



# HOUSE BILL No. 5809

September 14, 1994, Introduced by Reps Pitomak, DeMars Varga, Voorhees, Martinez, Tesanovich, Cropsey and Joe Young, Jr and referred to the Committee on Transportation

A bill to amend sections 73, 216 801b, and 801g of Act No 300 of the Public Acts of 1949 entitled as amended Michigan vehicle code, section 216 as amended by Act No 102 of the Public Acts of 1992 section 801b as amended by Act No 311 of the Public Acts of 1986 and section 801g as amended by Act No 29 of the Public Acts of 1992 being sections 257 73 257 216, 257 801b and 257 801g of the Michigan Compiled Laws and to add sections 8c and 45b

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT

1 Section 1 Sections 73 216 801b and 801g of Act No 300  
2 of the Public Acts of 1949, section 216 as amended by Act No 102  
3 of the Public Acts of 1992 section 801b as amended by Act  
4 No 311 of the Public Acts of 1986 and section 801g as amended  
5 by Act No 29 of the Public Acts of 1992 being sections 257 73,

1 257 216 257 801b and 257 801g of the Michigan Compiled Laws  
2 are amended and sections 8c and 45b are added to read as  
3 follows

4 SEC 8C CONVERTER GEAR MEANS AN AUXILIARY UNDERCARRIAGE  
5 ASSEMBLY WITH A FIFTH WHEEL AND TOW BAR USED TO CONVERT A SLMI-  
6 TRAILER TO A FULL TRAILER

7 SEC 45B PULL-DOLLY MEANS AN AUXILIARY TOWING DEVICE  
8 DESIGNED SO THAT 2 WHEELS OF A VEHICLE REST UPON IT FOR THE PUR-  
9 POSE OF BEING TOWED BY ANOTHER VEHICLE

10 Sec 73 Trailer means every vehicle with or without  
11 motive power ~~other than a pole trailer~~ designed for carrying  
12 property or persons and for being drawn by a motor vehicle and so  
13 constructed that no part of its weight rests upon the towing  
14 vehicle TRAILER DOES NOT INCLUDE A CONVERTER GEAR POLE TRAIL-  
15 ER OR PULL-DOLLY

16 Sec 216 Every motor vehicle pickup camper trailer  
17 coach trailer semitrailer and pole trailer when driven or  
18 moved upon a highway is subject to the registration and certifi-  
19 cate of title provisions of this act except the following

20 (a) A vehicle driven or moved upon a highway in conformance  
21 with the provisions of this act relating to manufacturers trans-  
22 porters dealers or nonresidents

23 (b) A vehicle that is driven or moved upon a highway only  
24 for the purpose of crossing that highway from 1 property to  
25 another

26 (c) An implement of husbandry

1 (d) Special mobile equipment for which the secretary of  
2 state may issue a special registration to an individual  
3 partnership corporation or association not licensed as a dealer  
4 to identify the equipment when being moved over the streets and  
5 highways upon payment of the required fee

6 (e) A vehicle that is propelled exclusively by electric  
7 power obtained from overhead trolley wires though not operated  
8 upon rails

9 (f) Any vehicle subject to registration but owned by the  
10 government of the United States

11 (g) A certificate of title need not be obtained for a trail-  
12 er semitrailer or pole trailer weighing less than 2 500 pounds  
13 respectively

14 (h) A vehicle driven or moved upon the highway only for the  
15 purpose of securing a weight receipt from a weighmaster as is  
16 required in section 801, or for obtaining a vehicle inspection by  
17 a law enforcement agency before titling or registration and then  
18 only by the most direct route

19 (i) A certificate of title need not be obtained for a vehi-  
20 cle owned by a manufacturer or dealer and held for sale, even  
21 though incidentally moved on the highway or used for purposes of  
22 testing or demonstration

23 (j) A bus or school bus, as defined in section 4b or 57,  
24 that is not self-propelled and used exclusively as a construction  
25 shanty

