

Act No. 342
Public Acts of 2018
Approved by the Governor
October 16, 2018
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**STATE OF MICHIGAN
99TH LEGISLATURE
REGULAR SESSION OF 2018**

Introduced by Reps. Cole, LaGrand, Sheppard, Miller, Victory, Alexander and Howrylak

ENROLLED HOUSE BILL No. 5766

AN ACT to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending sections 224, 226, 698, 717, and 808 (MCL 257.224, 257.226, 257.698, 257.717, and 257.808), section 224 as amended by 2013 PA 179, section 226 as amended by 2016 PA 425, section 698 as amended by 2018 PA 278, and section 717 as amended by 2018 PA 273; and to repeal acts and parts of acts.

The People of the State of Michigan enact:

Sec. 224. (1) Except as otherwise provided in this act regarding tabs or stickers, upon registering a vehicle, the secretary of state shall issue to the owner 1 registration plate.

(2) A registration plate shall display the registration number assigned to the vehicle for which the registration plate is issued; the name of this state, which may be abbreviated; and when the registration plate expires, which may be shown by a tab or sticker furnished by the secretary of state.

(3) A registration plate issued for motor vehicles owned and operated by this state; a state institution; a municipality; a privately incorporated, nonprofit volunteer fire department; or a nonpublic, nonprofit college or university of this state shall not expire at any particular time but shall be renewed when the registration plate is worn out or is illegible. This registration plate shall be assigned upon proper application and payment of the applicable fee and may be used on any eligible vehicle titled to the applicant if a written record is kept of the vehicles upon which the registration plate is used. The written record shall state the time the registration plate is used on a particular vehicle. The record shall be open to inspection by a law enforcement officer or a representative of the secretary of state.

(4) A registration plate issued for a vehicle owned by the civil air patrol as organized under 36 USC 201 to 208; a vehicle owned by a nonprofit organization and used to transport equipment for providing dialysis treatment to children at camp; an emergency support vehicle used exclusively for emergencies and owned and operated by a federally recognized nonprofit charitable organization; a vehicle owned and operated by a nonprofit veterans center; a motor vehicle having a truck chassis and a locomotive or ship's body which is owned by a nonprofit veterans organization and used exclusively in parades and civic events; a vehicle owned and operated by a nonprofit recycling center or a federally recognized nonprofit conservation organization until December 31, 2000; a motor vehicle owned and operated by a senior citizen center; and a registration plate issued for buses including station wagons, carryalls, or similarly constructed vehicles owned and operated by a nonprofit parents' transportation corporation used for school purposes, parochial school, society, church Sunday school, or other grammar school, or by a nonprofit youth organization or nonprofit rehabilitation facility shall be issued upon proper application and payment of the applicable tax provided in section 801(1)(g) or (h) to the applicant for the vehicle identified in the application. The vehicle shall be used exclusively for activities of the school or organization and shall be designated by proper signs showing the school or organization operating the vehicle. The registration plate shall expire on December 31 in the fifth year following the date of issuance. The registration plate may be transferred to another vehicle upon proper application and payment of a \$10.00 transfer fee.

(5) The department shall offer a standard design registration plate that complies with the requirements of this act. The standard design registration plate shall be of a common color scheme and design that is made of fully reflectorized material and shall be clearly visible at night.

(6) The department may use the Pure Michigan brand or a successor or similar brand that is used in conjunction with this state's promotion, travel, and tourism campaigns or marketing efforts as part of the standard design for registration plates.

(7) The registration plate and the required letters and numerals on the registration plate shall be of sufficient size to be plainly readable from a distance of 100 feet during daylight. The secretary of state may issue a tab or tabs designating the month and year of expiration.

(8) Except as otherwise provided in this subsection, the secretary of state shall issue for every passenger motor vehicle rented without a driver the same type of registration plate as the type of registration plate issued for private passenger vehicles. This subsection does not apply to a special registration plate issued for a vehicle in a fleet under section 801h.

