

# HOUSE BILL No. 4827

May 24, 2007, Introduced by Reps. Amos, Rocca, Green, Miller, Ward, Meisner, Accavitti, Shaffer, Meekhof, Emmons, Gonzales, Sheltroun, Gaffney, Hune, Nofs, Dean, Sheen, Robertson, Hansen, David Law, Casperson, Palsrok, Booher, Steil and Agema and referred to the Committee on Oversight and Investigations.

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending sections 213 and 215 (MCL 18.1213 and 18.1215), section 213 as amended by 2006 PA 269 and section 215 as amended by 1988 PA 504.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 213. (1) As used in this section:

2           (a) "Fund" means the motor transport revolving fund created in  
3 subsection (4).

4           (b) "Motor vehicle" means a passenger vehicle, van, minibus,  
5 bus, truck, tractor, or other motorized vehicle.

6           (2) The department may issue directives relative to all the  
7 following for motor vehicles except for those motor vehicles under

1 the jurisdiction of the state transportation department:

2 (a) The purchasing, leasing, maintaining, operating,  
3 replacing, and disposing of motor vehicles for all state agencies.

4 (b) The using of state owned motor vehicles for official  
5 business.

6 (c) The establishing of conditions for use of privately owned  
7 motor vehicles on official business.

8 (d) The acquiring of vehicle registration plates.

9 (e) The maintaining of motor vehicle titles and insurance  
10 inventories.

11 (f) The assigning of motor vehicles, permanently or  
12 temporarily, to state agencies and to institutions of higher  
13 education. **HOWEVER, A DIRECTOR OF A PRINCIPAL DEPARTMENT OR STATE**  
14 **AGENCY OR THE STATE SURGEON GENERAL SHALL NOT BE ASSIGNED A MOTOR**  
15 **VEHICLE.**

16 (g) The establishing of rates to be charged for use of a motor  
17 vehicle. The rates shall be reviewed periodically and shall be  
18 sufficient to cover the costs of administration and of the  
19 acquisition, operation, maintenance, repair, and replacement of  
20 motor vehicles.

21 (h) The displaying of distinctive vehicle registration plates  
22 and other external markings on the motor vehicles. The plates and  
23 markings shall clearly identify state ownership unless the motor  
24 vehicle is used by an elected official, or for an investigative  
25 use, or anonymity is essential to properly perform a necessary  
26 function of state government as determined by the director.

27 (3) The department shall establish motor vehicle repair

1 centers and motor pools.

2 (4) The motor transport revolving fund is hereby created. The  
 3 revenue received from rates charged pursuant to subsection (2)(g)  
 4 and revenue which is received from any other source and designated  
 5 to be credited to the motor transport revolving fund shall be  
 6 credited to the motor transport revolving fund. The amounts in the  
 7 fund are continuously appropriated only for administration and the  
 8 acquisition, lease, operation, maintenance, repair, and replacement  
 9 of state owned motor vehicles and related capital outlay and  
 10 equipment.

11 (5) Assets and liabilities of the motor transport revolving  
 12 fund shall be considered assets and liabilities of the motor  
 13 transport revolving fund created by this section.

14 (6) Not later than January 1, 2007, the director shall install  
 15 the necessary fueling infrastructure or contract with a supplier to  
 16 supply alternative fuels at all state motor transport facilities so  
 17 that all state owned vehicles capable of utilizing alternative  
 18 fuels are able to use them. As used in this subsection,  
 19 "alternative fuel" means E85 fuel and biodiesel fuel blends.

20 Sec. 215. (1) As used in this section, "motor vehicle" means a  
 21 ~~motor vehicle which is~~ **THAT TERM AS** defined in section 213(1). ~~and~~  
 22 ~~is~~

23 (2) **THIS SECTION APPLIES TO MOTOR VEHICLES** owned by ~~any of the~~  
 24 ~~following:~~

25 ~~— (a) The~~ **THE** state transportation department  ~~-~~

26 ~~— (b) The~~ **AND THE** department of natural resources.

27 (3) ~~(2)~~ A motor vehicle and the person to whom a motor vehicle

1 is assigned is subject to the following restrictions:

2 (a) An unclassified employee who is a director of a principal  
3 department or of a state agency, as determined by the director of  
4 the department of management and budget, ~~may~~ **OR THE STATE SURGEON**  
5 **GENERAL SHALL NOT** be assigned a motor vehicle. ~~A person who is~~  
6 ~~assigned a motor vehicle pursuant to this subdivision may utilize~~  
7 ~~the motor vehicle between the person's residence and official work~~  
8 ~~station.~~

9 (b) A state employee ~~who may not be assigned a motor vehicle~~  
10 ~~pursuant to~~ **OTHER THAN AN INDIVIDUAL DESCRIBED IN** subdivision (a)  
11 may be assigned a motor vehicle which may be utilized between the  
12 person's residence and official work station only if both of the  
13 following conditions are satisfied:

14 (i) Adequate or safe work station parking is nonexistent;  
15 technical equipment on or in the motor vehicle requires a secure  
16 parking area which is not available at the person's work station;  
17 or it is in the best interest of the state to occasionally begin or  
18 end the assignment of the motor vehicle at the employee's  
19 residence.

20 (ii) The residence-to-official work station utilization is  
21 approved by the director of the employee's principal department or  
22 the authorized representative of the director of the employee's  
23 principal department.

24 (c) Except as provided in subdivisions (a) and (b), a person  
25 may utilize a motor vehicle for nonduty use only when the employee  
26 is on assignment away from the person's work station where other  
27 transportation is not available.

1           (d) The value of all mileage driven in a motor vehicle shall  
2 be recorded in accordance with regulations issued by the internal  
3 revenue service and directives issued by the department.

4           (e) A motor vehicle shall not be used for personal use.