



MICHIGAN STATE POLICE LEGAL UPDATE

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CRIMINAL LAW AND PROCEDURE MANUAL

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

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STATUTES

Used Motor Vehicle Parts Act amended regarding buying and receiving used motor vehicle parts, including used motor vehicle tires, tire wheels or rims, or continuous tire tread

[Public Act 112 of 2016](#) amended various sections and added a section to the Used Motor Vehicle Parts Act, [MCL 257.1351 - MCL 257.1355](#), related to the business of buying or receiving used motor vehicle parts. The purpose of the amendments was to combat the theft of car tires by providing a method to better track the sale of and payment for stolen tires.

Definitions

The following changes were made to the definitions found in [MCL 257.1351](#).

The definition of "dealer" was amended to exempt an automotive recycler that buys or otherwise acquires motor vehicle parts for the purpose of processing or selling the metal for remelting. Accordingly, such automotive recyclers are exempt from the requirements of the Used Motor Vehicle Parts Act. [MCL 257.1351\(b\)](#).

"Tires, tire wheels, and continuous treads" were removed from the definition of "major component part." [MCL 257.1351\(e\)](#).

"Motor vehicle tire, tire wheel or rim, or continuous tire tread" were added to the definition of "used motor vehicle part." [MCL 257.1351\(j\)](#).

Permanent record of transactions

In addition to the transaction recordkeeping and numbering required for all transactions for buying or

receiving used motor vehicle parts found in [MCL 257.1352, MCL 257.1352\(2\)](#) was amended to require that when a transaction includes the buying or receiving of one or more used motor vehicle tires, tire wheels or rims, or continuous tire tread, the dealer or agent shall place the transaction number on a tag that the dealer or agent must attach to each of those items bought or received.

Forms and manner of payment allowed for purchase of used motor vehicle parts

Direct deposit or electronic transfer to the customer's account at a financial institution were added to the allowed forms of payment available to customers for purchase of used motor vehicle parts, subject to the restrictions regarding payment for motor vehicle tires, tire wheels or rims, or continuous tire tread discussed below. The dealer or agent shall indicate the transaction number of any direct deposit or electronic transfer to the customer's account at a financial institution on the dealer's record of transaction form. [MCL 257.1352\(1\)\(h\)](#)

[MCL 257.1352a](#) was added to limit the methods of payment a dealer may use to pay a customer for the purchase of used motor vehicle tires, tire wheels or rims, or continuous tire tread to a check, money order, a bank draft, or a direct deposit or electronic transfer to the customer's account at a financial institution. If payments are made by check, money order or bank draft, the dealer must mail that payment directly to the customer at the address shown on the customer's driver's license or State of Michigan Personal Identification Card.

Penalties

Penalties for violations of the Used Motor Vehicle Parts Act are detailed in [MCL 257.1354](#) and [MCL 257.1355](#). As a result of the amendments, a dealer's agent is subject to the same penalties as a dealer for violations of the Used Motor Vehicle Parts Act.

Inspection

Officers are reminded that [MCL 257.1352\(3\)](#) states the dealer's record of transaction forms and each used motor vehicle part received by a dealer as the result of a transaction are open to an inspection by the local police agency and the Michigan State Police at all times during the dealer's ordinary business hours. As a condition of doing business, a dealer is considered to have given consent to the inspection described in [MCL 257.1352\(3\)](#).

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