

# SENATE BILL No. 810

March 18, 1992, Introduced by Senators N. SMITH and  
FAUST and referred to the Committee on Transportation  
and Tourism.

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 sec-  
tion 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 and except as otherwise provided by this act:

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

13	Empty weights	Fee
14	0 to 3,000 pounds.....	\$ 29.00
15	3,001 to 3,500 pounds.....	32.00
16	3,501 to 4,000 pounds.....	37.00
17	4,001 to 4,500 pounds.....	43.00
18	4,501 to 5,000 pounds.....	47.00
19	5,001 to 5,500 pounds.....	52.00
20	5,501 to 6,000 pounds.....	57.00
21	6,001 to 6,500 pounds.....	62.00
22	6,501 to 7,000 pounds.....	67.00
23	7,001 to 7,500 pounds.....	71.00
24	7,501 to 8,000 pounds.....	77.00
25	8,001 to 8,500 pounds.....	81.00

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

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

19 (b) For a trailer coach attached to a motor vehicle 76 cents  
20 per 100 pounds of empty weight of the trailer coach. A trailer  
21 coach not under Act No. 243 of the Public Acts of 1959, being  
22 sections 125.1035 to 125.1043 of the Michigan Compiled Laws, and  
23 while located on land otherwise assessable as real property under  
24 the general property tax act, Act No. 206 of the Public Acts of  
25 1893, as amended, being sections 211.1 to 211.157 of the Michigan  
26 Compiled Laws, if the trailer coach is used as a place of

1 habitation, and whether or not permanently affixed to the soil,  
2 shall not be exempt from real property taxes.

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

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

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

22 (f) For a motor vehicle owned and operated by this state, a  
23 state institution, a municipality, a privately incorporated, non-  
24 profit volunteer fire department, or a nonpublic, nonprofit col-  
25 lege or university, \$5.00 per set; and for each motor vehicle  
26 operating under municipal franchise, weighing less than 2,500  
27 pounds, 65 cents per 100 pounds of the empty weight of the motor

1 vehicle, weighing from 2,500 to 4,000 pounds, 80 cents per 100  
2 pounds of the empty weight of the motor vehicle, weighing 4,001  
3 to 6,000 pounds, \$1.00 per 100 pounds of the empty weight of the  
4 motor vehicle, and weighing over 6,000 pounds, \$1.25 per 100  
5 pounds of the empty weight of the motor vehicle.

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

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

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

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

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

22 If the tax required under subdivision (q) for a vehicle of  
 23 the same model year with the same list price as the vehicle for  
 24 which registration is sought under this subdivision is more than  
 25 the tax provided under the preceding provisions of this  
 26 subdivision for an identical vehicle, the tax required under this

1 subdivision shall not be less than the tax required under  
 2 subdivision (q) for a vehicle of the same model year with the  
 3 same list price.

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

9	Elected gross weight	Fee
10	0 to 24,000 pounds.....	\$ 378.00
11	24,001 to 28,000 pounds.....	429.00
12	28,001 to 32,000 pounds.....	499.00
13	32,001 to 36,000 pounds.....	572.00
14	36,001 to 42,000 pounds.....	672.00
15	42,001 to 48,000 pounds.....	773.00
16	48,001 to 54,000 pounds.....	873.00
17	54,001 to 60,000 pounds.....	975.00
18	60,001 to 66,000 pounds.....	1,075.00
19	66,001 to 72,000 pounds.....	1,176.00
20	72,001 to 80,000 pounds.....	1,277.00
21	80,001 to 90,000 pounds.....	1,379.00
22	90,001 to 100,000 pounds.....	1,540.00
23	100,001 to 115,000 pounds.....	1,710.00
24	115,001 to 130,000 pounds.....	1,883.00
25	130,001 to 145,000 pounds.....	2,054.00

1        145,001 to 160,000 pounds.....        2,226.00  
 2        over 160,000 pounds.....        2,398.00

3        IN ADDITION TO THE PREVIOUS SCHEDULE PROVIDED IN THIS SUBDI-  
 4 VISION, FOR REGISTRATION RENEWALS BEGINNING JANUARY 1, 1993 AN  
 5 ADDITIONAL AMOUNT SHALL BE PAID EACH YEAR ON THE BASIS OF MILEAGE  
 6 DRIVEN IN THIS STATE ACCORDING TO THE FOLLOWING SCHEDULE OF  
 7 ELECTED GROSS WEIGHTS AND MILEAGE DRIVEN:

8 FOR	FEE FOR LESS		FEE FOR	
	THAN 10,000	10,000-30,000	OVER	
9 30,000				
10 ELECTED GROSS WEIGHT	MILES	MILES	MILES	
11        0-24,000 POUNDS	\$50.00	\$60.00	\$80.00	
12        24,001-32,000 POUNDS	60.00	75.00	100.00	
13        32,001-42,000 POUNDS	75.00	90.00	120.00	
14        42,001-54,000 POUNDS	100.00	120.00	160.00	
15        54,001-66,000 POUNDS	125.00	150.00	195.00	
16        66,001-80,000 POUNDS	185.00	225.00	295.00	
17        80,001-100,000 POUNDS	250.00	300.00	390.00	
18        100,001-130,000 POUNDS	325.00	390.00	510.00	
19        130,001-160,000 POUNDS	400.00	480.00	625.00	
20        OVER 160,000 POUNDS	500.00	600.00	780.00	

21        THE DEPARTMENT OF TREASURY SHALL FURNISH A COPY OF EACH  
 22 QUARTERLY REPORT FILED BY A MOTOR CARRIER PURSUANT TO SECTION 2  
 23 OF ACT NO. 119 OF THE PUBLIC ACTS OF 1980, BEING SECTION 207.212  
 24 OF THE MICHIGAN COMPILED LAWS, TO THE SECRETARY OF STATE. THE  
 25 SECRETARY OF STATE SHALL USE THIS REPORT TO DETERMINE THE MANNER  
 26 IN WHICH TO COLLECT THE ADDITIONAL REGISTRATION TAX IMPOSED BY  
 27 THIS SCHEDULE. THE SECRETARY OF STATE MAY PROMULGATE RULES

1 PURSUANT TO THE ADMINISTRATIVE PROCEDURES ACT OF 1969, ACT  
 2 NO. 306 OF THE PUBLIC ACTS OF 1969, BEING SECTIONS 24.201 TO  
 3 24.328 OF THE MICHIGAN COMPILED LAWS.

