



HOUSE BILL No. 4369

February 9, 1995, Introduced by Reps. Fitzgerald, Dalman, Alley, Martinez, McBryde, DeLange, Hammerstrom, Hill, Bobier, Byl, Perricone, Bullard, Goschka, Bush, Anthony, Pitoniak, Nye and Jellema and referred to the Committee on Transportation.

A bill to amend sections 224 and 801 of Act No. 300 of the Public Acts of 1949, entitled as amended "Michigan vehicle code,"

as amended by Act No. 395 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:

1 Section 1. Sections 224 and 801 of Act No. 300 of the
2 Public Acts of 1949, as amended by Act No. 395 of the Public Acts
3 of 1994, being sections 257.224 and 257.801 of the Michigan
4 Compiled Laws, are amended to read as follows:

5 Sec. 224. (1) Except as otherwise provided in this act
6 regarding tabs or stickers, upon registering a vehicle, the sec-
7 retary of state shall issue to the owner 1 registration plate.

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

6 (3) A registration plate issued for motor vehicles owned and
7 operated by this state; a state institution; a municipality; a
8 privately incorporated, nonprofit volunteer fire department; or a
9 nonpublic, nonprofit college or university of this state shall
10 not expire at any particular time but shall be renewed when the
11 registration plate is worn out or is illegible. This registra-
12 tion plate shall be assigned upon proper application and payment
13 of the applicable fee and may be used on any eligible vehicle
14 titled to the applicant if a written record is kept of the vehi-
15 cles upon which the registration plate is used. The written
16 record shall state the time the registration plate is used on a
17 particular vehicle. The record shall be open to inspection by a
18 law enforcement officer or a representative of the secretary of
19 state.

20 (4) A registration plate issued for a vehicle owned by the
21 civil air patrol as organized under sections 1 to 8, chapter 527,
22 60 Stat. 346 to 347, 36 U.S.C. 201 to 208; a vehicle owned by a
23 nonprofit organization and used to transport equipment for pro-
24 viding dialysis treatment to children at camp; an emergency sup-
25 port vehicle used exclusively for emergencies and owned and oper-
26 ated by a federally recognized nonprofit charitable organization;
27 a vehicle owned and operated by a nonprofit veterans center; a

1 motor vehicle having a truck chassis and a locomotive or ship's
2 body which is owned by a nonprofit veterans organization and used
3 exclusively in parades and civic events; A VEHICLE OWNED AND
4 OPERATED BY A NONPROFIT RECYCLING CENTER; a motor vehicle owned
5 and operated by a senior citizen center; and a registration plate
6 issued for buses including station wagons, carryalls, or simi-
7 larly constructed vehicles owned and operated by a nonprofit
8 parents' transportation corporation used for school purposes,
9 parochial school, society, church Sunday school, or other grammar
10 school, or by a nonprofit youth organization or nonprofit reha-
11 bilitation facility shall be issued upon proper application and
12 payment of the applicable fee provided in section 801(1)(g) or
13 (h) to the applicant for the vehicle identified in the
14 application. The vehicle shall be used exclusively for activi-
15 ties of the school or organization and shall be designated by
16 proper signs showing the school or organization operating the
17 vehicle. The registration plate shall expire on December 31 in
18 the fifth year following the date of issuance. The registration
19 plate may be transferred to another vehicle upon proper applica-
20 tion and payment of a \$10.00 transfer fee.

21 (5) The registration plate and the required letters and
22 numerals on the registration plate shall be of sufficient size to
23 be plainly readable from a distance of 100 feet during daylight.
24 The secretary of state may issue a tab or tabs designating the
25 month and year of expiration.

26 (6) The secretary of state shall issue for every passenger
27 motor vehicle rented without a driver the same type of

1 registration plate as the type of registration plate issued for
2 private passenger vehicles.

3 (7) A person shall not operate a vehicle on the public high-
4 ways or streets of this state displaying a registration plate
5 other than the registration plate issued for the vehicle by the
6 secretary of state, except as provided in this chapter for non-
7 residents, and by assignment provided in subsection (3).

8 (8) The registration plate displayed on a vehicle registered
9 on the basis of elected gross weight shall indicate the elected
10 gross weight for which the vehicle is registered.

11 Sec. 801. (1) The secretary of state shall collect the fol-
12 lowing taxes at the time of registering a vehicle, which shall
13 exempt the vehicle from all other state and local taxation,
14 except the fees and taxes provided by law to be paid by certain
15 carriers operating motor vehicles and trailers under the motor
16 carrier act, Act No. 254 of the Public Acts of 1933, ~~as~~
17 ~~amended,~~ being sections 475.1 to 479.20 of the Michigan Compiled
18 Laws; the taxes imposed by the motor carrier fuel tax act, Act
19 No. 119 of the Public Acts of 1980, ~~as amended,~~ being sections
20 207.211 to 207.235 of the Michigan Compiled Laws; a fee or fees
21 imposed pursuant to the local road improvements and operations
22 revenue act, ACT NO. 237 OF THE PUBLIC ACTS OF 1987, BEING SEC-
23 TIONS 247.521 TO 247.525 OF THE MICHIGAN COMPILED LAWS; and
24 except as otherwise provided by this act:

25 (a) For a motor vehicle, including a motor home, except as
26 otherwise provided, and a pickup truck or van, which pickup truck
27 or van weighs not more than 5,000 pounds and is not taxed under

1 subdivision (p), except as otherwise provided, according to the
2 following schedule of empty weights:

3	Empty weights	Fee
4	0 to 3,000 pounds.....	\$ 29.00
5	3,001 to 3,500 pounds.....	32.00
6	3,501 to 4,000 pounds.....	37.00
7	4,001 to 4,500 pounds.....	43.00
8	4,501 to 5,000 pounds.....	47.00
9	5,001 to 5,500 pounds.....	52.00
10	5,501 to 6,000 pounds.....	57.00
11	6,001 to 6,500 pounds.....	62.00
12	6,501 to 7,000 pounds.....	67.00
13	7,001 to 7,500 pounds.....	71.00
14	7,501 to 8,000 pounds.....	77.00
15	8,001 to 8,500 pounds.....	81.00
16	8,501 to 9,000 pounds.....	86.00
17	9,001 to 9,500 pounds.....	91.00
18	9,501 to 10,000 pounds.....	95.00
19	over 10,000 pounds.....\$ 0.90 per 100 pounds	
20	of empty weight	

21 On October 1, 1983, and October 1, 1984, the tax assessed
22 under this subdivision shall be annually revised for the regis-
23 trations expiring on the appropriate October 1 or after that date
24 by multiplying the tax assessed in the preceding fiscal year
25 times the personal income of Michigan for the preceding calendar
26 year divided by the personal income of Michigan for the calendar

1 year which preceded that calendar year. In performing the
2 calculations under this subdivision, the secretary of state shall
3 use the spring preliminary report of the United States department
4 of commerce or its successor agency. A van which is owned by a
5 person who uses a wheelchair or by a person who transports a res-
6 ident of his or her household who uses a wheelchair and for which
7 registration plates are issued pursuant to section 803d shall be
8 assessed at the rate of 50% of the tax provided for in this
9 subdivision.

10 (b) For a trailer coach attached to a motor vehicle 76 cents
11 per 100 pounds of empty weight of the trailer coach. A trailer
12 coach not under Act No. 243 of the Public Acts of 1959, being
13 sections 125.1035 to 125.1043 of the Michigan Compiled Laws, and
14 while located on land otherwise assessable as real property under
15 the general property tax act, Act No. 206 of the Public Acts of
16 1893, as amended, being sections 211.1 to 211.157 of the Michigan
17 Compiled Laws, if the trailer coach is used as a place of habita-
18 tion, and whether or not permanently affixed to the soil, shall
19 not be exempt from real property taxes.

20 (c) For a road tractor, truck, or truck tractor owned by a
21 farmer and used exclusively in connection with the farmer's farm-
22 ing operations, or used for the transportation of the farmer and
23 the farmer's family, and not used for hire, 74 cents per 100
24 pounds of empty weight of the road tractor, truck, or truck
25 tractor.

26 (d) For a road tractor, truck, or truck tractor owned by a
27 wood harvester and used exclusively in connection with the wood

1 harvesting operations, 74 cents per 100 pounds of empty weight of
2 the road tractor, truck, or truck tractor. A registration
3 secured by payment of the fee as prescribed in this subdivision
4 shall continue in full force and effect until the regular expira-
5 tion date of the registration. As used in this subdivision,
6 "wood harvester" includes the person or persons hauling and
7 transporting raw materials only from the forest to the mill
8 site. "Wood harvesting operations" does not include the trans-
9 portation of processed lumber.

10 (e) For a hearse or ambulance used exclusively by a licensed
11 funeral director in the general conduct of the licensee's funeral
12 business, including a hearse or ambulance whose owner is engaged
13 in the business of leasing or renting the hearse or ambulance to
14 others, \$1.17 per 100 pounds of the empty weight of the hearse or
15 ambulance.

16 (f) For a motor vehicle owned and operated by this state, a
17 state institution, a municipality, a privately incorporated, non-
18 profit volunteer fire department, or a nonpublic, nonprofit col-
19 lege or university, \$5.00 per set; and for each motor vehicle
20 operating under municipal franchise, weighing less than 2,500
21 pounds, 65 cents per 100 pounds of the empty weight of the motor
22 vehicle, weighing from 2,500 to 4,000 pounds, 80 cents per 100
23 pounds of the empty weight of the motor vehicle, weighing 4,001
24 to 6,000 pounds, \$1.00 per 100 pounds of the empty weight of the
25 motor vehicle, and weighing over 6,000 pounds, \$1.25 per 100
26 pounds of the empty weight of the motor vehicle.

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

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

25 (i) For each truck owned and operated free of charge by a
26 bona fide ecclesiastical or charitable corporation, or red cross,

1 girl scout, or boy scout organization, 65 cents per 100 pounds of
2 the empty weight of the truck.

3 (j) For each truck, weighing 8,000 pounds or less, and not
4 used to tow a vehicle, for each privately owned truck used to tow
5 a trailer for recreational purposes only and not involved in a
6 profit making venture, and for each vehicle designed and used to
7 tow a mobile home or a trailer coach, except as provided in sub-
8 division (b), \$38.00 or an amount computed according to the fol-
9 lowing schedule of empty weights, whichever is greater:

10	Empty weights	Per 100 pounds
11	0 to 2,500 pounds.....	\$ 1.40
12	2,501 to 4,000 pounds.....	1.76
13	4,001 to 6,000 pounds.....	2.20
14	6,001 to 8,000 pounds.....	2.72
15	8,001 to 10,000 pounds.....	3.25
16	10,001 to 15,000 pounds.....	3.77
17	15,001 pounds and over.....	4.39

18 If the tax required under subdivision (q) for a vehicle of
19 the same model year with the same list price as the vehicle for
20 which registration is sought under this subdivision is more than
21 the tax provided under the preceding provisions of this subdivi-
22 sion for an identical vehicle, the tax required under this subdivi-
23 sion shall not be less than the tax required under subdivision
24 (q) for a vehicle of the same model year with the same list
25 price.

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

6	Elected gross weight	Fee
7	0 to 24,000 pounds.....	\$ 378.00
8	24,001 to 28,000 pounds.....	429.00
9	28,001 to 32,000 pounds.....	499.00
10	32,001 to 36,000 pounds.....	572.00
11	36,001 to 42,000 pounds.....	672.00
12	42,001 to 48,000 pounds.....	773.00
13	48,001 to 54,000 pounds.....	873.00
14	54,001 to 60,000 pounds.....	975.00
15	60,001 to 66,000 pounds.....	1,075.00
16	66,001 to 72,000 pounds.....	1,176.00
17	72,001 to 80,000 pounds.....	1,277.00
18	80,001 to 90,000 pounds.....	1,379.00
19	90,001 to 100,000 pounds.....	1,540.00
20	100,001 to 115,000 pounds.....	1,710.00
21	115,001 to 130,000 pounds.....	1,883.00
22	130,001 to 145,000 pounds.....	2,054.00
23	145,001 to 160,000 pounds.....	2,226.00
24	over 160,000 pounds.....	2,398.00

25 For each commercial vehicle registered pursuant to this
 26 subdivision \$15.00 shall be deposited in a truck safety fund to

1 be expended for the purposes prescribed in section 25 of Act
2 No. 51 of the Public Acts of 1951, being section 247.675 of the
3 Michigan Compiled Laws.

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

11 (l) For each pole trailer, semitrailer, or trailer, accord-
12 ing to the following schedule of rates:

13	Empty weights	Fee
14	0 to 500 pounds.....	\$ 17.00
15	501 to 1,500 pounds.....	24.00
16	1,501 pounds and over.....	39.00

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

22	Empty weights	Per 100 pounds
23	0 to 4,000 pounds.....	\$ 1.76
24	4,001 to 6,000 pounds.....	2.20

1	6,001 to 10,000 pounds.....	2.72
2	10,001 pounds and over.....	3.25

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

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

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

24 (o) For each truck weighing 8,001 pounds or more, road trac-
25 tor, or truck tractor used exclusively as a moving van or part of
26 a moving van in transporting household furniture and household

1 effects or the equipment or those engaged in conducting
 2 carnivals, at the rate of 80% of the schedule of elected gross
 3 weights in subdivision (k) as modified by the operation of that
 4 subdivision.

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

9 Empty weights	Fee
10 0 to 4,000 pounds.....	\$ 39.00
11 4,001 to 4,500 pounds.....	44.00
12 4,501 to 5,000 pounds.....	49.00

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

20 (i) Except as otherwise provided in this subdivision, for
 21 the first registration, which is not a transfer registration
 22 under section 809 and for the first registration after a transfer
 23 registration under section 809, according to the following sched-
 24 ule based on the vehicle's list price:

1	List Price	Tax
2	\$0 - \$6,000.00.....	\$ 30.00
3	More than \$6,000.00 - \$7,000.00.....	\$ 33.00
4	More than \$7,000.00 - \$8,000.00.....	\$ 38.00
5	More than \$8,000.00 - \$9,000.00.....	\$ 43.00
6	More than \$9,000.00 - \$10,000.00.....	\$ 48.00
7	More than \$10,000.00 - \$11,000.00.....	\$ 53.00
8	More than \$11,000.00 - \$12,000.00.....	\$ 58.00
9	More than \$12,000.00 - \$13,000.00.....	\$ 63.00
10	More than \$13,000.00 - \$14,000.00.....	\$ 68.00
11	More than \$14,000.00 - \$15,000.00.....	\$ 73.00
12	More than \$15,000.00 - \$16,000.00.....	\$ 78.00
13	More than \$16,000.00 - \$17,000.00.....	\$ 83.00
14	More than \$17,000.00 - \$18,000.00.....	\$ 88.00
15	More than \$18,000.00 - \$19,000.00.....	\$ 93.00
16	More than \$19,000.00 - \$20,000.00.....	\$ 98.00
17	More than \$20,000.00 - \$21,000.00.....	\$103.00
18	More than \$21,000.00 - \$22,000.00.....	\$108.00
19	More than \$22,000.00 - \$23,000.00.....	\$113.00
20	More than \$23,000.00 - \$24,000.00.....	\$118.00
21	More than \$24,000.00 - \$25,000.00.....	\$123.00
22	More than \$25,000.00 - \$26,000.00.....	\$128.00
23	More than \$26,000.00 - \$27,000.00.....	\$133.00
24	More than \$27,000.00 - \$28,000.00.....	\$138.00
25	More than \$28,000.00 - \$29,000.00.....	\$143.00
26	More than \$29,000.00 - \$30,000.00.....	\$148.00

1 More than \$30,000.00..... 0.5% of the list price

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

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

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

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

24 (r) For a wrecker, \$200.00.

25 (s) When the secretary of state computes a tax under this
26 section, a computation which does not result in a whole dollar
27 figure shall be rounded to the next lower whole dollar when the

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

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

24 (3) The fee for a vehicle with an empty weight over 10,000
25 pounds imposed pursuant to subsection (1)(a) and the fees imposed
26 pursuant to subsection (1)(b), (c), (d), (e), (f), (i), (j), (m),
27 (o), and (q) shall each be increased by \$5.00. This increase

1 shall be credited to the Michigan transportation fund and used to
2 defray the costs of processing the registrations under this
3 section.

4 (4) As used in this section:

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

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

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