; evidence; application; fee; certificate of title in possession of holder of security interest.

Sec. 218. (1) If a **vehicle** to be registered is a **specially** constructed, **reconstructed**, or foreign **vehicle**, that fact shall be stated in the application. With reference to each foreign vehicle which has been previously registered in another state, the owner shall surrender to the secretary of state all registration plates, registration certificates, and certificates of title or other evidence of foreign registration, as are in the owner's possession or under the owner's control, except as provided in subsections (2) and (3).

(2) If the owner in the course of interstate operation of a vehicle desires to retain registration of a vehicle in another state, the owner shall not be required to surrender, but shall submit for inspection, evidence of the foreign registration and the secretary of state, upon a proper showing and upon application and payment of the registration fee, shall register the vehicle in this state.

(3) If the owner of a vehicle previously registered in another state in which the certificate of title or other proof of ownership of a vehicle is in the possession of a holder of a security interest in the vehicle, the owner of the vehicle may apply to the secretary of state for registration of the vehicle for this state after payment of all fees required by this act and submission of proof of ownership of the vehicle to the secretary of state.



CHAPTER 257 MOTOR VEHICLES  
MOTOR VEHICLE CODE  
CHAPTER VII. REGISTRATION FEES

MCLS § 257.803a (2016)  
MCL § 257.803a

§ 257.803a. Issuance of **historic vehicle** registration **plate** or registration tab; fee; certification; registration certificate; registration transferable; expiration or revocation of registration.

Sec. 803a. (1) The secretary of state may issue to the owner of an **historic vehicle an historic vehicle registration plate** which shall bear the inscription "**historical vehicle** - Michigan" and the registration number.

(2) The owner of an **historic vehicle** applying for an **historic vehicle registration plate** or a registration tab under this section shall pay a fee of \$30.00, shall certify that the vehicle for which the registration is requested is owned and operated solely as an **historic vehicle**, and shall certify that the vehicle has been inspected and found safe to operate on the highways of this state. The registration certificate need not specify the weight of the **historic vehicle**. The registration issued under this section is transferable to another **historic vehicle** upon completion of the application for transfer and payment of the fee in the manner described in section 809.

(3) A registration issued under this section shall expire on April 15 in the tenth year following the date of issuance of the registration.

(4) The secretary of state may revoke a registration issued under this section, for cause shown and after a hearing, for failure of the applicant to comply with this section, for use of the vehicle for which the registration was issued for purposes other than those enumerated in section 20a, or because the vehicle is not safe to operate on the highways of this state.

CHAPTER 257 MOTOR VEHICLES  
MOTOR VEHICLE CODE  
CHAPTER VII. REGISTRATION FEES

MCLS § 257.803p (2016)  
MCL § 257.803p

§ 257.803p. **Authentic** Michigan registration **plate**; fee; certification; registration certificate; transferability; validity; revocation of registration.

Sec. 803p. (1) The owner of an **historic vehicle** may use an **authentic** Michigan registration **plate** of the same year as the model year in which the **vehicle** was manufactured instead of an **historic vehicle** registration **plate** issued under section 803a by presenting the **authentic plate** number and year to the secretary of state at the time of registration. The owner of an **historic vehicle** may purchase an **authentic** Michigan registration **plate** from another person and **restore the plate to its authentic** condition for use pursuant to this section. An authentically restored **plate** shall be considered an **authentic** Michigan registration **plate**.

(2) The owner of an **historic vehicle** applying to use an **authentic** Michigan registration **plate** under this section shall pay a fee of \$35.00, shall certify that the vehicle for which the registration is requested is owned and operated solely as an **historic vehicle**, and shall certify that the vehicle has been inspected and found safe to operate on the highways of this state. The registration certificate need not specify the weight of the **historic vehicle**. The registration issued under this section is not transferable to another **historic vehicle**.

(3) A registration issued under this section shall remain valid until the registrant either sells, transfers, or scraps the vehicle or modifies the vehicle in a manner that requires the issuance of a new certificate of title for the vehicle under this act.

(4) After a hearing and for cause shown, the secretary of state may revoke a registration issued under this section for failure of the applicant to comply with this section, for use of the vehicle for which the registration was issued for purposes other than those enumerated in section 20a, or because the vehicle is not safe to operate on the highways of this state.

CHAPTER 257 MOTOR VEHICLES  
MOTOR VEHICLE CODE  
CHAPTER II. ADMINISTRATION, REGISTRATION, CERTIFICATE OF TITLE AND ANTI-THEFT

MCLS § 257.217c (2016)  
MCL § 257.217c

§ 257.217c. Acquisition of salvage, distressed, or older model vehicles; issuance of salvage or scrap certificates of title; salvage vehicle inspections; sale of vehicles; notice of designation as scrap vehicle; removal of scrap vehicle from state; determination of repair and labor costs; vehicle inspection fee; "actual cash value" defined.

Sec. 217c.

(1) The secretary of state may conduct periodic reviews of the records of a dealer to determine whether adequate notice is given to a transferee or lessee of a rebuilt salvage vehicle of that vehicle's prior designation as a salvage vehicle. The secretary of state may request an insurance company to provide copies of salvage title documents and claims reports involving major component parts to assist the secretary of state in monitoring compliance with this act.

(2) Except for a late model vehicle that has been stolen and recovered and that has no major component part removed, missing, or destroyed, or damaged and not salvageable, an insurance company licensed to conduct business in this state that acquires ownership of a late model vehicle through the payment of a claim shall proceed under either of the following:

(a) If the insurance company acquires ownership of the vehicle through payment of a claim, the owner of the vehicle shall assign the certificate of title to the insurance company which shall do all of the following:

(i) Surrender a properly assigned certificate of title to the secretary of state.

(ii) If the estimated cost of repair, including parts and labor, is equal to or more than 75% but less than 91% of the predamaged actual cash value of the vehicle, apply for a salvage certificate of title, and if the estimated cost of repair, including parts and labor, is equal to or greater than 91% of the predamaged actual cash value of the vehicle, apply for a scrap certificate of title. The insurance company shall not sell the vehicle without first receiving a salvage or scrap certificate of title, which shall be assigned to the buyer. An insurance company may assign a salvage or scrap certificate of the title only to an automotive recycler, used or secondhand vehicle parts dealer, foreign salvage vehicle dealer, or vehicle scrap metal processor.

(b) If after payment of a total loss claim the insurance company permits the owner of the vehicle to retain ownership, the insurance company shall do all of the following:

(i) If the estimated cost of repair, including parts and labor, is equal to or greater than 75% but less than 91% of the predamaged actual cash value of the vehicle, require each owner of the vehicle to sign an application for a salvage certificate of title, or if the estimated cost of repair, including parts and labor, is equal to or greater than 91% of the predamaged actual cash value of the vehicle, require each owner of the vehicle to sign an application for a scrap vehicle certificate of title.

(ii) Attach the owner's certificate of title to the application for a salvage or scrap certificate of title or have the owner certify that the certificate of title is lost.

(iii) On behalf of the owner, apply to the secretary of state for a salvage or scrap certificate of title in the name of the owner. The owner shall not sell or otherwise dispose of the vehicle without first receiving a salvage or scrap certificate of title, which shall be assigned to the buyer. An insurance company may

assign a salvage or scrap certificate of title only to an automotive recycler, used or secondhand vehicle parts dealer, foreign salvage vehicle dealer, or vehicle scrap metal processor.

(3) If an insurance company pays a claim for total loss to the owner or lienholder of record as kept by the secretary of state, or both, if applicable, of a vehicle but the owner or lienholder of record as kept by the secretary of state fails to surrender the certificate of title or other document necessary for the transfer of ownership of the vehicle to the insurance company within the expiration of 30 days after the claim payment, the insurance company, without having obtained the surrender of the title or other document otherwise necessary for the transfer of ownership for the vehicle from the owner or lienholder of record as kept by the secretary of state, or both, if applicable, may apply to the secretary of state for a title as provided under this section. The insurance company shall, at the time of application, provide proof of the payment and that the insurance company has requested in writing, by certified mail or by another commercially available delivery service providing proof of delivery, on at least 2 separate occasions that the owner or lienholder of record as kept by the secretary of state surrender to the insurance company the certificate of title or other document necessary for the transfer of ownership to the insurance company. The application shall be signed under the penalty of perjury. Subject to subsection (2)(a)(ii), upon meeting the requirements of this subsection, the secretary of state shall issue to the insurance company the appropriate certificate of title free of all liens and shall notify the prior vehicle owner and lienholder of record as kept by the secretary of state, if any, of that action in writing. Proof of payment of the claim is satisfied only by 1 of the following:

(a) In the case of payment by check, either of the following:

(i) A copy of the front and back of the endorsed check.

(ii) Evidence that the check has cleared the account of the payer.

(b) In the case of payment by electronic transfer, evidence that the payment was charged to the account of the payer.

(4) Except as provided in subsection (3), if an insurance company acquires ownership of a vehicle other than a late model vehicle through payment of damages due to an accident, the company shall surrender a properly assigned title to the buyer upon delivery.

(5) If a dealer acquires ownership of a late model vehicle that is a distressed vehicle from an owner, the dealer shall receive an assigned certificate of title. If the assigned certificate of title is not a salvage or scrap certificate of title, the dealer, other than a vehicle scrap metal processor, shall surrender the assigned certificate of title to the secretary of state, and if the estimated cost of repair, including parts and labor, is equal to or greater than 75% but less than 91% of the predamaged actual cash value of the vehicle, apply for a salvage certificate of title, or if the estimated cost of repair, including parts and labor, is equal to or greater than 91% of the predamaged actual cash value of the vehicle, apply for a scrap certificate of title within 5 days after the dealer receives the assigned certificate of title. The dealer may sell a salvage vehicle to another automotive recycler, used or secondhand vehicle parts dealer, foreign salvage vehicle dealer, or vehicle scrap metal processor by assigning the salvage certificate of title to the buyer. Unless the vehicle is rebuilt, inspected, and recertified under this section, if the vehicle is sold to a buyer other than a dealer, application shall be made for a salvage certificate in the name of the buyer in the manner provided in this act. The dealer may sell a scrap vehicle only to a vehicle scrap metal processor. A vehicle scrap metal processor shall surrender an assigned certificate of title to the secretary of state within 30 days after acquiring a vehicle for which a certificate of title was received. A vehicle scrap metal processor shall surrender an assigned salvage or scrap certificate of title to the secretary of state within 30 days after acquiring a vehicle for which a salvage or scrap certificate of title was received and report that the vehicle was destroyed or scrapped.