(9) A person shall not operate a vehicle on the public highways or streets of this state displaying a registration plate other than the registration plate issued for the vehicle by the secretary of state, except as provided in this chapter for nonresidents, or by assignment as provided in subsection (3).

(10) The registration plate displayed on a vehicle registered on the basis of elected gross weight shall indicate the elected gross weight for which the vehicle is registered.

(11) Beginning on January 1, 2015, a registration plate issued by the department under this section shall not be renewed 10 years after the date that registration plate was issued. The owner of a vehicle whose registration plate is no longer eligible for renewal under this subsection shall obtain a replacement registration plate upon payment of the fee required under section 804. For any alphanumeric series that the department has retired from circulation, upon request of the owner of a vehicle whose registration plate is no longer eligible for renewal under this subsection, the department may issue a new registration plate with the same registration number as was displayed on the expired registration plate as provided under section 803b.

Sec. 226. (1) A vehicle registration issued by the secretary of state expires on the owner's birthday, unless another expiration date is provided for under this act or unless the registration is for the following vehicles, in which case registration expires on the last day of February:

(a) A commercial vehicle except for a commercial vehicle issued a registration under the international registration plan or a pickup truck or van owned by an individual.

(b) Except for a trailer or semitrailer issued a registration under the international registration plan, a trailer or semitrailer owned by a business, corporation, or person other than an individual; or a pole trailer.

(2) The expiration date for a registration issued for a motorcycle is the motorcycle owner's birthday.

(3) The expiration date for a registration bearing the letters "SEN" or "REP" is February 1.

(4) In the case of a vehicle owned by a business, corporation, or an owner other than an individual, the secretary of state may assign or reassign the expiration date of the registration.

(5) The secretary of state shall do all of the following:

(a) After the October 1 immediately preceding the year designated on the registration, issue a registration upon application and payment of the proper fee for a commercial vehicle, other than a pickup or van owned by an individual; or a trailer owned by a business, corporation, or person other than an individual.

(b) Beginning 60 days before the expiration date assigned on an international registration plan registration plate, issue a registration under section 801g upon application and payment of the proper apportioned fee for a commercial vehicle engaged in interstate commerce.

(c) Beginning 45 days before the owner's birthday and 120 days before the expiration date assigned by the secretary of state, issue a registration for a vehicle other than those designated in subsection (1)(a) or (b). However, if an owner whose registration period begins 45 days before his or her birthday will be out of the state during the 45 days immediately preceding expiration of a registration or for other good cause shown cannot apply for a renewal registration within the 45-day period, application for a renewal registration may be made not more than 6 months before expiration.

(6) Except as otherwise provided in this subsection, the secretary of state, upon application and payment of the proper fee, shall issue a registration for a vehicle or a motorcycle to a resident that shall expire on the owner's birthday. If the owner's next birthday is at least 6 months but not more than 12 months in the future, the owner shall receive a registration valid until the owner's next birthday. If the owner's next birthday is less than 6 months in the future, the owner shall receive a registration valid until the owner's birthday following the owner's next birthday. The tax required under this act for a registration described in this subsection shall be either of the following:

(a) For an original registration, the tax shall bear the same relationship to the tax required under section 801 for a 12-month registration as the length of the registration bears to 12 months.

(b) For a renewal of a registration, either of the following:

(i) For a registration that is for at least 6 months but not more than 12 months, the same amount as for 12 months.

(ii) For a renewal of a registration that is for more than 12 months, 2 times the amount for 12 months.

Partial months shall be considered as whole months in the calculation of the required tax and in the determination of the length of time between the application for a registration and the owner's next birthday. The tax required for that registration shall be rounded off to whole dollars as provided in section 801.

(7) A certificate of title shall remain valid until canceled by the secretary of state for cause or upon a transfer of an interest shown on the certificate of title.

(8) The secretary of state, upon request, shall issue special registration for commercial vehicles, valid for 6 months after the date of issue, if the full registration fee exceeds \$50.00, on the payment of 1/2 the full registration fee and a service charge as enumerated in section 802(1).