26 (k) A certificate of title need not be obtained for a  
27 moped

1        (ℓ) For 3 days immediately following the date of a properly  
2 assigned title from any person other than a vehicle dealer a  
3 registration need not be obtained for a vehicle driven or moved  
4 upon the highway for the sole purpose of transporting the vehicle  
5 in the most direct route from the place of purchase to a place of  
6 storage if the driver has in his or her possession the assigned  
7 title showing the date of sale

8        (m) A certificate of registration need not be obtained for a  
9 pickup camper However a certificate of title shall be obtained  
10 for a pickup camper purchased after January 1 1991

11        (N) A CONVERTER GEAR

12        (O) A PULL-DOLLY

13        Sec 801b (1) If a person through error either on his or  
14 her own part or that of the secretary of state pays the specific  
15 tax required by section 801 or 802 more than once on the same  
16 equipment the secretary of state upon application and satisfac-  
17 tory proof shall refund the amount paid in error A claim shall  
18 be filed within 1 year after the date of payment and verified by  
19 the secretary of state before a refund is made If an applica-  
20 tion for a dealer license provided for in section 248 is with-  
21 drawn by the applicant or the applicant s heir before issuance  
22 of the dealer license the fees that accompanied the application  
23 under sections 803 803a and 807 may be refunded by the secre-  
24 tary of state upon application and satisfactory proof

25        (2) If a person s license to drive a motor vehicle is  
26 revoked suspended or denied for medical or physical reasons  
27 the person may return the registration plates and obtain a refund

1 on the plates prorated on a monthly basis for the time period  
2 remaining in the registration year from the date the plates are  
3 returned However the refund shall not exceed the original reg-  
4 istration fee

5 (3) Upon the death of a spouse the surviving spouse may  
6 return registration plates and obtain a refund on the plates pro-  
7 rated on a monthly basis for the time period remaining in the  
8 registration year from the date the plates are returned  
9 However the refund shall not exceed the original registration  
10 fee

11 (4) The owner of a registered vehicle who transfers or  
12 assigns title or interest in that registered vehicle before plac-  
13 ing upon the registered vehicle the registration plates or tabs  
14 issued for that registered vehicle may obtain a refund in full  
15 from the secretary of state for the registration plates or tabs  
16 Registration plates or tabs issued for 1978 and thereafter shall  
17 be returned by the owner within 30 days following the date of  
18 transfer or assignment

19 ~~(5) The owner of a vehicle registered pursuant to section~~  
20 ~~801d(2) who transfers or assigns title or interest in the vehicle~~  
21 ~~may obtain a refund on the registration for each unused whole~~  
22 ~~registration period remaining on the registration from the date~~  
23 ~~the plates are returned and the application for a refund is~~  
24 ~~made~~

25 (5) ~~-(6)-~~ In the case of an original application for regis-  
26 tration plates issued under section 217a or 803b the secretary  
27 of state shall issue a refund prorated on a monthly basis from

1 the date of application for the time period remaining in the  
2 previously issued registration if an application for the refund  
3 is made and satisfactory proof is presented to the secretary of  
4 state A refund shall not be made if the amount due is less than  
5 \$5 00

6 (6) ~~-(7)-~~ In the case of an original application for the  
7 registration plates bearing the letters SEN or REP the sec-  
8 retary of state shall issue a refund prorated on a monthly basis  
9 from the date of application for the time period remaining in the  
10 previously issued registration

11 (7) ~~-(8)-~~ In the case of an original application and issu-  
12 ance of an international registration plan registration plate  
13 under section 801g the secretary of state shall make a refund as  
14 a credit prorated on a monthly basis from the date of application  
15 for the months remaining for the previously issued registration  
16 on the same vehicle, if an application for the refund as a credit  
17 is made and satisfactory proof of eligibility is presented to the  
18 secretary of state A refund as a credit shall not exceed the  
19 total amount of the Michigan apportioned fees assessed for the  
20 plates issued under section 801g nor be made if the amount due is  
21 less than \$5 00 For the purpose of this subsection a month  
22 shall mean 30 consecutive days and a partial month shall be con-  
23 sidered as a whole month

