



To whom it may concern,

We have been working with our Lansing contacts and the Michigan Secretary of State's Office to clarify language on the Secretary of State's (SOS) website which made it unclear as to the allowed uses for In-Transit Repair Plates for marine related businesses in Michigan. Because of this unclear language, we know of many instances where facilities were improperly ticketed for actions otherwise authorized by the statute.

Recently, we have heard back from James Fackler at the SOS office and their website has been updated to clarify the language and eliminate the disadvantageous language. The language on the SOS website is now more clearly consistent with the statute.

THE SOS website is now consistent with the Statute, which reads in pertinent part:..."persons defined as watercraft dealers under part 801 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.80101 to 324.80199, or to the owner of a marina for the purpose of delivering a vessel or trailer to a purchaser, to transport a vessel between a body of water and a place of storage, to transport a vessel or trailer to and from a boat show or exposition, to repair, service, or store a vessel or trailer, or to return a vessel or trailer to the customer after repair, service, or storage. A registration plate issued under this subsection shall be used to move the vehicle or trailer." (The registration plate referenced under this subsection is the In-Transit Repair plate. See full statute language attached.)

We are assuming that when issuing tickets, the Oakland County Sheriffs and the White Lake Police have been reviewing and relying on the prior incorrect language on the SOS website, which stated until now that, "Dealers cannot use in-transit repair plates on trailers owned and used as a part of their daily operation, or on trailers used to deliver only the boat." This language has been deleted and the SOS website now reflects the language consistent with the statute.

With this consistency law enforcement will be better equipped to identify the uses which are allowed according to the statute.

If you have any questions, please reach out to me and thank you for your help communicating this information to your staff. Hopefully with your help we can prevent future miscommunications.

Sincerely,

Nicki Polan

Nicki Polan
Executive Director
Michigan Boating Industries Association
32398 Five Mile Road, Livonia, MI 48154
P: 734.261.0123, ext. 4; E: npolan@mbia.org; F: 734.261.0880; W:mbia.org

257.244 Operation of vehicle by manufacturer, subcomponent system producer, manufacturer of automated technology, dealer, or transporter with special plate; unauthorized use of special plate; penalties; surety bond or insurance; number of plates; operation of vehicle with dealer plate by vendee or prospective purchaser; issuance of registration plate to move vehicle, vessel, or trailer.

Sec. 244. (1) A manufacturer owning a vehicle of a type otherwise required to be registered under this act may operate or move the vehicle upon a street or highway primarily for the purposes of transporting or testing or in connection with a golf tournament or a public civic event, if the vehicle displays, in the manner prescribed in section 225, 1 special plate approved by the secretary of state.

(2) A producer of a vehicle subcomponent system essential to the operation of the vehicle or the safety of an occupant may operate or move a motor vehicle upon a street or highway solely to transport or test the subcomponent system if the motor vehicle displays, in the manner prescribed in section 225, 1 special plate approved by the secretary of state. To be eligible for the special plate, the subcomponent system producer must be either a recognized subcomponent system producer or must be a subcomponent system producer under contract with a vehicle manufacturer.

(3) Subject to section 665, a manufacturer of automated technology may operate or otherwise move a motor vehicle or an automated motor vehicle upon a street or highway solely to transport or test automated technology if the motor vehicle or automated motor vehicle displays, in the manner prescribed in section 225, a special plate approved by the secretary of state.

(4) A dealer owning a vehicle of a type otherwise required to be registered under this act may operate or move the vehicle upon a street or highway without registering the vehicle if the vehicle displays, in the manner prescribed in section 225, 1 special plate issued to the owner by the secretary of state. As used in this subsection, "dealer" includes an employee, servant, or agent of the dealer.

(5) Solely to deliver the vehicle, a transporter may operate or move a vehicle of a type otherwise required to be registered under this act upon a street or highway if the vehicle displays, in the manner prescribed in section 225, a special plate issued to the transporter under this chapter.

(6) A licensee shall not use a special plate described in this section on service cars or wreckers operated as an adjunct of a licensee's business. A manufacturer, transporter, or dealer making or permitting any unauthorized use of a special plate under this chapter forfeits the right to use special plates and the secretary of state, after notice and a hearing, may suspend or cancel the right to use special plates and require that the special plates be surrendered to or repossessed by the state.

(7) A transporter shall furnish a sufficient surety bond or policy of insurance as protection for public liability and property damage as may be required by the secretary of state.

(8) The secretary of state shall determine the number of plates a manufacturer, dealer, or transporter reasonably needs in his or her business.

(9) If a vehicle that is required to be registered under this act is leased or sold, the vendee or lessee is permitted to operate the vehicle upon a street or highway for not more than 72 hours after taking possession if the vehicle has a dealer plate attached as provided in this section. The application for registration shall be made in the name of the vendee or lessee before the vehicle is used. The dealer and the vendee or lessee are jointly responsible for the return of the dealer plate to the dealer within 72 hours, and the failure of the vendee or lessee to return or the vendor or lessor to use due diligence to procure

the dealer plate is a misdemeanor, and in addition the license of the dealer may be revoked. While using a dealer's plate, a vendee or lessee shall have in his or her possession proof that clearly indicates the date of sale or lease of the motor vehicle.

(10) A vehicle owned by a dealer and bearing the dealer's plate may be driven upon a street or highway for demonstration purposes by a prospective buyer or lessee for a period of 72 hours.

(11) The secretary of state may issue a registration plate upon application and payment of the proper fee to an individual, partnership, corporation, or association that in the ordinary course of business has occasion to legally pick up or deliver a commercial motor vehicle being driven to a facility to undergo aftermarket modification, or to repair or service a vehicle, or to persons defined as watercraft dealers under part 801 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.80101 to 324.80199, or to the owner of a marina for the purpose of delivering a vessel or trailer to a purchaser, to transport a vessel between a body of water and a place of storage, to transport a vessel or trailer to and from a boat show or exposition, to repair, service, or store a vessel or trailer, or to return a vessel or trailer to the customer after repair, service, or storage. A registration plate issued under this subsection shall be used to move the vehicle or trailer.