- (6) An application for a scrap certificate of title shall be made on a form prescribed by the secretary of state accompanied by a fee of \$15.00. The application shall contain all of the following:
- (a) The complete name and current address of the owner.
  - (b) A description of the vehicle, including its make, style of body, model year, fee category or weight, color, and vehicle identification number.
  - (c) If the vehicle is a late model vehicle, a listing of each major component part that was not salvageable.
  - (d) Further information as may reasonably be required by the secretary of state.
- (7) The scrap certificate of title shall authorize the holder of the document to transport but not drive upon a highway the vehicle or parts of a vehicle, and assign ownership to a vehicle scrap metal processor, automotive recycler, used or secondhand vehicle parts dealer, or foreign salvage vehicle dealer. A certificate of title shall not again be issued for this vehicle. A person shall not rebuild or repair a scrap vehicle and allow it to retain the original vehicle identification number.
- (8) If a person, other than a dealer or insurance company that is subject to subsection (2) or (5), acquires ownership of a distressed, late model vehicle, the person shall surrender the title or assigned certificate of title to the secretary of state, and if the estimated cost of repair, including parts and labor, is equal to or greater than 75% but less than 91% of the predamaged actual cash value of the vehicle, apply for a salvage certificate of title, or if the estimated cost of repair, including parts and labor, is equal to or greater than 91% of the predamaged actual cash value of the vehicle, apply for a scrap certificate of title before the vehicle may be transported.
- (9) An owner of a vehicle may determine that a vehicle is a scrap vehicle or a salvage vehicle without making any determination as to the actual cash value of the vehicle.
- (10) If a leasing company, vehicle manufacturer, insurance company not licensed to do business in this state, association, repossession company, self-insured owner, financial institution, governmental entity, or other company, institution, or entity, owns a distressed, late model vehicle, the titleholder shall surrender the title or assigned certificate of title to the secretary of state and apply for a salvage certificate of title if the retail cost of repair, including parts and labor, is equal to or greater than 75% but less than 91% of the predamaged actual cash value of the vehicle, or if the retail cost of repair, including parts and labor, is equal to or greater than 91% of the predamaged actual cash value of the vehicle, apply for a scrap certificate of title, before the vehicle may be transported or sold. If ownership is transferred, the owner shall sell the vehicle only to a dealer who is eligible to buy a salvage or scrap vehicle in this state unless the owner complies with subsection (13). When a leasing company, vehicle manufacturer, insurance company not licensed to do business in this state, association, repossession company, self-insured owner, financial institution, governmental entity, or other company, institution, or entity, estimates the repair of a distressed, late model vehicle for the purpose of determining whether to apply for a salvage or scrap certificate of title, a complete record of the estimate and, if the vehicle is repaired before a transfer of ownership, a complete record of the actual cost of the repairs performed and by whom shall be maintained for a minimum of 5 years by the leasing company, vehicle manufacturer, insurance company not licensed to do business in this state, association, repossession company, self-insured owner, financial institution, governmental entity, or other company, institution, or entity. The estimates and repair records required by this subsection shall be available for unannounced inspections by a law enforcement agency or a representative of the secretary of state. The secretary of state may request a leasing company, vehicle manufacturer, insurance company not licensed to do business in this state, association, repossession company, self-insured owner, financial institution, governmental entity, or other company, institution, or entity to provide copies of title documents, repair estimates, claims reports involving major component

parts, and actual cash value determination documents to assist the secretary of state in monitoring compliance with this act.

(11) An application for a salvage certificate of title shall be made on a form prescribed by the secretary of state accompanied by a fee of \$10.00. The application shall contain all of the following:

- (a) The complete name and current address of the owner.
- (b) A description of the vehicle, including its make, style of body, model year, fee category or weight, color, and vehicle identification number.
- (c) An estimate of the cost repair, including parts and labor, and an estimate of the predamaged actual cash value of the vehicle.
- (d) If the vehicle is a late model vehicle, a listing of each major component part that was not salvageable.
- (e) Further information as may reasonably be required by the secretary of state.

(12) The secretary of state shall issue and mail the salvage certificate within 5 business days after the time the application is received at the secretary of state's office in Lansing. Each salvage certificate of title shall include a listing of each major component part that was not salvageable.

(13) A salvage certificate of title authorizes the holder of the title to possess, transport, but not drive upon a highway, and transfer ownership in, a vehicle. The secretary of state shall not issue a certificate of title or registration plates for a vehicle for which a salvage certificate of title was issued unless a specially trained officer described in subsection (15) certifies all of the following:

- (a) That the vehicle identification numbers and parts identification numbers are correct.
- (b) That the applicant has proof of ownership of repair parts used.
- (c) That the vehicle complies with the equipment standards of this act.

(14) The certification required by subsection (13) shall be made on a form prescribed and furnished by the secretary of state in conjunction with the department of state police and shall accompany the application that is submitted to the secretary of state for a certificate of title. An application for a certificate of title shall contain a description of each salvageable part used to repair the vehicle and any identification number affixed to or inscribed upon the part as required by state or federal law. Upon satisfactory completion of the inspection as required by the secretary of state and other requirements for application, the secretary of state shall issue a certificate of title for the vehicle bearing the legend "rebuilt salvage".

(15) An officer specially trained as provided by the secretary of state and authorized by the secretary of state to conduct a salvage vehicle inspection is either of the following:

- (a) An on-duty or off-duty police officer.
- (b) A previously certified police officer who is appointed by the local police agency as a limited enforcement officer to conduct salvage vehicle inspections. The local police agency shall give this officer access to the agency's law enforcement information network system and the authority to confiscate any stolen vehicle or vehicle parts discovered during an inspection. The local police agency may give the officer the authority to arrest a person suspected of having unlawful possession of a stolen vehicle or vehicle parts.

(16) The secretary of state shall issue a certificate to an officer who is specially trained as provided by the secretary of state to conduct salvage vehicle inspections. Only a person who has a valid certification from

the secretary of state may perform salvage inspections. The secretary of state on his or her own initiative or in response to complaints shall make reasonable and necessary public or private investigations within or outside of this state and gather evidence against an officer who was issued a certificate and who violated or is about to violate this act or a rule promulgated under this act. The secretary of state may suspend, revoke, or deny a certificate after an investigation if the secretary of state determines that the officer committed 1 or more of the following:

- (a) Violated this act or a rule promulgated under this act.
- (b) Was found guilty of a fraudulent act in connection with the inspection, purchase, sale, lease, or transfer of a salvage vehicle.
- (c) Was found guilty of the theft, embezzlement, or misappropriation of salvage vehicle inspection fees.
- (d) Performed improper, careless, or negligent salvage vehicle inspections.
- (e) Ceased to function as a police officer because of suspension, retirement, dismissal, disability, or termination of employment.
- (f) Was convicted of a violation or attempted violation of 1986 PA 119, MCL 257.1351 to 257.1355.
- (g) Made a false statement of a material fact in his or her certification of a salvage vehicle inspection or any record concerning a salvage vehicle inspection.

(17) Upon receipt of the appropriate abstract of conviction from a court and without any investigation, the secretary of state shall immediately revoke the certificate of an officer who has been convicted of a violation or attempted violation of section 413, 414, 415, 535, 535a, or 536a of the Michigan penal code, 1931 PA 328, MCL 750.413, 750.414, 750.415, 750.535, 750.535a, and 750.536a, or has been convicted in federal court or in another state of a violation or attempted violation of a law substantially corresponding to 1 of those sections.

(18) If a dealer acquires ownership of an older model vehicle from an owner, the dealer shall receive an assigned certificate of title and shall retain it as long as he or she retains the vehicle. A vehicle scrap metal processor shall surrender an assigned certificate of title to the secretary of state within 30 days after the vehicle is destroyed or scrapped.

(19) A dealer selling or assigning a vehicle to a vehicle scrap metal processor shall make a record in triplicate on a form to be provided by the secretary of state in substantially the following form:

Scrap Vehicle Inventory:

SELLER: Dealer name

Dealer address

Dealer license number

PURCHASER: Conveyed to:Date

(Vehicle scrap metal processor)

Dealer address

Dealer license number

Vehicles

Dealer's

Model Year    Vehicle Make    VIN    Title Number    Stock Number    Color

etc.

One copy shall be retained as a permanent record by the dealer, 1 copy shall be forwarded with the vehicle to be retained by the vehicle scrap metal processor, and 1 copy shall be forwarded to the secretary of state.

(20) A person, other than an automotive recycler, used or secondhand vehicle parts dealer, or a foreign salvage dealer, receiving a salvage certificate of title shall not sell the vehicle to anyone other than 1 of the following:

- (a) The vehicle's former owner.
- (b) A used or secondhand vehicle parts dealer.
- (c) A vehicle scrap metal processor.
- (d) A foreign salvage vehicle dealer licensed under this act.
- (e) An automotive recycler.

(21) A person receiving a scrap certificate of title shall not sell the vehicle to anyone other than 1 of the following:

- (a) An automotive recycler.
- (b) A vehicle scrap metal processor.
- (c) A foreign salvage vehicle dealer licensed under this act.
- (d) A used or secondhand vehicle parts dealer.

(22) The secretary of state may conduct periodic reviews of the records of a dealer to determine whether adequate notice is given to a transferee or lessee of a rebuilt salvage vehicle of that vehicle's prior designation as a salvage vehicle. The secretary of state may request an insurance company to provide copies of salvage title documents and claims reports involving major component parts to assist the secretary of state in monitoring compliance with this act.

(23) A licensed automotive recycler, used or secondhand vehicle parts dealer, vehicle scrap metal processor, vehicle salvage pool operator, distressed vehicle transporter, foreign salvage vehicle dealer, or broker who has removed a scrap vehicle from this state for the purpose of rebuilding the vehicle or selling



or leasing the vehicle to a person other than a vehicle scrap metal processor, shall receive an automatic suspension of its dealer license and of any salvage vehicle agent's license assigned to that dealer for a period of 30 days. Upon receipt by the secretary of state of a written request from the dealer, the dealer shall have the right to an immediate hearing on the matter within that 30-day period.

(24) For the purpose of this section, the estimated costs of the repair parts shall be determined by using the current published retail cost of original manufacturer equipment parts or an estimate of the actual cost of the repair parts. The estimated labor costs shall be computed by using the hourly rate and time allocations which are reasonable and commonly assessed in the repair industry in the community where the repairs are performed.

(25) A police agency shall charge a fee for an inspection of a vehicle under subsection (13). Each local authority with a police agency shall determine the amount of the fee for inspections by that police agency, which shall not exceed \$100.00. The police agency shall credit the fee to the budget of that police agency and use the fee for law enforcement purposes that affect stolen vehicles, stolen vehicle parts, and salvage vehicle inspections. A local police agency shall compensate an off-duty and limited enforcement police officer for a salvage vehicle inspection.

(26) For the purpose of this section, "actual cash value" means the retail dollar value of a vehicle as determined by an objective vehicle evaluation using local market resources such as dealers or want ads or by an independent vehicle evaluation or vehicle appraisal service or by a current issue of a nationally recognized used vehicle guide for financial institution appraisal purposes in this state.

CHAPTER 257 MOTOR VEHICLES  
MOTOR VEHICLE CODE  
CHAPTER II. ADMINISTRATION, REGISTRATION, CERTIFICATE OF TITLE AND ANTI-THEFT

MCLS § 257.222 (2016)  
MCL § 257.222

§ 257.222. Registration certificate and certificate of title; issuance; rebuilt, salvage, or scrap certificate of title issued by another state; delivery; manufacture; contents; coat of arms of state; conduct constituting misdemeanor; penalties; certificate of title for certain vehicles to be different in color; contents of legend.