(9) The secretary of state may issue a special registration for each of the following:

(a) A new vehicle purchased or leased outside of this state and delivered in this state to the purchaser or lessee by the manufacturer of that vehicle for removal to a place outside of this state, if a certification is made that the vehicle will be primarily used, stored, and registered outside of this state and will not be returned to this state by the purchaser or lessee for use or storage.

(b) A vehicle purchased or leased in this state and delivered to the purchaser or lessee by a dealer or by the owner of the vehicle for removal to a place outside of this state, if a certification is made that the vehicle will be primarily used, stored, and registered outside of this state and will not be returned to this state by the purchaser or lessee for use or storage.

(10) A special registration issued under subsection (9) is valid for not more than 30 days after the date of issuance, and a fee shall be collected for each special registration as provided in section 802(3). The special registration may be in the form determined by the secretary of state. If a dealer makes a retail sale or lease of a vehicle to a purchaser or lessee who is qualified and eligible to obtain a special registration, the dealer shall apply for the special registration for the purchaser or lessee. If a person other than a dealer sells or leases a vehicle to a purchaser or lessee who is qualified and eligible to obtain a special registration, the purchaser or lessee shall appear in person, or by a person exercising the purchaser's or lessee's power of attorney, at an office of the secretary of state and furnish a certification that the person is the bona fide purchaser or lessee or that the person has granted the power of attorney, together with other forms required for the issuance of the special registration and provide the secretary of state with proof that the vehicle is covered by a Michigan no-fault insurance policy issued under section 3101 of the insurance code of 1956, 1956 PA 218, MCL 500.3101, or proof that the vehicle is covered by a policy of insurance issued by an insurer under section 3163 of the insurance code of 1956, 1956 PA 218, MCL 500.3163. The certification required in this subsection shall contain all of the following:

(a) The address of the purchaser or lessee.

(b) A statement that the vehicle is purchased or leased for registration outside of this state.

(c) A statement that the vehicle shall be primarily used, stored, and registered outside of this state.

(d) The name of the jurisdiction in which the vehicle is to be registered.

(e) Other information requested by the secretary of state.

(11) In the case of a commercial vehicle, trailer, or semitrailer issued a registration under the international registration plan, the secretary of state in mutual agreement with the owner may assign or reassign the expiration date of the

registration. However, the expiration date agreed to shall be either March 31, June 30, September 30, or December 31 or beginning on February 19, 2019, the last day of a calendar month. Renewals expiring on or after June 30, 2020 shall be for a minimum of at least 12 months if there is a change in the established expiration date.

(12) The expiration date for a multiyear registration issued for a leased vehicle shall be the date the lease expires but shall not be for a period longer than 24 months.

Sec. 698. (1) A motor vehicle may be equipped with not more than 2 side cowl or fender lamps that emit an amber or white light without glare.

(2) A motor vehicle may be equipped with not more than 1 running board courtesy lamp on each side that emits a white or amber light without glare.

(3) Backing lights of red, amber, or white may be mounted on the rear of a motor vehicle if the switch controlling the light is so arranged that the light may be turned on only if the vehicle is in reverse gear. The backing lights when unlighted shall be covered or otherwise arranged so as not to reflect objectionable glare in the eyes of an operator of a vehicle approaching from the rear.

(4) Unless both covered and unlit, a vehicle operated on the highways of this state shall not be equipped with a lamp or a part designed to be a reflector unless expressly required or permitted by this chapter or that meets the standards prescribed in 49 CFR 571.108. A lamp or a part designed to be a reflector, if visible from the front, shall display or reflect a white or amber light; if visible from either side, shall display or reflect an amber or red light; and if visible from the rear, shall display or reflect a red light, except as otherwise provided by law.

(5) The use or possession of flashing, oscillating, or rotating lights of any color is prohibited except as otherwise provided by law, or under the following circumstances:

(a) A police vehicle shall be equipped with flashing, rotating, or oscillating red or blue lights, for use in the performance of police duties.

(b) A fire vehicle or ambulance available for public use or for use of the United States, this state, or any unit of this state, whether publicly or privately owned, shall be equipped with flashing, rotating, or oscillating red lights and used as required for safety.