24 (8) AFTER RECEIVING THE RENEWAL REGISTRATION PLATE OR TAB  
25 ISSUED FOR A REGISTERED VEHICLE AN OWNER OR LESSEE OF THAT VEHI-  
26 CLE MAY APPLY FOR AND OBTAIN FROM THE SECRETARY OF STATE A FULL

1 RENEWAL REGISTRATION PLATE OR TAB REFUND IF HE OR SHE PROVIDES  
2 SATISFACTORY PROOF THAT ALL OF THE FOLLOWING APPLY

3 (A) THE VEHICLE MEETS AT LEAST 1 OF THE FOLLOWING  
4 CONDITIONS

5 (i) IT WAS STOLEN AND HAS NOT BEEN RECOVERED

6 (ii) ITS OWNERSHIP IS TRANSFERRED OR ASSIGNED

7 (iii) IT WAS REGISTERED IN ERROR AS PART OF A TITLE AND WAS  
8 NEVER INTENDED TO BE USED IN A TITLE

9 (iv) ITS LEASE IS CANCELED

10 (B) THE RENEWAL REGISTRATION PERIOD IS FOR NOT LESS THAN OR  
11 MORE THAN 12 MONTHS

12 (C) ONE OF THE CONDITIONS IN SUBDIVISION (A) IS MET BEFORE  
13 THE 12-MONTH RENEWAL PERIOD BEGINS

14 (D) WITHIN 30 DAYS AFTER THE VEHICLE MEETS AT LEAST 1 OF THE  
15 CONDITIONS LISTED IN SUBDIVISION (A) THE OWNER OR LESSEE RETURNS  
16 THE REGISTRATION PLATE OR TAB TO THE SECRETARY OF STATE  
17 IF THE PLATE OR TAB WAS ISSUED UNDER SECTION 801G A REFUND SHALL  
18 NOT EXCEED THE TOTAL AMOUNT OF THE MICHIGAN APPORTIONED FEES  
19 ASSESSED FOR THE PLATE OR TAB

20 Sec 801g (1) Notwithstanding section ~~801(i)(j) or~~  
21 ~~801(i)(k)~~ 801(1) OR SECTION 2 OF ACT NO 2 OF THE PUBLIC ACTS OF  
22 1960 BEING SECTION 257 972 OF THE MICHIGAN COMPILED LAWS for a  
23 truck truck tractor ~~or~~ road tractor WRECKER OR BUS engaged  
24 in interstate commerce for which a registration fee otherwise  
25 would be provided in section ~~801(i)(j) or 801(i)(k)~~ 801(1) OR  
26 SECTION 2 OF ACT NO 2 OF THE PUBLIC ACTS OF 1960 BEING SECTION  
27 257 972 OF THE MICHIGAN COMPILED LAWS the fee may be apportioned

1 under the international registration plan according to the miles  
2 traveled in this state in relation to the total miles traveled by  
3 the vehicle if the apportionment is permitted by a reciprocal  
4 compact agreement or other arrangement entered into by the  
5 Michigan highway reciprocity board

6 (2) For the purposes of this section international regis-  
7 tration plan means a method of licensing trucks and bus fleets  
8 proportionally among 2 or more member jurisdictions and includes  
9 an apportioned fee that is determined according to the fleet s  
10 percentage of miles generated in the various jurisdictions Upon  
11 payment of the apportioned fee there shall be issued 1 registra-  
12 tion plate and 1 cab card for each vehicle with the cab card  
13 indicating the jurisdictions in which the unit is registered and  
14 the registered weight for each jurisdiction