Sec. 222. (1) Except as otherwise provided in this act, the secretary of state shall issue a registration certificate and a certificate of title when registering a vehicle upon receipt of the required fees. The secretary of state shall issue a flood, rebuilt, rebuilt salvage, salvage, or scrap certificate of title for a vehicle brought into this state from another state or jurisdiction that has a flood, rebuilt, salvage, or scrap certificate of title issued by that other state or jurisdiction.

(2) The secretary of state shall deliver the registration certificate to the owner. The certificate shall contain on its face the date issued, the name and address of the owner, the registration number assigned to the vehicle, and a description of the vehicle as determined by the secretary of state.

(3) The certificate of title shall be manufactured in a manner to prohibit as nearly as possible the ability to reproduce, alter, counterfeit, forge, or duplicate the certificate of title without ready detection. The certificate shall contain all of the following on its face :

(a) The identical information required on the face of the registration certificate .

(b) If the vehicle is a motor vehicle, the number of miles, not including the tenths of a mile, registered on the vehicle's odometer at the time of transfer .

(c) Whether the vehicle is to be used or has been used as a taxi, as a police vehicle, or by a political subdivision of this state, unless the vehicle is owned by a dealer and loaned or leased to a political subdivision of this state for use as a driver education vehicle .

(d) Whether the vehicle is a salvage vehicle .

(e) If the vehicle has previously been issued a rebuilt certificate of title from this state or a comparable certificate of title from any other state or jurisdiction .

(f) Whether the vehicle has been issued a scrap certificate of title from this state or a comparable certificate of title from any other state or jurisdiction .

(g) Whether the vehicle is a flood vehicle or has previously been issued a flood certificate of title from this state or any other state or jurisdiction .

(h) Whether the owner or co-owner or lessee or co-lessee of the vehicle is subject to registration denial under section 219(1)(d) .

(i) A statement of the owner's title and of all security interests in the vehicle or in an accessory on the vehicle as set forth in the application .

(j) The date that the application was filed .

(k) Any other information that the secretary of state may require.

(4) The certificate of title shall contain a form for assignment of title or interest and warranty of title by the owner with space for the notation of a security interest in the vehicle and in an accessory on the vehicle, which at the time of a transfer shall be certified and signed, and space for a written odometer mileage statement that is required upon transfer pursuant to section 233a. The certificate of title shall include a description of the proper procedure for transferring the title of a motor vehicle and for maintaining records of that transfer as provided under this act. The certificate of title may also contain other forms that the secretary of state considers necessary to facilitate the effective administration of this act. The certificate shall bear the coat of arms of this state.

(5) The secretary of state shall mail or deliver the certificate of title to the owner or other person as the owner may direct in a separate instrument, in a form prescribed by the secretary of state.

(6) A person who intentionally reproduces, alters, counterfeits, forges, or duplicates a certificate of title or who uses a reproduced, altered, counterfeited, forged, or duplicated certificate of title shall be punished as follows:

(a) If the intent of reproduction, alteration, counterfeiting, forging, duplication, or use was to commit or aid in the commission of an offense punishable by imprisonment for 1 or more years, the person committing the reproduction, alteration, counterfeiting, forging, duplication, or use is guilty of a misdemeanor, punishable by imprisonment for a period equal to that which could be imposed for the commission of the offense the person had the intent to aid or commit. The court may also assess a fine of not more than \$10,000.00 against the person.

(b) If the intent of the reproduction, alteration, counterfeiting, forging, duplication, or use was to commit or aid in the commission of an offense punishable by imprisonment for not more than 1 year, the person committing the reproduction, alteration, counterfeiting, forging, duplication, or use is guilty of a misdemeanor, punishable by imprisonment for not more than 1 year, or a fine of not more than \$1,000.00, or both.

(7) The certificate of title for a police vehicle, a vehicle owned by a political subdivision of this state, a salvage **vehicle**, a **rebuilt vehicle**, a scrap vehicle, or a flood vehicle shall be different in color from the certificate of title for all other vehicles unless the vehicle is loaned or leased to a political subdivision of this state for use as a driver education vehicle.

(8) A scrap certificate of title shall contain a legend that the vehicle is not to be titled or registered and is to be used for parts or scrap metal only.

(9) A certificate of title shall not be issued for a vehicle that has had a salvage certificate of title unless the certificate of title contains the legend "rebuilt salvage".

CHAPTER 500 INSURANCE CODE OF 1956  
THE INSURANCE CODE OF 1956  
CHAPTER 21.

MCLS § 500.2118 (2016)

MCL § 500.2118

§ 500.2118. Automobile insurance; condition of maintaining insurer's certificate of authority; basis of underwriting rules.

Sec. 2118. (1) As a condition of maintaining its certificate of authority, an insurer shall not refuse to insure, refuse to continue to insure, or limit coverage available to an eligible person for automobile insurance, except in accordance with underwriting rules established pursuant to this section and sections 2119 and 2120.

(2) The underwriting rules that an insurer may establish for automobile insurance shall be based only on the following:

(a) Criteria identical to the standards set forth in section 2103(1).

(b) The insurance eligibility point accumulation in excess of the amounts established by section 2103(1) of a member of the household of the eligible person insured or to be insured, if the member of the household usually accounts for 10% or more of the use of a vehicle insured or to be insured. For purposes of this subdivision, a person who is the principal driver for 1 automobile insurance policy shall be rebuttably presumed not to usually account for more than 10% of the use of other vehicles of the household not insured under the policy of that person.

(c) With respect to a vehicle insured or to be insured, substantial modifications from the vehicle's original manufactured state for purposes of increasing the speed or acceleration capabilities of the vehicle.

(d) Except as otherwise provided in section 2116a, failure by the person to provide proof that insurance required by section 3101 was maintained in force with respect to any vehicle that was both owned by the person and driven or moved by the person or by a member of the household of the person during the 6-month period immediately preceding application. Such proof shall take the form of a certification by the person on a form provided by the insurer that the vehicle was not driven or moved without maintaining the insurance required by section 3101 during the 6-month period immediately preceding application.

(e) Type of vehicle insured or to be insured, based on 1 of the following, without regard to the age of the vehicle:

(i) The **vehicle** is of limited production or of **custom** manufacture.

(ii) The insurer does not have a rate lawfully in effect for the type of vehicle.

(iii) The vehicle represents exposure to extraordinary expense for repair or replacement under comprehensive or collision coverage.

(f) Use of a vehicle insured or to be insured for transportation of passengers for hire, for rental purposes, or for commercial purposes. Rules under this subdivision shall not be based on the use of a vehicle for volunteer or charitable purposes or for which reimbursement for normal operating expenses is received.

(g) Payment of a minimum deposit at the time of application or renewal, not to exceed the smallest deposit required under an extended payment or premium finance plan customarily used by the insurer.

(h) For purposes of requiring comprehensive deductibles of not more than \$150.00, or of refusing to insure if the person refuses to accept a required deductible, the claim experience of the person with respect to comprehensive coverage.

(i) Total abstinence from the consumption of alcoholic beverages except if such beverages are consumed as part of a religious ceremony. However, an insurer shall not utilize an underwriting rule based on this subdivision unless the insurer has been authorized to transact automobile insurance in this state prior to January 1, 1981, and has consistently utilized such an underwriting rule as part of the insurer's automobile insurance underwriting since being authorized to transact automobile insurance in this state.

(j) One or more incidents involving a threat, harassment, or physical assault by the insured or applicant for insurance on an insurer employee, agent, or agent employee while acting within the scope of his or her employment so long as a report of the incident was filed with an appropriate law enforcement agency.

CHAPTER 500 INSURANCE CODE OF 1956  
THE INSURANCE CODE OF 1956  
CHAPTER 31. "NO-FAULT" AUTOMOBILE PROVISIONS

MCLS § 500.3104 (2016)  
MCL § 500.3104

§ 500.3104. Catastrophic claims association.

Sec. 3104. (1) An unincorporated, nonprofit association to be known as the catastrophic claims association, hereinafter referred to as the association, is created. Each insurer engaged in writing insurance coverages that provide the security required by section 3101(1) within this state, as a condition of its authority to transact insurance in this state, shall be a member of the association and shall be bound by the plan of operation of the association. Each insurer engaged in writing insurance coverages that provide the security required by section 3103(1) within this state, as a condition of its authority to transact insurance in this state, shall be considered a member of the association, but only for purposes of premiums under subsection (7)(d). Except as expressly provided in this section, the association is not subject to any laws of this state with respect to insurers, but in all other respects the association is subject to the laws of this state to the extent that the association would be if it were an insurer organized and subsisting under chapter 50.

(2) The association shall provide and each member shall accept indemnification for 100% of the amount of ultimate loss sustained under personal protection insurance coverages in excess of the following amounts in each loss occurrence:

- (a) For a motor vehicle accident policy issued or renewed before July 1, 2002, \$250,000.00.
- (b) For a motor vehicle accident policy issued or renewed during the period July 1, 2002 to June 30, 2003, \$300,000.00.
- (c) For a motor vehicle accident policy issued or renewed during the period July 1, 2003 to June 30, 2004, \$325,000.00.
- (d) For a motor vehicle accident policy issued or renewed during the period July 1, 2004 to June 30, 2005, \$350,000.00.
- (e) For a motor vehicle accident policy issued or renewed during the period July 1, 2005 to June 30, 2006, \$375,000.00.
- (f) For a motor vehicle accident policy issued or renewed during the period July 1, 2006 to June 30, 2007, \$400,000.00.
- (g) For a motor vehicle accident policy issued or renewed during the period July 1, 2007 to June 30, 2008, \$420,000.00.
- (h) For a motor vehicle accident policy issued or renewed during the period July 1, 2008 to June 30, 2009, \$440,000.00.
- (i) For a motor vehicle accident policy issued or renewed during the period July 1, 2009 to June 30, 2010, \$460,000.00.
- (j) For a motor vehicle accident policy issued or renewed during the period July 1, 2010 to June 30, 2011, \$480,000.00.
- (k) For a motor vehicle accident policy issued or renewed during the period July 1, 2011 to June 30, 2013, \$500,000.00. Beginning July 1, 2013, this \$500,000.00 amount shall be increased biennially on July 1 of each odd-numbered year, for policies issued or renewed before July 1 of the following odd-numbered year, by the lesser of 6% or the consumer price index, and rounded to the nearest \$5,000.00. This biennial adjustment shall be calculated by the association by January 1 of the year of its July 1 effective date.

(3) An insurer may withdraw from the association only upon ceasing to write insurance that provides the security required by section 3101(1) in this state.

(4) An insurer whose membership in the association has been terminated by withdrawal shall continue to be bound by the plan of operation, and upon withdrawal, all unpaid premiums that have been charged

to the withdrawing member are payable as of the effective date of the withdrawal.

(5) An unsatisfied net liability to the association of an insolvent member shall be assumed by and apportioned among the remaining members of the association as provided in the plan of operation. The association has all rights allowed by law on behalf of the remaining members against the estate or funds of the insolvent member for sums due the association.

(6) If a member has been merged or consolidated into another insurer or another insurer has reinsured a member's entire business that provides the security required by section 3101(1) in this state, the member and successors in interest of the member remain liable for the member's obligations.

