

SB 602, As Passed Senate, September 26, 2001

**SUBSTITUTE FOR
SENATE BILL NO. 602**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 811e (MCL 257.811e), as added by 2000 PA 77,
and by adding sections 217m and 217n.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 217M. (1) THE SECRETARY OF STATE SHALL DEVELOP UNDER
2 SECTION 811E AND ISSUE A STATE-SPONSORED PROUD TO BE AMERICAN
3 FUND-RAISING REGISTRATION PLATE AND A MATCHING STATE-SPONSORED
4 PROUD TO BE AMERICAN FUND-RAISING COLLECTOR PLATE AS PROVIDED
5 UNDER SECTION 811G. THE SECRETARY OF STATE SHALL DESIGN THE
6 PLATES, HAVING THE WORDS "PROUD TO BE AMERICAN" INSCRIBED ON THE
7 PLATES. THE WORD "MICHIGAN" SHALL APPEAR ON THE PLATES.
8 (2) THE OWNER OF A VEHICLE REQUIRED TO BE REGISTERED UNDER
9 THIS ACT MAY APPLY, ON A FORM PRESCRIBED BY THE SECRETARY OF
10 STATE, FOR A PROUD TO BE AMERICAN REGISTRATION PLATE AS

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1 PRESCRIBED IN SECTION 811F INSTEAD OF A STANDARD REGISTRATION
2 PLATE.

3 (3) THE SECRETARY OF STATE SHALL TRANSFER THE DONATION MONEY
4 TO THE STATE TREASURER WHO SHALL CREDIT THE DONATION MONEY TO THE
5 PROUD TO BE AMERICAN FUND ESTABLISHED UNDER SECTION 217N.

6 SEC. 217N. (1) THE PROUD TO BE AMERICAN FUND IS CREATED
7 WITHIN THE STATE TREASURY.

8 (2) THE STATE TREASURER MAY RECEIVE MONEY OR OTHER ASSETS
9 FROM ANY SOURCE FOR DEPOSIT INTO THE FUND. THE STATE TREASURER
10 SHALL DIRECT THE INVESTMENT OF THE FUND. THE STATE TREASURER
11 SHALL CREDIT TO THE FUND INTEREST AND EARNINGS FROM FUND
12 INVESTMENTS.

13 (3) MONEY IN THE FUND AT THE CLOSE OF THE FISCAL YEAR SHALL
14 REMAIN IN THE FUND AND SHALL NOT LAPSE TO THE GENERAL FUND.

15 (4) THE STATE TREASURER SHALL DISBURSE MONEY IN THE FUND ON
16 A MONTHLY BASIS TO THE AMERICAN NATIONAL RED CROSS ESTABLISHED
17 UNDER CHAPTER 3001 OF TITLE 36 OF THE UNITED STATES CODE, 36
18 U.S.C. 300101 TO 300111, AS REPRESENTED BY THE MICHIGAN STATE
19 SERVICE COUNCIL.

20 (5) THE AMERICAN NATIONAL RED CROSS SHALL EXPEND THE MONEY
21 RECEIVED UNDER THIS SECTION FOR DISASTER PREPAREDNESS AND
22 DISASTER RELIEF IN THE UNITED STATES OF AMERICA.

23 (6) THE AMERICAN NATIONAL RED CROSS SHALL ANNUALLY REPORT TO
24 THE DEPARTMENT OF TREASURY AN ACCOUNTING OF MONEY RECEIVED AND
25 USED UNDER THIS SECTION.

26 (7) AS USED IN THIS CHAPTER, "STATE-SPONSORED PROUD TO BE
27 AMERICAN FUND-RAISING REGISTRATION PLATE" MEANS A REGISTRATION

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1 PLATE CONTAINING A SPECIALIZED DESIGN PERTAINING TO THE PRESTIGE
2 OF BEING AN AMERICAN.

3 Sec. 811e. (1) The secretary of state may develop a
4 Michigan university fund-raising registration plate as described
5 in this section, and a matching Michigan university collector
6 plate as described in section 811g.

7 (2) The secretary of state may develop 1 or more limited
8 term registration plates to recognize a state-sponsored event, a
9 Michigan university, or an accomplishment or occasion of a
10 Michigan university.

11 (3) The secretary of state may, at any 1 time, develop not
12 more than ~~6~~ 7 different state-sponsored fund-raising registra-
13 tion plates as described in this section, and matching
14 state-sponsored collector plates as described in section 811g.
15 As used in this section, "state-sponsored fund-raising registra-
16 tion plate" means a fund-raising registration plate authorized by
17 a public act to raise funds for a state-sponsored goal. The
18 public act shall, at a minimum, do all of the following:

19 (a) Identify the purpose of the state-sponsored fund-raising
20 registration plate.

21 (b) Create a fund or designate an existing fund to receive
22 the money raised through the sale of state-sponsored fund-raising
23 registration plates and matching collector plates.

24 (c) If a fund is created, name the person or entity respon-
25 sible for administering the fund.

26 (4) The secretary of state may develop, promote, and market
27 the fund-raising registration plates and matching collector

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1 plates issued under this section with the funds available through
2 service fees.

3 (5) If the design or logo of a Michigan university
4 fund-raising registration plate or a state-sponsored fund-raising
5 registration plate uses 1 or more designs, trade names, trade-
6 marks, service marks, emblems, symbols, or other images that are
7 owned by the Michigan university that is requesting the Michigan
8 university fund-raising plate, the person or entity that is spon-
9 soring a state-sponsored fund-raising plate, or any other person
10 or entity, the Michigan university or sponsoring person or entity
11 shall grant to or obtain for the secretary of state both of the
12 following pursuant to a written agreement between the parties:

13 (a) A nonexclusive worldwide license to use those designs,
14 trade names, trademarks, service marks, emblems, symbols, or
15 other images on and in conjunction with the marketing, promotion,
16 sale, or copyrighting of the registration plate or image of the
17 registration plate.

18 (b) The authority to merchandise the registration plate or
19 an image of the registration plate.

20 (6) In using or employing a design, trade name, trademark,
21 service mark, emblem, symbol, logo, or other image on and in con-
22 junction with the marketing, promotion, sale, copyrighting, or
23 merchandising of a registration plate or image of the registra-
24 tion plate, the secretary of state may alter the size of the
25 design, trade name, trademark, service mark, emblem, symbol,
26 logo, or other image but shall not change the color or design of
27 the design, trade name, trademark, service mark, emblem, symbol,

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1 logo, or other image without the prior written consent of the
2 respective Michigan university or sponsoring person or entity.
3 The secretary of state shall not use or employ a design, trade
4 name, trademark, service mark, emblem, symbol, logo, or other
5 image on and in conjunction with the marketing, promotion, sale,
6 copyrighting, or merchandising of a registration plate or an
7 image of the registration plate in any manner that is offensive
8 to the Michigan university or sponsoring person or entity that
9 complies with subsection (5).

10 (7) As used in this section, "Michigan university
11 fund-raising registration plate" means a fund-raising registra-
12 tion plate that is issued under this section at the request of a
13 Michigan university.

14 Enacting section 1. This amendatory act takes effect
15 October 1, 2001.