

Act No. 395
Public Acts of 1994
Approved by the Governor
December 29, 1994
Filed with the Secretary of State
December 29, 1994

STATE OF MICHIGAN
87TH LEGISLATURE
REGULAR SESSION OF 1994

**Introduced by Reps Baade DeMars Lowe Voorhees Anthony Pitoniak Owen Willard Horton
Harder McManus Gernaat Olshove Martin Yokich Gagliardi Galloway Porreca Byrum DeLange
Agee Griffin and London**

ENROLLED HOUSE BILL No. 5406

AN ACT to amend sections 224 and 801 of Act No 300 of the Public Acts of 1949 entitled as amended An act to provide for the registration titling sale transfer and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles to provide for the licensing of dealers to provide for the examination licensing and control of operators and chauffeurs to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles to provide for the imposition levy and collection of specific taxes on vehicles and the levy and collection of sales and use taxes license fees and permit fees to provide for the regulation and use of streets and highways to create certain funds to provide penalties and sanctions for a violation of this act to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents to provide for the levy of certain assessments to provide for the enforcement of this act to provide for the creation of and to prescribe the powers and duties of certain state and local agencies to repeal all other acts or parts of acts inconsistent with this act or contrary to this act and to repeal certain parts of this act on a specific date section 224 as amended by Act No 181 of the Public Acts of 1990 and section 801 as amended by Act No 95 of the Public Acts of 1994 being sections 257 224 and 257 801 of the Michigan Compiled Laws

The People of the State of Michigan enact

Section 1 Sections 224 and 801 of Act No 300 of the Public Acts of 1949 section 224 as amended by Act No 181 of the Public Acts of 1990 and section 801 as amended by Act No 95 of the Public Acts of 1994 being sections 257 224 and 257 801 of the Michigan Compiled Laws are amended to read as follows

Sec 224 (1) Except as otherwise provided in this act regarding tabs or stickers upon registering a vehicle the secretary of state shall issue to the owner 1 registration plate

(2) A registration plate shall display the registration number assigned to the vehicle for which the registration plate is issued the name of this state which may be abbreviated and when the registration plate expires which may be shown by a tab or sticker furnished by the secretary of state

(3) A registration plate issued for motor vehicles owned and operated by this state a state institution a municipality a privately incorporated nonprofit volunteer fire department or a nonpublic nonprofit college or university of this state shall not expire at any particular time but shall be renewed when the registration plate is worn out or is illegible This registration plate shall be assigned upon proper application and payment of the applicable fee and may be used on any eligible vehicle titled to the applicant if a written record is kept of the vehicles upon which the

(s) When the secretary of state computes a tax under this section a computation which does not result in a whole dollar figure shall be rounded to the next lower whole dollar when the computation results in a figure ending in 50 cents or less and shall be rounded to the next higher whole dollar when the computation results in a figure ending in 51 cents or more unless specific fees are specified and may accept the manufacturer's shipping weight of the vehicle fully equipped for the use for which the registration application is made. If the weight is not correctly stated or is not satisfactory the secretary of state shall determine the actual weight. Each application for registration of a vehicle under subdivisions (j) and (m) shall have attached to the application a scale weight receipt of the vehicle fully equipped as of the time the application is made. The scale weight receipt is not necessary if there is presented with the application a registration receipt of the previous year which shows on its face the weight of the motor vehicle as registered with the secretary of state and which is accompanied by a statement of the applicant that there has not been a structural change in the motor vehicle which has increased the weight and that the previous registered weight is the true weight.

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

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

(4) As used in this section

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

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

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

Co Clerk of the House of Representatives

Secretary of the Senate

Approved

Governor