

SENATE BILL NO. 482

March 24, 1999, Introduced by Senators BENNETT, SHUGARS and JOHNSON and referred to the Committee on Transportation and Tourism.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 1998 PA 384.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 801. (1) ~~The~~ EXCEPT AS PROVIDED IN SUBSECTION (4),
2 THE secretary of state shall collect the following taxes at the
3 time of registering a vehicle, which shall exempt the vehicle
4 from all other state and local taxation, except the fees and
5 taxes provided by law to be paid by certain carriers operating
6 motor vehicles and trailers under the motor carrier act, 1933 PA
7 254, MCL 475.1 to 479.43; the taxes imposed by the motor carrier
8 fuel tax act, 1980 PA 119, MCL 207.211 to 207.234; ~~a fee or fees~~
9 ~~imposed pursuant to the local road improvements and operations~~

1 ~~revenue act, 1987 PA 237, MCL 247.521 to 247.525;~~ and except as
2 otherwise provided by this act:

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

8	Empty weights	Fee
9	0 to 3,000 pounds.....	\$ 29.00
10	3,001 to 3,500 pounds.....	32.00
11	3,501 to 4,000 pounds.....	37.00
12	4,001 to 4,500 pounds.....	43.00
13	4,501 to 5,000 pounds.....	47.00
14	5,001 to 5,500 pounds.....	52.00
15	5,501 to 6,000 pounds.....	57.00
16	6,001 to 6,500 pounds.....	62.00
17	6,501 to 7,000 pounds.....	67.00
18	7,001 to 7,500 pounds.....	71.00
19	7,501 to 8,000 pounds.....	77.00
20	8,001 to 8,500 pounds.....	81.00
21	8,501 to 9,000 pounds.....	86.00
22	9,001 to 9,500 pounds.....	91.00
23	9,501 to 10,000 pounds.....	95.00
24	over 10,000 pounds.....	\$ 0.90 per 100 pounds
25		of empty weight

1 On October 1, 1983, and October 1, 1984, the tax assessed
2 under this subdivision shall be annually revised for the
3 registrations expiring on the appropriate October 1 or after that
4 date by multiplying the tax assessed in the preceding fiscal year
5 times the personal income of Michigan for the preceding calendar
6 year divided by the personal income of Michigan for the calendar
7 year ~~which~~ THAT preceded that calendar year. In performing the
8 calculations under this subdivision, the secretary of state shall
9 use the spring preliminary report of the United States department
10 of commerce or its successor agency. A van ~~which~~ THAT is owned
11 by a person who uses a wheelchair or by a person who transports a
12 resident of his or her household who uses a wheelchair and for
13 which registration plates are issued ~~pursuant to~~ UNDER
14 section 803d shall be assessed at the rate of 50% of the tax pro-
15 vided for in this subdivision.

16 (b) For a trailer coach attached to a motor vehicle 76 cents
17 per 100 pounds of empty weight of the trailer coach. A trailer
18 coach not under 1959 PA 243, MCL 125.1035 to 125.1043, and while
19 located on land otherwise assessable as real property under the
20 general property tax act, 1893 PA 206, MCL 211.1 to 211.157, if
21 the trailer coach is used as a place of habitation, and whether
22 or not permanently affixed to the soil, shall not be exempt from
23 real property taxes.

24 (c) For a road tractor, truck, or truck tractor owned by a
25 farmer and used exclusively in connection with the farmer's farm-
26 ing operations, or used for the transportation of the farmer and
27 the farmer's family, and not used for hire, 74 cents per 100

1 pounds of empty weight of the road tractor, truck, or truck
2 tractor. If the road tractor, truck, or truck tractor owned by a
3 farmer is also used for a nonfarming operation, the farmer shall
4 be subject to the highest registration tax applicable to the non-
5 farm use of the vehicle but shall not be subject to more than 1
6 tax rate under this act.