15 (3) If the apportionment is permitted and if at the time of  
16 purchase a person elects to have the fees apportioned and the  
17 registration is valid for at least 12 months the annual interna-  
18 tional registration plan plates may be purchased by paying any  
19 out of state portion and 1/2 the amount apportioned for Michigan  
20 fees and an extra \$10 00 service fee per vehicle upon purchase  
21 and the balance within 180 days before the date of expiration  
22 The secretary of state shall notify a person who has elected to  
23 use the installment option of this subsection informing the  
24 person of the amount due and of the penalties that shall be  
25 imposed if payment is not received within 180 days before the  
26 date of expiration If a person is late on paying the balance a  
27 penalty shall be assessed and collected in addition to the fee



1 and that person shall not be eligible to elect the apportionment  
 2 payment plan for the next 2 registration years following the year  
 3 of the delinquency The penalty shall be 25% of the outstanding  
 4 balance The secretary of state shall suspend the registration  
 5 of any vehicle for which the registration fee is not paid in full  
 6 and transmit a statement of the delinquent balance including the  
 7 penalty, to the department of treasury for collection

8 (4) If a person surrenders a registration plate purchased  
 9 under section ~~801(1)(j) or 801(1)(k)~~ 801(1) OR SECTION 2 OF ACT  
 10 NO 2 OF THE PUBLIC ACTS OF 1960 BEING SECTION 257 972 OF THE  
 11 MICHIGAN COMPILED LAWS for a registration under this section for  
 12 the same vehicle the apportioned fee for the exchange registra-  
 13 tion shall bear the same relationship to the fee required under  
 14 this section for a 12-month registration as the length of time  
 15 the exchange registration bears to 12 months Partial months  
 16 shall be considered as whole months in the calculation of the  
 17 required fee and in the determination of the length of time  
 18 between the application for a registration and the last day of  
 19 the month of expiration The calculation shall include any  
 20 refund as a credit provided for in section 801b(8) The fee  
 21 required for the registration shall be rounded off to whole dol-  
 22 lars as provided in section 801

23 (5) If a person does not surrender a registration plate pur-  
 24 chased under section ~~801(1)(j) or 801(1)(k)~~ 801(1) OR SECTION 2  
 25 OF ACT NO 2 OF THE PUBLIC ACTS OF 1960 BEING SECTION 257 972 OF  
 26 THE MICHIGAN COMPILED LAWS for a registration under this  
 27 section the apportioned fee shall be determined as provided for

1 in this section except the apportioned fee for a registration  
2 purchased shall bear the same relationship to the fee required  
3 under this section for a 12-month registration as the length of  
4 time the registration bears to 12 months. Partial months shall  
5 be considered as whole months in the calculation of the required  
6 fee and in the determination of the length of time between the  
7 application for a registration and the last day of the month of  
8 expiration. The fee required for this registration shall be  
9 rounded off to whole dollars as provided in section 801. Fees  
10 under this subsection shall not be prorated for less than  
11 months.

12 (6) Upon proper application for registration of a vehicle  
13 under this section, the secretary of state may issue a temporary  
14 registration which shall be valid for not more than 45 days from  
15 the date of issuance.

16 (7) The secretary of state may designate an owner or regis-  
17 trant having a fleet of motor vehicles currently registered under  
18 this section to act as an agent for the secretary of state for  
19 the purpose of issuing to himself or herself a temporary  
20 registration. Upon issuance of a temporary registration an agent  
21 shall make proper application for an international registration  
22 plan registration to the secretary of state within 5 days after  
23 issuance of the temporary registration.

24 (8) An owner issued a temporary registration under this sec-  
25 tion shall be liable for the fees provided in this section.

26 (9) If the owner of a vehicle for which a temporary  
27 registration is issued pursuant to this ~~subsection~~ SECTION

1 fails to pay the registration fee as required in this section  
2 the secretary of state shall suspend the registrations of all  
3 vehicles registered by that owner under this section. The regis-  
4 trations shall remain suspended until payment of the fee is  
5 made