(c) An authorized emergency vehicle may be equipped with flashing, rotating, or oscillating red lights for use when responding to an emergency call if when in use the flashing, rotating, or oscillating red lights are clearly visible in a 360-degree arc from a distance of 500 feet when in use. A person operating lights under this subdivision at any time other than when responding to an emergency call is guilty of a misdemeanor.

(d) Flashing, rotating, or oscillating amber or green lights, placed in a position as to be visible throughout an arc of 360 degrees, shall be used by a state, county, or municipal vehicle engaged in the removal of ice, snow, or other material from the highway and in other operations designed to control ice and snow, or engaged in other non-winter operations. This subdivision does not prohibit the use of a flashing, rotating, or oscillating green light by a fire service.

(e) A vehicle used for the cleanup of spills or a necessary emergency response action taken pursuant to state or federal law or a vehicle operated by an employee of the department of natural resources or the department of environmental quality that responds to a spill, emergency response action, complaint, or compliance activity may be equipped with flashing, rotating, or oscillating amber or green lights. The lights described in this subdivision shall not be activated unless the vehicle is at the scene of a spill, emergency response action, complaint, or compliance activity. This subdivision does not prohibit the use of a flashing, rotating, or oscillating green light by a fire service.

(f) A vehicle to perform public utility service, a vehicle owned or leased by and licensed as a business for use in the collection and hauling of refuse, an automobile service car or wrecker, a vehicle of a peace officer, a vehicle operated by a rural letter carrier or a person under contract to deliver newspapers or other publications by motor route, a vehicle utilized for snow or ice removal under section 682c, a private security guard vehicle as authorized in subsection (7), a motor vehicle while engaged in escorting or transporting an oversize load that has been issued a permit by the state transportation department or a local authority with respect to highways under its jurisdiction, a vehicle owned by the National Guard or a United States military vehicle while traveling under the appropriate recognized military authority, a motor vehicle while towing an implement of husbandry, or an implement of husbandry may be equipped with flashing, rotating, or oscillating amber lights. However, a wrecker may be equipped with flashing, rotating, or oscillating red lights that shall be activated only when the wrecker is engaged in removing or assisting a vehicle at the scene of a traffic accident or disablement. The flashing, rotating, or oscillating amber lights shall not be activated except when the warning produced by the lights is required for public safety. A vehicle engaged in authorized highway repair or maintenance may be equipped with flashing, rotating, or oscillating amber or green lights. This subdivision does not prohibit the operator of a vehicle utilized for snow or ice removal under section 682c that is equipped with flashing, rotating, or oscillating amber lights from activating the flashing, rotating, or oscillating amber lights when that vehicle is traveling between locations at which it is being utilized for snow or ice removal.

(g) A vehicle engaged in leading or escorting a funeral procession or any vehicle that is part of a funeral procession may be equipped with flashing, rotating, or oscillating purple or amber lights that shall not be activated except during a funeral procession.

(h) An authorized emergency vehicle may display flashing, rotating, or oscillating white lights in conjunction with an authorized emergency light as prescribed in this section.

(i) A private motor vehicle of a physician responding to an emergency call may be equipped with and the physician may use flashing, rotating, or oscillating red lights mounted on the roof section of the vehicle either as a permanent installation or by means of magnets or suction cups and clearly visible in a 360-degree arc from a distance of 500 feet when in use. The physician shall first obtain written authorization from the county sheriff.

(j) A public transit vehicle may be equipped with a flashing, oscillating, or rotating light mounted on the roof of the vehicle approximately 6 feet from the rear of the vehicle that displays a white light to the front, side, and rear of the vehicle, which light may be actuated by the driver for use only in inclement weather such as fog, rain, or snow, when boarding or discharging passengers, from 1/2 hour before sunset until 1/2 hour after sunrise, or when conditions hinder the visibility of the public transit vehicle. As used in this subdivision, "public transit vehicle" means a motor vehicle, other than a station wagon or passenger van, with a gross vehicle weight rating of more than 10,000 pounds.

