

## MICHIGAN STATE POLICE LEGAL UPDATE

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## **CRIMINAL LAW AND PROCEDURE MANUAL**

The fourth edition of *Michigan Criminal Law and Procedure: A Manual for Michigan Police Officers* is now available for purchase in print and eBook formats.

The manual is published by Kendall Hunt Publishing Co. Copies may be ordered online or by calling Kendall Hunt Customer Service at (800) 228-0810.

## **VEHICLE CODE**

The Michigan Vehicle Code amended to require the Secretary of State to issue a vehicle identification number and certificate of title to an "assembled vehicle" under certain circumstances

Public Act 680 of 2018 amended the Michigan Vehicle Code (MVC) by adding MCL 257.217i to define an "assembled vehicle" and to require the Secretary of State (SOS) to issue a vehicle identification number (VIN), pursuant to MCL 257.230, and certificate of title to "assembled vehicles" meeting certain requirements.

An "assembled vehicle" means one or more of the following vehicles:

- Built from new or used materials or parts by a person not recognized as a manufacturer.
- Altered or modified to the extent it no longer reflects its original manufacturer configuration.
- Replaced body with a different style of body unit from another vehicle.
- Assembled from a kit.
- An off-road vehicle, whether or not the original manufacturer's certificate of origin specifies it as an off-road vehicle.

However, an "assembled vehicle" does not include a military surplus vehicle designated by the federal government as off-road use only, a gray market off-road minitruck, or an all-terrain vehicle with four wheels and a straddle seat.

In order to be issued a VIN and certificate of title, the assembled vehicle must meet all applicable requirements under the MVC and contain all of the following equipment:

 Headlights, which includes one headlight on each side and high- and low-beam headlights.

- Front and rear turn signals.
- At least one taillight, but if the vehicle has two taillights, both must be in working order.
- Registration plate light.
- Brake lights.
- Horn.
- Bright light indicator.
- Windshield wipers and washers.
- Brake equipment as required under MCL 257.705.
- Safety belts if it is a 1965 or newer model vehicle.
- Safety glass windshield that is sufficient in size to protect the driver and passengers, free of cracks and obstructions, made of transparent material, but must not be made of plexiglass.
- An adjustable outside rearview mirror on the driver's side. However, a truck with a half-ton or more capacity must have an outside rearview mirror on each side.
- Bumpers 14 to 22 inches above ground when the vehicle is not in four-wheel drive if it is a passenger vehicle.
- Tires with 2/32-inch tread, without exposed cord or tread separation, that are approved for use by the United States Department of Transportation.
- Exhaust in good working order that does not produce excessive noise, and includes a tailpipe and resonator if included in the original design of the exhaust.
- Differential gear.

Questions regarding the requirements for an assembled vehicle certificate of title should be directed to the SOS.

Officers should review their department's policies for guidance on the officer's authority to conduct assembled vehicle inspections and completing a TR-54 VIN and Equipment Inspection Form.

Officers should be aware that provisions of the MVC applicable to vehicles operated on a highway would also generally apply to a vehicle issued a VIN and certificate of title as an "assembled vehicle" when operated on a highway, and the driver would have all of the rights and be subject to all of the duties generally applicable to drivers of vehicles on highways under the MVC.