

State of Michigan
Second Judicial Circuit
Berrien County

EX PARTE PETITION AND ORDER TO
TRANSFER TITLE OR INTEREST IN VEHICLES
REGISTRATION DENIAL
(NO CRIMINAL CASE PENDING)
(TWO VEHICLES)

CASE NO.

Court Address

Court telephone no.

Petitioner name, address and telephone no.

Driver license no.

Date of birth

First Vehicle
Vehicle Make #1

Vehicle Identification No. #1

Petitioner's attorney, bar no., address, and telephone no.

Transferee name, address and telephone no.

Driver license no.

Date of birth

Second Vehicle
Vehicle Make #2

Vehicle Identification No. #2

EX PARTE PETITION

1. The petitioner is an owner or lessee of the above-described vehicles and makes this petition under the authority of MCL 257.233(4) and asks the court to grant an order authorizing the transfer or assignment of the title or interest in the vehicles to the above-named transferee who is a person exempt from the payment of use tax under section 3 of the Use Tax Act, MCL 205.93.

2. The transferee is the petitioner's spouse, mother, father, brother, sister, child, stepparent, stepchild, stepbrother, stepsister, grandparent, grandchild, legal ward, or legally appointed guardian (select one).

3. The vehicles are subject to registration denial.

4. The petitioner seeks an order because: (State why you are requesting the order. Attach additional sheets if necessary.)

5. The petitioner and transferee agree that any transfer of title or interest made pursuant to court order shall be subject to the rights any secured party or lessor may have with respect to the vehicles and that the new certificate of title or lease shall contain the name of the lien holder or lessor.

6. The petitioner agrees that he/she will not operate the vehicles until such time as his/her driver's license has been restored and acknowledges that operating the vehicle without a valid license may subject him/her to criminal liability under MCL 257.625 and/or MCL 257.904.

7. The petitioner states that he or she is not a defendant in a pending criminal action under MCL 257.625, MCL 257.904, or a local ordinance that substantially corresponds to these sections.

8. The transferee agrees that he/she will not permit the petitioner to operate the vehicles until such time as the petitioner's driver's license has been restored and acknowledges that permitting the petitioner to operate the vehicle may subject the transferee to criminal liability under MCL 257.625 and/or MCL 257.904.

INSTRUCTIONS: File petition with the circuit court in the county where the petitioner resides. It is not necessary to mail a copy to the Secretary of State or the Attorney General. Present signed order at any Secretary of State branch office when transferring or assigning interest in vehicle subject to registration denial.

We declare under the penalty of perjury that the above statements are true to the best of our knowledge, information and belief.

Date: _____

Petitioner's Signature

Date: _____

Transferee's Signature

EX PARTE ORDER

At a session of the court held on _____, 20____
PRESENT: HONORABLE _____, CIRCUIT JUDGE

The petitioner having requested an order for the transfer of the title or interest in vehicles under the authority of MCL 257.233(4), and the court having considered the petition, and being satisfied that entry of an order authorizing transfer of title or interest in the vehicles is proper, and being otherwise advised in the premises:

IT IS ORDERED:

1. That the petitioner may transfer the above-described vehicles to the transferee.
2. That upon receipt of an application and payment of the proper fee, the Michigan Department of State is authorized to issue a certificate of title for the vehicles to the transferee.
3. That the transfer of title or interest is subject to right of any secured party and the new certificate of title or lease shall contain the name of the lien holder or lessor.
4. That the petitioner shall not operate the vehicles until his/her driver's license has been restored and the transferee shall not permit the petitioner to operate the vehicle until the petitioner's driver's license is restored.
5. That the failure of the petitioner or transferee to comply with this order may subject them to criminal liability under MCL 257.625 and/or MCL 257.904.

Date: _____

Judge