

SENATE BILL No. 535

October 9, 1991, Introduced by Senators CARL, MC MANUS and DUNASKISS and referred to the Committee on Transportation and Tourism.

A bill to amend sections 226 and 801g of Act No. 300 of the Public Acts of 1949, entitled as amended

"Michigan vehicle code,"

section 226 as amended by Act No. 299 of the Public Acts of 1989 and section 801g as amended by Act No. 280 of the Public Acts of 1989, being sections 257.226 and 257.801g of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 226 and 801g of Act No. 300 of the
2 Public Acts of 1949, section 226 as amended by Act No. 299 of the
3 Public Acts of 1989 and section 801g as amended by Act No. 280 of
4 the Public Acts of 1989, being sections 257.226 and 257.801g of
5 the Michigan Compiled Laws, are amended to read as follows:

6 Sec. 226. (1) A vehicle registration issued by the
7 secretary of state expires on the owner's birthday, unless

1 another expiration date is provided for under this act or unless
2 the registration is for the following vehicles, in which case
3 registration expires on the last day of February:

4 (a) A commercial vehicle ~~other than~~ EXCEPT FOR A COMMER-
5 CIAL VEHICLE ISSUED A REGISTRATION UNDER THE INTERNATIONAL REGIS-
6 TRATION PLAN OR a pickup truck or van owned by an individual.

7 (b) ~~A~~ EXCEPT FOR A TRAILER OR SEMITRAILER ISSUED A REGIS-
8 TRATION UNDER THE INTERNATIONAL REGISTRATION PLAN, A trailer or
9 semitrailer owned by a business, corporation, or person other
10 than an individual; or a pole trailer.

11 (2) The expiration date for a registration issued for a
12 motorcycle is March 31.

13 (3) The expiration date for a registration bearing the let-
14 ters "SEN" or "REP" is February 1.

15 (4) In the case of a COMMERCIAL VEHICLE, TRAILER, OR SEMI-
16 TRAILER ISSUED A REGISTRATION UNDER THE INTERNATIONAL REGISTRA-
17 TION PLAN, OR A vehicle owned by a business, corporation, or an
18 owner other than an individual, the secretary of state may assign
19 or reassign the expiration date of the registration.

20 (5) The secretary of state shall do all of the following:

21 (a) After December 31, 1982, if the year designated on the
22 registration is 1984, after December 31, 1987, if the registra-
23 tion expired on February 28, 1989, or after the October 1 immedi-
24 ately preceding the year designated on the registration for all
25 years other than 1984 or 1989, issue a registration upon applica-
26 tion and payment of the proper fee for a commercial vehicle,
27 other than a pickup or van owned by an individual; or a trailer

1 owned by a business, corporation, or person other than an
2 individual.

3 (b) ~~On or after January 1 of the year designated~~ BEGINNING
4 60 DAYS BEFORE THE EXPIRATION DATE ASSIGNED BY THE SECRETARY OF
5 STATE on an international registration plan registration plate,
6 issue a registration under section 801g upon application and pay-
7 ment of the proper apportioned fee for a commercial vehicle
8 engaged in interstate commerce.

9 (c) After the February 14 immediately preceding the year
10 designated on a registration, issue a registration upon applica-
11 tion and payment of the proper fee for a motorcycle.

12 (d) Beginning 45 days before the owner's birthday and 120
13 days before the expiration date assigned by the secretary of
14 state, issue a registration for a vehicle other than those desig-
15 nated in subsection (1)(a) or (b). However, if an owner whose
16 registration period begins 45 days before his or her birthday
17 will be out of the state during the 45 days immediately preceding
18 expiration of a registration or for other good cause shown cannot
19 apply for a renewal registration within the 45-day period, appli-
20 cation for a renewal registration may be made not more than 6
21 months before expiration.

22 (6) Except as otherwise provided in this subsection, the
23 secretary of state, upon application and payment of the proper
24 fee, shall issue a registration for a vehicle to a resident which
25 shall expire on the owner's birthday. If the owner's next birth-
26 day is at least 6 months but not more than 12 months in the
27 future, the owner shall receive a registration valid until the

1 owner's next birthday. If the owner's next birthday is less than
2 6 months in the future, the owner shall receive a registration
3 valid until the owner's birthday following the owner's next
4 birthday. The tax required under this act for a registration
5 described in this subsection shall bear the same relationship to
6 the tax required under section 801 for a 12-month registration as
7 the length of time of the registration bears to 12 months.
8 Partial months shall be considered as whole months in the calcu-
9 lation of the required tax and in the determination of the length
10 of time between the application for a registration and the
11 owner's next birthday. The tax required for that registration
12 shall be rounded off to whole dollars as provided in section
13 801.

