

HOUSE BILL No. 4380

March 1, 2007, Introduced by Rep. Accavitti and referred to the Committee on Tax Policy.

A bill to amend 2004 PA 175, entitled
"Streamlined sales and use tax revenue equalization act,"
(MCL 205.171 to 205.191) by adding section 10.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 10. (1) BEGINNING JUNE 1, 2007, A CREDIT EQUAL TO 6% OF
2 THE PRODUCT OF THE OUT-OF-STATE MILEAGE PERCENTAGE AND THE PRICE OF
3 A QUALIFIED TRUCK, A TRAILER DESIGNED TO BE DRAWN BEHIND A
4 QUALIFIED TRUCK, OR PARTS AFFIXED TO EITHER A QUALIFIED TRUCK OR A
5 TRAILER DESIGNED TO BE DRAWN BEHIND A QUALIFIED TRUCK, PURCHASED,
6 RENTED, LEASED, OR OTHERWISE USED IN THIS STATE, AND USED IN
7 INTERSTATE COMMERCE, MAY BE CLAIMED BY AN INTERSTATE FLEET MOTOR
8 CARRIER ON A FORM PRESCRIBED BY THE DEPARTMENT. A CREDIT SHALL NOT
9 BE CLAIMED IN EXCESS OF THAT PORTION OF THE AMOUNT OF SALES OR USE
10 TAX PAID TO THIS STATE MEASURED BY 6% OF THE PRICE OF A QUALIFIED

1 TRUCK, A TRAILER DESIGNED TO BE DRAWN BEHIND A QUALIFIED TRUCK, OR
2 PARTS AFFIXED TO EITHER A QUALIFIED TRUCK OR A TRAILER DESIGNED TO
3 BE DRAWN BEHIND A QUALIFIED TRUCK, PURCHASED, RENTED, LEASED, OR
4 OTHERWISE USED IN THIS STATE, AND USED IN INTERSTATE COMMERCE,
5 MULTIPLIED BY THE OUT-OF-STATE MILEAGE PERCENTAGE.

6 (2) "INTERSTATE FLEET MOTOR CARRIER" MEANS A PERSON ENGAGED IN
7 THE BUSINESS OF CARRYING PERSONS OR PROPERTY, OTHER THAN
8 THEMSELVES, THEIR EMPLOYEES, OR THEIR OWN PROPERTY, FOR HIRE ACROSS
9 STATE LINES, WHOSE FLEET MILEAGE WAS DRIVEN AT LEAST 10% OUTSIDE OF
10 THIS STATE IN THE IMMEDIATELY PRECEDING TAX YEAR.

11 (3) "OUT-OF-STATE MILEAGE PERCENTAGE" IS A FRACTION, THE
12 NUMERATOR OF WHICH IS THE NUMBER OF MILES DRIVEN OUTSIDE OF THIS
13 STATE IN THE IMMEDIATELY PRECEDING TAX YEAR BY QUALIFIED TRUCKS
14 USED BY THE TAXPAYER AND THE DENOMINATOR OF WHICH IS THE TOTAL
15 MILES DRIVEN IN THE IMMEDIATELY PRECEDING TAX YEAR BY QUALIFIED
16 TRUCKS USED BY THE TAXPAYER. MILES DRIVEN BY QUALIFIED TRUCKS USED
17 SOLELY IN INTRASTATE COMMERCE SHALL NOT BE INCLUDED IN CALCULATING
18 THE OUT-OF-STATE MILEAGE PERCENTAGE.

19 (4) "QUALIFIED TRUCK" MEANS A COMMERCIAL MOTOR VEHICLE POWER
20 UNIT THAT HAS 2 AXLES AND A GROSS VEHICLE WEIGHT RATING IN EXCESS
21 OF 10,000 POUNDS OR A COMMERCIAL MOTOR VEHICLE POWER UNIT THAT HAS
22 3 OR MORE AXLES.