(7) The association shall do all of the following on behalf of the members of the association:

(a) Assume 100% of all liability as provided in subsection (2).

(b) Establish procedures by which members shall promptly report to the association each claim that, on the basis of the injuries or damages sustained, may reasonably be anticipated to involve the association if the member is ultimately held legally liable for the injuries or damages. Solely for the purpose of reporting claims, the member shall in all instances consider itself legally liable for the injuries or damages. The member shall also advise the association of subsequent developments likely to materially affect the interest of the association in the claim.

(c) Maintain relevant loss and expense data relative to all liabilities of the association and require each member to furnish statistics, in connection with liabilities of the association, at the times and in the form and detail as may be required by the plan of operation.

(d) In a manner provided for in the plan of operation, calculate and charge to members of the association a total premium sufficient to cover the expected losses and expenses of the association that the association will likely incur during the period for which the premium is applicable. The premium shall include an amount to cover incurred but not reported losses for the period and may be adjusted for any excess or deficient premiums from previous periods. Excesses or deficiencies from previous periods may be fully adjusted in a single period or may be adjusted over several periods in a manner provided for in the plan of operation. Each member shall be charged an amount equal to that member's total written car years of insurance providing the security required by section 3101(1) or 3103(1), or both, written in this state during the period to which the premium applies, multiplied by the average premium per car. The average premium per car shall be the total premium calculated divided by the total written car years of insurance providing the security required by section 3101(1) or 3103(1) written in this state of all members during the period to which the premium applies. A member shall be charged a premium for a **historic vehicle** that is insured with the member of 20% of the premium charged for a car insured with the member. As used in this subdivision :

(i) "Car" includes a motorcycle but does not include a **historic vehicle** .

(ii) "**Historic vehicle**" means a **vehicle** that is a registered **historic vehicle** under section 803a or 803p of the Michigan vehicle code, 1949 PA 300, [MCL 257.803a](#) and [257.803p](#).

(e) Require and accept the payment of premiums from members of the association as provided for in the plan of operation. The association shall do either of the following:

(i) Require payment of the premium in full within 45 days after the premium charge.

(ii) Require payment of the premiums to be made periodically to cover the actual cash obligations of the association.

(f) Receive and distribute all sums required by the operation of the association.

(g) Establish procedures for reviewing claims procedures and practices of members of the association. If the claims procedures or practices of a member are considered inadequate to properly service the liabilities of the association, the association may undertake or may contract with another person, including another member, to adjust or assist in the adjustment of claims for the member on claims that create a potential liability to the association and may charge the cost of the adjustment to the member.

(8) In addition to other powers granted to it by this section, the association may do all of the following:

(a) Sue and be sued in the name of the association. A judgment against the association shall not create any direct liability against the individual members of the association. The association may provide for the indemnification of its members, members of the board of directors of the association, and officers,

employees, and other persons lawfully acting on behalf of the association.

(b) Reinsure all or any portion of its potential liability with reinsurers licensed to transact insurance in this state or approved by the commissioner.

(c) Provide for appropriate housing, equipment, and personnel as may be necessary to assure the efficient operation of the association.

(d) Pursuant to the plan of operation, adopt reasonable rules for the administration of the association, enforce those rules, and delegate authority, as the board considers necessary to assure the proper administration and operation of the association consistent with the plan of operation.

(e) Contract for goods and services, including independent claims management, actuarial, investment, and legal services, from others within or without this state to assure the efficient operation of the association.

(f) Hear and determine complaints of a company or other interested party concerning the operation of the association.

(g) Perform other acts not specifically enumerated in this section that are necessary or proper to accomplish the purposes of the association and that are not inconsistent with this section or the plan of operation.

(9) A board of directors is created, hereinafter referred to as the board, which shall be responsible for the operation of the association consistent with the plan of operation and this section.

(10) The plan of operation shall provide for all of the following:

(a) The establishment of necessary facilities.

(b) The management and operation of the association.

(c) Procedures to be utilized in charging premiums, including adjustments from excess or deficient premiums from prior periods.

(d) Procedures governing the actual payment of premiums to the association.

(e) Reimbursement of each member of the board by the association for actual and necessary expenses incurred on association business.

(f) The investment policy of the association.

(g) Any other matters required by or necessary to effectively implement this section.

(11) Each board shall include members that would contribute a total of not less than 40% of the total premium calculated pursuant to subsection (7)(d). Each director shall be entitled to 1 vote. The initial term of office of a director shall be 2 years.

(12) As part of the plan of operation, the board shall adopt rules providing for the composition and term of successor boards to the initial board, consistent with the membership composition requirements in subsections (11) and (13). Terms of the directors shall be staggered so that the terms of all the directors do not expire at the same time and so that a director does not serve a term of more than 4 years.

(13) The board shall consist of 5 directors, and the commissioner shall be an ex officio member of the board without vote.

(14) Each director shall be appointed by the commissioner and shall serve until that member's successor is selected and qualified. The chairperson of the board shall be elected by the board. A vacancy on the board shall be filled by the commissioner consistent with the plan of operation.

(15) After the board is appointed, the board shall meet as often as the chairperson, the commissioner, or the plan of operation shall require, or at the request of any 3 members of the board. The chairperson shall retain the right to vote on all issues. Four members of the board constitute a quorum.

(16) An annual report of the operations of the association in a form and detail as may be determined by the board shall be furnished to each member.

(17) Not more than 60 days after the initial organizational meeting of the board, the board shall submit to the commissioner for approval a proposed plan of operation consistent with the objectives and provisions of this section, which shall provide for the economical, fair, and nondiscriminatory administration of the association and for the prompt and efficient provision of indemnity. If a plan is not submitted within this 60-day period, then the commissioner, after consultation with the board, shall formulate and place into effect a plan consistent with this section.



(18) The plan of operation, unless approved sooner in writing, shall be considered to meet the requirements of this section if it is not disapproved by written order of the commissioner within 30 days after the date of its submission. Before disapproval of all or any part of the proposed plan of operation, the commissioner shall notify the board in what respect the plan of operation fails to meet the requirements and objectives of this section. If the board fails to submit a revised plan of operation that meets the requirements and objectives of this section within the 30-day period, the commissioner shall enter an order accordingly and shall immediately formulate and place into effect a plan consistent with the requirements and objectives of this section.

(19) The proposed plan of operation or amendments to the plan of operation are subject to majority approval by the board, ratified by a majority of the membership having a vote, with voting rights being apportioned according to the premiums charged in subsection (7)(d) and are subject to approval by the commissioner.

(20) Upon approval by the commissioner and ratification by the members of the plan submitted, or upon the promulgation of a plan by the commissioner, each insurer authorized to write insurance providing the security required by section 3101(1) in this state, as provided in this section, is bound by and shall formally subscribe to and participate in the plan approved as a condition of maintaining its authority to transact insurance in this state.

(21) The association is subject to all the reporting, loss reserve, and investment requirements of the commissioner to the same extent as would a member of the association.

(22) Premiums charged members by the association shall be recognized in the rate-making procedures for insurance rates in the same manner that expenses and premium taxes are recognized.

(23) The commissioner or an authorized representative of the commissioner may visit the association at any time and examine any and all the association's affairs.

(24) The association does not have liability for losses occurring before July 1, 1978.

(25) As used in this section:

(a) "Consumer price index" means the percentage of change in the consumer price index for all urban consumers in the United States city average for all items for the 24 months prior to October 1 of the year prior to the July 1 effective date of the biennial adjustment under subsection (2)(k) as reported by the United States department of labor, bureau of labor statistics, and as certified by the commissioner.

(b) "Motor vehicle accident policy" means a policy providing the coverages required under section 3101(1).

(c) "Ultimate loss" means the actual loss amounts that a member is obligated to pay and that are paid or payable by the member, and do not include claim expenses. An ultimate loss is incurred by the association on the date that the loss occurs.

## Equipment Exemptions

### From Michigan Compiled Laws:

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CHAPTER 257 MOTOR VEHICLES  
MOTOR VEHICLE CODE  
CHAPTER VI. OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS  
EQUIPMENT

MCLS § 257.685 (2016)  
MCL § 257.685

§ 257.685. Head lamps; number; modulator; height; auxiliary, spot, or other lamp; exemption.

Sec. 685. (1) Except as otherwise provided in subsection (2), a motor vehicle shall be equipped with at least 2 head lamps with at least 1 head lamp on each side of the front of the motor vehicle, in compliance with this chapter. An implement of husbandry manufactured on or after January 1, 2007 shall comply with section 684a.

(2) A motorcycle or moped shall be equipped with at least 1 and not more than 2 head lamps that comply with this chapter.

(3) A motorcycle or moped head lamp may be wired or equipped to allow either its upper beam or its lower beam, but not both, to modulate from a higher intensity to a lower intensity. A head lamp modulator installed on a motorcycle or moped with 2 head lamps shall be wired in a manner to prevent the head lamps from modulating at different rates or not in synchronization with each other. A head lamp modulator installed on a motorcycle or moped shall meet the standards prescribed in [49 CFR 571.108](#).

(4) Every head lamp upon a motor vehicle shall be located at a height measured from the center of the head lamp of not more than 54 inches nor less than 24 inches above the level surface upon which the vehicle stands.

(5) When a motor vehicle equipped with head lamps as required in this section is also equipped with auxiliary lamps or a spot lamp or any other lamp on the front of the motor vehicle projecting a beam of an intensity greater than 300 candlepower, not more than a total of 4 of those lamps on the front of a vehicle shall be lighted at a time when upon a highway.

(6) A motor **vehicle** licensed as an **historic vehicle** is exempt from the requirements of this section if the vehicle as originally equipped failed to meet these requirements. An **historic vehicle** shall not be operated in violation of section 684.

CHAPTER 257 MOTOR VEHICLES  
MOTOR VEHICLE CODE  
CHAPTER VI. OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS  
EQUIPMENT

MCLS § 257.686 (2016)  
MCL § 257.686

§ 257.686. Rear lamps; exemption; requirements for implement of husbandry; pickup camper.

Sec. 686. (1) A motor vehicle, trailer, semitrailer, pole trailer, or vehicle which is being drawn in a train of vehicles shall be equipped with at least 1 rear lamp mounted on the rear, which, when lighted as required by this act, shall emit a red light plainly visible from a distance of 500 feet to the rear.

(2) Either a tail lamp or a separate lamp shall be constructed and placed so as to illuminate with a white light the rear registration plate and render it clearly legible from a distance of 50 feet to the rear. A tail lamp or tail lamps, together with any separate lamp for illuminating the rear registration plate, shall be wired so as to be lighted whenever the head lamps or auxiliary driving lamps are lighted.

(3) A motor **vehicle** licensed as an **historic vehicle** is exempt from the requirements of this section if the vehicle as originally equipped failed to meet these requirements.

(4) When operated or moved on a highway at the times specified in section 684, an implement of husbandry shall meet either of the following requirements:

(a) For implements of husbandry manufactured before January 1, 2007, the following:

(i) Display lighted rear lamps which meet the requirements of subsection (1).

(ii) Be accompanied by a vehicle which follows behind the implement of husbandry at a distance of not more than 50 feet, illuminates the implement of husbandry with the vehicle's headlights, and displays on the rear of the vehicle lighted rear lamps as required by this section.