14 (7) A certificate of title shall remain valid until canceled
15 by the secretary of state for cause or upon a transfer of an
16 interest shown on the certificate of title.

17 (8) The secretary of state, upon request, shall issue spe-
18 cial registration for commercial vehicles, valid for 6 months
19 after the date of issue, if the full registration fee exceeds
20 \$50.00, on the payment of 1/2 the full registration fee and a
21 service charge as enumerated in section 802(1).

22 (9) The secretary of state may issue a special registration
23 for each of the following:

24 (a) A new vehicle purchased outside of this state and deliv-
25 ered in this state to the purchaser by the manufacturer of that
26 vehicle for removal to a place outside of this state, if a
27 certification is made that the vehicle will be primarily used,

1 stored, and registered outside of this state and will not be
2 returned to this state by the purchaser for use or storage.

3 (b) A vehicle purchased in this state and delivered to the
4 purchaser by a dealer or by the owner of the vehicle for removal
5 to a place outside of this state, if a certification is made that
6 the vehicle will be primarily used, stored, and registered out-
7 side of this state and will not be returned to this state by the
8 purchaser for use or storage.

9 (10) A special registration issued under subsection (9) is
10 valid for not more than 30 days after the date of issuance, and a
11 fee shall be collected for each special registration as provided
12 in section 802(3). The special registration may be in the form
13 determined by the secretary of state. If a dealer makes a retail
14 sale of a vehicle to a purchaser who is qualified and eligible to
15 obtain a special registration, the dealer shall apply for the
16 special registration for the purchaser. If a person other than a
17 dealer sells a vehicle to a purchaser who is qualified and eligi-
18 ble to obtain a special registration, the purchaser shall appear
19 in person, or by a person exercising the purchaser's power of
20 attorney, at an office of the secretary of state and furnish a
21 certification that the person is the bona fide purchaser or that
22 the person has granted the power of attorney, together with other
23 forms required for the issuance of the special registration. The
24 certification required in this subsection shall contain all of
25 the following:

26 (a) The address of the purchaser.

1 (b) A statement that the vehicle is purchased for
2 registration outside of this state.

3 (c) A statement that the vehicle shall be primarily used,
4 stored, and registered outside of this state.

5 (d) The name of the jurisdiction in which the vehicle is to
6 be registered.

7 (e) Other information desired by the secretary of state.

8 (11) Upon request, the secretary of state may issue a regis-
9 tration valid for 6 months after the date of issuance for use on
10 a trailer or semitrailer weighing 1,500 pounds or less and that
11 is used for recreational purposes, upon payment of 1/2 the full
12 registration fee imposed under section 801(1)(1).

13 (12) The secretary of state may issue a special registration
14 for a new motor vehicle purchased in this state and delivered to
15 the purchaser by a dealer or manufacturer of that vehicle for
16 removal to a foreign country. A special registration issued
17 under this subsection shall be valid for not more than 90 days
18 after the date of issuance. A fee shall be collected for each
19 special registration as provided in section 802(12). The special
20 registration shall be in a form determined by the secretary of
21 state. When a dealer makes a retail sale of a new motor vehicle
22 to a purchaser who is eligible to obtain a special registration,
23 the dealer shall apply for the special registration on behalf of
24 the purchaser. If a manufacturer sells a vehicle to a purchaser
25 who is eligible to obtain a special registration, the purchaser
26 shall appear in person, or by a person exercising the purchaser's
27 power of attorney, at an office of the secretary of state and

1 furnish a certification that the person is the bona fide
2 purchaser or that the person has the purchaser's power of attor-
3 ney, together with other forms required for the issuance of the
4 special registration. The certification required in this section
5 shall also contain the following: the name and address of the
6 purchaser; the name and address of the person exercising the
7 power of attorney, if any; a statement that the vehicle is pur-
8 chased for registration in a foreign country; a statement that
9 the vehicle shall be primarily used, stored, and registered out-
10 side of this country and will not be returned to this state by
11 the purchaser for use or storage; the name of the jurisdiction in
12 which the vehicle is to be registered; and other information
13 required by the secretary of state.

14 Sec. 801g. (1) Notwithstanding section 801(1)(j) or
15 801(1)(k), for a truck, truck tractor, or road tractor engaged in
16 interstate commerce, for which a registration fee otherwise would
17 be provided in section 801(1)(j) or 801(1)(k), the fee may be
18 apportioned under the international registration plan according
19 to the miles traveled in this state in relation to the total
20 miles traveled by the vehicle, if the apportionment is permitted
21 by a reciprocal compact, agreement, or other arrangement entered
22 into by the Michigan highway reciprocity board.