7 (d) For a road tractor, truck, or truck tractor owned by a
8 wood harvester and used exclusively in connection with the wood
9 harvesting operations, 74 cents per 100 pounds of empty weight of
10 the road tractor, truck, or truck tractor. A registration
11 secured by payment of the fee as prescribed in this subdivision
12 shall continue in full force and effect until the regular expira-
13 tion date of the registration. As used in this subdivision,
14 "wood harvester" includes the person or persons hauling and
15 transporting raw materials only from the forest to the mill
16 site. "Wood harvesting operations" does not include the trans-
17 portation of processed lumber.

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

24 (f) For a motor vehicle owned and operated by this state, a
25 state institution, a municipality, a privately incorporated, non-
26 profit volunteer fire department, or a nonpublic, nonprofit
27 college or university, \$5.00 per set; and for each motor vehicle

1 operating under municipal franchise, weighing less than 2,500
2 pounds, 65 cents per 100 pounds of the empty weight of the motor
3 vehicle, weighing from 2,500 to 4,000 pounds, 80 cents per 100
4 pounds of the empty weight of the motor vehicle, weighing 4,001
5 to 6,000 pounds, \$1.00 per 100 pounds of the empty weight of the
6 motor vehicle, and weighing over 6,000 pounds, \$1.25 per 100
7 pounds of the empty weight of the motor vehicle.

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

18 (h) For a vehicle owned by a nonprofit organization and used
19 to transport equipment for providing dialysis treatment to chil-
20 dren at camp; for a vehicle owned by the civil air patrol, as
21 organized under sections 1 to 8 of chapter 527, 60 Stat. 346, 36
22 U.S.C. 201 to 208, \$10.00 per plate, if the vehicle is designated
23 by a proper sign showing the civil air patrol's name; for a vehi-
24 cle owned and operated by a nonprofit veterans center; for a
25 vehicle owned and operated by a nonprofit recycling center or a
26 federally recognized nonprofit conservation organization until
27 December 31, 2000; for a motor vehicle having a truck chassis and

1 a locomotive or ship's body ~~which~~ THAT is owned by a nonprofit
2 veterans organization and used exclusively in parades and civic
3 events; or for an emergency support vehicle used exclusively for
4 emergencies and owned and operated by a federally recognized non-
5 profit charitable organization, \$10.00 per plate.

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

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

17	Empty weights	Per 100 pounds
18	0 to 2,500 pounds.....	\$ 1.40
19	2,501 to 4,000 pounds.....	1.76
20	4,001 to 6,000 pounds.....	2.20
21	6,001 to 8,000 pounds.....	2.72
22	8,001 to 10,000 pounds.....	3.25
23	10,001 to 15,000 pounds.....	3.77
24	15,001 pounds and over.....	4.39

25 If the tax required under subdivision (q) for a vehicle of
26 the same model year with the same list price as the vehicle for

1 which registration is sought under this subdivision is more than
 2 the tax provided under the preceding provisions of this subdivi-
 3 sion for an identical vehicle, the tax required under this subdivi-
 4 sion shall not be less than the tax required under subdivision
 5 (q) for a vehicle of the same model year with the same list
 6 price.

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

12	Elected gross weight	Fee
13	0 to 24,000 pounds.....	\$ 491.00
14	24,001 to 26,000 pounds.....	558.00
15	26,001 to 28,000 pounds.....	558.00
16	28,001 to 32,000 pounds.....	649.00
17	32,001 to 36,000 pounds.....	744.00
18	36,001 to 42,000 pounds.....	874.00
19	42,001 to 48,000 pounds.....	1,005.00
20	48,001 to 54,000 pounds.....	1,135.00
21	54,001 to 60,000 pounds.....	1,268.00
22	60,001 to 66,000 pounds.....	1,398.00
23	66,001 to 72,000 pounds.....	1,529.00
24	72,001 to 80,000 pounds.....	1,660.00
25	80,001 to 90,000 pounds.....	1,793.00

1	90,001 to 100,000 pounds.....	2,002.00
2	100,001 to 115,000 pounds.....	2,223.00
3	115,001 to 130,000 pounds.....	2,448.00
4	130,001 to 145,000 pounds.....	2,670.00
5	145,001 to 160,000 pounds.....	2,894.00
6	over 160,000 pounds.....	3,117.00

7 For each commercial vehicle registered pursuant to this sub-
8 division \$15.00 shall be deposited in a truck safety fund to be
9 expended for the purposes prescribed in section 25 of 1951 PA 51,
10 MCL 247.675.

