

HOUSE BILL No. 4577

April 17, 2013, Introduced by Rep. Shirkey and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1960 PA 2, entitled

"An act to levy a specific tax in lieu of weight taxes for public transportation vehicles and city, intercity, and suburban buses; and to provide for the expiration of this act,"

by amending the title and sections 1 and 2 (MCL 257.971 and 257.972), as amended by 1980 PA 106.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE

2 ~~An act to levy a specific tax in lieu of weight taxes~~ PROVIDE
3 for **THE TAXATION OF** public transportation vehicles and city,
4 intercity, and suburban buses. ~~; and to provide for the expiration~~
5 ~~of this act.~~

6 Sec. 1. As used in this act:

7 (A) "ARTICULATED BUS" MEANS A VEHICLE DESIGNED FOR CARRYING
8 PASSENGERS AND COMPOSED OF 2 OR MORE SECTIONS PERMANENTLY JOINED BY
9 A HINGE MECHANISM OR ARTICULATED JOINT ALLOWING VERTICAL AND

1 HORIZONTAL RELATIVE MOVEMENT AS WELL AS A WEATHERTIGHT PASSAGE FOR
2 RIDERS MOVING FROM 1 SECTION OF THE BUS TO ANOTHER.

3 (B) "CITY, INTERCITY, AND SUBURBAN BUS OPERATOR" MEANS AN
4 INDIVIDUAL, FIRM, OR CORPORATION OPERATING 1 OR MORE MOTOR BUSES IN
5 THIS STATE HAVING A SEATING CAPACITY OF 10 OR MORE PASSENGERS UNDER
6 A FRANCHISE FROM A MUNICIPALITY, UNDER A LICENSE GRANTED BY A
7 MUNICIPALITY, OR PURSUANT TO AN AGREEMENT ENTERED INTO BETWEEN THE
8 INDIVIDUAL, FIRM, OR CORPORATION AND A MUNICIPALITY OF THIS STATE,
9 OR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY ISSUED BY THE
10 MICHIGAN PUBLIC SERVICE COMMISSION UNDER SECTION 5 OF ARTICLE II OF
11 THE MOTOR CARRIER ACT, 1933 PA 254, MCL 476.5, AND THAT IS ENGAGED
12 IN THE TRANSPORTATION OF PASSENGERS IN AND BETWEEN 1 OR MORE CITIES
13 OR VILLAGES OR ENGAGED IN THE TRANSPORTATION OF PASSENGERS OVER
14 REGULARLY SCHEDULED ROUTES UNDER A CERTIFICATE OF PUBLIC
15 CONVENIENCE AND NECESSITY. CITY, INTERCITY, AND SUBURBAN BUS
16 OPERATOR DOES NOT INCLUDE A PRIVATE INDIVIDUAL, FIRM, OR
17 CORPORATION OPERATING A VEHICLE OWNED BY THAT PRIVATE PERSON, FIRM,
18 OR CORPORATION.

19 (C) ~~(a)~~ "Public transportation vehicles" means vehicles having
20 a passenger capacity of 9 or more operating as part of a public
21 transportation system within and not more than 10 miles from the
22 boundaries of a municipality or not beyond the county or
23 transportation regional boundaries when the vehicles are operated
24 by a private ~~person~~, ~~INDIVIDUAL~~, firm, or corporation. PUBLIC
25 TRANSPORTATION VEHICLES DO NOT INCLUDE VEHICLES THAT ARE OWNED BY A
26 PRIVATE INDIVIDUAL, FIRM, OR CORPORATION.

27 ~~(b) "City, intercity, and suburban bus operator" means any~~

~~person, firm, or corporation operating 1 or more motor buses in this state having a seating capacity of 10 or more passengers under a franchise from a municipality, under a license granted by a municipality, or pursuant to an agreement entered into between the person, firm or corporation and a municipality of this state, or a certificate of public convenience and necessity issued by the Michigan public service commission under section 5 or article 2 of Act No. 254 of the Public Acts of 1933, being section 476.5 of the Michigan Compiled Laws, and which is engaged in the transportation of passengers in and between 1 or more cities or villages or engaged in the transportation of passengers over regularly scheduled routes under a certificate of public convenience and necessity.~~

Sec. 2. (1) ~~From and after January 1, 1960, EXCEPT AS PROVIDED~~
 IN SUBSECTION (2), in lieu of the specific weight taxes authorized by section 801 of Act No. 300 of the Public Acts of 1949, as amended, being section 257.801 of the Michigan Compiled Laws, **THE MICHIGAN VEHICLE CODE, 1949 PA 300, MCL 257.801**, city, intercity, and suburban bus operators and **OPERATORS OF** public transportation operators **VEHICLES** shall pay the sum of ~~\$25.00~~ **\$250.00** per vehicle for each vehicle operated as specified in section 1, which shall exempt the vehicle from all other taxation except the fees and taxes required by Act No. 254 of the Public Acts of 1933, as amended, being sections 475.1 to 479.49 of the Michigan Compiled Laws. **THE MOTOR CARRIER ACT, 1933 PA 254, MCL 475.1 TO 479.43.**

(2) **IN ADDITION TO THE FEE PRESCRIBED UNDER SUBSECTION (1), A CITY, INTERCITY, OR SUBURBAN BUS OPERATOR OR AN OPERATOR OF PUBLIC**

1 TRANSPORTATION VEHICLES SHALL PAY AN ADDITIONAL \$100.00 PER SECTION
2 FOR THE SECOND AND EACH ADDITIONAL SECTION OF AN ARTICULATED BUS.