(b) For implements of husbandry manufactured on or after January 1, 2007, the provisions of section 684a.

(5) A pickup camper shall be attached to the motor vehicle in a manner so that the registration plate of the motor vehicle is clearly visible.

CHAPTER 257 MOTOR VEHICLES  
MOTOR VEHICLE CODE  
CHAPTER VI. OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS  
EQUIPMENT

MCLS § 257.697 (2016)  
MCL § 257.697

§ 257.697. Signal lamps or devices; exemption.

Sec. 697. (a) A motor vehicle may be equipped and when required under this chapter shall be equipped with the following signal lamps or devices:

(1) A stop lamp on the rear which shall emit a red or amber light and which shall be actuated upon application of the service or foot brake and which may but need not be incorporated with a tail lamp.

(2) A lamp or lamps or mechanical signal device which conveys an intelligible signal or warning to another driver approaching from the rear.

(b) A stop lamp shall be capable of being seen and distinguished from a distance of 100 feet to the rear both during normal sunlight and at nighttime and a signal lamp or lamps indicating intention to turn shall be capable of being seen and distinguished during daytime and nighttime from a distance of 100 feet both to the front and rear. When a vehicle is equipped with a stop lamp or other signal lamps, the lamp or lamps shall at all times be maintained in good working condition. A stop lamp or signal lamp shall not project a glaring or dazzling light.

(c) All mechanical signal devices shall be self-illuminated when in use at the times mentioned in section 684.

(d) A motor **vehicle** licensed as an **historic vehicle** is exempt from the requirements of this section if the vehicle as originally equipped failed to meet these requirements.

CHAPTER 257 MOTOR VEHICLES  
MOTOR VEHICLE CODE  
CHAPTER VI. OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS  
EQUIPMENT

MCLS § 257.697b (2016)  
MCL § 257.697b

§ 257.697b. Rear stop lamps.

Sec. 697b. A person shall not sell or offer for sale or operate on the highways a **vehicle** manufactured or **assembled** after January 1, 1965, except those exempted from certificate of title requirements under the provisions of section 216, unless the vehicle is equipped with 2 rear stop lamps except on a motorcycle or moped meeting the requirements of section 697. A motorcycle or moped shall be required to have 1 rear stop lamp.

CHAPTER 257 MOTOR VEHICLES  
MOTOR VEHICLE CODE  
CHAPTER VI. OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS  
EQUIPMENT

MCLS § 257.706 (2016)  
MCL § 257.706

§ 257.706. Horn or other warning device; siren, whistle, air horn, or bell; theft alarm signal device.

Sec. 706. (a) A motor vehicle, including a motorcycle or moped, when operated upon a highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than 200 feet but a horn or other warning device shall not emit an unreasonably loud or harsh sound or a whistle. The driver of a motor vehicle shall when reasonably necessary to insure safe operation give audible warning with his horn but shall not otherwise use the horn when upon a highway.

(b) A vehicle shall not be equipped with nor shall a person use upon a vehicle a siren, whistle, or bell, except as otherwise permitted in this section.

(c) A commercial vehicle may be equipped with a theft alarm signal device which is so arranged that it cannot be used by the driver as an ordinary warning signal.

(d) An authorized emergency vehicle may be equipped with a siren, whistle, air horn, or bell capable of emitting sound audible under normal conditions from a distance of not less than 500 feet, but the siren shall not be used except when the vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law. In those cases the driver of the vehicle shall sound the siren when necessary to warn pedestrians and other drivers of the approach of the vehicle.

(e) A motor **vehicle** licensed as an **historic vehicle** may be equipped with a siren, whistle, or bell which may be used when participating in a parade, exhibition, tour, or similar event.

CHAPTER 257 MOTOR VEHICLES  
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CHAPTER VI. OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS  
EQUIPMENT

MCLS § 257.708 (2016)  
MCL § 257.708

§ 257.708. Mirrors.

Sec. 708. A person shall not drive a motor vehicle on a highway which is so constructed or loaded as to prevent the driver from obtaining a view of the highway to the rear by looking backward from the driver's position, unless the vehicle is equipped with a mirror located so as to reflect to the driver a view of the highway to the rear of the vehicle. In addition all motor vehicles shall be equipped with an outside rearview mirror on the driver's side which shall be positioned to give the driver a rear viewing angle from the driver's side of the vehicle, except a motor **vehicle** licensed as an **historic vehicle if the vehicle** was not originally equipped with an outside rearview mirror. Rearview mirrors may be positioned on the helmet or visor worn by the operator of a motorcycle if the helmet is securely attached to the head of the operator. Every commercial vehicle of 1/2 ton capacity or more, operating upon the public highways of this state, shall be equipped with 2 mirrors, 1 on each side, adjusted so that the operator shall have a clear view of the highway behind the commercial vehicle. The outside mirrors shall not be considered to be a part of the vehicle for the purpose of determining the maximum width under section 717.

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EQUIPMENT

MCLS § 257.708a (2016)  
MCL § 257.708a

§ 257.708a. Windshields; goggles, eyeglasses, or face shields.

Sec. 708a. A motor vehicle shall not be operated on the public highways of this state unless it is equipped with a windshield of sufficient dimensions to protect the driver and occupants from insects, other airborne objects, and highway surface water and debris, when the motor vehicle is moving forward. A farm tractor, other implement of husbandry, and **historic vehicles** as defined in section 803a are exempt from this section. When a motorcycle operated on the public highways of this state in excess of 35 miles per hour is not equipped with a windshield, the operator shall wear goggles with transparent lenses or a transparent face shield or eyeglasses, which goggles, eyeglasses, or face shield shall be of shatter resistant material and of sufficient size to protect his eyes against insects, other airborne material, and highway surface water and debris.



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MCLS § 257.709 (2016)  
MCL § 257.709

§ 257.709. Windshields and windows; prohibitions; rearview mirrors; exceptions; windshield wipers; exemption; hot air windshield defroster or electrically heated windshield or other device; windshield washer; definitions.

Sec. 709. (1) A person shall not drive a motor vehicle with any of the following:

(a) A sign, poster, nontransparent material, window application, reflective film, or nonreflective film upon or in the front windshield, the side windows immediately adjacent to the driver or front passenger, or the sidewings adjacent to and forward of the driver or front passenger, except that a tinted film may be used along the top edge of the windshield and the side windows or sidewings immediately adjacent to the driver or front passenger if the material does not extend more than 4 inches from the top of the windshield, or lower than the shade band, whichever is closer to the top of the windshield.

(b) A rear window or side window to the rear of the driver composed of, covered by, or treated with a material that creates a total solar reflectance of 35% or more in the visible light range, including a silver or gold reflective film.

(c) A dangling ornament or other suspended object that obstructs the vision of the driver of the vehicle, except as authorized by law.

(2) A person shall not drive a motor vehicle if driver visibility through the rear window is obstructed, unless the vehicle is equipped with 2 rearview mirrors, 1 on each side, adjusted so that the operator has a clear view of the highway behind the vehicle.

(3) This section shall not apply to:

(a) The use of draperies, louvers, or other special window treatments, except those specifically designated in this section, on the rear window, or a side window to the rear of the driver if the vehicle is equipped with 2 outside rearview mirrors, 1 on each side, adjusted so that the driver has a clear view of the highway behind the vehicle.

(b) The use of a nonreflective, smoked or tinted glass, nonreflective film, perforated window screen, or other decorative window application on the rear window or a side window to the rear of the driver.

(c) The placement of a necessary certificate or sticker that does not obstruct the driver's clear view of the roadway or an intersecting roadway.

(d) A vehicle registered in another state, territory, commonwealth of the United States, or another country or province.

(e) A special window treatment or application determined necessary by a physician or optometrist, for the protection of a person who is light sensitive or photosensitive, if the owner or operator of a motor vehicle has in possession a letter signed by a physician or optometrist, indicating that the special window treatment or application is a medical necessity. However, the special window treatment or application shall not interfere with or obstruct the driver's clear vision of the highway or an intersecting highway.

(4) Except as provided in subsection (5), the windshield on each motor vehicle shall be equipped with a device for cleaning rain, snow, or other moisture from the windshield, which device shall be so constructed as to be controlled or operated by the driver of the vehicle. A **vehicle** licensed as an **historical vehicle** is exempt from this subsection if the vehicle was not originally equipped with such a device. Each windshield wiper upon a motor vehicle shall be maintained in good working order.

(5) A truck with a gross weight over 10,000 pounds, a truck tractor, a bus, or a truck regardless of weight carrying hazardous materials on which a placard is required to be posted pursuant to 49 C.F.R. parts 100 to 199 having a windshield shall be equipped with not less than 2 automatically operating windshield wiper blades, 1 on each side of the centerline of the windshield, for cleaning rain, snow, or

other moisture from the windshield. The blades shall be in such condition as to provide clear vision for the driver, unless 1 blade is so arranged as to clean an area of the windshield extending to within 1 inch of the limit of vision through the windshield at each side. However, in driveaway-towaway operations, this subsection shall apply only to the driven vehicle. In addition, 1 windshield wiper blade suffices under this subsection when the driven vehicle in a driveaway-towaway operation constitutes part or all of the property being transported and has no provision for 2 blades. A truck and truck tractor, manufactured after June 30, 1953, that depends upon vacuum to operate the windshield wipers, shall be so constructed that the operation of the wipers is not materially impaired by change in the intake manifold pressure.

(6) A truck with a gross weight over 10,000 pounds, a truck tractor, a bus, or a truck regardless of weight carrying hazardous materials on which a placard is required to be posted pursuant to 49 C.F.R. parts 100 to 199 shall not be operated on the highways at any time unless it is equipped with a hot air windshield defroster or an electrically heated windshield or other device to heat and maintain the windshield in operable condition at all times.

(7) As used in this section:

(a) "Physician" means that term as defined in section 17001 or 17501 of the public health code, 1978 PA 368, [MCL 333.17001](#) and [333.17501](#).

(b) "Optometrist" means that term as defined in section 17401 of the public health code, 1978 PA 368, [MCL 333.17401](#).

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MCLS § 257.710 (2016)  
MCL § 257.710

§ 257.710. Tires; studs or other traction devices; rules; exceptions; use or sale of unsafe tires prohibited.

Sec. 710. (a) A person shall not operate on a public highway of this state a vehicle or special mobile equipment which has metal or plastic track or a tire which is equipped with metal that comes in contact with the surface of the road or which has a partial contact of metal or plastic with the surface of the road, except as provided in subsections (c), (d), and (e).

(b) A person shall not operate on a highway a vehicle which has a tire that has on its periphery a block, stud, flange, cleat, spike, or other protuberance of a material other than rubber which projects beyond the tread of the traction surface of the tire, except as provided in subsections (c), (d), and (e). A person may, however, use farm machinery with a tire having a protuberance which will not injure a highway. A person may also use a tire chain of reasonable proportion upon a vehicle when required for safety because of snow, ice, or other condition tending to cause a vehicle to skid.

