Revised Abandoned Boat Summary

Effective December 26, 2016, the Michigan Legislature amended the Michigan Marina and Boatyard Storage Lien Act (the “Act”) to allow actions against vessels registered in a state other than Michigan, or vessels which have no identifying information. There are several additional steps in order to obtain title to such vessels.

If you have a vessel which is registered in a state or federal agency other than Michigan, the facility owner must mail a notice of default to the other state or federal agency. The facility owner shall then proceed as set forth generally in the Act.

If the owner of the vessel cannot be determined because of the condition of the vessel or because a check of the records does not reveal ownership, the facility owner may send notice to the person who delivered the property to the facility, if known, at their last known address, and shall also publish in a print or an electronic version of a newspaper of general circulation a notice containing all the notice of default information, including a description of the property. Then the facility owner shall proceed as set forth in the Act.

If the vessel was registered in another state, the Secretary of State shall notify the other state that a new title is issued when such title is issued to the facility owner or purchaser at auction sale.

The revisions may be summarized as follows:

- Revised provisions that required the mailing of a notice of lien or the sale of property subject to a lien, to include delivery by another service that provides proof of delivery.
- Requires a facility owner to mail notice to the state or agency responsible for registration or documentation of the property, if property subject to a lien were registered in another state or with a federal agency.
- Provide for publication in the print or electronic version of a newspaper, if notice of publication is required.
- Allow notice of default to be sent to the person who delivered the property to the facility, if the owner of the property could not be determined.
- Require a facility to give notice of default to each lienholder of record identified by the Secretary of State rather than each lienholder listed on the title, registration or other marine documentation.
- Require the Secretary of State to notify the other state that a new title or registration had been issued if a sold vessel or trailer were previously registered in that state.