

HOUSE BILL No. 5805

May 22, 1990, Introduced by Rep. Jacobetti and referred to the Committee on Appropriations.

A bill to amend section 5d of Act No. 207 of the Public Acts of 1941, entitled as amended

"Fire prevention code,"

as amended by Act No. 70 of the Public Acts of 1987, being section 29.5d of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 5d of Act No. 207 of the Public Acts of
2 1941, as amended by Act No. 70 of the Public Acts of 1987, being
3 section 29.5d of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 5d. (1) The certificate specified in section 5b shall
6 be issued by the state fire marshal after the initial inspection
7 of a vehicle or the examination following the revocation of the
8 certificate for a vehicle. The ~~certificates~~ CERTIFICATE shall
9 be issued after the state fire marshal ~~has determined~~

1 DETERMINES that the vehicle is in satisfactory compliance with
2 this act. The certificates specified in section 5c shall be
3 issued every 3 years by the state fire marshal after the state
4 fire marshal ~~has determined~~ DETERMINES by an inspection that
5 the firm location is in satisfactory compliance with this act.
6 The board may authorize a firm specified in section 5c to conduct
7 inspections required in this section after application to the
8 state fire marshal and payment of an annual fee of \$1,000.00.
9 Upon annual determination by the state fire marshal that the firm
10 is in satisfactory compliance with this act, the state fire
11 marshal may recommend to the board that the authorization be
12 given. This authorization may be revoked by the board for
13 cause. Firms authorized to conduct inspections required in this
14 section shall be exempt from the fees provided in subsections
15 ~~(2), (3), and (4)~~ (2) AND (3). The state fire marshal may
16 review procedures utilized by the firm to assure compliance with
17 the act.

18 (2) ~~Except as provided in subsection (4), the~~ THE owner of
19 a firm specified in section 5c or the owner of a vehicle
20 described in section 5b shall pay an annual fee of ~~-\$35.00-~~
21 \$70.00 for each vehicle, as adjusted by subsection (3), and
22 ~~-\$15.00-~~ \$30.00 for each tank located at each storage or filling
23 location specified in section 5c, as adjusted by subsection (3).
24 Fees required by this subsection shall be paid before the issu-
25 ance of a certificate if the firm described in section 5c or the
26 vehicle specified in section 5b is used at any time during the

1 state fiscal year for the storage, handling, or transportation of
2 hazardous material.

3 (3) Beginning ~~October 1, 1985, the~~ IN THE STATE FISCAL
4 YEAR FOLLOWING THE EFFECTIVE DATE OF THIS 1990 AMENDATORY ACT,
5 THE fees provided in subsection (2) shall be adjusted each year
6 pursuant to the annual average percentage increase or decrease in
7 the Detroit consumer price index--all items. The adjustment
8 shall be made by multiplying the annual average percentage
9 increase or decrease in the Detroit consumer price index for the
10 prior calendar year by the current fee as adjusted by this
11 subsection. The resultant product shall be added to the current
12 fee as adjusted by this subsection and then rounded off to the
13 nearest half dollar which shall be the new fee. However, if
14 there is a material change in the list of items which constitute
15 the Detroit consumer price index--all items, the fees shall
16 remain at the level provided for immediately preceding the mate-
17 rial change.

18 ~~(4) Notwithstanding subsections (2) and (3), until October~~
19 ~~1, 1990, the annual fee is \$70.00 for each vehicle described in~~
20 ~~section 5b, except that the fee for a truck tractor pulling a~~
21 ~~semitrailer and trailer combination that transports a hazardous~~
22 ~~material shall be \$70.00 semiannually, and the annual fee is~~
23 ~~\$30.00 for each tank located at each storage or filling location~~
24 ~~specified in section 5c. Crude petroleum collection tanks that~~
25 ~~receive crude petroleum directly from a wellhead are exempt from~~
26 ~~fees specified in subsection (2) and this subsection.~~

1 (4) ~~-(5)-~~ The fees specified in subsection (2), as adjusted
2 by subsection (3), shall be collected and deposited in the STATE
3 TREASURY AND CREDITED TO THE general fund. ~~of this state.~~