

HOUSE BILL No. 5536

February 22, 1990, Introduced by Reps. Muxlow, Bartnik, DeMars, Walberg, Giese, Bender, Dunaskiss, DeBeaussiaert, Randall and DeLange and referred to the Committee on Transportation.

A bill to amend section 801 of Act No. 300 of the Public Acts of 1949, entitled as amended
"Michigan vehicle code,"
as amended by Act No. 346 of the Public Acts of 1988, being section 257.801 of the Michigan Compiled Laws; and to add section 811c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 801 of Act No. 300 of the Public Acts of
2 1949, as amended by Act No. 346 of the Public Acts of 1988, being
3 section 257.801 of the Michigan Compiled Laws, is amended and
4 section 811c is added to read as follows:

5 Sec. 801. (1) The secretary of state shall collect the fol-
6 lowing taxes at the time of registering a vehicle, which shall
7 exempt the vehicle from all other state and local taxation,
8 except the fees and taxes provided by law to be paid by certain

1 carriers operating motor vehicles and trailers under the motor
 2 carrier act, Act No. 254 of the Public Acts of 1933, as amended,
 3 being sections 475.1 to 479.20 of the Michigan Compiled Laws; the
 4 taxes imposed by the motor carrier fuel tax act, Act No. 119 of
 5 the Public Acts of 1980, as amended, being sections 207.211 to
 6 207.235 of the Michigan Compiled Laws; a fee or fees imposed pur-
 7 suant to the local road improvements and operations revenue act,
 8 ACT NO. 237 OF THE PUBLIC ACTS OF 1987, BEING SECTIONS 247.521 TO
 9 247.525 OF THE MICHIGAN COMPILED LAWS; and except as otherwise
 10 provided by this act:

11 (a) For a motor vehicle, including a motor home, except as
 12 otherwise provided, and a pickup truck or van, which pickup truck
 13 or van weighs not more than 5,000 pounds and is not taxed under
 14 subdivision (p), except as otherwise provided, according to the
 15 following schedule of empty weights:

16	Empty weights	Fee
17	0 to 3,000 pounds.....	\$ 29.00
18	3,001 to 3,500 pounds.....	32.00
19	3,501 to 4,000 pounds.....	37.00
20	4,001 to 4,500 pounds.....	43.00
21	4,501 to 5,000 pounds.....	47.00
22	5,001 to 5,500 pounds.....	52.00
23	5,501 to 6,000 pounds.....	57.00
24	6,001 to 6,500 pounds.....	62.00
25	6,501 to 7,000 pounds.....	67.00

1	7,001 to 7,500 pounds.....	71.00
2	7,501 to 8,000 pounds.....	77.00
3	8,001 to 8,500 pounds.....	81.00
4	8,501 to 9,000 pounds.....	86.00
5	9,001 to 9,500 pounds.....	91.00
6	9,501 to 10,000 pounds.....	95.00
7	over 10,000 pounds.....\$ 0.90 per 100 pounds	
8	of empty weight	

9 On October 1, 1983, and October 1, 1984, the tax assessed
10 under this subdivision shall be annually revised for the regis-
11 trations expiring on the appropriate October 1 or after that date
12 by multiplying the tax assessed in the preceding fiscal year
13 times the personal income of Michigan for the preceding calendar
14 year divided by the personal income of Michigan for the calendar
15 year ~~which~~ THAT IMMEDIATELY preceded that calendar year. In
16 performing the calculations under this subdivision, the secretary
17 of state shall use the spring preliminary report of the United
18 States department of commerce or its successor agency. A van
19 ~~which~~ THAT is owned and operated by a person who uses a wheel-
20 chair and for which registration plates are issued pursuant to
21 section 803d shall be assessed at the rate of 50% of the tax pro-
22 vided for in this subdivision.

23 (b) For a trailer coach attached to a motor vehicle, 76
24 cents per 100 pounds of empty weight of the trailer coach. A
25 trailer coach not under Act No. 243 of the Public Acts of 1959,
26 being sections 125.1035 to 125.1043 of the Michigan Compiled
27 Laws, and while located on land otherwise assessable as real

1 property under the general property tax act, Act No. 206 of the
2 Public Acts of 1893, as amended, being sections 211.1 to 211.157
3 of the Michigan Compiled Laws, if the trailer coach is used as a
4 place of habitation, and whether or not permanently affixed to
5 the soil, ~~shall~~ IS not ~~be~~ exempt from real property taxes.

