

# PROCEDURE MANUAL

## 06-08



MICHIGAN STATE POLICE

## Motor Vehicle Inspections

**Purpose:** This manual provides procedures for the inspection of motor vehicles operating on highways, including non-commercial and commercial vehicles, school buses, and department vehicles.

**Effective Date:** September 25, 2023

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### Motor Vehicle Inspections

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## Definitions:

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None

## Section 1: Motor Vehicle Inspection

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### 1.1 Non-Commercial Vehicle Inspection Procedures

- a. Enforcement members are prohibited from establishing temporary check lanes for the inspection of non-commercial motor vehicles.
- b. The primary method to inspect motor vehicles operating on public highways is road patrol inspections.
  - i. When a vehicle is legally stopped for a violation of the Michigan Vehicle Code, enforcement members may conduct a vehicle inspection.
  - ii. Road patrol vehicle inspections shall be recorded on the enforcement member's eDaily.
- c. Every vehicle inspected shall be checked according to the Michigan Vehicle Code.
  - i. At a minimum, a vehicle inspection should include inspection of lights, brakes, tires, steering, vision requirements, and exhaust system.
- d. When a vehicle is inspected and found to have defective equipment, one or more of the following actions shall be taken:
  - i. The driver and vehicle may be released, with instructions to make the necessary repairs.
  - ii. A citation may be issued for the violations.
  - iii. If it is determined that the mechanical condition of the vehicle may create an immediate hazard to the public, the vehicle shall not be allowed to continue operating on the highway. If impoundment of the vehicle is necessary, the procedures outlined in directives for impounding vehicles shall be followed.

### 1.2 Inspection of Vehicle Identification Numbers

- a. This section establishes department policy for conducting vehicle identification number (VIN) inspections when requested by a person presenting a Michigan Department of State (MDOS) "Vehicle Number and Equipment Inspection" form (TR-54) for any reason described in the

Michigan Vehicle Code (MVC) including titling, registration, questioned ownership, altered or missing VIN plates, or improper VIN attachment.

- i. A physical inspection to verify a VIN is required as a prerequisite for titling a vehicle in Michigan. [MCL 257.213](#) gives authority to the MDOS to perform these inspections with authority extended to enforcement members.
- ii. Enforcement members shall not conduct routine VIN inspections but shall assist in requests involving an inability to locate a VIN or unusual circumstances surrounding a particular VIN which requires further law enforcement involvement including alterations and improper attachment of a VIN. Requests for routine inspections shall be directed to MDOS branch offices.
- iii. Enforcement members shall not conduct a VIN inspection under as outlined in this section unless the person requesting the VIN inspection obtained a TR-54 form directly from the MDOS and has already had the vehicle inspected by an appropriate official at the MDOS.
  1. If the MDOS is unable to locate the VIN or unusual circumstances surrounding a particular VIN exists, the requesting person will be provided a copy of the TR-54 from the MDOS and be referred to a police department for a determination. If an applicant brings the vehicle and a copy of the TR-54 form to a department worksite on referral, enforcement members have authority to inspect the vehicle to determine the correct VIN or lack of a VIN on the vehicle if the enforcement member is confident in their ability to recognize a proper VIN plate and attachment.
  2. Enforcement members are only authorized to complete and certify Part 1 of the TR-54 form. Enforcement members are prohibited from conducting vehicle equipment inspections necessary for completing or certifying Part 2 of the TR-54 form and are expressly prohibited from completing or certifying Part 2 of the TR-54 form.
  3. If there is a question regarding the ability to recognize a proper VIN plate or attachment on the vehicle being inspected, the enforcement member shall refer to [MCL 750.415](#) for guidance and contact a qualified auto theft investigator within the department if further assistance is needed. If the enforcement member can make the necessary determinations regarding the VIN, the enforcement member conducting the VIN inspection is authorized to complete and certify Part 1 of the TR-54 and return it to the owner.
- iv. Examination of Vehicle Identification Numbers
  1. When examining the VIN, enforcement members shall check the method of attachment as well as the number sequence to determine if the VIN is proper and to detect any additions or deletions. The plate shall be examined to determine if it has been altered, tampered with, or replaced with a fictitious number.
  2. A suspicious VIN plate may be compared with a known genuine plate of the same manufacturer, year, and model if necessary.