(c) A person may operate on a highway a vehicle which has a pneumatic tire in which wire of .075 inches in diameter or less is embedded if the tire is constructed so that the percent of metal in contact with the highway does not exceed 5% of the total tire area in contact with the roadway, except that during the first 1,000 miles of use or operation of the tire the metal in contact with the highway shall not exceed 20% of the area.

(d) The department of state highways and transportation shall promulgate rules establishing acceptable standards to permit the use of a tire with studs or other traction devices to be used on a street or highway after April 1, 1975. The rules shall make separate provision for the extreme winter snow and ice conditions of the Upper Peninsula and the northern Lower Peninsula. The rules shall include a restriction on the amount and dimension of protrusions that may be allowed on a tire, the type of material that may be used in a stud, traction device, or tire, and the amount of road wear that a tire with studs or other traction devices may cause on a street or highway.

(e) A person may operate on a highway a vehicle which has a pneumatic tire in which are inserted ice grips or tire studs if the person is a law enforcement officer operating a vehicle owned by a law enforcement agency, a person operating an ambulance, or a United States postal service rural carrier driving a vehicle the rural carrier owns and maintains as a prerequisite to employment in the postal service.

(f) A person shall not operate a vehicle on a highway when a tire in use on that vehicle is unsafe as provided in subsection (h).

(g) A person in the business of selling tires shall not sell or offer for sale for highway use a tire which is unsafe as provided in subsection (h).

(h) A tire is unsafe if it is in any of the following conditions:

(i) Has a part of the belting material, tire cords, or plies exposed.

(ii) Has evidence of cord or tread separations.

(iii) Is worn to or below the minimum tread level in 2 or more adjacent major grooves at 3 or more locations spaced around the circumference of the tire. Minimum allowable tread levels are as follows:

|  |                          |
|--|--------------------------|
| motorcycles and moped..  | 1/32 inch front and rear |
| passenger cars and<br>vehicles weighing less<br>than 10,000 pounds ... | 2/32 inch front and rear |

vehicles weighing 10,000  
pounds or more ... 4/32 inch front and 2/32 rear

Measurements shall not be made at locations of tread wear indicators or tie bars. A motor **vehicle** licensed as an **historic vehicle** under section 803a is exempt from the tread depth requirements of this subsection.

(iv) Has a marking "not for highway use", "for racing purposes only", "for farm use only", or "unsafe for highway use".

(v) Has been regrooved or recut below the original tread design depth except in the case of special purpose designed tires having extra undertread rubber provided for this purpose and identified as those tires.

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MOTOR VEHICLE CODE  
CHAPTER II. ADMINISTRATION, REGISTRATION, CERTIFICATE OF TITLE AND ANTI-THEFT  
TRANSFERS OF TITLE OR INTEREST

MCLS § 257.233a (2016)  
MCL § 257.233a

§ 257.233a. Transfer of title or interest in vehicle; disclosure of odometer mileage.

Sec. 233a. (1) When the owner of a registered motor vehicle transfers his or her title or interest in that vehicle, the transferor shall present to the transferee before delivery of the vehicle, written disclosure of odometer mileage by means of the certificate of title or a written statement signed by the transferor including the transferor's printed name, containing all of the following:

- (a) The odometer reading at the time of transfer not to include the tenths of a mile or kilometer.
  - (b) The date of transfer.
  - (c) The transferor's name and current address.
  - (d) The transferee's name and current address.
  - (e) The identity of the vehicle, including its make, model, body type, year, and vehicle identification number.
  - (f) A reference to this section and comparable federal law, and a statement that failing to complete the title or form or providing false information may result in civil liability and civil or criminal penalties being imposed on the transferor.
  - (g) One of the following:
    - (i) A statement by the transferor certifying that to the best of his or her knowledge the odometer reading reflects the actual mileage of the vehicle.
    - (ii) If the transferor knows that the odometer reading reflects the amount of mileage in excess of the designed mechanical odometer limit, a statement to that effect.
    - (iii) If the transferor knows that the odometer reading differs from the mileage and the difference is greater than that caused by odometer calibration error, a statement that the odometer reading does not reflect the actual mileage and should not be relied upon. This notice shall include a warning notice to alert the transferee that a discrepancy exists between the odometer and the actual mileage.
  - (h) Space for the signature and printed name of the transferee, and the date of presentation to the transferee.
- (2) A certificate of title and a dealer reassignment form shall contain a place for the information required by subsection (1)(a) to (h). If the vehicle is not titled or the title does not contain a space for the required information, a written statement shall be provided as a separate document.
- (3) A dealer selling or exchanging vehicles required to be titled under this act shall present the certificate of title or written statement and any reassigned titles in his or her possession to the transferee. The transferee or the transferee's agent shall inspect, print his or her name, sign, and date the certificate or statement and return it to the transferor for submission to the secretary of state. If neither the transferee nor transferor is a dealer licensed under this act, completing the odometer information on the certificate of title shall be considered to comply with subsection (1). A person shall not sign an odometer disclosure statement as both the transferor and transferee in the same transaction.
- (4) A new or used vehicle dealer shall obtain from the transferor a completed odometer mileage statement which meets the requirements of subsection (1) with each motor vehicle acquired by the dealer. The dealer shall not accept nor provide an odometer mileage statement or a title which contains a place for odometer information which has not been completely filled in by the transferor.
- (5) The odometer information described in subsection (1) shall not be required for any of the following:
- (a) Vehicles having a gross vehicle weight rating of more than 16,000 pounds.
  - (b) A vehicle that is not self-propelled.
  - (c) A **vehicle** that is 10 **years old**, or older.

(d) A new vehicle transferred from a manufacturer to a dealer.

(e) A vehicle sold directly by the manufacturer to an agency of the United States in conformity with contractual specifications.

(f) A low-speed vehicle.

(6) A person shall not alter, set back, or disconnect an odometer; cause or allow an odometer to be altered, set back, or disconnected; or advertise for sale, sell, use, install, or cause or allow to be installed a device which causes an odometer to register other than the actual mileage driven. This subsection does not prohibit the service, repair, or replacement of an odometer if the mileage indicated on the odometer remains the same as before the service, repair, or replacement. If the odometer is incapable of registering the same mileage as before the service, repair, or replacement, the odometer shall be adjusted to read zero and a notice in writing shall be attached to the left door frame of the vehicle by the owner or his or her agent specifying the mileage prior to service, repair, or replacement of the odometer and the date on which it was serviced, repaired, or replaced. A person shall not remove, deface, or alter any notice affixed to a motor vehicle pursuant to this subsection.

(7) A person who violates subsection (6) is guilty of a felony.

(8) Before executing a transfer of ownership document, a lessor of a leased vehicle shall notify the lessee in writing that ownership of the vehicle is being transferred and that the lessee is required to provide a written statement to the lessor regarding the mileage of the vehicle. This notice shall inform the lessee of the penalties for failure to comply with the requirement.

(9) Upon receiving notification from the lessor of a leased vehicle that ownership of the vehicle is to be transferred, the lessee shall furnish to the lessor a written statement regarding the mileage of the vehicle. This statement shall be signed by the lessee and shall contain all of the following:

(a) The printed name of the person making the statement.

(b) The current odometer reading, not including tenths of miles.

(c) The date of the statement.

(d) The lessee's name and current address.

(e) The lessor's name and current address.

(f) The identity of the vehicle, including its make, model, year, body type, and vehicle identification number.

(g) The date that the lessor notified the lessee of the requirements of this subsection.

(h) The date that the completed disclosure statement was received by lessor.

(i) The signature of the lessor.

(j) One of the following:

(i) A statement by the lessee certifying that to the best of his or her knowledge the odometer reading reflects the actual mileage of the vehicle.

(ii) If the lessee knows that the odometer reading reflects the amount of mileage in excess of the designed mechanical odometer limit, a statement to that effect.

(iii) If the lessee knows that the odometer reading differs from the mileage and that the difference is greater than that caused by odometer calibration error, a statement that the odometer reading is not the actual mileage and should not be relied upon.

(10) If the lessor transfers a leased vehicle without obtaining possession of the vehicle, the lessor may indicate on the certificate of title the mileage disclosed by the lessee under subsection (9), unless the lessor has reason to believe that the mileage disclosed by the lessee does not reflect the actual mileage of the vehicle.

(11) A dealer who is required by this section to execute an odometer mileage statement shall retain for 5 years a photostatic, carbon, or other facsimile copy of each odometer mileage statement the dealer issues or receives. The dealer shall retain the odometer mileage statements at his or her primary place of business in an order that is appropriate to business requirements and that permits systematic retrieval.

(12) A lessor shall retain for 5 years following the date of transfer of ownership of each leased vehicle, the odometer mileage statement received from the lessee. The lessor shall retain the odometer mileage statements at his or her primary place of business in an order that is appropriate to business requirements

and that permits systematic retrieval.

(13) An auction dealer or vehicle salvage pool operator shall establish and retain at his or her primary place of business in an order that is appropriate to business requirements and that permits systematic retrieval, for 5 years following the date of sale of each motor vehicle, the following records:

(a) The name and the most recent owner, other than the auction dealer or salvage pool operator.

(b) The name of the buyer.

(c) The vehicle identification number.

(d) The odometer reading, not including the tenths of a mile, on the date the auction dealer or salvage pool operator took possession of the motor vehicle.

(14) A violation of subsection (1) or (6) by any dealer licensed under this act is prima facie evidence of a fraudulent act as provided in section 249.

(15) A person who, with intent to defraud, violates any requirement under subsection (1) or (6), or a dealer who fails to retain for 5 years each odometer mileage statement the dealer receives and each odometer mileage statement furnished by the dealer upon the sale of a vehicle, is liable in an amount equal to 3 times the amount of actual damages sustained or \$1,500.00 whichever is greater, and in the case of a successful recovery of damages, the costs of the action together with reasonable attorney's fees.

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MOTOR VEHICLE CODE  
CHAPTER VI. OBEDIENCE TO AND EFFECT OF TRAFFIC LAWS  
EQUIPMENT

MCLS § 257.701 (2016)  
MCL § 257.701

§ 257.701. Single-beam road-lighting equipment; intensity.

Sec. 701. Head lamps arranged to provide a single distribution of light not supplemented by auxiliary driving lamps shall be permitted on motor **vehicles manufactured** and sold **prior** to the effective date of this act in lieu of multiple-beam road-lighting equipment herein specified if the single distribution of light complies with the following requirements and limitations:

1. The head lamps shall be so aimed that when the vehicle is not loaded none of the high-intensity portion of the light shall at a distance of 25 feet ahead project higher than a level of 5 inches below the level of the center of the lamp from which it comes, and in no case higher than 42 inches above the level on which the vehicle stands at a distance 75 feet ahead.
2. The intensity shall be sufficient to reveal persons and vehicles at a distance of at least 200 feet.



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MCLS § 257.705 (2016)  
MCL § 257.705

§ 257.705. Brakes.

Sec. 705. (1) Brake equipment shall be required as follows:

(a) A motor vehicle, other than a motorcycle or moped, and a low-speed vehicle when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and hold the vehicle, including 2 separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least 2 wheels. If these 2 separate means of applying the brakes are connected in any way, they shall be constructed in a way that failure of 1 part of the operating mechanism shall not leave the motor vehicle without brakes on at least 2 wheels.