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

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

20	Empty weights	Fee
21	0 to 500 pounds.....	\$ 17.00
22	501 to 1,500 pounds.....	24.00
23	1,501 pounds and over.....	39.00

24 (m) For each commercial vehicle used for the transportation
25 of passengers for hire except for a vehicle for which a payment

1 is made ~~pursuant to~~ UNDER 1960 PA 2, MCL 257.971 to 257.972,
2 according to the following schedule of empty weights:

3	Empty weights	Per 100 pounds
4	0 to 4,000 pounds.....	\$ 1.76
5	4,001 to 6,000 pounds.....	2.20
6	6,001 to 10,000 pounds.....	2.72
7	10,001 pounds and over.....	3.25
8	(n) For each motorcycle.....	\$ 23.00

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

19 Beginning January 1, 1984, the registration tax for each
20 motorcycle shall be increased by \$3.00. The \$3.00 increase shall
21 not be considered as part of the tax assessed under this subdivi-
22 sion for the purpose of the annual October 1 revisions but shall
23 be in addition to the tax assessed as a result of the annual
24 October 1 revisions. Beginning January 1, 1984, \$3.00 of each
25 motorcycle fee shall be placed in a motorcycle safety fund in the

1 state treasury and shall be used only for funding the motorcycle
2 safety education program as provided for under sections 312b and
3 811a.

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

11 (p) Until October 1, 1997, for each pickup truck or van,
12 which pickup truck or van weighs not more than 5,000 pounds and
13 is owned by a business, corporation, or person other than an
14 individual, according to the following schedule of empty
15 weights:

16	Empty weights	Fee
17	0 to 4,000 pounds.....	\$ 39.00
18	4,001 to 4,500 pounds.....	44.00
19	4,501 to 5,000 pounds.....	49.00

20 (q) After September 30, 1983, each motor vehicle of the 1984
21 or a subsequent model year as shown on the application required
22 under section 217 ~~which~~ THAT has not been previously subject to
23 the tax rates of this section and ~~which~~ THAT is of the motor
24 vehicle category otherwise subject to the tax schedule described
25 in subdivision (a) and beginning October 1, 1997 each motor
26 vehicle previously subject to the tax schedule described in

1 subdivision (p) according to the following schedule based upon
2 registration periods of 12 months:

3 (i) Except as otherwise provided in this subdivision, for
4 the first registration, which is not a transfer registration
5 under section 809 and for the first registration after a transfer
6 registration under section 809, according to the following sched-
7 ule based on the vehicle's list price:

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

1	More than \$22,000.00 - \$23,000.00.....	\$113.00
2	More than \$23,000.00 - \$24,000.00.....	\$118.00
3	More than \$24,000.00 - \$25,000.00.....	\$123.00
4	More than \$25,000.00 - \$26,000.00.....	\$128.00
5	More than \$26,000.00 - \$27,000.00.....	\$133.00
6	More than \$27,000.00 - \$28,000.00.....	\$138.00
7	More than \$28,000.00 - \$29,000.00.....	\$143.00
8	More than \$29,000.00 - \$30,000.00.....	\$148.00

9 More than \$30,000.00, the fee ~~shall~~ of \$148.00 shall be
10 increased by \$5.00 for each \$1,000.00 increment or fraction of a
11 \$1,000.00 increment over \$30,000.00. If a current fee increases
12 or decreases as a result of the 1998 amendatory act that added
13 this sentence, only a vehicle purchased or transferred after ~~the~~
14 ~~effective date of the 1998 amendatory act that added this~~
15 ~~sentence~~ JANUARY 1, 1999 shall be assessed the increased or
16 decreased fee.