3. Vehicle identification numbers and registration numbers shall be checked through LEIN and NCIC. The TR-54 form shall not be completed and signed until clearance is received from all the above record centers. Consideration should also be made as to whether the vehicle warrants a check through Canada.
  4. Usually, the only way to determine a vehicle's true VIN is to check the secondary VIN stamping on the vehicle. Enforcement members completing the inspection shall compare the Public VIN with other numbers on the vehicle. The federal certification label or emissions label shall be compared. Engine and transmission numbers may also be checked against the public number. Major component part labels contain the VIN and may be used to help identify questioned vehicles.
  5. If the numbers do not match and, after a file check, it cannot be determined whether the vehicle or any of its parts are stolen, the member shall use good judgment. Unless there is reasonable cause to believe the vehicle or any part on the vehicle is stolen or has an altered VIN as described below, the vehicle must be released.
  6. If the enforcement member has determined the vehicle or any of its parts are stolen or has an altered VIN, the member must prepare and submit an incident report using the 2400 file classification ("Vehicle Theft") and conduct a thorough investigation into the incident. Enforcement members shall refer to [MCL 257.252d](#) and [MCL 750.415](#) regarding the authority to seize or impound a vehicle when there is reasonable cause to believe the vehicle or any of its parts are stolen or has an altered VIN.
  7. All information concerning the vehicle in question and information about the owner and/or the person who brought the vehicle in for inspection shall be included in the incident report.
- v. Except as authorized in this written directive, members are prohibited from conducting inspections of rebuilt, salvaged, or assembled vehicles while in the performance of their duties for the purpose of completing or certifying any MDOS form (e.g. TR-13A Application for Salvage Vehicle Inspection form, TR-13B Salvage Vehicle Recertification form, Part 2 of the TR-54 form) related to the inspection, verification, or certification of vehicles, vehicle equipment, or the major component parts of a vehicle upon request of an applicant or upon referral from the MDOS.

### 1.3 Commercial Vehicle Inspection Procedures

#### a. Authority for Commercial Vehicle Inspections

- i. Legal authority for inspection of commercial motor vehicles is found in the [Motor Carrier Safety Act](#). While the Act provides authorization to peace officers and enforcement members of the Commercial Vehicle Enforcement Division (CVED), the department restricts this authority to CVED enforcement members, who, on probable cause to believe that a commercial motor vehicle is being operated in violation of the Act or a rule promulgated pursuant to the Act, may stop the vehicle and inspect it. If a violation is found, the enforcement member may issue a citation for that violation.

- b. Commercial vehicle inspections may be conducted at scale locations, highway locations, or alternative inspection sites as directed by a CVED commander.
  - i. Inspections shall be conducted by enforcement members assigned to scales and patrol units. Inspections shall be conducted in a manner that ensures safety of the member and the public.
  - ii. Special inspection operations may be established and conducted at alternate inspection sites. These shall be conducted as directed by CVED commanders.
- c. Inspections shall be conducted on commercial vehicles that have been legally stopped for a Michigan Vehicle Code violation or a violation of the Motor Carrier Safety Act.
  - i. When available, enforcement members will use standardized electronic vehicle screening systems that use tire anomaly classification systems (TACS), IFTA, USDOT number, and license plate (LPR) readers.
  - ii. Vehicles displaying a valid CVSA decal will not be subject to re-inspection unless an equipment violation is observed or a driver violation is suspected.
  - iii. Inspectors shall not interrupt or otherwise disturb any driver of a CMV in an off-duty or sleeper berth status, when the CMV is legally parked, for the sole purpose of conducting a random inspection.
  - iv. Enforcement members will determine the level of inspection to be performed using the following process:
    - 1. Level III – If the observed violations are related to the driver, or regulatory in nature, a basic inspection will be performed.
    - 2. Level II – Inspections escalate to a Level II when additional violations related to equipment, safety, size, weight, and load securement are observed.
    - 3. Level I – A Level I inspection will be performed if a serious safety defect is observed at any point during this process.
- d. Each commercial vehicle inspected shall be documented using the inSPECT software. Enforcement members shall complete the Driver/Vehicle Examination Report in compliance with the CVSA Operations Manual ([accessed with CVSA login credentials](#)) and CVED directives.
  - i. A printed copy of the Driver/Vehicle Examination Report shall be provided to the driver of the commercial vehicle inspected. In the event a driver is not available, a copy of the inspection shall be mailed to the carrier. The electronic copy of the Driver/Vehicle Examination Report shall be uploaded to the SAFER mailbox at the completion of the inspection.
  - ii. Commercial Vehicle Safety Alliance (CVSA) decals shall be issued to inspected vehicles meeting the criteria for decal issuance as established by the CVSA Operations Manual.
    - 1. When a decal is issued, the enforcement member shall attach it to the lower right-hand corner of the passenger side windshield for power units. Decals shall be attached on trailing units on the lower right corner as near the front as possible.

2. Decals are available from the CVED Headquarters.
3. Enforcement members shall not stop a vehicle with a valid CVSA decal unless a critical safety defect as identified in the CVSA Operations Manual is observed or other violations of law not related to equipment have been observed.

#### 1.4 School Bus Inspection

- a. Authority
  - i. Legal authority to conduct inspections of public and non-public school buses is contained in [MCL 257.715a](#) and [MCL 257.1839](#), respectively.
- b. Member Assignment
  - i. Vehicle Safety Inspectors are assigned to the CVED under the supervision of the Bus Inspection Unit.
- c. The CVED Bus Inspection Unit shall administer the bus inspection program.
- d. Refer to Official Order 06-20 – School Bus Enforcement, for the department’s policy on enforcement of laws pertaining to the operation of school buses.

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<b>Review Responsibility:</b>	Field Operations Bureau, Field Support Bureau, and Professional Development Bureau; Intelligence Operations Division, Commercial Vehicle Enforcement Division
<b>Accreditation Standards:</b>	CALEA 53.1.1