

SENATE BILL No. 1138

March 8, 2000, Introduced by Senator BENNETT and referred to the Committee on Government Operations.

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 secretary of state shall collect the fol-
2 lowing taxes at the time of registering a vehicle, which shall
3 exempt the vehicle from all other state and local taxation,
4 except the fees and taxes provided by law to be paid by certain
5 carriers operating motor vehicles and trailers under the motor
6 carrier act, 1933 PA 254, MCL 475.1 to 479.43; the taxes imposed
7 by the motor carrier fuel tax act, 1980 PA 119, MCL 207.211 to
8 207.234; ~~a fee or fees imposed pursuant to the local road~~
9 ~~improvements and operations revenue act, 1987 PA 237, MCL 247.521~~
10 ~~to 247.525;~~ and except as otherwise provided by this act:

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

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

~~On October 1, 1983, and October 1, 1984, the tax assessed under this subdivision shall be annually revised for the registrations expiring on the appropriate October 1 or after that~~

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

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

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

1 be subject to the highest registration tax applicable to the
2 nonfarm use of the vehicle but shall not be subject to more than
3 1 tax rate under this act.

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

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

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

1 pounds of the empty weight of the motor vehicle, weighing 4,001
2 to 6,000 pounds, \$1.00 per 100 pounds of the empty weight of the
3 motor vehicle, and weighing over 6,000 pounds, \$1.25 per 100
4 pounds of the empty weight of the motor vehicle.

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

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

1 emergencies and owned and operated by a federally recognized
 2 nonprofit charitable organization, \$10.00 per plate.

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

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

14	Empty weights	Per 100 pounds
15	0 to 2,500 pounds.....	\$ 1.40
16	2,501 to 4,000 pounds.....	1.76
17	4,001 to 6,000 pounds.....	2.20
18	6,001 to 8,000 pounds.....	2.72
19	8,001 to 10,000 pounds.....	3.25
20	10,001 to 15,000 pounds.....	3.77
21	15,001 pounds and over.....	4.39

22 If the tax required under subdivision (q) for a vehicle of
 23 the same model year with the same list price as the vehicle for
 24 which registration is sought under this subdivision is more than
 25 the tax provided under the preceding provisions of this
 26 subdivision for an identical vehicle, the tax required under this

1 subdivision shall not be less than the tax required under
 2 subdivision (q) for a vehicle of the same model year with the
 3 same list price.

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

9	Elected gross weight	Fee
10	0 to 24,000 pounds.....	\$ 491.00
11	24,001 to 26,000 pounds.....	558.00
12	26,001 to 28,000 pounds.....	558.00
13	28,001 to 32,000 pounds.....	649.00
14	32,001 to 36,000 pounds.....	744.00
15	36,001 to 42,000 pounds.....	874.00
16	42,001 to 48,000 pounds.....	1,005.00
17	48,001 to 54,000 pounds.....	1,135.00
18	54,001 to 60,000 pounds.....	1,268.00
19	60,001 to 66,000 pounds.....	1,398.00
20	66,001 to 72,000 pounds.....	1,529.00
21	72,001 to 80,000 pounds.....	1,660.00
22	80,001 to 90,000 pounds.....	1,793.00
23	90,001 to 100,000 pounds.....	2,002.00
24	100,001 to 115,000 pounds.....	2,223.00
25	115,001 to 130,000 pounds.....	2,448.00

1	130,001 to 145,000 pounds.....	2,670.00
2	145,001 to 160,000 pounds.....	2,894.00
3	over 160,000 pounds.....	3,117.00

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

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

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

17	Empty weights	Fee
18	0 to 500 pounds.....	\$ 17.00
19	501 to 1,500 pounds.....	24.00
20	1,501 pounds and over.....	39.00

21 (m) For each commercial vehicle used for the transportation
22 of passengers for hire except for a vehicle for which a payment
23 is made ~~pursuant to~~ UNDER 1960 PA 2, MCL 257.971 to 257.972,
24 according to the following schedule of empty weights:

1	Empty weights	Per 100 pounds
2	0 to 4,000 pounds.....	\$ 1.76
3	4,001 to 6,000 pounds.....	2.20
4	6,001 to 10,000 pounds.....	2.72
5	10,001 pounds and over.....	3.25

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

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

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

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

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

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

(q) After September 30, 1983, each motor vehicle of the 1984 or a subsequent model year as shown on the application required under section 217 ~~which~~ THAT has not been previously subject to the tax rates of this section and ~~which~~ THAT is of the motor vehicle category otherwise subject to the tax schedule described in subdivision (a) and beginning October 1, 1997 each motor vehicle previously subject to the tax schedule described in subdivision (p) according to the following schedule based upon registration periods of 12 months:

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

List Price	Tax
\$0 - \$6,000.00.....	\$ 30.00
More than \$6,000.00 - \$7,000.00.....	\$ 33.00
More than \$7,000.00 - \$8,000.00.....	\$ 38.00
More than \$8,000.00 - \$9,000.00.....	\$ 43.00
More than \$9,000.00 - \$10,000.00.....	\$ 48.00
More than \$10,000.00 - \$11,000.00.....	\$ 53.00
More than \$11,000.00 - \$12,000.00.....	\$ 58.00
More than \$12,000.00 - \$13,000.00.....	\$ 63.00
More than \$13,000.00 - \$14,000.00.....	\$ 68.00
More than \$14,000.00 - \$15,000.00.....	\$ 73.00
More than \$15,000.00 - \$16,000.00.....	\$ 78.00
More than \$16,000.00 - \$17,000.00.....	\$ 83.00
More than \$17,000.00 - \$18,000.00.....	\$ 88.00
More than \$18,000.00 - \$19,000.00.....	\$ 93.00
More than \$19,000.00 - \$20,000.00.....	\$ 98.00
More than \$20,000.00 - \$21,000.00.....	\$103.00
More than \$21,000.00 - \$22,000.00.....	\$108.00
More than \$22,000.00 - \$23,000.00.....	\$113.00
More than \$23,000.00 - \$24,000.00.....	\$118.00

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

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

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

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

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

21 For a vehicle of the 1984 or a subsequent model year ~~which~~
22 THAT has been previously registered by a person other than the
23 person applying for registration or for a vehicle of the 1984 or
24 a subsequent model year ~~which~~ THAT has been previously regis-
25 tered in another state or country and is registered for the first
26 time in this state, the tax under this subdivision shall be
27 determined by subtracting the model year of the vehicle from the

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

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

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

1 previous year ~~which~~ THAT shows on its face the weight of the
2 motor vehicle as registered with the secretary of state and
3 ~~which~~ THAT is accompanied by a statement of the applicant that
4 there has not been a structural change in the motor vehicle
5 ~~which~~ THAT has increased the weight and that the previous reg-
6 istered weight is the true weight.

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

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

19 (4) As used in this section:

20 (a) "Gross proceeds" means gross proceeds as defined in sec-
21 tion 1 of the general sales tax act, 1933 PA 167, MCL 205.51.
22 However, gross proceeds shall include the value of the motor
23 vehicle used as part payment of the purchase price as that value
24 is agreed to by the parties to the sale, as evidenced by the
25 signed agreement executed ~~pursuant to~~ UNDER section 251.

26 (b) "List price" means the manufacturer's suggested base
27 list price as published by the secretary of state, or the

1 manufacturer's suggested retail price as shown on the label
2 required to be affixed to the vehicle under section 3 of the
3 automobile information disclosure act, Public Law 85-506,
4 15 U.S.C. 1232, if the secretary of state has not at the time of
5 the sale of the vehicle published a manufacturer's suggested
6 retail price for that vehicle, or the purchase price of the vehi-
7 cle if the manufacturer's suggested base list price is unavail-
8 able from the sources described in this subdivision.

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