6 (c) For a road tractor, truck, or truck tractor owned by a
7 farmer and used ~~exclusively~~ in connection with the farmer's
8 farming operations ~~or~~ or ~~used~~ for the transportation of the
9 farmer and the farmer's family, and not used for hire, 74 cents
10 per 100 pounds of empty weight of the road tractor, truck, or
11 truck tractor.

12 (d) For a road tractor, truck, or truck tractor owned by a
13 wood harvester and used exclusively in connection with the wood
14 harvesting operations and not used for hire, 74 cents per 100
15 pounds of empty weight of the road tractor, truck, or truck
16 tractor. A registration secured by payment of the fee as pre-
17 scribed in this subdivision shall continue in full force and
18 effect until the regular expiration date of the registration.

19 (e) For a hearse or ambulance used exclusively by a licensed
20 funeral director in the general conduct of the licensee's funeral
21 business, including a hearse or ambulance whose owner is engaged
22 in the business of leasing or renting the hearse or ambulance to
23 others, \$1.17 per 100 pounds of the empty weight of the hearse or
24 ambulance.

25 (f) For a motor vehicle owned and operated by this state, a
26 state institution, a municipality, or a nonpublic, nonprofit
27 college or university, \$5.00 per set; and for each motor vehicle

1 operating under municipal franchise, weighing less than 2,500
2 pounds, 65 cents per 100 pounds of the empty weight of the motor
3 vehicle, weighing from 2,500 to 4,000 pounds, 80 cents per 100
4 pounds of the empty weight of the motor vehicle, weighing 4,001
5 to 6,000 pounds, \$1.00 per 100 pounds of the empty weight of the
6 motor vehicle, and weighing over 6,000 pounds, \$1.25 per 100
7 pounds of the empty weight of the motor vehicle.

8 (g) For a bus including a station wagon, carryall, or simi-
9 larly constructed vehicle owned and operated by a nonprofit
10 parents' transportation corporation used for school purposes,
11 parochial school or society, church Sunday school, or any other
12 grammar school, or by a nonprofit youth organization or nonprofit
13 rehabilitation facility; or a motor vehicle owned and operated by
14 a senior citizen center, \$10.00 per set, if the bus, station
15 wagon, carryall, or similarly constructed vehicle or motor vehi-
16 cle is designated by proper signs showing the organization oper-
17 ating the vehicle.

18 (h) For a vehicle owned by a nonprofit organization and used
19 to transport equipment for providing dialysis treatment to chil-
20 dren at camp; for a vehicle owned by the civil air patrol, as
21 organized under ~~sections 1 to 8 of~~ chapter 527, 60 Stat. 346,
22 36 U.S.C. 201 to 208, \$10.00 per plate, if the vehicle is desig-
23 nated by a proper sign showing the civil air patrol's name; for a
24 motor vehicle having a truck chassis and a locomotive or ship's
25 body ~~which~~ THAT is owned by a nonprofit veterans organization
26 and used exclusively in parades and civic events; or for an
27 emergency support vehicle used exclusively for emergencies and

1 owned and operated by a federally recognized nonprofit charitable
 2 organization or a motor vehicle owned and operated by a privately
 3 incorporated, nonprofit volunteer fire department, \$10.00 per
 4 plate.

5 (i) For each truck owned and operated free of charge by a
 6 bona fide ecclesiastical or charitable corporation, ~~or~~ red
 7 cross, girl scout, or boy scout organization, 65 cents per 100
 8 pounds of the empty weight of the truck.

9 (j) For each truck, weighing 8,000 pounds or less ~~—~~ and
 10 not used to tow a vehicle, for each road service vehicle designed
 11 and used to tow disabled vehicles, for each privately owned truck
 12 used to tow a trailer for recreational purposes only and not
 13 involved in a profit making venture, and for each vehicle
 14 designed and used to tow a mobile home or a trailer coach, except
 15 as provided in subdivision (b), \$38.00 or an amount computed
 16 according to the following schedule of empty weights, whichever
 17 is greater:

18	Empty weights	Per 100 pounds
19	0 to 2,500 pounds.....	\$ 1.40
20	2,501 to 4,000 pounds.....	1.76
21	4,001 to 6,000 pounds.....	2.20
22	6,001 to 8,000 pounds.....	2.72
23	8,001 to 10,000 pounds.....	3.25
24	10,001 to 15,000 pounds.....	3.77
25	15,001 pounds and over.....	4.39

1 If the tax required under subdivision (q) for a vehicle of
 2 the same model year with the same list price as the vehicle for
 3 which registration is sought under this subdivision is more than
 4 the tax provided under the preceding provisions of this subdivi-
 5 sion for an identical vehicle, the tax required under this subdivi-
 6 sion ~~shall~~ IS not ~~be~~ less than the tax required under sub-
 7 division (q) for a vehicle of the same model year with the same
 8 list price.

