

Act No. 124
Public Acts of 2001
Approved by the Governor
October 12, 2001
Filed with the Secretary of State
October 12, 2001
EFFECTIVE DATE: October 12, 2001

**STATE OF MICHIGAN
91ST LEGISLATURE
REGULAR SESSION OF 2001**

Introduced by Senators Johnson, Schwarz, Hammerstrom, Emmons, Garcia, Sikkema, Bennett, McCotter, Bullard, Byrum, Cherry, DeBeaussaert, DeGrow, Dingell, Dunaskiss, Emerson, Gast, Goschka, Gougeon, Hart, Hoffman, Koivisto, Leland, McManus, Miller, Murphy, North, Peters, Schuette, Scott, Shugars, Smith, Steil, Stille, Van Regenmorter, Vaughn and Young

ENROLLED SENATE BILL No. 602

AN ACT to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," 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:

Sec. 217m. (1) The secretary of state shall develop under section 811e and issue a state-sponsored proud to be American fund-raising registration plate and a matching state-sponsored proud to be American fund-raising collector plate as provided under section 811g. The secretary of state shall design the plates, having the words "proud to be American" inscribed on the plates. The word "Michigan" shall appear on the plates.

(2) The owner of a vehicle required to be registered under this act may apply, on a form prescribed by the secretary of state, for a proud to be American registration plate as prescribed in section 811f instead of a standard registration plate.

(3) The secretary of state shall transfer the donation money to the state treasurer who shall credit the donation money to the proud to be American fund established under section 217n.

Sec. 217n. (1) The proud to be American fund is created within the state treasury.

(2) The state treasurer may receive money or other assets from any source for deposit into the fund. The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments.

(3) Money in the fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund.

(4) The state treasurer shall disburse money in the fund on a monthly basis as follows:

(a) Fifty percent to the American national red cross established under chapter 3001 of title 36 of the United States Code, 36 U.S.C. 300101 to 300111, as represented by the Michigan state service council.

(b) Fifty percent to the salvation army.

(5) The American national red cross and the salvation army shall expend the money received under this section for disaster preparedness and disaster relief in the United States of America.

(6) The American national red cross and the salvation army shall annually report to the department of treasury an accounting of money received and used under this section.

(7) As used in this chapter, "state-sponsored proud to be American fund-raising registration plate" means a registration plate containing a specialized design pertaining to the prestige of being an American.

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

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

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

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

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

(c) If a fund is created, name the person or entity responsible for administering the fund.

(4) The secretary of state may develop, promote, and market the fund-raising registration plates and matching collector plates issued under this section with the funds available through service fees.

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

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

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

(6) In using or employing a design, trade name, trademark, service mark, emblem, symbol, logo, or other image on and in conjunction with the marketing, promotion, sale, copyrighting, or merchandising of a registration plate or image of the registration plate, the secretary of state may alter the size of the design, trade name, trademark, service mark, emblem, symbol, logo, or other image but shall not change the color or design of the design, trade name, trademark, service mark, emblem, symbol, logo, or other image without the prior written consent of the respective Michigan university or sponsoring person or entity. The secretary of state shall not use or employ a design, trade name, trademark, service mark, emblem, symbol, logo, or other image on and in conjunction with the marketing, promotion, sale, copyrighting, or merchandising of a registration plate or an image of the registration plate in any manner that is offensive to the Michigan university or sponsoring person or entity that complies with subsection (5).

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

This act is ordered to take immediate effect.

Carol Morey Viventi

Secretary of the Senate.

Jay E. Randall

Clerk of the House of Representatives.

Approved

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Governor.