

HOUSE BILL No. 5899

April 16, 2002, Introduced by Reps. Shackleton, Gilbert, Van Woerkom, Hager, Richardville, Kooiman, Bovin, Raczkowski, Neumann, Allen, Ehardt, Julian and Howell and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 2000 PA 502.

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; and except as otherwise provided by this act:

9 (a) For a motor vehicle, including a motor home, except as
10 otherwise provided, and a pickup truck or van ~~, which pickup~~

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1 ~~truck or van~~ THAT weighs not more than 5,000 pounds, ~~and is not~~
2 ~~taxed under subdivision (p),~~ except as otherwise provided,
3 according to the following schedule of empty weights:

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

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

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

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

19 (c) For a road tractor, truck, or truck tractor owned by a
20 farmer and used exclusively in connection with a farming opera-
21 tion, including a farmer hauling livestock or farm equipment for
22 other farmers for remuneration in kind or in labor, but not for
23 money, or used for the transportation of the farmer and the
24 farmer's family, and not used for hire, 74 cents per 100 pounds
25 of empty weight of the road tractor, truck, or truck tractor. If
26 the road tractor, truck, or truck tractor owned by a farmer is
27 also used for a nonfarming operation, the farmer shall be subject

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1 to the highest registration tax applicable to the nonfarm use of
2 the vehicle but shall not be subject to more than 1 tax rate
3 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 or a truck used exclusively to haul milk
7 from the farm to the first point of delivery, 74 cents per 100
8 pounds of empty weight of the road tractor, truck, or truck
9 tractor. A registration secured by payment of the fee as pre-
10 scribed in this subdivision shall continue in full force and
11 effect until the regular expiration date of the registration. As
12 used in this subdivision, "wood harvester" includes the person or
13 persons hauling and transporting raw materials ~~only from the~~
14 ~~forest to the mill~~ IN THE FORM PRODUCED AT THE HARVEST site.
15 ~~Wood~~ AS USED IN THIS SUBDIVISION, "WOOD harvesting operations"
16 does not include the transportation of processed lumber.

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

23 (f) For a motor vehicle owned and operated by this state, a
24 state institution, a municipality, a privately incorporated, non-
25 profit volunteer fire department, or a nonpublic, nonprofit col-
26 lege or university, \$5.00 per set; and for each motor vehicle
27 operating under municipal franchise, weighing less than 2,500

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

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

17 (h) For a vehicle owned by a nonprofit organization and used
18 to transport equipment for providing dialysis treatment to chil-
19 dren at camp; for a vehicle owned by the civil air patrol, as
20 organized under sections ~~1 to 8 of chapter 527, 60 Stat. 346, 36~~
21 ~~U.S.C. 201 to 208~~ 40301 TO 40307 OF TITLE 36 OF THE UNITED
22 STATES CODE, 36 U.S.C. 40301 TO 40307, \$10.00 per plate, if the
23 vehicle is designated by a proper sign showing the civil air
24 patrol's name; for a vehicle owned and operated by a nonprofit
25 veterans center; for a vehicle owned and operated by a nonprofit
26 recycling center or a federally recognized nonprofit conservation
27 organization; for a motor vehicle having a truck chassis and a

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1 locomotive or ship's body which is owned by a nonprofit veterans
2 organization and used exclusively in parades and civic events; or
3 for an emergency support vehicle used exclusively for emergencies
4 and owned and operated by a federally recognized nonprofit chari-
5 table 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)~~ (P) for a
26 vehicle of the same model year with the same list price as the

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

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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~~ EMPTY WEIGHTS:

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

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1 is made pursuant to 1960 PA 2, MCL 257.971 to 257.972, according
2 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 preceded that calendar year. In performing the calcu-
16 lations under this subdivision, the secretary of state shall use
17 the spring preliminary report of the United States department of
18 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

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

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1 ~~(p)~~, and each low-speed vehicle according to the following
2 schedule based upon 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

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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 of \$148.00 shall be increased
10 by \$5.00 for each \$1,000.00 increment or fraction of a \$1,000.00
11 increment over \$30,000.00. If a current fee increases or
12 decreases as a result of ~~the 1998 amendatory act that added this~~
13 ~~sentence~~ 1998 PA 384, only a vehicle purchased or transferred
14 after January 1, 1999 shall be assessed the increased or
15 decreased fee.

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

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

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

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

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

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

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

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1 registration receipt of the previous year which shows on its face
2 the weight of the motor vehicle as registered with the secretary
3 of state and which is accompanied by a statement of the applicant
4 that there has not been a structural change in the motor vehicle
5 which has increased the weight and that the previous registered
6 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)~~ (P) shall each be increased by \$5.00. This
16 increase shall be credited to the Michigan transportation fund
17 and used to defray the costs of processing the registrations
18 under this 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 section 251.

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

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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.