(b) A motorcycle or moped when operated upon a highway shall be equipped with at least 2 brakes, 1 on the front wheel and 1 on the rear wheel, which may be operated by hand or foot.

(c) A trailer or semitrailer of a gross weight of 15,001 pounds or more when operated upon a highway shall be equipped with brakes operating on all wheels and designed to be applied by the driver of the towing motor vehicle from its cab.

(d) A new motor vehicle, trailer, or semitrailer sold in this state and operated upon the highways shall be equipped with brakes on all wheels, except a motorcycle or moped, and except that a semitrailer, pole trailer, or trailer of less than 3,000 pounds gross weight need not be equipped with brakes if the gross weight of a trailer or pole trailer, no part of the load of which rests upon the towing vehicle, does not exceed 40% of the gross weight of the towing vehicle, and if the gross weight of the towing vehicle and the gross weight of a semitrailer or pole trailer, part of the load of which rests upon the towing vehicle, does not exceed 40% of the gross weight of the towing vehicle when connected to the semitrailer or pole trailer. This subdivision shall not apply to a trailer or semitrailer owned by a farmer and used exclusively in connection with the farming operations of the farmer and not used for hire.

(e) Every bus, school bus, truck, or truck tractor shall be equipped with brakes operating on all wheels, except that a truck or truck tractor that has 3 or more axles need not have brakes on the front wheels if the **vehicle was manufactured before** July 25, 1980.

(f) In any combination of motor driven vehicles, means shall be provided for applying the rearmost trailer brakes, for a trailer equipped with brakes, in approximate synchronism with the brakes on the towing vehicle and developing the required braking effort on the rearmost wheels at the fastest rate; or means shall be provided for applying braking effort first on the rearmost trailer equipped with brakes; or both of the above means capable of being used alternatively may be employed.

(g) A motor vehicle and combination of vehicles, except pole trailers, motorcycles, and mopeds, shall be equipped with parking brakes adequate to hold the vehicle on any grade on which it is operated, under all conditions of loading on a surface free from snow, ice, or loose material. The parking brakes shall be capable of being applied in conformance with the foregoing requirements by the driver's muscular effort or by spring action or by equivalent means. Their operation may be assisted by the service brakes or other source of power if failure of the service brake actuation system or other power assisting mechanism will not prevent the parking brakes from being applied in conformance with the foregoing requirements. The parking brakes shall be designed in a manner that when once applied they shall remain applied with the required effectiveness despite exhaustion of any source of energy or leakage of any kind. The same brake drums, brake shoes, and lining assemblies, brake shoe anchors, and mechanical brake shoe actuation mechanism normally associated with the wheel brake assemblies may be used for both the service brakes and the parking brakes. If the means of applying the parking brakes and the service brakes are connected in any way, they shall be constructed in a manner that failure of 1 part shall not leave the vehicle without

operative brakes.

(h) The brake shoes operating within or upon the drums of the vehicle wheels of a motor vehicle may be used for both service and hand operation.

(2) A motor vehicle or combination of motor-drawn vehicles shall be capable at all times and under all conditions of loading, of being stopped on a dry, smooth, level road free from loose material within the distances specified in this subsection, or shall be capable of being decelerated at a sustained rate corresponding to these distances upon initial application of the service (foot) brake.

|  | Feet to stop<br>from 20<br>miles<br>per hour | Deceleration<br>in feet<br>per second |      |
|--|--|---------------------------------------|------|
| Vehicles or combination of vehicles<br>having brakes on all wheels...          |  | 30                                    | 14   |
| Vehicles or combination of<br>vehicles not having brakes on<br>all wheels .... | 40   |                                       | 10.7 |

(3) Subsection (2) does not apply to a combination of motor-drawn vehicles under all of the following circumstances:

(a) The drawn vehicle is an implement of husbandry as defined in section 21.

(b) The motor vehicle hauling the implement of husbandry does not exceed a maximum speed of 25 miles per hour if the implement of husbandry being drawn is not equipped with brakes that meet the standards set forth in [49 C.F.R. 393.40](#) and this act.

(c) If the implement of husbandry being drawn does not exceed any other implement or component design maximum speed limitation, the combination of vehicles shall not exceed that maximum speed limitation.

(4) All brakes shall be maintained in good working order and shall be adjusted in a manner as to operate as equally as practicable with respect to the wheels on the opposite side of the vehicle.

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EQUIPMENT

MCLS § 257.697a (2016)  
MCL § 257.697a

§ 257.697a. Sale or operation of certain vehicles unlawful; exception.

Sec. 697a. No person shall sell or offer for sale or operate on the highways any **vehicles** manufactured or **assembled** after January 1, 1955, except those exempted from certificate of title requirements under the provisions of section 216 of chapter 2 of this act, as amended, unless it is equipped with mechanical or electrical turn signals meeting the requirements of section 697. This section shall not apply to any motorcycle or motor-driven cycle.

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EQUIPMENT

MCLS § 257.710e (2016)  
MCL § 257.710e

§ 257.710e. Safety belt required; driver or passenger to which section inapplicable; transporting child 4 years of age but less than 16 years of age; enforcement of section; violation as evidence of negligence; reduction of recovery for damages; violation as civil infraction; reports of police harassment; effect of primary enforcement; report of findings; intent; assessment of points prohibited.

Sec. 710e. (1) This section does not apply to an operator or passenger of any of the following:

(a) A motor **vehicle manufactured before** January 1, 1965.

(b) A bus.

(c) A motorcycle.

(d) A moped.

(e) A motor vehicle if the operator or passenger possesses a written verification from a physician that the operator or passenger is unable to wear a safety belt for physical or medical reasons.

(f) A motor vehicle that is not required to be equipped with safety belts under federal law.

(g) A commercial or United States postal service vehicle that makes frequent stops for the purpose of pickup or delivery of goods or services.

(h) A motor vehicle operated by a rural carrier of the United States postal service while serving his or her rural postal route.

(2) This section does not apply to a passenger of a school bus.

(3) Each operator and front seat passenger of a motor vehicle operated on a street or highway in this state shall wear a properly adjusted and fastened safety belt except as follows:

(a) A child who is less than 4 years of age shall be protected as required in section 710d.

(b) A child who is 4 years of age or older but less than 8 years of age and who is less than 4 feet 9 inches in height shall be properly secured in a child restraint system in accordance with the child restraint manufacturer's and vehicle manufacturer's instructions and the standards prescribed in [49 CFR 571.213](#).

(4) If there are more passengers than safety belts available for use, and all safety belts in the motor vehicle are being utilized in compliance with this section, the operator of the motor vehicle is in compliance with this section.

(5) Except as otherwise provided in subsection (3)(b), each operator of a motor vehicle transporting a child 4 years of age or older but less than 16 years of age in a motor vehicle shall secure the child in a properly adjusted and fastened safety belt and seated as required under this section. If the motor vehicle is transporting more children than there are safety belts available for use, all safety belts available in the motor vehicle are being utilized in compliance with this section, and the operator and all front seat passengers comply with subsection (3), the operator of a motor vehicle transporting a child 8 years of age or older but less than 16 years of age for which there is not an available safety belt is in compliance with this subsection if that child is seated in other than the front seat of the motor vehicle. However, if that motor vehicle is a pickup truck without an extended cab or jump seats, and all safety belts in the front seat are being used, the operator may transport the child in the front seat without a safety belt.

(6) If after December 31, 2005 the office of highway safety planning certifies that there has been less than 80% compliance with the safety belt requirements of this section during the preceding year, enforcement of this section by state or local law enforcement agencies shall be accomplished only as a secondary action when an operator of a motor vehicle has been detained for a suspected violation of another section of this act.

(7) Failure to wear a safety belt in violation of this section may be considered evidence of negligence and may reduce the recovery for damages arising out of the ownership, maintenance, or operation of a

motor vehicle. However, that negligence shall not reduce the recovery for damages by more than 5%.

(8) A person who violates this section is responsible for a civil infraction.

(9) A law enforcement agency shall conduct an investigation for all reports of police harassment that result from the enforcement of this section.

(10) The secretary of state shall engage an independent organization to conduct a 3-year study to determine the effect that the primary enforcement of this section has on the number of incidents of police harassment of motor vehicle operators. The organization that conducts the study shall submit a report to the legislature not later than June 30, 2001 and an annual report not later than June 30 each year thereafter.

(11) The secretary of state shall promote compliance with the safety belt requirements of this section at the branch offices and through any print or visual media determined appropriate by the secretary of state.

(12) It is the intent of the legislature that the enforcement of this section be conducted in a manner calculated to save lives and not in a manner that results in the harassment of the citizens of this state.

(13) Points shall not be assessed under section 320a for a violation of this section.

## **Emissions Exemptions**

Michigan does not *currently* operate a motor vehicle emissions inspection program, but has operated programs in the past. There are portions of the Michigan Code that provide for the operation of emissions inspection programs in certain counties of Southeast and West Michigan, but neither is currently being implemented. Statutory authority for the creation and implementation of these programs is located at MCL §§ 324.6301 - 324.6321 and MCL §§ 324.6501 – 324.6539; sections outlining which vehicles would be tested under these programs and which would be exempt are included below.

**From Michigan Compiled Laws  
West Michigan:**

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CHAPTER 324 NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION  
NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT  
ARTICLE II. POLLUTION CONTROL  
CHAPTER 1. POINT SOURCE POLLUTION CONTROL  
PART 63. **MOTOR VEHICLE EMISSIONS** TESTING FOR WEST **MICHIGAN**

MCLS § 324.6306 (2016)  
MCL § 324.6306

§ 324.6306. Operation of motor vehicle; prohibition; testing; enforcement; inspection and maintenance program; implementation in Kent, Ottawa, and Muskegon counties; exclusion; test procedures and components; vehicles subject to inspection; rules; suspension of vehicle registration; suspension of program.

Sec. 6306. (1) Each **motor vehicle** subject to this part shall be inspected for **emissions** as provided in this part. A person shall not operate a **motor vehicle** subject to this part whose certificate of compliance has expired or who has not received a time extension or waiver and whose vehicle fails to meet **emission** cut points established by the department or other **emission** control requirements established by the department in this part. If a vehicle subject to testing under this part has not been tested within the previous 12 months, the prospective seller of the vehicle shall have the vehicle tested and complete necessary repairs before offering the vehicle for sale.

(2) To enforce this section, the department shall implement and administer a **motor vehicle emissions** inspection and maintenance program designed to meet the performance standards for a **motor vehicle emissions** inspection and maintenance program as established by the United States environmental protection agency in 40 C.F.R. 51.351 in the counties of Kent, Ottawa, and Muskegon in those areas that are not in attainment of the national ambient air quality standards for ozone. However, those counties that would be in attainment of the national ambient air quality standards for ozone, given base line emissions for that county, but for **emissions** emanating from outside of the state, are excluded from implementation of such a program unless the department of environmental quality shall affirmatively determine by clear and convincing evidence, based on study of formation and transport of ozone, that the control of **motor vehicle emissions** would significantly contribute to the attainment of the national ambient air quality standards for ozone as promulgated under the clean air act. The **motor vehicle emissions** inspection and maintenance program shall include the following test procedures and components:

(a) Biennial testing.  
(b) Test-only network.  
(c) Transient mass-**emission** evaporative system, purge, and pressure testing on 1981 and later model year vehicles using the IM240 driving cycle.  
(d) Two-speed idle testing, antitampering, and pressure test on 1975 to 1980 vehicles in accordance with the following:  
(i) Visual antitampering inspection of the catalytic converter, gas cap, PCV valve, air pump, and fuel inlet restrictor on light-duty gas vehicles and light-duty gas trucks of 10,000 pounds or less gross vehicle weight.

