

# HOUSE BILL No. 6005

July 8, 1992, Introduced by Rep. Profit 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; and to add section 79c.

## 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 and  
4 section 79c is added to read as follows:

5       SEC. 79C. "WRECKER" MEANS A MOTOR VEHICLE WITH A HOIST,  
6 TOWING APPARATUS, OR SELF-LOADING FLATBED, OR ANY COMBINATION OF  
7 THESE ITEMS, USED TO TRANSPORT NOT MORE THAN 2 VEHICLES, EXCEPT

1 FOR A MOTOR VEHICLE EQUIPPED WITH A FIFTH WHEEL OR A MOTOR  
2 VEHICLE THAT TOWS THE SECOND VEHICLE ON A TRAILER.

3       Sec. 801. (1) The secretary of state shall collect the fol-  
4 lowing taxes at the time of registering a vehicle, which shall  
5 exempt the vehicle from all other state and local taxation,  
6 except the fees and taxes provided by law to be paid by certain  
7 carriers operating motor vehicles and trailers under the motor  
8 carrier act, Act No. 254 of the Public Acts of 1933, as amended,  
9 being sections 475.1 to 479.20 of the Michigan Compiled Laws; the  
10 taxes imposed by the motor carrier fuel tax act, Act No. 119 of  
11 the Public Acts of 1980, as amended, being sections 207.211 to  
12 207.235 of the Michigan Compiled Laws; a fee or fees imposed pur-  
13 suant to the local road improvements and operations revenue act;  
14 and except as otherwise provided by this act:

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

20	Empty weights	Fee
21	0 to 3,000 pounds.....	\$ 29.00
22	3,001 to 3,500 pounds.....	32.00
23	3,501 to 4,000 pounds.....	37.00
24	4,001 to 4,500 pounds.....	43.00
25	4,501 to 5,000 pounds.....	47.00

1	5,001 to 5,500 pounds.....	52.00
2	5,501 to 6,000 pounds.....	57.00
3	6,001 to 6,500 pounds.....	62.00
4	6,501 to 7,000 pounds.....	67.00
5	7,001 to 7,500 pounds.....	71.00
6	7,501 to 8,000 pounds.....	77.00
7	8,001 to 8,500 pounds.....	81.00
8	8,501 to 9,000 pounds.....	86.00
9	9,001 to 9,500 pounds.....	91.00
10	9,501 to 10,000 pounds.....	95.00
11	over 10,000 pounds.....\$ 0.90 per 100 pounds	
12		of empty weight

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

26 (b) For a trailer coach attached to a motor vehicle 76 cents  
27 per 100 pounds of empty weight of the trailer coach. A trailer

1 coach not under Act No. 243 of the Public Acts of 1959, being  
2 sections 125.1035 to 125.1043 of the Michigan Compiled Laws, and  
3 while located on land otherwise assessable as real property under  
4 the general property tax act, Act No. 206 of the Public Acts of  
5 1893, as amended, being sections 211.1 to 211.157 of the Michigan  
6 Compiled Laws, if the trailer coach is used as a place of habita-  
7 tion, and whether or not permanently affixed to the soil, shall  
8 not be exempt from real property taxes.

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

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

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

1 (f) For a motor vehicle owned and operated by this state, a  
2 state institution, a municipality, a privately incorporated, non-  
3 profit volunteer fire department, or a nonpublic, nonprofit col-  
4 lege or university, \$5.00 per set; and for each motor vehicle  
5 operating under municipal franchise, weighing less than 2,500  
6 pounds, 65 cents per 100 pounds of the empty weight of the motor  
7 vehicle, weighing from 2,500 to 4,000 pounds, 80 cents per 100  
8 pounds of the empty weight of the motor vehicle, weighing 4,001  
9 to 6,000 pounds, \$1.00 per 100 pounds of the empty weight of the  
10 motor vehicle, and weighing over 6,000 pounds, \$1.25 per 100  
11 pounds of the empty weight of the motor vehicle.

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

22 (h) For a vehicle owned by a nonprofit organization and used  
23 to transport equipment for providing dialysis treatment to chil-  
24 dren at camp; for a vehicle owned by the civil air patrol, as  
25 organized under sections 1 to 8 of chapter 527, 60 Stat. 346, 36  
26 U.S.C. 201 to 208, \$10.00 per plate, if the vehicle is designated  
27 by a proper sign showing the civil air patrol's name; for a motor

1 vehicle having a truck chassis and a locomotive or ship's body  
 2 which is owned by a nonprofit veterans organization and used  
 3 exclusively in parades and civic events; or for an emergency sup-  
 4 port vehicle used exclusively for emergencies and owned and oper-  
 5 ated by a federally recognized nonprofit charitable organization,  
 6 \$10.00 per plate.

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

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

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

1        10,001 to 15,000 pounds..... 3.77

2        15,001 pounds and over..... 4.39

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

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

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

1	66,001 to 72,000 pounds.....	1,176.00
2	72,001 to 80,000 pounds.....	1,277.00
3	80,001 to 90,000 pounds.....	1,379.00
4	90,001 to 100,000 pounds.....	1,540.00
5	100,001 to 115,000 pounds.....	1,710.00
6	115,001 to 130,000 pounds.....	1,883.00
7	130,001 to 145,000 pounds.....	2,054.00
8	145,001 to 160,000 pounds.....	2,226.00
9	over 160,000 pounds.....	2,398.00

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

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

22 (4) For each pole trailer, semitrailer, or trailer, accord-  
 23 ing to the following schedule of rates:

24	Empty weights	Fee
25	0 to 500 pounds.....	\$ 17.00



1        501 to 1,500 pounds..... 24.00

2        1,501 pounds and over..... 39.00

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

8	Empty weights	Per 100 pounds
9	0 to 4,000 pounds.....	\$ 1.76
10	4,001 to 6,000 pounds.....	2.20
11	6,001 to 10,000 pounds.....	2.72
12	10,001 pounds and over.....	3.25

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

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

24        Beginning January 1, 1984, the registration tax for each  
25 motorcycle shall be increased by \$3.00. The \$3.00 increase shall

1 not be considered as part of the tax assessed under this  
 2 subdivision for the purpose of the annual October 1 revisions but  
 3 shall be in addition to the tax assessed as a result of the  
 4 annual October 1 revisions. Beginning January 1, 1984, \$3.00 of  
 5 each motorcycle fee shall be placed in a motorcycle safety fund  
 6 in the state treasury and shall be used only for funding the  
 7 motorcycle safety education program as provided for under sec-  
 8 tions 312b and 811a.

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

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

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

24 (q) After September 30, 1983, each motor vehicle of the 1984  
 25 or a subsequent model year as shown on the application required  
 26 under section 217 which has not been previously subject to the

1 tax rates of this section and which is of the motor vehicle  
 2 category otherwise subject to the tax schedule described in sub-  
 3 division (a) according to the following schedule based upon reg-  
 4 istration periods of 12 months:

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

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

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

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

6 (R) FOR A WRECKER, \$200.00.

7 (S) ~~(r)~~ When the secretary of state computes a tax under  
8 this section, a computation which 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 may accept the  
14 manufacturer's shipping weight of the vehicle fully equipped for  
15 the use for which the registration application is made. If the  
16 weight is not correctly stated or is not satisfactory, the secre-  
17 tary of state shall determine the actual weight. Each applica-  
18 tion for registration of a vehicle under subdivisions (j) and (m)  
19 shall have attached to the application a scale weight receipt of  
20 the vehicle fully equipped as of the time the application is  
21 made. The scale weight receipt is not necessary if there is  
22 presented with the application a registration receipt of the pre-  
23 vious year which shows on its face the weight of the motor vehi-  
24 cle as registered with the secretary of state and which is accom-  
25 panied by a statement of the applicant that there has not been a  
26 structural change in the motor vehicle which has increased the

1 weight and that the previous registered weight is the true  
2 weight.

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