

# HOUSE BILL No. 6487

September 23, 2010, Introduced by Reps. Gonzales, Constan, Ball, Stanley, Haugh, Polidori and Bennett and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 2009 PA 99, and by adding section 20b.

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

1           **SEC. 20B. "HYBRID VEHICLE" MEANS A MOTOR VEHICLE THAT CAN BE**  
2           **POWERED BY AN INTERNAL COMBUSTION ENGINE AND 1 OR MORE**  
3           **ALTERNATIVE ENERGY SYSTEMS.**

4           Sec. 801. (1) The secretary of state shall collect the  
5 following taxes at the time of registering a vehicle, which shall  
6 exempt the vehicle from all other state and local taxation,  
7 except the fees and taxes provided by law to be paid by certain  
8 carriers operating motor vehicles and trailers under the motor  
9 carrier act, 1933 PA 254, MCL 475.1 to 479.43; the taxes imposed

1 by the motor carrier fuel tax act, 1980 PA 119, MCL 207.211 to  
 2 207.234; and except as otherwise provided by this act:

3 (a) For a motor vehicle, including a motor home, except as  
 4 otherwise provided, and a pickup truck or van that weighs not  
 5 more than 8,000 pounds, except as otherwise provided, according  
 6 to the following schedule of empty weights:

7	Empty weights	Tax
8	0 to 3,000 pounds.....	\$ 29.00
9	3,001 to 3,500 pounds.....	32.00
10	3,501 to 4,000 pounds.....	37.00
11	4,001 to 4,500 pounds.....	43.00
12	4,501 to 5,000 pounds.....	47.00
13	5,001 to 5,500 pounds.....	52.00
14	5,501 to 6,000 pounds.....	57.00
15	6,001 to 6,500 pounds.....	62.00
16	6,501 to 7,000 pounds.....	67.00
17	7,001 to 7,500 pounds.....	71.00
18	7,501 to 8,000 pounds.....	77.00
19	8,001 to 8,500 pounds.....	81.00
20	8,501 to 9,000 pounds.....	86.00
21	9,001 to 9,500 pounds.....	91.00
22	9,501 to 10,000 pounds.....	95.00
23	over 10,000 pounds.....	\$ 0.90 per 100 pounds
24	of empty weight	

25 On October 1, 1983, and October 1, 1984, the tax assessed  
 26 under this subdivision shall be annually revised for the  
 27 registrations expiring on the appropriate October 1 or after that  
 28 date by multiplying the tax assessed in the preceding fiscal year

1 times the personal income of Michigan for the preceding calendar  
2 year divided by the personal income of Michigan for the calendar  
3 year that preceded that calendar year. In performing the  
4 calculations under this subdivision, the secretary of state shall  
5 use the spring preliminary report of the United States department  
6 of commerce or its successor agency. A van that is owned by an  
7 individual who uses a wheelchair or by an individual who  
8 transports a member of his or her household who uses a wheelchair  
9 and for which registration plates are issued under section 803d  
10 shall be assessed at the rate of 50% of the tax provided for in  
11 this subdivision.

12 (b) For a trailer coach attached to a motor vehicle, the tax  
13 shall be assessed as provided in subdivision (l). A trailer coach  
14 not under 1959 PA 243, MCL 125.1035 to 125.1043, and while  
15 located on land otherwise assessable as real property under the  
16 general property tax act, 1893 PA 206, MCL 211.1 to 211.155, if  
17 the trailer coach is used as a place of habitation, and whether  
18 or not permanently affixed to the soil, is not exempt from real  
19 property taxes.

20 (c) For a road tractor, truck, or truck tractor owned by a  
21 farmer and used exclusively in connection with a farming  
22 operation, including a farmer hauling livestock or farm equipment  
23 for other farmers for remuneration in kind or in labor, but not  
24 for money, or used for the transportation of the farmer and the  
25 farmer's family, and not used for hire, 74 cents per 100 pounds  
26 of empty weight of the road tractor, truck, or truck tractor. If  
27 the road tractor, truck, or truck tractor owned by a farmer is

1 also used for a nonfarming operation, the farmer is subject to  
2 the highest registration tax applicable to the nonfarm use of the  
3 vehicle but is not subject to more than 1 tax rate under this  
4 act.

