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SFA



BILL ANALYSIS

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Senate Bill 1046 (Substitute S-1 as passed by the Senate)
Sponsor: Senator Joe Young Jr.
Committee: Transportation and Tourism

Date Completed: 1-19-99

RATIONALE

The governmental, business, and trade interests of a variety of countries are represented in Michigan by approximately 100 consulates located in the metropolitan Detroit area. Some of the consulates are staffed by persons who are appointed by their country of origin and move to Michigan to serve as career consuls. Their service in the United States is recognized and coordinated through the U.S. State Department's Office of Foreign Missions. This includes participation in the State Department's diplomatic motor vehicle program in which the Department issues driver licenses, motor vehicle registrations, and vehicle license plates to qualified foreign mission personnel and their family members. Other countries, however, are represented by persons who are U.S. citizens and Michigan residents who are employed in other capacities, but who volunteer to serve as honorary consuls and represent a country's interests in Michigan. These persons receive no official recognition from the U.S. State Department and, therefore, cannot participate in the diplomatic vehicle program. Some people believe that Michigan should recognize the State's citizens who volunteer to serve as honorary consuls by issuing a special vehicle registration plate.

CONTENT

The bill would amend the Michigan Vehicle Code to permit a person who was employed by a diplomatic corps of a nation other than the United States that was recognized by the U.S. government and who was assigned or stationed in Michigan, to apply to the Secretary of State for a special registration plate. The special registration plate would have to have the words "honorary consul" inscribed beneath the registration letters and numbers.

Application for the special registration plate would have to be on a form prescribed by the Secretary of State, and be accompanied by any proof of the applicant's being an individual who was employed

in a foreign consulate that was located in Michigan that the Secretary of State required. The application also would have to be accompanied by payment of a \$30 consulate identification fee for one special registration plate or a \$35 consulate identification fee for two or more special registration plates and a \$5 service fee.

Upon proper application and payment of the applicable consulate identification fee and the \$5 service fee, the Secretary of State would have to issue one or more special registration plates for each applicant for use on a passenger vehicle. A person issued one or more special registration plates would have to be assessed the applicable tax under the Code's provisions on vehicle registration fees.

The use of a special registration plate on a vehicle other than the vehicle for which the plate was issued, or by a person who did not qualify under the bill, would be a misdemeanor.

The special registration plate issued under the bill would expire on the vehicle owner's birthday. When new plates were issued by the Secretary of State, the application for a plate's renewal would have to be accompanied by a \$30 consulate identification fee for one special registration plate or a \$35 consulate identification fee for two or more special registration plates and a \$5 service fee. The applicant, however, would not be required to furnish proof that he or she was employed in a foreign consulate.

Proposed MCL 257.803q

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Until 1985, the Michigan Secretary of State issued

to foreign diplomats special license plates that included the letters "DPL" and three digits. With the enactment of amendments to the Federal Foreign Mission Act in 1984, the U.S. Department of State prohibited states from issuing these plates. Instead, the U.S. State Department's Office of Foreign Missions' Diplomatic Motor Vehicle Program issues driver licenses, motor vehicle registrations, and license plates to qualified foreign mission personnel, such as ambassadors. Since persons who serve as honorary consuls are not members of the diplomatic corps, they are not eligible for licenses, registrations, or plates issued by the Office of Foreign Missions. Consequently, honorary consuls must obtain driver licenses, vehicle registrations, and license plates from the Michigan Department of State. Since a consul's duties to promote trade and tourism often require him or her to travel throughout the State, members of the consular corps in Michigan believe that their efforts should be recognized by the State through the issuance of a special license plate. Furthermore, these plates would inform other motorists that the vehicle belonged to person serving as a consul and, thus, could facilitate the transaction of a consul's business, such as escorting government officials and private individuals who visit a consulate located in the State.

Opposing Argument

Some members of the consular corps in Michigan are seeking recognition of their position through the issuance of a special Michigan license plate, which would be similar to the plate issued in California. There is concern, however, that specialty plates could imply that honorary consuls, who are U.S. citizens and Michigan residents, would be entitled to certain courtesies and privileges, such as diplomatic immunity under the law. An honorary consul should be treated as any other Michigan resident and should not be entitled to special benefits that are accorded to a diplomat. Furthermore, the Secretary of State already issues approximately 40 specialty plates, such as plates that honor military veterans, and the number of additional plates should be limited.

Legislative Analyst: L. Arasim

FISCAL IMPACT

There are no data to indicate how many individuals would apply for such registration plates. Therefore, the fiscal impact on the State is indeterminate. There would be no fiscal impact on local government.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.