

# HOUSE BILL No. 5208

October 16, 2001, Introduced by Reps. Toy, Stewart, Voorhees, Bovin, Daniels, Jacobs, Vander Veen, Kuipers, Ehardt, Plakas, Pappageorge and Zelenko and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending sections 226, 801b, 802, and 803g (MCL 257.226,  
257.801b, 257.802, and 257.803g), section 226 as amended by 2000  
PA 36, section 801b as amended by 1986 PA 311, section 802 as  
amended by 1998 PA 396, and section 803g as added by 1987 PA  
151.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 226. (1) A vehicle registration issued by the secre-  
2 tary of state expires on the owner's birthday, unless another  
3 expiration date is provided for under this act or unless the reg-  
4 istration is for the following vehicles, in which case registra-  
5 tion expires on the last day of February:

1 (a) A commercial vehicle except for a commercial vehicle  
2 issued a registration under the international registration plan  
3 or a pickup truck or van owned by an individual.

4 (b) Except for a trailer or semitrailer issued a registra-  
5 tion under the international registration plan, a trailer or  
6 semitrailer owned by a business, corporation, or person other  
7 than an individual; or a pole trailer.

8 (2) The expiration date for a registration issued for a  
9 motorcycle is March 31.

10 ~~(3) The expiration date for a registration bearing the let-~~  
11 ~~ters "SEN" or "REP" is February 1.~~

12 (3) ~~(4)~~ In the case of a vehicle owned by a business, cor-  
13 poration, or an owner other than an individual, the secretary of  
14 state may assign or reassign the expiration date of the  
15 registration.

16 (4) ~~(5)~~ The secretary of state shall do all of the  
17 following:

18 (a) After the October 1 immediately preceding the year des-  
19 ignated on the registration, issue a registration upon applica-  
20 tion and payment of the proper fee for a commercial vehicle,  
21 other than a pickup or van owned by an individual; or a trailer  
22 owned by a business, corporation, or person other than an  
23 individual.

24 (b) Beginning 60 days before the expiration date assigned on  
25 an international registration plan registration plate, issue a  
26 registration under section 801g upon application and payment of

1 the proper apportioned fee for a commercial vehicle engaged in  
2 interstate commerce.

3 (c) After the February 14 immediately preceding the year  
4 designated on a registration, issue a registration upon applica-  
5 tion and payment of the proper fee for a motorcycle.

6 (d) Beginning 45 days before the owner's birthday and 120  
7 days before the expiration date assigned by the secretary of  
8 state, issue a registration for a vehicle other than those desig-  
9 nated in subsection (1)(a) or (b). However, if an owner whose  
10 registration period begins 45 days before his or her birthday  
11 will be out of the state during the 45 days immediately preceding  
12 expiration of a registration or for other good cause shown cannot  
13 apply for a renewal registration within the 45-day period, appli-  
14 cation for a renewal registration may be made not more than 6  
15 months before expiration.

16 (5) ~~-(6)-~~ Except as otherwise provided in this subsection,  
17 the secretary of state, upon application and payment of the  
18 proper fee, shall issue a registration for a vehicle to a resi-  
19 dent that shall expire on the owner's birthday. If the owner's  
20 next birthday is ~~-at least-~~ NOT LESS THAN 6 months but not more  
21 than 12 months in the future, the owner shall receive a registra-  
22 tion valid until the owner's next birthday. If the owner's next  
23 birthday is less than 6 months in the future, the owner shall  
24 receive a registration valid until the owner's birthday following  
25 the owner's next birthday. The tax required under this act for a  
26 registration described in this subsection shall bear the same  
27 relationship to the tax required under section 801 for a 12-month

1 registration as the length of time of the registration bears to  
2 12 months. Partial months shall be considered as whole months in  
3 the calculation of the required tax and in the determination of  
4 the length of time between the application for a registration and  
5 the owner's next birthday. The tax required for that registra-  
6 tion shall be rounded off to whole dollars as provided in section  
7 801.

8       (6) ~~-(7)-~~ A certificate of title shall remain valid until  
9 canceled by the secretary of state for cause or upon a transfer  
10 of an interest shown on the certificate of title.