9 (k) For each truck weighing 8,000 pounds or less towing a
 10 trailer or any other combination of vehicles and for each truck
 11 weighing 8,001 pounds or more, road tractor or truck tractor,
 12 except as provided in subdivision (j), according to the following
 13 schedule of elected gross weights:

14	Elected gross weight	Fee
15	0 to 24,000 pounds.....	\$ 378.00
16	24,001 to 28,000 pounds.....	429.00
17	28,001 to 32,000 pounds.....	499.00
18	32,001 to 36,000 pounds.....	572.00
19	36,001 to 42,000 pounds.....	672.00
20	42,001 to 48,000 pounds.....	773.00
21	48,001 to 54,000 pounds.....	873.00
22	54,001 to 60,000 pounds.....	975.00
23	60,001 to 66,000 pounds.....	1,075.00
24	66,001 to 72,000 pounds.....	1,176.00
25	72,001 to 80,000 pounds.....	1,277.00

1	80,001 to 90,000 pounds.....	1,379.00
2	90,001 to 100,000 pounds.....	1,540.00
3	100,001 to 115,000 pounds.....	1,710.00
4	115,001 to 130,000 pounds.....	1,883.00
5	130,001 to 145,000 pounds.....	2,054.00
6	145,001 to 160,000 pounds.....	2,226.00
7	over 160,000 pounds.....	2,398.00

8 For each commercial vehicle registered pursuant to this
 9 subdivision, \$15.00 shall be deposited in a truck safety fund to
 10 be expended for the purposes prescribed in section 25 of Act
 11 No. 51 of the Public Acts of 1951, being section 247.675 of the
 12 Michigan Compiled Laws.

13 If a truck or road tractor without trailer is leased from an
 14 individual owner-operator, the lessee, whether a person, firm, or
 15 corporation, shall pay to the owner-operator 60% of the fee pre-
 16 scribed in this subdivision for the truck tractor or road tractor
 17 at the rate of 1/12 for each month of the lease or arrangement in
 18 addition to the compensation the owner-operator is entitled to
 19 for the rental of his or her equipment.

20 (1) For each pole trailer, semitrailer, or trailer, accord-
 21 ing to the following schedule of rates:

22	Empty weights	Fee
23	0 to 500 pounds.....	\$ 17.00
24	501 to 1,500 pounds.....	24.00
25	1,501 pounds and over.....	39.00

1 (m) For each commercial vehicle used for the transportation
 2 of passengers for hire, except for a vehicle for which a payment
 3 is made pursuant to Act No. 2 of the Public Acts of 1960, being
 4 sections 257.971 to 257.972 of the Michigan Compiled Laws,
 5 according to the following schedule of empty weights:

6	Empty weights	Per 100 pounds
7	0 to 4,000 pounds.....	\$ 1.76
8	4,001 to 6,000 pounds.....	2.20
9	6,001 to 10,000 pounds.....	2.72
10	10,001 pounds and over.....	3.25

11 (n) For each motorcycle..... \$ 23.00

12 On October 1, 1983, and October 1, 1984, the tax assessed
 13 under this subdivision shall be annually revised for the regis-
 14 trations expiring on the appropriate October 1 or after that date
 15 by multiplying the tax assessed in the preceding fiscal year
 16 times the personal income of Michigan for the preceding calendar
 17 year divided by the personal income of Michigan for the calendar
 18 year ~~which~~ THAT IMMEDIATELY preceded that calendar year. In
 19 performing the calculations under this subdivision, the secretary
 20 of state shall use the spring preliminary report of the United
 21 States department of commerce or its successor agency.

22 Beginning January 1, 1984, the registration tax for each
 23 motorcycle shall be increased by \$3.00. The \$3.00 increase shall
 24 not be considered as part of the tax assessed under this
 25 subdivision for the purpose of the annual October 1 revisions,

1 but shall be in addition to the tax assessed as a result of the
 2 annual October 1 revisions. ~~Beginning January 1, 1984, \$3.00~~
 3 THREE DOLLARS of each motorcycle fee shall be placed in a motor-
 4 cycle safety fund in the state treasury. ~~and~~ FROM THE MONEY
 5 CREDITED TO THE MOTORCYCLE SAFETY FUND, 2/3 shall be used ~~only~~
 6 for funding the motorcycle safety education program as provided
 7 for under sections 312b and 811a, AND 1/3 SHALL BE USED FOR FUND-
 8 ING THE MOTORCYCLE AWARENESS PROGRAM PROVIDED FOR UNDER
 9 SECTION 811C.