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

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

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

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

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

1	Empty weights	Per 100 pounds
2	0 to 4,000 pounds.....	\$ 1.76
3	4,001 to 6,000 pounds.....	2.20
4	6,001 to 10,000 pounds.....	2.72
5	10,001 pounds and over.....	3.25

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

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

17 Beginning January 1, 1984, the registration tax for each  
18 motorcycle shall be increased by \$3.00. The \$3.00 increase shall  
19 not be considered as part of the tax assessed under this subdivi-  
20 sion for the purpose of the annual October 1 revisions but shall  
21 be in addition to the tax assessed as a result of the annual  
22 October 1 revisions. Beginning January 1, 1984, \$3.00 of each  
23 motorcycle fee shall be placed in a motorcycle safety fund in the  
24 state treasury and shall be used only for funding the motorcycle  
25 safety education program as provided for under sections 312b and  
26 811a.

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

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

12	Empty weights	Fee
13	0 to 4,000 pounds.....	\$ 39.00
14	4,001 to 4,500 pounds.....	44.00
15	4,501 to 5,000 pounds.....	49.00

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

23 (i) Except as otherwise provided in this subdivision, for  
 24 the first registration, which is not a transfer registration  
 25 under section 809 and for the first registration after a transfer

1 registration under section 809, according to the following  
 2 schedule based on the vehicle's list price:

3	List Price	Tax
4	\$0 - \$6,000.00.....	\$ 30.00
5	More than \$6,000.00 - \$7,000.00.....	\$ 33.00
6	More than \$7,000.00 - \$8,000.00.....	\$ 38.00
7	More than \$8,000.00 - \$9,000.00.....	\$ 43.00
8	More than \$9,000.00 - \$10,000.00.....	\$ 48.00
9	More than \$10,000.00 - \$11,000.00.....	\$ 53.00
10	More than \$11,000.00 - \$12,000.00.....	\$ 58.00
11	More than \$12,000.00 - \$13,000.00.....	\$ 63.00
12	More than \$13,000.00 - \$14,000.00.....	\$ 68.00
13	More than \$14,000.00 - \$15,000.00.....	\$ 73.00
14	More than \$15,000.00 - \$16,000.00.....	\$ 78.00
15	More than \$16,000.00 - \$17,000.00.....	\$ 83.00
16	More than \$17,000.00 - \$18,000.00.....	\$ 88.00
17	More than \$18,000.00 - \$19,000.00.....	\$ 93.00
18	More than \$19,000.00 - \$20,000.00.....	\$ 98.00
19	More than \$20,000.00 - \$21,000.00.....	\$103.00
20	More than \$21,000.00 - \$22,000.00.....	\$108.00
21	More than \$22,000.00 - \$23,000.00.....	\$113.00
22	More than \$23,000.00 - \$24,000.00.....	\$118.00
23	More than \$24,000.00 - \$25,000.00.....	\$123.00
24	More than \$25,000.00 - \$26,000.00.....	\$128.00
25	More than \$26,000.00 - \$27,000.00.....	\$133.00

1	More than \$27,000.00 - \$28,000.00.....	\$138.00
2	More than \$28,000.00 - \$29,000.00.....	\$143.00
3	More than \$29,000.00 - \$30,000.00.....	\$148.00
4	More than \$30,000.00.....	0.5% of the list price

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

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

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

11 For a vehicle of the 1984 or a subsequent model year which  
12 has been previously registered by a person other than the person  
13 applying for registration or for a vehicle of the 1984 or a sub-  
14 sequent model year which has been previously registered in  
15 another state or country and is registered for the first time in  
16 this state, the tax under this subdivision shall be determined by  
17 subtracting the model year of the vehicle from the calendar year  
18 for which the registration is sought. If the result is zero or a  
19 negative figure, the first registration tax shall be paid. If  
20 the result is 1, 2, or 3 or more, then, respectively, the second,  
21 third, or subsequent registration tax shall be paid. A van which  
22 is owned and operated by a person who uses a wheelchair and for  
23 which registration plates are issued pursuant to section 803d  
24 shall be assessed at the rate of 50% of the tax provided for in  
25 this subdivision.

26 (r) When the secretary of state computes a tax under this  
27 section, a computation which does not result in a whole dollar

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

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

25       (3) The fee for a vehicle with an empty weight over 10,000  
26 pounds imposed pursuant to subsection (1)(a) and the fees imposed  
27 pursuant to subsection (1)(b), (c), (d), (e), (f), (i), (j), (m),

1 (o), and (q) shall each be increased by \$5.00. This increase  
2 shall be credited to the Michigan transportation fund and used to  
3 defray the costs of processing the registrations under this  
4 section.

5 (4) As used in this section:

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

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

23 (c) "Purchase price" means the gross proceeds received by  
24 the seller in consideration of the sale of the motor vehicle  
25 being registered.