11       (7) ~~-(8)-~~ The secretary of state, upon request, shall issue  
12 special registration for A commercial ~~vehicles~~ VEHICLE, valid  
13 for 6 months after the date of issue, if the full registration  
14 fee exceeds \$50.00, on the payment of 1/2 the full registration  
15 fee and a service charge as enumerated in section 802(1).

16       (8) ~~-(9)-~~ The secretary of state may issue a special regis-  
17 tration for each of the following:

18       (a) A new vehicle purchased outside of this state and deliv-  
19 ered in this state to the purchaser by the manufacturer of that  
20 vehicle for removal to a place outside of this state, if a certi-  
21 fication is made that the vehicle will be primarily used, stored,  
22 and registered outside of this state and will not be returned to  
23 this state by the purchaser for use or storage.

24       (b) A vehicle purchased in this state and delivered to the  
25 purchaser by a dealer or by the owner of the vehicle for removal  
26 to a place outside of this state, if a certification is made that  
27 the vehicle will be primarily used, stored, and registered

1 outside of this state and will not be returned to this state by  
2 the purchaser for use or storage.

3       (9) ~~-(10)-~~ A special registration issued under subsection  
4 ~~-(9)-~~ (8) is valid for not more than 14 days after the date of  
5 issuance, and a fee shall be collected for each special registra-  
6 tion as provided in section 802(3). The special registration may  
7 be in the form determined by the secretary of state. If a dealer  
8 makes a retail sale of a vehicle to a purchaser who is qualified  
9 and eligible to obtain a special registration, the dealer shall  
10 apply for the special registration for the purchaser. If a  
11 person other than a dealer sells a vehicle to a purchaser who is  
12 qualified and eligible to obtain a special registration, the pur-  
13 chaser shall appear in person, or by a person exercising the  
14 purchaser's power of attorney, at an office of the secretary of  
15 state and furnish a certification that the person is the bona  
16 fide purchaser or that the person has granted the power of attor-  
17 ney, together with other forms required for the issuance of the  
18 special registration and provide the secretary of state with  
19 proof that the vehicle is covered by a Michigan no-fault insur-  
20 ance policy issued ~~pursuant to~~ UNDER section 3101 of the insur-  
21 ance code of 1956, 1956 PA 218, MCL 500.3101, or proof that the  
22 vehicle is covered by a policy of insurance issued by an insurer  
23 ~~pursuant to~~ UNDER section 3163 of the insurance code of 1956,  
24 1956 PA 218, MCL 500.3163. The certification required in this  
25 subsection shall contain all of the following:

26       (a) The address of the purchaser.

1 (b) A statement that the vehicle is purchased for  
2 registration outside of this state.

3 (c) A statement that the vehicle shall be primarily used,  
4 stored, and registered outside of this state.

5 (d) The name of the jurisdiction in which the vehicle is to  
6 be registered.

7 (e) Other information desired by the secretary of state.

8 (10) ~~-(11)-~~ Upon request, the secretary of state may issue a  
9 registration valid for 6 months after the date of issuance for  
10 use on a trailer or semitrailer weighing 1,500 pounds or less and  
11 that is used for recreational purposes, upon payment of 1/2 the  
12 full registration fee imposed under section 801(1)(1).

13 (11) ~~-(12)-~~ In the case of a commercial vehicle, trailer, or  
14 semitrailer issued a registration under the international regis-  
15 tration plan, the secretary of state in mutual agreement with the  
16 owner may assign or reassign the expiration date of the  
17 registration. However, the expiration date agreed to shall be  
18 either March 31, June 30, September 30, or December 31. Renewals  
19 expiring on or after September 30, 1993 shall be for a minimum of  
20 at least 12 months if there is a change in the established expi-  
21 ration date.

22 (12) ~~-(13)-~~ The expiration date for a multiyear registration  
23 issued for a leased vehicle shall be the date the lease expires  
24 but shall not be for a period longer than 24 months.

25 Sec. 801b. (1) If a person, through error either on his or  
26 her own part or that of the secretary of state, pays the specific  
27 tax required by section 801 or 802 more than once on the same

1 equipment, the secretary of state, upon application and  
2 satisfactory proof, shall refund the amount paid in error. A  
3 claim shall be filed ~~within~~ NOT MORE THAN 1 year after the date  
4 of payment and verified by the secretary of state before a refund  
5 is made. If an application for a dealer license provided for in  
6 section 248 is withdrawn by the applicant or the applicant's  
7 heir, before issuance of the dealer license, the fees that accom-  
8 panied the application under sections 803, 803a, and 807 may be  
9 refunded by the secretary of state upon application and satisfac-  
10 tory proof.