10 (o) For each truck weighing 8,001 pounds or more, road trac-
 11 tor, or truck tractor used exclusively as a moving van or part of
 12 a moving van in transporting household furniture and household
 13 effects or the equipment or those engaged in conducting carn-
 14 vals, at the rate of 80% of the schedule of elected gross weights
 15 in subdivision (k) as modified by the operation of that
 16 subdivision.

17 (p) For each pickup truck or van, which pickup truck or van
 18 weighs not more than 5,000 pounds and is owned by a business,
 19 corporation, or person other than an individual, according to the
 20 following schedule of empty weights:

21	Empty weights	Fee
22	0 to 4,000 pounds.....	\$ 39.00
23	4,001 to 4,500 pounds.....	44.00
24	4,501 to 5,000 pounds.....	49.00

25 (q) After September 30, 1983, each motor vehicle of the 1984
 26 or a subsequent model year as shown on the application required

1 under section 217 ~~which~~ THAT has not been previously subject to
 2 the tax rates of this section and ~~which~~ THAT is of the motor
 3 vehicle category otherwise subject to the tax schedule described
 4 in subdivision (a), according to the following schedule based
 5 upon registration periods of 12 months:

6 (i) Except as otherwise provided in this subdivision, for
 7 the first registration, ~~which~~ THAT is not a transfer registra-
 8 tion under section 809 and for the first registration after a
 9 transfer registration under section 809, according to the follow-
 10 ing schedule based on the vehicle's list price:

11	List Price	Tax
12	\$0 - \$6,000.00.....	\$ 30.00
13	More than \$6,000.00 - \$7,000.00.....	\$ 33.00
14	More than \$7,000.00 - \$8,000.00.....	\$ 38.00
15	More than \$8,000.00 - \$9,000.00.....	\$ 43.00
16	More than \$9,000.00 - \$10,000.00.....	\$ 48.00
17	More than \$10,000.00 - \$11,000.00.....	\$ 53.00
18	More than \$11,000.00 - \$12,000.00.....	\$ 58.00
19	More than \$12,000.00 - \$13,000.00.....	\$ 63.00
20	More than \$13,000.00 - \$14,000.00.....	\$ 68.00
21	More than \$14,000.00 - \$15,000.00.....	\$ 73.00
22	More than \$15,000.00 - \$16,000.00.....	\$ 78.00
23	More than \$16,000.00 - \$17,000.00.....	\$ 83.00
24	More than \$17,000.00 - \$18,000.00.....	\$ 88.00
25	More than \$18,000.00 - \$19,000.00.....	\$ 93.00

1	More than \$19,000.00 - \$20,000.00.....	\$ 98.00
2	More than \$20,000.00 - \$21,000.00.....	\$103.00
3	More than \$21,000.00 - \$22,000.00.....	\$108.00
4	More than \$22,000.00 - \$23,000.00.....	\$113.00
5	More than \$23,000.00 - \$24,000.00.....	\$118.00
6	More than \$24,000.00 - \$25,000.00.....	\$123.00
7	More than \$25,000.00 - \$26,000.00.....	\$128.00
8	More than \$26,000.00 - \$27,000.00.....	\$133.00
9	More than \$27,000.00 - \$28,000.00.....	\$138.00
10	More than \$28,000.00 - \$29,000.00.....	\$143.00
11	More than \$29,000.00 - \$30,000.00.....	\$148.00
12	More than \$30,000.00..... 0.5% of the list price	
13	(ii) For the second registration, 90% of the tax assessed	
14	under subparagraph (i).	
15	(iii) For the third registration, 90% of the tax assessed	
16	under subparagraph (ii).	
17	(iv) For the fourth and subsequent registrations, 90% of the	
18	tax assessed under subparagraph (iii).	
19	For a vehicle of the 1984 or a subsequent model year which	
20	THAT has been previously registered by a person other than the	
21	person applying for registration or for a vehicle of the 1984 or	
22	a subsequent model year which THAT has been previously regis-	
23	tered in another state or country and is registered for the first	
24	time in this state, the tax under this subdivision shall be	
25	determined by subtracting the model year of the vehicle from the	
26	calendar year for which the registration is sought. If the	
27	result is zero or a negative figure, the first registration tax	

1 shall be paid. If the result is 1, 2, or 3 or more, then,
2 respectively, the second, third, or subsequent registration tax
3 shall be paid. A van ~~which~~ THAT is owned and operated by a
4 person who uses a wheelchair and for which registration plates
5 are issued pursuant to section 803d shall be assessed at the rate
6 of 50% of the tax provided for in this subdivision.

