

HOUSE BILL No. 4526

April 8, 2003, Introduced by Reps. Gaffney, Stahl, Bieda, Sheltroun, Gleason, LaJoy, Caswell, Gillard, Pastor, Ward, Spade, Vagnozzi, Brandenburg, Taub, Emmons, Plakas, Condino, Elkins, LaSata, Tabor and Farhat and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 811e (MCL 257.811e), as amended by 2001 PA 124, and by adding section 811o; and to repeal acts and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

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

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

9 (3) The secretary of state may, at any 1 time, develop not

1 more than ~~7~~ 8 different state-sponsored fund-raising
2 registration plates as described in this section, and matching
3 state-sponsored collector plates as described in section 811g.

4 As used in this section, "state-sponsored fund-raising
5 registration plate" means a fund-raising registration plate
6 authorized by a public act to raise funds for a state-sponsored
7 goal. The public act shall, at a minimum, do all of the
8 following:

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

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

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

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

20 (5) If the design or logo of a Michigan university
21 fund-raising registration plate or a state-sponsored fund-raising
22 registration plate uses 1 or more designs, trade names,
23 trademarks, service marks, emblems, symbols, or other images that
24 are owned by the Michigan university that is requesting the
25 Michigan university fund-raising plate, the person or entity that
26 is sponsoring a state-sponsored fund-raising plate, or any other
27 person or entity, the Michigan university or sponsoring person or

1 entity shall grant to or obtain for the secretary of state both
2 of the following pursuant to a written agreement between the
3 parties:

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

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

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

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

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

9 Sec. 811o. (1) The secretary of state shall develop and,
10 upon application, may issue a state sponsored ducks unlimited
11 fund-raising registration plate to an applicant for use on the
12 passenger motor vehicle, pickup truck, van, motor home, hearse,
13 bus, trailer coach, or trailer for which the registration plate
14 is issued instead of a standard registration plate. State
15 sponsored ducks unlimited fund-raising registration plates shall
16 bear letters and numbers that the secretary of state prescribes.
17 The plate shall be of a design as determined by the secretary of
18 state. The word "Michigan" shall appear on each state sponsored
19 ducks unlimited fund-raising registration plate.

20 (2) An application for a state sponsored ducks unlimited
21 fund-raising registration plate shall be submitted to the
22 secretary of state pursuant to the procedures prescribed in
23 section 217. Application for an original or renewal state
24 sponsored ducks unlimited fund-raising registration plate shall
25 be accompanied with payment of the regular vehicle registration
26 tax in addition to a service fee as provided in section 811f.

27 (3) A state sponsored ducks unlimited fund-raising

1 registration plate shall expire as described in section 226.
2 Upon the issuance or renewal of a state sponsored ducks unlimited
3 fund-raising registration plate, the secretary of state may issue
4 a tab or tabs designating the month and year of expiration.

5 (4) The secretary of state may issue a temporary registration
6 permit to a person who submits an application and the proper
7 payments for a state sponsored ducks unlimited fund-raising
8 registration plate if the applicant's current vehicle
9 registration will expire before his or her receipt of a state
10 sponsored ducks unlimited fund-raising registration plate. The
11 temporary registration shall expire upon receipt of a state
12 sponsored ducks unlimited fund-raising registration plate or 60
13 days after the issuance of a state sponsored ducks unlimited
14 fund-raising registration plate, whichever occurs first. The
15 temporary permit shall be issued without a separate fee.

16 (5) State sponsored ducks unlimited fund-raising registration
17 plate service fees collected under this section by the secretary
18 of state shall be identified and segregated by the secretary of
19 state into a separate account. After deducting the manufacturing
20 and administrative costs of the secretary of state, including
21 administrative costs associated with issuing, replacing, and
22 substituting plates, the secretary of state shall on a quarterly
23 basis transfer the balance of the state sponsored ducks unlimited
24 fund-raising registration plate service fees to the state
25 treasurer, who shall credit the fee money to the Michigan chapter
26 of ducks unlimited, incorporated. The money credited to the
27 Michigan chapter of ducks unlimited, incorporated shall only be

1 expended to protect, enhance, restore, manage, and acquire
2 wetlands and associated uplands in this state.

3 (6) The Michigan chapter of ducks unlimited, incorporated
4 shall annually report to the department of treasury an accounting
5 of money received and used under subsection (5).

6 (7) This section is repealed September 30, 2005.

7 Enacting section 1. This amendatory act takes effect
8 January 1, 2004.