5 (d) For a road tractor, truck, or truck tractor owned by a  
6 wood harvester and used exclusively in connection with the wood  
7 harvesting operations or a truck used exclusively to haul milk  
8 from the farm to the first point of delivery, 74 cents per 100  
9 pounds of empty weight of the road tractor, truck, or truck  
10 tractor. A registration secured by payment of the tax prescribed  
11 in this subdivision continues in full force and effect until the  
12 regular expiration date of the registration. As used in this  
13 subdivision:

14 (i) "Wood harvester" includes the person or persons hauling  
15 and transporting raw materials in the form produced at the  
16 harvest site or hauling and transporting wood harvesting  
17 equipment. Wood harvester does not include a person or persons  
18 whose primary activity is tree-trimming or landscaping.

19 (ii) "Wood harvesting equipment" includes all of the  
20 following:

21 (A) A vehicle that directly harvests logs or timber,  
22 including, but not limited to, a processor or a feller buncher.

23 (B) A vehicle that directly processes harvested logs or  
24 timber, including, but not limited to, a slasher, delimeter,  
25 processor, chipper, or saw table.

26 (C) A vehicle that directly processes harvested logs or  
27 timber, including, but not limited to, a forwarder, grapple

1 skidder, or cable skidder.

2 (D) A vehicle that directly loads harvested logs or timber,  
3 including, but not limited to, a knuckle-boom loader, front-end  
4 loader, or forklift.

5 (E) A bulldozer or road grader being transported to a wood  
6 harvesting site specifically for the purpose of building or  
7 maintaining harvest site roads.

8 (iii) "Wood harvesting operations" does not include the  
9 transportation of processed lumber, Christmas trees, or processed  
10 firewood for a profit making venture.

11 (e) For a hearse or ambulance used exclusively by a licensed  
12 funeral director in the general conduct of the licensee's funeral  
13 business, including a hearse or ambulance whose owner is engaged  
14 in the business of leasing or renting the hearse or ambulance to  
15 others, \$1.17 per 100 pounds of the empty weight of the hearse or  
16 ambulance.

17 (f) For a vehicle owned and operated by this state, a state  
18 institution, a municipality, a privately incorporated, nonprofit  
19 volunteer fire department, or a nonpublic, nonprofit college or  
20 university, \$5.00 per plate. A registration plate issued under  
21 this subdivision expires on June 30 of the year in which new  
22 registration plates are reissued for all vehicles by the  
23 secretary of state.

24 (g) For a bus including a station wagon, carryall, or  
25 similarly constructed vehicle owned and operated by a nonprofit  
26 parents' transportation corporation used for school purposes,  
27 parochial school or society, church Sunday school, or any other

1 grammar school, or by a nonprofit youth organization or nonprofit  
2 rehabilitation facility; or a motor vehicle owned and operated by  
3 a senior citizen center, \$10.00, if the bus, station wagon,  
4 carryall, or similarly constructed vehicle or motor vehicle is  
5 designated by proper signs showing the organization operating the  
6 vehicle.

7 (h) For a vehicle owned by a nonprofit organization and used  
8 to transport equipment for providing dialysis treatment to  
9 children at camp; for a vehicle owned by the civil air patrol, as  
10 organized under 36 USC 40301 to 40307, \$10.00 per plate, if the  
11 vehicle is designated by a proper sign showing the civil air  
12 patrol's name; for a vehicle owned and operated by a nonprofit  
13 veterans center; for a vehicle owned and operated by a nonprofit  
14 recycling center or a federally recognized nonprofit conservation  
15 organization; for a motor vehicle having a truck chassis and a  
16 locomotive or ship's body that is owned by a nonprofit veterans  
17 organization and used exclusively in parades and civic events; or  
18 for an emergency support vehicle used exclusively for emergencies  
19 and owned and operated by a federally recognized nonprofit  
20 charitable organization, \$10.00 per plate.

21 (i) For each truck owned and operated free of charge by a  
22 bona fide ecclesiastical or charitable corporation, or red cross,  
23 girl scout, or boy scout organization, 65 cents per 100 pounds of  
24 the empty weight of the truck.

25 (j) For each truck, weighing 8,000 pounds or less, and not  
26 used to tow a vehicle, for each privately owned truck used to tow  
27 a trailer for recreational purposes only and not involved in a

1 profit making venture, and for each vehicle designed and used to  
 2 tow a mobile home or a trailer coach, except as provided in  
 3 subdivision (b), \$38.00 or an amount computed according to the  
 4 following schedule of empty weights, whichever is greater:

5	Empty weights	Per 100 pounds
6	0 to 2,500 pounds.....	\$ 1.40
7	2,501 to 4,000 pounds.....	1.76
8	4,001 to 6,000 pounds.....	2.20
9	6,001 to 8,000 pounds.....	2.72
10	8,001 to 10,000 pounds.....	3.25
11	10,001 to 15,000 pounds.....	3.77
12	15,001 pounds and over.....	4.39

13 If the tax required under subdivision (p) for a vehicle of  
 14 the same model year with the same list price as the vehicle for  
 15 which registration is sought under this subdivision is more than  
 16 the tax provided under the preceding provisions of this  
 17 subdivision for an identical vehicle, the tax required under this  
 18 subdivision is not less than the tax required under subdivision  
 19 (p) for a vehicle of the same model year with the same list  
 20 price.