7 (r) When the secretary of state computes a tax under this
8 section, a computation ~~which~~ THAT does not result in a whole
9 dollar figure shall be rounded to the next lower whole dollar
10 when the computation results in a figure ending in 50 cents or
11 less and shall be rounded to the next higher whole dollar when
12 the computation results in a figure ending in 51 cents or more,
13 unless specific fees are specified. ~~and~~ THE SECRETARY OF
14 STATE may accept the manufacturer's shipping weight of the vehi-
15 cle fully equipped for the use for which the registration appli-
16 cation is made. If the weight is not correctly stated or is not
17 satisfactory, the secretary of state shall determine the actual
18 weight. Each application for registration of a vehicle under
19 subdivisions (j) and (m) shall have attached to the application a
20 scale weight receipt of the vehicle fully equipped as of the time
21 the application is made. The scale weight receipt is not neces-
22 sary if there is presented with the application a registration
23 receipt of the previous year ~~which~~ THAT shows on its face the
24 weight of the motor vehicle as registered with the secretary of
25 state and ~~which~~ THAT is accompanied by a statement of the
26 applicant that there has not been a structural change in the

1 motor vehicle ~~which~~ THAT has increased the weight and that the
2 previous registered weight is the true weight.

3 (2) A manufacturer is not ~~exempted~~ EXEMPT under this act
4 from paying ad valorem taxes on vehicles in stock or bond, except
5 on the specified number of motor vehicles registered. A dealer
6 is exempt from paying ad valorem taxes on vehicles in stock or
7 bond.

8 (3) The fee for a vehicle with an empty weight over 10,000
9 pounds imposed pursuant to subsection (1)(a) and the fees imposed
10 pursuant to subsection (1)(b), (c), (d), (e), (f), (i), (j), (m),
11 (o), and (q) shall each be increased by \$5.00. This increase
12 shall be credited to the Michigan transportation fund and used to
13 defray the costs of processing the registrations under this
14 section.

15 (4) As used in this section:

16 (a) "Gross proceeds" means gross proceeds as defined in sec-
17 tion 1 of the general sales tax act, Act No. 167 of the Public
18 Acts of 1933, being section 205.51 of the Michigan Compiled
19 Laws. However, gross proceeds shall include the value of the
20 motor vehicle used as part payment of the purchase price as that
21 value is agreed to by the parties to the sale, as evidenced by
22 the signed agreement executed pursuant to section 251.

23 (b) "List price" means the manufacturer's suggested base
24 list price as published by the secretary of state, or the
25 manufacturer's suggested retail price as shown on the label
26 required to be affixed to the vehicle under section 3 of the
27 automobile information disclosure act, Public Law 85-506,

1 15 U.S.C. 1232, if the secretary of state has not at the time of
2 the sale of the vehicle published a manufacturer's suggested
3 retail price for that vehicle, or the purchase price of the vehi-
4 cle if the manufacturer's suggested base list price is unavail-
5 able from the sources described in this subdivision.

6 (c) "Purchase price" means the gross proceeds received by
7 the seller in consideration of the sale of the motor vehicle
8 being registered.

9 SEC. 811C. USING MONEY PROVIDED UNDER SECTION 801(N), THE
10 STATE COORDINATOR OF THE MOTORCYCLE SAFETY EDUCATION PROGRAM
11 SHALL CONDUCT A MOTORCYCLE AWARENESS PROGRAM THROUGHOUT THIS
12 STATE. TO ENHANCE MOTORCYCLE AWARENESS OF DRIVERS OF MOTOR VEHI-
13 CLES, THE STATE COORDINATOR OF THE MOTORCYCLE SAFETY EDUCATION
14 PROGRAM MAY USE, BUT IS NOT LIMITED TO USING, PAMPHLETS, POSTERS,
15 ROADWAY SIGNS, BILLBOARDS, AND PUBLIC SERVICE ANNOUNCEMENTS.