(ii) Pressure test of the evaporative system for light-duty gas vehicles and light-duty gas trucks of 10,000 pounds or less gross vehicle weight.

(e) On-board diagnostic check for vehicles so equipped.

(3) The cut points set forth in test procedures, quality control requirements, and equipment specifications issued by the United States environmental protection agency are hereby adopted for the emissions testing program authorized in this part.

(4) Equipment and test procedures shall meet the requirements of appendices A through E to subpart S of 40 C.F.R. 51 and the test procedures, quality control requirements, and equipment specifications issued by the United States environmental protection agency.

(5) Vehicles shall be subject to inspection according to the following:

(a) The first initial inspection under this part for each even numbered model year vehicle shall take place within 6 months before the expiration of the vehicle registration in an even numbered calendar year.

(b) The first initial inspection under this part for each odd numbered model year vehicle shall take place

within 6 months before the expiration of the vehicle registration in an odd numbered calendar year.

(6) The department, in consultation with the department of state and the department of environmental quality, may promulgate rules for the administration of the **motor vehicle emissions** inspection and maintenance program, including, but not limited to, all of the following:

(a) Standards for public inspection station equipment, including **emission** testing equipment.

(b) **Emission** test cut points and other emission control requirements based on the clean air act and the state implementation plan.

(c) Exemptions from inspections as authorized under this part.

(d) Standards and procedures for the issuance of certificates of compliance and certificates of waiver from inspection and maintenance program requirements.

(e) Rules to ensure that owners of motor vehicles registered in this state who temporarily reside out of state are not unduly inconvenienced by the requirements of this part. The rules may include any of the following:

(i) Reciprocal agreements with other states that require motor vehicle inspections that are at least as stringent as those required under this part and rules promulgated under this part.

(ii) Provision for time extensions of not more than 2 years for persons temporarily residing in a state, the District of Columbia, or a territory of the United States with which this state has not entered into a reciprocal agreement for vehicle **emissions** inspection and maintenance. Additional time extensions shall be granted to persons temporarily residing out of state because of military service.

(7) The department may promulgate rules to require the inspection of **motor vehicles** through the use of remote sensing devices. These rules may provide for use of remote sensing devices for research purposes, but shall not provide for any checklanes or other measures by which motorists will be stopped on highways or other areas open to the general public.

(8) Upon receipt of documentation from the department, the department of state may suspend the registration of any vehicle that is not in compliance with this part and the rules promulgated under this part and for which the required certificate of compliance has not been obtained.

(9) If any area in this state subject to this part is redesignated by the United States environmental protection agency as being in attainment with the national ambient air quality standards for ozone, a **motor vehicle emissions** inspection and maintenance program authorized by this part is suspended and shall only be reimplemented if required as a contingency measure included in a maintenance plan approved by the United States environmental protection agency as part of the redesignation as an ozone attainment area. The department may only implement the contingency measure if there is observation of an actual violation of the ozone national ambient air quality standard under [40 C.F.R. 50.9](#) during the maintenance period.

(10) Implementation of a **motor vehicle emissions** inspection and maintenance program authorized by this part shall be suspended if the classification of the Grand Rapids and Muskegon ozone nonattainment areas is adjusted from moderate ozone nonattainment areas to transitional or marginal nonattainment areas by the United States environmental protection agency pursuant to its authority under section 181 of the clean air act, [42 U.S.C. 7511](#), or if the United States environmental protection agency determines that a **motor vehicle emissions** inspection and maintenance program is not applicable or is not necessary for either of these areas to meet the requirements of the clean air act.



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MCLS § 324.6311 (2016)  
MCL § 324.6311

§ 324.6311. Vehicles exempt from inspection requirements of part.

Sec. 6311. The following vehicles are exempt from the inspection requirements of this part:

- (a) Motor vehicles that are exempted by rules promulgated by the department because of prohibitive inspection problems or inappropriateness for inspection.
- (b) A motor vehicle manufactured before the 1975 model year.
- (c) Vehicles that are licensed as historic vehicles under section 803a of the **Michigan** vehicle code, Act No. 300 of the Public Acts of 1949, being [section 257.803a of the Michigan Compiled Laws](#).
- (d) A motor vehicle that has as its only fuel source an alternative fuel.
- (e) A motorcycle.
- (f) A motor vehicle used for covert monitoring of inspection facilities.
- (g) A new motor vehicle, immediately after issuance of the vehicle's first title until the year of the next biennial inspection for the vehicle model year according to section 6306(5).

**From Michigan Compiled Laws  
Southeast Michigan:**

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MCLS § 324.6506 (2016)  
MCL § 324.6506

§ 324.6506. Testing or repair of **motor vehicles**; implementation of **emissions** inspection test program in Wayne, Oakland, and Macomb counties.

Sec. 6506. On and after the effective date of the 1996 amendatory act that amended this section, the owner of a **motor vehicle** who resides in Wayne, Oakland, or Macomb county shall not be required to have the **motor vehicle** tested or repaired under this act unless an **emissions** inspection test program is implemented under the conditions described in section 6507.

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MCLS § 324.6507 (2016)  
MCL § 324.6507

§ 324.6507. Emissions inspection test program in Wayne, Oakland, and Macomb counties; conditions for implementation; contingency measures; adoption of cut points; equipment and test procedures; rules; suspension of vehicle registration.

Sec. 6507. (1) The department may implement and administer only under the conditions set forth in subsection (2) an **emissions** inspection test program designed to meet the performance standards for a **motor vehicle emissions** testing program as established by the United States environmental protection agency in [40 C.F.R. 51.352](#) in the counties of Wayne, Oakland, and Macomb, using bar 90 testing equipment, including a visual antitampering check, or an equivalent system approved by the United States environmental protection agency. This inspection and maintenance program, if implemented, shall be carried out by licensed testing stations as authorized by the department. The visual antitampering check described in this subsection includes visual antitampering inspection of the catalytic converter, gas cap, PCV valve, air pump, and fuel inlet restrictor on light duty gas vehicles and light duty gas trucks with a gross vehicle weight rating of 10,000 pounds or less.

(2) The decentralized test and repair program described in subsection (1) shall only be implemented as a contingency measure included in the maintenance plan approved by the United States environmental protection agency as part of the redesignation as an ozone attainment area. The contingency measure shall include authority to expand the program to Washtenaw county in addition to the counties described in subsection (1) if other measures are not sufficient to meet the maintenance plan. The department may only implement the contingency measure if there is observation of an actual violation of the ozone national ambient air quality standard under [40 C.F.R. 50.9](#) during the maintenance period. The department may only exercise the contingency measure set forth in this subsection if:

(a) The department notifies the legislature that the event set forth in this subsection has occurred and that the contingency will be implemented after a period of 45 days.

(b) The legislature fails to adopt any amendments to this part that alter the requirements of this section within the 45-day period.

(3) The cut points set forth in test procedures, quality control requirements, and equipment specifications issued by the United States environmental protection agency are hereby adopted for the emissions testing program authorized in this section.

(4) Equipment and test procedures for the program described in subsection (1) shall meet the requirements of appendices A through D to subpart S of [40 C.F.R. 51](#) and the test procedures, quality control requirements, and equipment specifications issued by the United States environmental protection agency.

(5) The department, in consultation with the department of state and the department of natural resources, may promulgate rules for the administration of the inspection and maintenance program under this section including, but not limited to:

(a) Standards for testing station equipment, including emission testing equipment.

(b) Emission test cut points and other emission control requirements based on the clean air act and the state implementation plan.

(c) Exemptions from inspections as authorized under this part.

(d) Standards and procedures for the issuance of certificates of compliance and certificates of waiver from inspection and maintenance program requirements.

(e) Rules to ensure that owners of motor vehicles registered in this state who temporarily reside out of state are not unduly inconvenienced by the requirements of this part. The rules may include any of the following:

(i) Reciprocal agreements with other states that require motor vehicle inspections that are at least as stringent as those required under this part and rules promulgated under this part.

(ii) Provision for time extensions of not more than 2 years for persons temporarily residing in a state, the District of Columbia, or a territory of the United States with which this state has not entered into a reciprocal agreement for vehicle emissions inspection and maintenance. Additional time extensions shall

be granted to persons temporarily residing out of state because of military service.

(6) Upon receipt of documentation from the department, the department of state may suspend the registration of any vehicle that is not in compliance with this section and the rules promulgated under this section and for which the required certificate of compliance has not been obtained.

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MCLS § 324.6512 (2016)  
MCL § 324.6512

§ 324.6512. Vehicles exempt from inspection requirements.

Sec. 6512. The following vehicles are exempt from the inspection requirements of this part:

- (a) Motor vehicles that are exempted by rules promulgated by the department because of prohibitive inspection problems or inappropriateness for inspection.
- (b) A motor vehicle **manufactured before the 1975 model year**.
- (c) A motor vehicle that has as its only fuel source compressed natural gas, diesel fuel, propane, electric power, or any other source as defined by rule promulgated by the department.
- (d) A vehicle that is licensed as a **historic vehicle** under section 803a of the Michigan vehicle code, Act No. 300 of the Public Acts of 1949, being section 257.803a of the Michigan Compiled Laws.
- (e) A motorcycle.
- (f) A motor vehicle used for covert monitoring of inspection facilities.
- (g) A **new motor vehicle**, immediately after issuance of the vehicle's first title until the next annual inspection for the vehicle model year.

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MCLS § 324.6513 (2016)  
MCL § 324.6513

§ 324.6513. Motor vehicles subject to part and rules; exceptions.

Sec. 6513. (1) The motor vehicles subject to this part and the rules promulgated under this part include the following:

(a) Each registered motor vehicle for the **model years 1975 and later** that is owned by a person whose permanent place of residence is in a county subject to this part.

(b) All motor vehicles for the model years 1975 and later that belong to a fleet and that are predominately garaged, operated, or maintained in a county subject to this part.

(2) A vehicle identified on a certificate of title issued by the department of state as an assembled vehicle is not subject to this part and the rules promulgated under this part.

(3) A motor vehicle is not subject to this part and the rules promulgated under this part if its application for registration renewal is accompanied by both a memorandum of federal clean air act exemption issued pursuant to federal regulation and a certification by the applicant identifying the vehicle, and if the application for registration is filed with the department.

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MCLS § 324.6515 (2016)

MCL § 324.6515

§ 324.6515. Application for motor vehicle registration as evidence of owner's permanent place of residence.

Sec. 6515. An application for a motor vehicle registration shall be accepted by the department of state as evidence of a motor vehicle owner's permanent place of residence.