21 (k) For each truck weighing 8,000 pounds or less towing a  
 22 trailer or any other combination of vehicles and for each truck  
 23 weighing 8,001 pounds or more, road tractor or truck tractor,  
 24 except as provided in subdivision (j) according to the following  
 25 schedule of elected gross weights:

	Elected gross weight	Tax
1		
2	0 to 24,000 pounds.....	\$ 491.00
3	24,001 to 26,000 pounds.....	558.00
4	26,001 to 28,000 pounds.....	558.00
5	28,001 to 32,000 pounds.....	649.00
6	32,001 to 36,000 pounds.....	744.00
7	36,001 to 42,000 pounds.....	874.00
8	42,001 to 48,000 pounds.....	1,005.00
9	48,001 to 54,000 pounds.....	1,135.00
10	54,001 to 60,000 pounds.....	1,268.00
11	60,001 to 66,000 pounds.....	1,398.00
12	66,001 to 72,000 pounds.....	1,529.00
13	72,001 to 80,000 pounds.....	1,660.00
14	80,001 to 90,000 pounds.....	1,793.00
15	90,001 to 100,000 pounds.....	2,002.00
16	100,001 to 115,000 pounds.....	2,223.00
17	115,001 to 130,000 pounds.....	2,448.00
18	130,001 to 145,000 pounds.....	2,670.00
19	145,001 to 160,000 pounds.....	2,894.00
20	over 160,000 pounds.....	3,117.00

21 For each commercial vehicle registered under this  
22 subdivision, \$15.00 shall be deposited in a truck safety fund to  
23 be expended for the purposes prescribed in section 25 of 1951 PA  
24 51, MCL 247.675.

25 If a truck or road tractor without trailer is leased from an  
26 individual owner-operator, the lessee, whether a person, firm, or  
27 corporation, shall pay to the owner-operator 60% of the tax  
28 prescribed in this subdivision for the truck tractor or road  
29 tractor at the rate of 1/12 for each month of the lease or

1 arrangement in addition to the compensation the owner-operator is  
2 entitled to for the rental of his or her equipment.

3 (l) For each pole trailer, semitrailer, trailer coach, or  
4 trailer, the tax shall be assessed according to the following  
5 schedule of empty weights:

6	Empty weights	Tax
7	0 to 2,499 pounds.....	\$ 75.00
8	2,500 to 9,999 pounds.....	200.00
9	10,000 pounds and over.....	300.00

10 The registration plate issued under this subdivision expires  
11 only when the secretary of state reissues a new registration  
12 plate for all trailers. Beginning October 1, 2005, if the  
13 secretary of state reissues a new registration plate for all  
14 trailers, a person who has once paid the tax as increased by 2003  
15 PA 152 for a vehicle under this subdivision is not required to  
16 pay the tax for that vehicle a second time, but is required to  
17 pay only the cost of the reissued plate at the rate provided in  
18 section 804(2) for a standard plate. A registration plate issued  
19 under this subdivision is nontransferable.

20 (m) For each commercial vehicle used for the transportation  
21 of passengers for hire except for a vehicle for which a payment  
22 is made under 1960 PA 2, MCL 257.971 to 257.972, according to the  
23 following schedule of empty weights:

24	Empty weights	Per 100 pounds
25	0 to 4,000 pounds.....	\$ 1.76

1	4,001 to 6,000 pounds.....	2.20
2	6,001 to 10,000 pounds.....	2.72
3	10,001 pounds and over.....	3.25
4	(n) For each motorcycle.....	\$ 23.00

5        On October 1, 1983, and October 1, 1984, the tax assessed  
6 under this subdivision shall be annually revised for the  
7 registrations expiring on the appropriate October 1 or after that  
8 date by multiplying the tax assessed in the preceding fiscal year  
9 times the personal income of Michigan for the preceding calendar  
10 year divided by the personal income of Michigan for the calendar  
11 year that preceded that calendar year. In performing the  
12 calculations under this subdivision, the secretary of state shall  
13 use the spring preliminary report of the United States department  
14 of commerce or its successor agency.