11 (2) If a person's license to drive a motor vehicle is  
12 revoked, suspended, or denied for medical or physical reasons,  
13 the person may return the registration plates and obtain a refund  
14 on the plates prorated on a monthly basis for the time period  
15 remaining in the registration year from the date the plates are  
16 returned. However, the refund shall not exceed the original reg-  
17 istration fee.

18 (3) Upon the death of a spouse, the surviving spouse may  
19 return registration plates and obtain a refund on the plates pro-  
20 rated on a monthly basis for the time period remaining in the  
21 registration year from the date the plates are returned.  
22 However, the refund shall not exceed the original registration  
23 fee.

24 (4) The owner of a registered vehicle who transfers or  
25 assigns title or interest in that registered vehicle before plac-  
26 ing upon the registered vehicle the registration plates or tabs  
27 issued for that registered vehicle may obtain a refund in full

1 from the secretary of state for the registration plates or tabs.  
2 Registration plates, or tabs issued for 1978 and thereafter shall  
3 be returned by the owner ~~within~~ NOT MORE THAN 30 days following  
4 the date of transfer or assignment.

5 (5) The owner of a REGISTERED vehicle ~~registered pursuant~~  
6 ~~to section 801d(2)~~ who transfers or assigns title or interest in  
7 the vehicle may obtain a FULL refund on the registration for  
8 ~~each unused,~~ THE whole registration period remaining on the  
9 registration ~~from the date the plates are returned and the~~  
10 ~~application for a refund is made.~~

11 (6) In the case of an original application for registration  
12 plates issued under section 217a or 803b, the secretary of state  
13 shall issue a refund prorated on a monthly basis from the date of  
14 application for the time period remaining in the previously  
15 issued registration, if an application for the refund is made and  
16 satisfactory proof is presented to the secretary of state. A  
17 refund shall not be made if the amount due is less than \$5.00.

18 ~~(7) In the case of an original application for the regis-~~  
19 ~~tration plates bearing the letters "SEN" or "REP", the secretary~~  
20 ~~of state shall issue a refund prorated on a monthly basis from~~  
21 ~~the date of application for the time period remaining in the pre-~~  
22 ~~viously issued registration.~~

23 (7) ~~(8)~~ In the case of an original application and issu-  
24 ance of an international registration plan registration plate  
25 under section 801g, the secretary of state shall make a refund as  
26 a credit prorated on a monthly basis from the date of application  
27 for the months remaining for the previously issued registration



1 on the same vehicle, if an application for the refund as a credit  
2 is made and satisfactory proof of eligibility is presented to the  
3 secretary of state. A refund as a credit shall not exceed the  
4 total amount of the Michigan apportioned fees assessed for the  
5 plates issued under section 801g nor be made if the amount due is  
6 less than \$5.00. For the purpose of this subsection, a month  
7 ~~shall mean~~ MEANS 30 consecutive days and a partial month shall  
8 be considered as a whole month.

9       Sec. 802. (1) For a special registration issued as provided  
10 for in section ~~226(8)~~ 226(7), there shall be paid 1/2 the tax  
11 imposed under section 801 and in addition a fee of \$10.00. The  
12 fee shall be credited to the Michigan transportation fund and  
13 used to defray the expenses of the special registration.

14       (2) For all commercial vehicles registered after August 31  
15 for the period expiring the last day of February and all motorcy-  
16 cles registered after September 30 for the period expiring on the  
17 last day of March, a tax of 1/2 the rate otherwise imposed by  
18 this act shall be collected. This subsection is not applicable  
19 to vehicles registered by manufacturers or dealers under  
20 sections 244 to 247.

21       (3) For each special registration as provided for in section  
22 ~~226(9)~~ 226(8), a fee of \$10.00 shall be collected. The fee  
23 shall be credited to the Michigan transportation fund and used to  
24 defray the expenses of the special registrations.

25       (4) For temporary registration plates or markers as provided  
26 for in section 226a(1), a fee of \$5.00 for each group of 5 of  
27 those temporary registration plates or markers shall be

1 collected. The fee shall be credited to the Michigan  
2 transportation fund and used to defray the expenses of the tempo-  
3 rary registration plates or markers.