(k) A person engaged in the manufacture, sale, or repair of flashing, rotating, or oscillating lights governed by this subsection may possess the lights for the purpose of employment, but shall not activate the lights upon the highway unless authorized to do so under subsection (6).

(l) A vehicle used as part of a neighborhood watch program may be equipped with flashing, rotating, or oscillating amber lights, if the vehicle is clearly identified as a neighborhood watch vehicle and the neighborhood watch program is working in cooperation with local law enforcement. The lights described in this subdivision shall not be activated when the vehicle is not being used to perform neighborhood watch program duties.

(6) A person shall not sell, loan, or otherwise furnish a flashing, rotating, or oscillating blue or red light designed primarily for installation on an authorized emergency vehicle to a person except a police officer, sheriff, deputy sheriff, authorized physician, volunteer or paid fire fighter, volunteer ambulance driver, licensed ambulance driver or attendant of this state, a county or municipality within this state, a person engaged in the business of operating an ambulance or wrecker service, or a federally recognized nonprofit charitable organization that owns and operates an emergency support vehicle used exclusively for emergencies. This subsection does not prohibit an authorized emergency vehicle, equipped with flashing, rotating, or oscillating blue or red lights, from being operated by a person other than a person described in this section if the person receives authorization to operate the authorized emergency vehicle from a police officer, sheriff, deputy sheriff, authorized physician, volunteer or paid fire fighter, volunteer ambulance driver, licensed ambulance driver or attendant, a person operating an ambulance or wrecker service, or a federally recognized nonprofit charitable organization that owns and operates an emergency support vehicle used exclusively for emergencies, except that the authorization shall not permit the person to operate lights as described in subsection (5)(a), (b), (c), (i), or (j), or to exercise the privileges described in section 603. A person who operates an authorized emergency vehicle in violation of the terms of an authorization is guilty of a misdemeanor punishable by imprisonment for not more than 90 days or a fine of not more than \$100.00, or both.

(7) A private motor vehicle of a security guard agency or alarm company licensed under the private security business and security alarm act, 1968 PA 330, MCL 338.1051 to 338.1092, may display flashing, rotating, or oscillating amber lights. The flashing, rotating, or oscillating amber lights shall not be activated on a public highway when a vehicle is in motion.

(8) This section does not prohibit, restrict, or limit the use of lights authorized or required under sections 697, 697a, and 698a.

(9) A person who operates a vehicle in violation of subsection (1), (2), (3), or (4) is responsible for a civil infraction.

Sec. 717. (1) The total outside width of a vehicle or the load on a vehicle shall not exceed 96 inches, except as otherwise provided in this section.

(2) A person may operate or move an implement of husbandry of any width on a highway as required, designed, and intended for farming operations, including the movement of implements of husbandry being driven or towed and not hauled on a trailer, without obtaining a special permit for an excessively wide vehicle or load under section 725. The operation or movement of the implement of husbandry shall be in a manner so as to minimize the interruption of traffic flow. A person shall not operate or move an implement of husbandry to the left of the center of the roadway from a half hour after sunset to a half hour before sunrise, under the conditions specified in section 639, or at any time visibility is substantially diminished due to weather conditions. A person operating or moving an implement of husbandry shall follow all traffic regulations.

(3) The total outside width of the load of a vehicle hauling concrete pipe, ferrous pipe, agricultural products, or unprocessed logs, pulpwood, or wood bolts shall not exceed 108 inches.

(4) Except as provided in subsections (2) and (5) and this subsection, if a vehicle that is equipped with pneumatic tires is operated on a highway, the maximum width from the outside of 1 wheel and tire to the outside of the opposite wheel and tire shall not exceed 102 inches, and the outside width of the body of the vehicle or the load on the vehicle shall not exceed 96 inches. However, a truck and trailer or a tractor and semitrailer combination hauling pulpwood or unprocessed logs may be operated with a maximum width of not to exceed 108 inches in accordance with a special permit issued under section 725.