15        Beginning January 1, 1984, the registration tax for each  
16 motorcycle is increased by \$3.00. The \$3.00 increase is not part  
17 of the tax assessed under this subdivision for the purpose of the  
18 annual October 1 revisions but is in addition to the tax assessed  
19 as a result of the annual October 1 revisions. Beginning January  
20 1, 1984, \$3.00 of each motorcycle fee shall be placed in a  
21 motorcycle safety fund in the state treasury and shall be used  
22 only for funding the motorcycle safety education program as  
23 provided for under sections 312b and 811a.

24        (o) For each truck weighing 8,001 pounds or more, road  
25 tractor, or truck tractor used exclusively as a moving van or  
26 part of a moving van in transporting household furniture and  
27 household effects or the equipment or those engaged in conducting

1 carnivals, at the rate of 80% of the schedule of elected gross  
 2 weights in subdivision (k) as modified by the operation of that  
 3 subdivision.

4 (p) After September 30, 1983, each motor vehicle of the 1984  
 5 or a subsequent model year as shown on the application required  
 6 under section 217 that has not been previously subject to the tax  
 7 rates of this section and that is of the motor vehicle category  
 8 otherwise subject to the tax schedule described in subdivision  
 9 (a), and each low-speed vehicle according to the following  
 10 schedule based upon registration periods of 12 months:

11 (i) Except as otherwise provided in this subdivision, for the  
 12 first registration that is not a transfer registration under  
 13 section 809 and for the first registration after a transfer  
 14 registration under section 809, according to the following  
 15 schedule based on the vehicle's list price:

16 List Price	Tax
17 \$ 0 - \$ 6,000.00.....	\$ 30.00
18 More than \$ 6,000.00 - \$ 7,000.00.....	\$ 33.00
19 More than \$ 7,000.00 - \$ 8,000.00.....	\$ 38.00
20 More than \$ 8,000.00 - \$ 9,000.00.....	\$ 43.00
21 More than \$ 9,000.00 - \$ 10,000.00.....	\$ 48.00
22 More than \$ 10,000.00 - \$ 11,000.00.....	\$ 53.00
23 More than \$ 11,000.00 - \$ 12,000.00.....	\$ 58.00
24 More than \$ 12,000.00 - \$ 13,000.00.....	\$ 63.00
25 More than \$ 13,000.00 - \$ 14,000.00.....	\$ 68.00
26 More than \$ 14,000.00 - \$ 15,000.00.....	\$ 73.00
27 More than \$ 15,000.00 - \$ 16,000.00.....	\$ 78.00

1	More than \$ 16,000.00 - \$ 17,000.00.....	\$ 83.00
2	More than \$ 17,000.00 - \$ 18,000.00.....	\$ 88.00
3	More than \$ 18,000.00 - \$ 19,000.00.....	\$ 93.00
4	More than \$ 19,000.00 - \$ 20,000.00.....	\$ 98.00
5	More than \$ 20,000.00 - \$ 21,000.00.....	\$ 103.00
6	More than \$ 21,000.00 - \$ 22,000.00.....	\$ 108.00
7	More than \$ 22,000.00 - \$ 23,000.00.....	\$ 113.00
8	More than \$ 23,000.00 - \$ 24,000.00.....	\$ 118.00
9	More than \$ 24,000.00 - \$ 25,000.00.....	\$ 123.00
10	More than \$ 25,000.00 - \$ 26,000.00.....	\$ 128.00
11	More than \$ 26,000.00 - \$ 27,000.00.....	\$ 133.00
12	More than \$ 27,000.00 - \$ 28,000.00.....	\$ 138.00
13	More than \$ 28,000.00 - \$ 29,000.00.....	\$ 143.00
14	More than \$ 29,000.00 - \$ 30,000.00.....	\$ 148.00

15 More than \$30,000.00, the tax of \$148.00 is increased by  
 16 \$5.00 for each \$1,000.00 increment or fraction of a \$1,000.00  
 17 increment over \$30,000.00. If a current tax increases or  
 18 decreases as a result of 1998 PA 384, only a vehicle purchased or  
 19 transferred after January 1, 1999 shall be assessed the increased  
 20 or decreased tax.

21 (ii) For the second registration, 90% of the tax assessed  
 22 under subparagraph (i).

23 (iii) For the third registration, 90% of the tax assessed  
 24 under subparagraph (ii).

25 (iv) For the fourth and subsequent registrations, 90% of the  
 26 tax assessed under subparagraph (iii).

27 For a vehicle of the 1984 or a subsequent model year that  
 28 has been previously registered by a person other than the person

1 applying for registration or for a vehicle of the 1984 or a  
2 subsequent model year that has been previously registered in  
3 another state or country and is registered for the first time in  
4 this state, the tax under this subdivision shall be determined by  
5 subtracting the model year of the vehicle from the calendar year  
6 for which the registration is sought. If the result is zero or a  
7 negative figure, the first registration tax shall be paid. If the  
8 result is 1, 2, or 3 or more, then, respectively, the second,  
9 third, or subsequent registration tax shall be paid. A van that  
10 is owned by an individual who uses a wheelchair or by an  
11 individual who transports a member of his or her household who  
12 uses a wheelchair and for which registration plates are issued  
13 under section 803d shall be assessed at the rate of 50% of the  
14 tax provided for in this subdivision.

15 (q) For a wrecker, \$200.00.

16 **(R) FOR EACH HYBRID VEHICLE THAT WEIGHS NOT MORE THAN 8,000**  
17 **POUNDS ON WHICH A TAX IS COLLECTED AT THE TIME OF REGISTERING A**  
18 **VEHICLE UNDER SUBDIVISION (A), (E), (J), (K), (M), OR (P), A ROAD**  
19 **UTILIZATION EQUITY FEE OF \$75.00 SHALL BE COLLECTED IN ADDITION**  
20 **TO ANY OTHER APPLICABLE TAX REQUIRED UNDER THIS SECTION.**

21 **(S)** ~~(r)~~—When the secretary of state computes a tax under  
22 this section, a computation that does not result in a whole  
23 dollar figure shall be rounded to the next lower whole dollar  
24 when the computation results in a figure ending in 50 cents or  
25 less and shall be rounded to the next higher whole dollar when  
26 the computation results in a figure ending in 51 cents or more,  
27 unless specific taxes are specified, and the secretary of state

1 may accept the manufacturer's shipping weight of the vehicle  
2 fully equipped for the use for which the registration application  
3 is made. If the weight is not correctly stated or is not  
4 satisfactory, the secretary of state shall determine the actual  
5 weight. Each application for registration of a vehicle under  
6 subdivisions (j) and (m) shall have attached to the application a  
7 scale weight receipt of the vehicle fully equipped as of the time  
8 the application is made. The scale weight receipt is not  
9 necessary if there is presented with the application a  
10 registration receipt of the previous year that shows on its face  
11 the weight of the motor vehicle as registered with the secretary  
12 of state and that is accompanied by a statement of the applicant  
13 that there has not been a structural change in the motor vehicle  
14 that has increased the weight and that the previous registered  
15 weight is the true weight.

16 (2) A manufacturer is not exempted under this act from  
17 paying ad valorem taxes on vehicles in stock or bond, except on  
18 the specified number of motor vehicles registered. A dealer is  
19 exempt from paying ad valorem taxes on vehicles in stock or bond.

20 (3) Until October 1, 2011, the tax for a vehicle with an  
21 empty weight over 10,000 pounds imposed under subsection (1)(a)  
22 and the taxes imposed under subsection (1)(c), (d), (e), (f),  
23 (i), (j), (m), (o), and (p) are each increased as follows:

24 (a) A regulatory fee of \$2.25 that shall be credited to the  
25 traffic law enforcement and safety fund created in section 819a  
26 and used to regulate highway safety.

27 (b) A fee of \$5.75 that shall be credited to the

1 transportation administration collection fund created in section  
2 810b.

3 (4) If a tax required to be paid under this section is not  
4 received by the secretary of state on or before the expiration  
5 date of the registration plate, the secretary of state shall  
6 collect a late fee of \$10.00 for each registration renewed after  
7 the expiration date. An application for a renewal of a  
8 registration using the regular mail and postmarked before the  
9 expiration date of that registration shall not be assessed a late  
10 fee. The late fee collected under this subsection shall be  
11 deposited into the general fund.

12 (5) As used in this section:

13 (a) "Gross proceeds" means that term as defined in section 1  
14 of the general sales tax act, 1933 PA 167, MCL 205.51, and  
15 includes the value of the motor vehicle used as part payment of  
16 the purchase price as that value is agreed to by the parties to  
17 the sale, as evidenced by the signed agreement executed under  
18 section 251.

19 (b) "List price" means the manufacturer's suggested base  
20 list price as published by the secretary of state, or the  
21 manufacturer's suggested retail price as shown on the label  
22 required to be affixed to the vehicle under 15 USC 1232, if the  
23 secretary of state has not at the time of the sale of the vehicle  
24 published a manufacturer's suggested retail price for that  
25 vehicle, or the purchase price of the vehicle if the  
26 manufacturer's suggested base list price is unavailable from the  
27 sources described in this subdivision.

1           (c) "Purchase price" means the gross proceeds received by  
2 the seller in consideration of the sale of the motor vehicle  
3 being registered.