

HOUSE JOINT RESOLUTION Y

July 14, 2009, Introduced by Rep. Opsommer and referred to the Committee on Transportation.

A joint resolution proposing an amendment to the state constitution of 1963, by amending section 9 of article IX, to provide for the disposition of certain regulatory fees for transportation purposes.

Resolved by the Senate and House of Representatives of the state of Michigan, That the following amendment to the state constitution of 1963, to provide for the disposition of certain regulatory fees for transportation purposes, is proposed, agreed to, and submitted to the people of the state:

ARTICLE IX

Sec. 9. All specific taxes, except general sales and use taxes and **CERTAIN** regulatory fees, imposed directly or indirectly on

1 fuels sold or used to propel motor vehicles upon highways and to
2 propel aircraft and **SPECIFIC TAXES AND LICENSE AND REGULATORY FEES**
3 **AND OTHER MONEY RECEIVED AND COLLECTED IN SECTIONS 801 THROUGH 810**
4 **OF THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.801 TO 257.810,**
5 on registered motor vehicles and aircraft shall, after the payment
6 of necessary collection expenses, be used exclusively for
7 transportation purposes as set forth in this section.

8 **THE INCREASE IN FEES IMPLEMENTED BY 1987 PA 232 IN SECTIONS**
9 **309, 312E, 314E, 320E, 321A, 811, 812, 819, AND 820 OF THE MICHIGAN**
10 **VEHICLE CODE, 1949 PA 300, MCL 257.309, 257.312E, 257.314E,**
11 **257.320E, 257.321A, 257.811, 257.812, 257.819, AND 257.820, SHALL**
12 **BE DEPOSITED IN THE TRANSPORTATION ECONOMIC DEVELOPMENT FUND OR**
13 **USED FOR HIGHWAY, ROAD, OR STREET PROJECTS DESIGNED PRIMARILY FOR**
14 **THE USE OF MOTOR VEHICLES USING TIRES.**

15 Not less than 90 percent of the specific taxes, except general
16 sales and use taxes and regulatory fees, imposed directly or
17 indirectly on fuels sold or used to propel motor vehicles upon
18 highways and on registered motor vehicles shall, after the payment
19 of necessary collection expenses, be used exclusively for the
20 transportation purposes of planning, administering, constructing,
21 reconstructing, financing, and maintaining state, county, city, and
22 village roads, streets, and bridges designed primarily for the use
23 of motor vehicles using tires, and reasonable appurtenances to
24 those state, county, city, and village roads, streets, and bridges.

25 The balance, if any, of the specific taxes, except general
26 sales and use taxes and regulatory fees, imposed directly or
27 indirectly on fuels sold or used to propel motor vehicles upon

1 highways and on registered motor vehicles, after the payment of
2 necessary collection expenses; 100 percent of the specific taxes,
3 except general sales and use taxes and regulatory fees, imposed
4 directly or indirectly on fuels sold or used to propel aircraft and
5 on registered aircraft, after the payment of necessary collection
6 expenses; and not more than 25 percent of the general sales taxes,
7 imposed directly or indirectly on fuels sold to propel motor
8 vehicles upon highways, on the sale of motor vehicles, and on the
9 sale of the parts and accessories of motor vehicles, after the
10 payment of necessary collection expenses; shall be used exclusively
11 for the transportation purposes of comprehensive transportation
12 purposes as defined by law.

13 The legislature may authorize the incurrence of indebtedness
14 and the issuance of obligations pledging the taxes allocated or
15 authorized to be allocated by this section, which obligations shall
16 not be construed to be evidences of state indebtedness under this
17 constitution.

18 Resolved further, That the foregoing amendment shall be
19 submitted to the people of the state at the next general election
20 in the manner provided by law.