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

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

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

23 For a vehicle of the 1984 or a subsequent model year ~~which~~
24 THAT has been previously registered by a person other than the
25 person applying for registration or for a vehicle of the 1984 or
26 a subsequent model year ~~which~~ THAT has been previously
27 registered in another state or country and is registered for the

1 first time in this state, the tax under this subdivision shall be
2 determined by subtracting the model year of the vehicle from the
3 calendar year for which the registration is sought. If the
4 result is zero or a negative figure, the first registration tax
5 shall be paid. If the result is 1, 2, or 3 or more, then,
6 respectively, the second, third, or subsequent registration tax
7 shall be paid. A van ~~which~~ THAT is owned by a person who uses
8 a wheelchair or by a person who transports a resident of his or
9 her household who uses a wheelchair and for which registration
10 plates are issued ~~pursuant to~~ UNDER section 803d shall be
11 assessed at the rate of 50% of the tax provided for in this
12 subdivision.

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

14 (s) When the secretary of state computes a tax under this
15 section, a computation ~~which~~ THAT does not result in a whole
16 dollar figure shall be rounded to the next lower whole dollar
17 when the computation results in a figure ending in 50 cents or
18 less and shall be rounded to the next higher whole dollar when
19 the computation results in a figure ending in 51 cents or more,
20 unless specific fees are specified, and may accept the
21 manufacturer's shipping weight of the vehicle fully equipped for
22 the use for which the registration application is made. If the
23 weight is not correctly stated or is not satisfactory, the secre-
24 tary of state shall determine the actual weight. Each applica-
25 tion for registration of a vehicle under subdivisions (j) and (m)
26 shall have attached to the application a scale weight receipt of
27 the vehicle fully equipped as of the time the application is

1 made. The scale weight receipt is not necessary if there is
2 presented with the application a registration receipt of the pre-
3 vious year ~~which~~ THAT shows on its face the weight of the motor
4 vehicle as registered with the secretary of state and ~~which~~
5 THAT is accompanied by a statement of the applicant that there
6 has not been a structural change in the motor vehicle ~~which~~
7 THAT has increased the weight and that the previous registered
8 weight is the true weight.

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

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

21 (4) A REGISTRANT WHO APPLIES FOR AN ORIGINAL REGISTRATION
22 FOR A NEW VEHICLE SHALL PAY TO THE SECRETARY OF STATE THE APPRO-
23 PRIATE TAX REQUIRED UNDER SUBSECTION (1) PRORATED MONTHLY FROM
24 THE DATE OF PURCHASE TO THE NEXT BIRTHDAY OF THE REGISTRANT.

25 (5) ~~(4)~~ As used in this section:

26 (a) "Gross proceeds" means gross proceeds as defined in
27 section 1 of the general sales tax act, 1933 PA 167, MCL 205.51.

1 However, gross proceeds shall include the value of the motor
2 vehicle used as part payment of the purchase price as that value
3 is agreed to by the parties to the sale, as evidenced by the
4 signed agreement executed ~~pursuant to~~ UNDER section 251.

5 (b) "List price" means the manufacturer's suggested base
6 list price as published by the secretary of state, or the
7 manufacturer's suggested retail price as shown on the label
8 required to be affixed to the vehicle under section 3 of the
9 automobile information disclosure act, Public Law 85-506,
10 15 U.S.C. 1232, if the secretary of state has not at the time of
11 the sale of the vehicle published a manufacturer's suggested
12 retail price for that vehicle, or the purchase price of the vehi-
13 cle if the manufacturer's suggested base list price is unavail-
14 able from the sources described in this subdivision.

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