(5) The total outside body width of a school bus, a bus, a trailer coach, a trailer, a semitrailer, a truck camper, or a motor home shall not exceed 102 inches. However, an appurtenance of a school bus, a trailer coach, a truck camper, or a motor home that extends not more than 6 inches beyond the total outside body width does not violate this section.

(6) A vehicle shall not extend beyond the center line of a state trunk line highway except when authorized by law. Except as provided in subsection (2), if the width of the vehicle makes it impossible to stay away from the center line, a permit shall be obtained under section 725.

(7) The director of the state transportation department, a county road commission, or a local authority may designate a highway under the agency's jurisdiction as a highway on which a person may operate a vehicle or vehicle combination that is not more than 102 inches in width, including load, the operation of which would otherwise be prohibited by this section. The agency making the designation may require that the owner or lessee of the vehicle or of each vehicle in the vehicle combination secure a permit before operating the vehicle or vehicle combination. This subsection does not restrict the issuance of a special permit under section 725 for the operation of a vehicle or vehicle combination. This subsection does not permit the operation of a vehicle or vehicle combination described in section 722a carrying a load described in that section if the operation would otherwise result in a violation of that section.

(8) The director of the state transportation department, a county road commission, or a local authority may issue a special permit under section 725 to a person operating a vehicle or vehicle combination if all of the following are met:

(a) The vehicle or vehicle combination, including load, is not more than 106 inches in width.

(b) The vehicle or vehicle combination is used solely to move new motor vehicles or parts or components of new motor vehicles between facilities that meet all of the following:

(i) New motor vehicles or parts or components of new motor vehicles are manufactured or assembled in the facilities.

(ii) The facilities are located within 10 miles of each other.

(iii) The facilities are located within the city limits of the same city and the city is located in a county that has a population of more than 400,000 and less than 500,000 according to the most recent federal decennial census.

(c) The special permit and any renewals are each issued for a term of 1 year or less.

(9) A person may move or operate a boat lift of any width or an oversized hydraulic boat trailer owned and operated by a marina or watercraft dealer in a commercial boat storage operation on a highway under a multiple trip permit issued on an annual basis as specified under section 725. The operation or movement of the boat lift or trailer shall minimize the interruption of traffic flow. It shall be used exclusively to transport a boat between a place of storage and a marina or in and around a marina. A boat lift or oversized hydraulic boat trailer may be operated, drawn, or towed on a street or highway only when transporting a vessel between a body of water and a place of storage or when traveling empty to or from transporting a vessel. A boat lift shall not be operated on limited access highways. A person moving or operating a boat lift or oversized hydraulic boat trailer shall follow all traffic regulations and shall ensure the route selected has adequate power and utility wire height clearance.

(10) A person may operate or move a truck to which a snowplow blade that is wider than 96 inches but no more than 132 inches wide is mounted without obtaining a special permit for an excessively wide vehicle or load under section 725. This subsection only applies between October 1 and May 1 of each year. A person operating a truck described in this subsection shall minimize the overwidth condition of the snowplow blade when not engaged in snow removal by angling the plow blade or any other method. This subsection does not apply to a person operating construction equipment for snow removal.

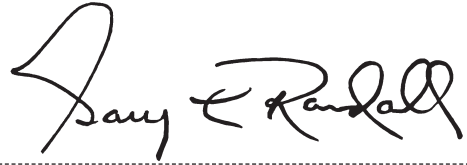
(11) A person who violates this section is responsible for a civil infraction. The owner of the vehicle may be charged with a violation of this section.

Sec. 808. Any application for the placement or discharge of a lien on a motor vehicle under section 238 shall be accompanied by a fee of \$1.00. Beginning on February 19, 2019, the fee collected under this section shall be credited to the transportation administration collection fund created in section 810b.

Enacting section 1. Enacting section 1 of 2018 PA 280 is repealed.

Enacting section 2. Sections 224, 226, 698, 717, and 808 of the Michigan vehicle code, 1949 PA 300, MCL 257.224, 257.226, 257.698, 257.717, and 257.808, as amended by this amendatory act, take effect 90 days after the date this amendatory act is enacted into law.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor