

HOUSE BILL No. 5682

March 10, 1992, Introduced by Rep. Ostling 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. 181 of the Public Acts of 1990, being section 257.801 of the Michigan Compiled Laws.

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. 181 of the Public Acts of 1990, being
3 section 257.801 of the Michigan Compiled Laws, is amended to read
4 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
9 carriers operating motor vehicles and trailers under the motor

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

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

15	Empty weights	Fee
16	0 to 3,000 pounds.....	\$ 29.00
17	3,001 to 3,500 pounds.....	32.00
18	3,501 to 4,000 pounds.....	37.00
19	4,001 to 4,500 pounds.....	43.00
20	4,501 to 5,000 pounds.....	47.00
21	5,001 to 5,500 pounds.....	52.00
22	5,501 to 6,000 pounds.....	57.00
23	6,001 to 6,500 pounds.....	62.00
24	6,501 to 7,000 pounds.....	67.00
25	7,001 to 7,500 pounds.....	71.00

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

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

22 (b) For a trailer coach attached to a motor vehicle 76 cents
23 per 100 pounds of empty weight of the trailer coach. A trailer
24 coach not under Act No. 243 of the Public Acts of 1959, being
25 sections 125.1035 to 125.1043 of the Michigan Compiled Laws, and
26 while located on land otherwise assessable as real property under
27 the general-property tax act, Act No. 206 of the Public Acts of

1 1893, as amended, being sections 211.1 to 211.157 of the Michigan
2 Compiled Laws, if the trailer coach is used as a place of habita-
3 tion, and whether or not permanently affixed to the soil, shall
4 not be exempt from real property taxes.

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

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

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

24 (f) For a motor vehicle owned and operated by this state, a
25 state institution, a municipality, a privately incorporated, non-
26 profit volunteer fire department, 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, 36
22 U.S.C. 201 to 208, \$10.00 per plate, if the vehicle is designated
23 by a proper sign showing the civil air patrol's name; for a motor
24 vehicle having a truck chassis and a locomotive or ship's body
25 which is owned by a nonprofit veterans organization and used
26 exclusively in parades and civic events; or for an emergency
27 support vehicle used exclusively for emergencies and owned and

1 operated by a federally recognized nonprofit charitable
2 organization, \$10.00 per plate.

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

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

16	Empty weights	Per 100 pounds
17	0 to 2,500 pounds.....	\$ 1.40
18	2,501 to 4,000 pounds.....	1.76
19	4,001 to 6,000 pounds.....	2.20
20	6,001 to 8,000 pounds.....	2.72
21	8,001 to 10,000 pounds.....	3.25
22	10,001 to 15,000 pounds.....	3.77
23	15,001 pounds and over.....	4.39

24 If the tax required under subdivision (q) for a vehicle of
25 the same model year with the same list price as the vehicle for
26 which registration is sought under this subdivision is more than

1 the tax provided under the preceding provisions of this
 2 subdivision for an identical vehicle, the tax required under this
 3 subdivision shall not be less than the tax required under subdi-
 4 vision (q) for a vehicle of the same model year with the same
 5 list price.

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

11	Elected gross weight	Fee
12	0 to 24,000 pounds.....	\$ 378.00
13	24,001 to 28,000 pounds.....	429.00
14	28,001 to 32,000 pounds.....	499.00
15	32,001 to 36,000 pounds.....	572.00
16	36,001 to 42,000 pounds.....	672.00
17	42,001 to 48,000 pounds.....	773.00
18	48,001 to 54,000 pounds.....	873.00
19	54,001 to 60,000 pounds.....	975.00
20	60,001 to 66,000 pounds.....	1,075.00
21	66,001 to 72,000 pounds.....	1,176.00
22	72,001 to 80,000 pounds.....	1,277.00
23	80,001 to 90,000 pounds.....	1,379.00
24	90,001 to 100,000 pounds.....	1,540.00
25	100,001 to 115,000 pounds.....	1,710.00

1	115,001 to 130,000 pounds.....	1,883.00
2	130,001 to 145,000 pounds.....	2,054.00
3	145,001 to 160,000 pounds.....	2,226.00
4	over 160,000 pounds.....	2,398.00

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

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

17 (l) For each pole trailer, semitrailer, or trailer, accord-
18 ing to the following schedule of rates:

19	Empty weights	Fee
20	0 to 500 pounds.....	\$ 17.00
21	501 to 1,500 pounds.....	24.00
22	1,501 pounds and over.....	39.00

23 (m) For each commercial vehicle used for the transportation
24 of passengers for hire except for a vehicle for which a payment
25 is made pursuant to Act No. 2 of the Public Acts of 1960, being

1 sections 257.971 to 257.972 of the Michigan Compiled Laws,
 2 according to the following schedule of empty weights:

3	Empty weights	Per 100 pounds
4	0 to 4,000 pounds.....	\$ 1.76
5	4,001 to 6,000 pounds.....	2.20
6	6,001 to 10,000 pounds.....	2.72
7	10,001 pounds and over.....	3.25

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

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 preceded that calendar year. In performing the calcu-
 16 lations under this subdivision, the secretary of state shall use
 17 the spring preliminary report of the United States department of
 18 commerce or its successor agency.

19 Beginning January 1, 1984, the registration tax for each
 20 motorcycle shall be increased by \$3.00. The \$3.00 increase shall
 21 not be considered as part of the tax assessed under this subdivi-
 22 sion for the purpose of the annual October 1 revisions but shall
 23 be in addition to the tax assessed as a result of the annual
 24 October 1 revisions. Beginning January 1, 1984, \$3.00 of each
 25 motorcycle fee shall be placed in a motorcycle safety fund in the

1 state treasury and shall be used only for funding the motorcycle
 2 safety education program as provided for under sections 312b and
 3 811a.

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

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

15	Empty weights	Fee
16	0 to 4,000 pounds.....	\$ 39.00
17	4,001 to 4,500 pounds.....	44.00
18	4,501 to 5,000 pounds.....	49.00

19 (q) After September 30, 1983, each motor vehicle of the 1984
 20 or a subsequent model year as shown on the application required
 21 under section 217 which has not been previously subject to the
 22 tax rates of this section and which is of the motor vehicle cate-
 23 gory otherwise subject to the tax schedule described in subdivi-
 24 sion (a) according to the following schedule based upon registra-
 25 tion periods of 12 months:

(i) Except as otherwise provided in this subdivision, for the first registration, which is not a transfer registration under section 809 and for the first registration after a transfer registration under section 809, according to the following schedule based on the vehicle's list price:

List Price	Tax
\$0 - \$6,000.00.....	\$ 30.00
More than \$6,000.00 - \$7,000.00.....	\$ 33.00
More than \$7,000.00 - \$8,000.00.....	\$ 38.00
More than \$8,000.00 - \$9,000.00.....	\$ 43.00
More than \$9,000.00 - \$10,000.00.....	\$ 48.00
More than \$10,000.00 - \$11,000.00.....	\$ 53.00
More than \$11,000.00 - \$12,000.00.....	\$ 58.00
More than \$12,000.00 - \$13,000.00.....	\$ 63.00
More than \$13,000.00 - \$14,000.00.....	\$ 68.00
More than \$14,000.00 - \$15,000.00.....	\$ 73.00
More than \$15,000.00 - \$16,000.00.....	\$ 78.00
More than \$16,000.00 - \$17,000.00.....	\$ 83.00
More than \$17,000.00 - \$18,000.00.....	\$ 88.00
More than \$18,000.00 - \$19,000.00.....	\$ 93.00
More than \$19,000.00 - \$20,000.00.....	\$ 98.00
More than \$20,000.00 - \$21,000.00.....	\$103.00
More than \$21,000.00 - \$22,000.00.....	\$108.00
More than \$22,000.00 - \$23,000.00.....	\$113.00
More than \$23,000.00 - \$24,000.00.....	\$118.00

1	More than \$24,000.00 - \$25,000.00.....	\$123.00
2	More than \$25,000.00 - \$26,000.00.....	\$128.00
3	More than \$26,000.00 - \$27,000.00.....	\$133.00
4	More than \$27,000.00 - \$28,000.00.....	\$138.00
5	More than \$28,000.00 - \$29,000.00.....	\$143.00
6	More than \$29,000.00 - \$30,000.00.....	\$148.00
7	More than \$30,000.00.....	0.5% of the list price

8 (ii) For the second registration, 90% of the tax assessed
9 under subparagraph (i).

10 (iii) For the third registration, 90% of the tax assessed
11 under subparagraph (ii).

12 (iv) For the fourth and subsequent registrations, 90% of the
13 tax assessed under subparagraph (iii).

14 For a vehicle of the 1984 or a subsequent model year which
15 has been previously registered by a person other than the person
16 applying for registration or for a vehicle of the 1984 or a sub-
17 sequent model year which has been previously registered in
18 another state or country and is registered for the first time in
19 this state, the tax under this subdivision shall be determined by
20 subtracting the model year of the vehicle from the calendar year
21 for which the registration is sought. If the result is zero or a
22 negative figure, the first registration tax shall be paid. If
23 the result is 1, 2, or 3 or more, then, respectively, the second,
24 third, or subsequent registration tax shall be paid. A ~~van~~
25 MOTOR VEHICLE which is owned and operated by a person who uses a
26 wheelchair and for which registration plates are issued pursuant

1 to section 803d shall be assessed at the rate of 50% of the tax
2 provided for in this subdivision.

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

24 (2) A manufacturer is not exempted under this act from
25 paying ad valorem taxes on vehicles in stock or bond, except on
26 the-specified number of motor vehicles registered. A dealer is

1 exempt from paying ad valorem taxes on vehicles in stock or
2 bond.

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

10 (4) As used in this section:

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

18 (b) "List price" means the manufacturer's suggested base
19 list price as published by the secretary of state, or the
20 manufacturer's suggested retail price as shown on the label
21 required to be affixed to the vehicle under section 3 of the
22 automobile information disclosure act, Public Law 85-506,
23 15 U.S.C. 1232, if the secretary of state has not at the time of
24 the sale of the vehicle published a manufacturer's suggested
25 retail price for that vehicle, or the purchase price of the vehi-
26 cle if the manufacturer's suggested base list price is
27 unavailable from the sources described in this subdivision.

1 (c) "Purchase price" means the gross proceeds received by
2 the seller in consideration of the sale of the motor vehicle
3 being registered.