23 (2) For the purposes of this section, "international regis-
24 tration plan" means a method of licensing trucks and bus fleets
25 proportionally among 2 or more member jurisdictions and includes
26 an apportioned fee that is determined according to the fleet's
27 percentage of miles generated in the various jurisdictions. Upon

1 payment of the apportioned fee there shall be issued 1
2 registration plate and 1 cab card for each vehicle with the cab
3 card indicating the jurisdictions in which the unit is registered
4 and the registered weight for each jurisdiction.

5 (3) If the apportionment is permitted, and if ~~by August 1~~
6 ~~or~~ at the time of purchase ~~—, whichever occurs first,—~~ a person
7 elects to have the fees apportioned AND THE REGISTRATION IS VALID
8 FOR AT LEAST 12 MONTHS, the annual international registration
9 plan plates may be purchased by paying any out of state portion
10 and 1/2 the amount apportioned for Michigan fees and an extra
11 \$10.00 service fee per vehicle upon purchase and the balance ~~on~~
12 ~~or before September 1~~ WITHIN 180 DAYS AFTER THE DATE OF
13 PURCHASE. The secretary of state shall ~~by August 1~~ notify a
14 person who has elected to use the installment option of this sub-
15 section informing the person of the amount due and of the penal-
16 ties that shall be imposed if payment is not received ~~by~~
17 ~~September 1~~ WITHIN 180 DAYS AFTER THE DATE OF PURCHASE. If a
18 person is late on paying the balance, a penalty shall be assessed
19 and collected in addition to the fee and that person shall not be
20 eligible to elect the apportionment payment plan for the next 2
21 registration years following the year of the delinquency. The
22 penalty shall be 25% of the outstanding balance. The secretary
23 of state shall suspend the registration of any vehicle for which
24 the registration fee is not paid in full and transmit a statement
25 of the delinquent balance, including the penalty, to the depart-
26 ment of treasury for collection.

1 (4) If a person surrenders a registration plate purchased
2 under section 801(1)(j) or 801(1)(k) for a registration under
3 this section for the same vehicle, the apportioned fee for the
4 exchange registration shall bear the same relationship to the fee
5 required under this section for a 12-month registration as the
6 length of time the exchange registration bears to 12 months.
7 Partial months shall be considered as whole months in the calcu-
8 lation of the required fee and in the determination of the length
9 of time between the application for a registration and the last
10 day of ~~February~~ THE MONTH OF EXPIRATION. The calculation shall
11 include any refund as a credit provided for in section 801b(8).
12 The fee required for the registration shall be rounded off to
13 whole dollars as provided in section 801.

14 (5) If a person does not surrender a registration plate pur-
15 chased under section 801(1)(j) or 801(1)(k) for a registration
16 under this section, the apportioned fee shall be determined as
17 provided for in this section except the apportioned fee for a
18 registration purchased shall bear the same relationship to the
19 fee required under this section for a 12-month registration as
20 the length of time the registration bears to 12 months. Partial
21 months shall be considered as whole months in the calculation of
22 the required fee and in the determination of the length of time
23 between the application for a registration and the last day of
24 ~~February~~ THE MONTH OF EXPIRATION. The fee required for this
25 registration shall be rounded off to whole dollars as provided in
26 section 801.

1 (6) ~~-(6)-(a)-~~ Upon proper application for registration of a
2 vehicle under this section, the secretary of state may issue a
3 temporary registration which shall be valid for not more than 45
4 days from the date of issuance.

5 (7) ~~-(b)-~~ The secretary of state may designate an owner or
6 registrant having a fleet of motor vehicles currently registered
7 under this section to act as an agent for the secretary of state
8 for the purpose of issuing to himself or herself a temporary
9 registration. Upon issuance of a temporary registration an agent
10 shall make proper application for an international registration
11 plan registration to the secretary of state within 5 days after
12 issuance of the temporary registration.

13 (8) ~~-(e)-~~ An owner issued a temporary registration under
14 this section shall be liable for the fees provided in this
15 section.

16 (9) ~~-(d)-~~ If the owner of a vehicle for which a temporary
17 registration is issued pursuant to this subsection fails to pay
18 the registration fee as required in this section, the secretary
19 of state shall suspend the registrations of all vehicles regis-
20 tered by that owner under this section. The registrations shall
21 remain suspended until payment of the fee is made.

22 Section 2. This amendatory act shall take effect January 1,
23 1992.