4 (5) A fee of \$10.00 shall be collected for each temporary  
5 registration as provided for in section 226b, the fee to be cred-  
6 ited to the Michigan transportation fund and used to defray the  
7 expenses of the temporary registrations.

8 (6) For registration plates as provided for in section  
9 226a(5), (6), and (7), a fee of \$40.00 for 2 registration plates  
10 and \$20.00 for each additional registration plate shall be  
11 collected. The fee shall be credited to the Michigan transporta-  
12 tion fund and used to defray the expenses of the temporary plates  
13 or markers.

14 (7) For special registrations issued for special mobile  
15 equipment as provided in section 216(d), a fee of \$15.00 each for  
16 the first 3 special registrations, and \$5.00 for each special  
17 registration issued in excess of the first 3 shall be collected.  
18 The fee shall be credited to the Michigan transportation fund and  
19 used to defray the expenses of the plates or markers.

20 (8) The secretary of state, upon request, may issue a regis-  
21 tration valid for 3 months for use on a vehicle with an elected  
22 gross weight of 24,000 pounds or greater on the payment of 1/4  
23 the full registration fee provided in section 801(1)(k) and in  
24 addition a service charge of \$10.00. The service charge shall be  
25 credited to the Michigan transportation fund and used to defray  
26 the expense of the registration plates or tabs.

1       (9) Upon application to the secretary of state, an owner of  
2 a truck, truck tractor, or road tractor that is used exclusively  
3 for the purpose of gratuitously transporting farm crops or live-  
4 stock bedding between the field where produced and the place of  
5 storage, feed from on-farm storage to an on-farm feeding site, or  
6 fertilizer, seed, or spray material from the farm location to the  
7 field may obtain a special registration. The fee for each spe-  
8 cial registration shall be \$20.00. The fee shall be credited to  
9 the Michigan transportation fund and used to defray the expenses  
10 of the special registration program. The special registration  
11 shall be valid for a period of up to 12 months and shall expire  
12 on December 31. As used in this subsection:

13       (a) "Feed" means hay or silage.

14       (b) "Livestock bedding" means straw, sawdust, or sand.

15       (10) The secretary of state, upon request, may issue a spe-  
16 cial registration valid for 3 or more months for a road tractor,  
17 truck, or truck tractor owned by a farmer, if the motor vehicle  
18 is used exclusively in connection with the farmer's farming oper-  
19 ations or for the transportation of the farmer and the farmer's  
20 family and not used for hire. The fee for the registration shall  
21 be 1/10 of the fee provided in section 801(1)(c) times the number  
22 of months for which the special registration is requested and, in  
23 addition, a service fee of \$10.00. The fee shall be credited to  
24 the Michigan transportation fund and used to defray the expenses  
25 of the registration. No special registration shall be issued for  
26 a motor vehicle for which the fee under section 801(1)(c) would  
27 be less than \$50.00.

1       (11) The secretary of state, upon request, may issue a  
2 registration valid for 3 months or more for use on a vehicle with  
3 an elected gross weight of 24,000 pounds or greater. The fee for  
4 the registration shall be 1/12 of the fee provided in  
5 section 801(1)(k), times the number of months for which the spe-  
6 cial registration is requested and, in addition, a service fee of  
7 \$10.00. The fee shall be credited to the Michigan transportation  
8 fund and used to defray the expenses of the registration.

9       Sec. 803g. (1) The secretary of state may issue a special  
10 registration to a member of the United States congress from  
11 Michigan OR A MEMBER OF THE MICHIGAN LEGISLATURE. ~~The expira-~~  
12 ~~tion date of a registration issued under this section shall be~~  
13 ~~January 31.~~ The fee for the special registration shall corre-  
14 spond with the registration fees provided in section ~~801(a)~~  
15 801(1)(A) or (q).

16       (2) A SPECIAL REGISTRATION ISSUED UNDER SUBSECTION (1) SHALL  
17 EXPIRE ON THE LAST DAY THE CONGRESSPERSON OR LEGISLATOR SERVES IN  
18 OFFICE AND SHALL IMMEDIATELY BE EXCHANGED BY THE SECRETARY OF  
19 STATE.

20       Enacting section 1. This amendatory act takes effect April  
21 1, 2002.