

HOUSE BILL No. 4989

September 17, 2013, Introduced by Reps. Kurtz, Daley, Zorn, Denby, Rendon, Lauwers,
Victory and Outman and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 224, 226, and 802 (MCL 257.224, 257.226, and
257.802), section 224 as amended by 2012 PA 491, section 226 as
amended by 2004 PA 163, and section 802 as amended by 2011 PA 159.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 224. (1) Except as otherwise provided in this act
2 regarding tabs or stickers, upon registering a vehicle, the
3 secretary of state shall issue to the owner 1 registration plate.

4 (2) A registration plate shall display the registration number
5 assigned to the vehicle for which the registration plate is issued;
6 the name of this state, which may be abbreviated; and when the
7 registration plate expires, which may be shown by a tab or sticker
8 furnished by the secretary of state.

1 (3) A registration plate issued for motor vehicles owned and
2 operated by this state; a state institution; a municipality; a
3 privately incorporated, nonprofit volunteer fire department; or a
4 nonpublic, nonprofit college or university of this state shall not
5 expire at any particular time but shall be renewed when the
6 registration plate is worn out or is illegible. This registration
7 plate shall be assigned upon proper application and payment of the
8 applicable fee and may be used on any eligible vehicle titled to
9 the applicant if a written record is kept of the vehicles upon
10 which the registration plate is used. The written record shall
11 state the time the registration plate is used on a particular
12 vehicle. The record shall be open to inspection by a law
13 enforcement officer or a representative of the secretary of state.

14 (4) A registration plate issued for a vehicle owned by the
15 civil air patrol as organized under 36 USC ~~201 to 208~~ **40301 TO**
16 **40307**; a vehicle owned by a nonprofit organization and used to
17 transport equipment for providing dialysis treatment to children at
18 camp; an emergency support vehicle used exclusively for emergencies
19 and owned and operated by a federally recognized nonprofit
20 charitable organization; a vehicle owned and operated by a
21 nonprofit veterans center; a motor vehicle having a truck chassis
22 and a locomotive or ship's body which is owned by a nonprofit
23 veterans organization and used exclusively in parades and civic
24 events; ~~a vehicle owned and operated by a nonprofit recycling~~
25 ~~center or a federally recognized nonprofit conservation~~
26 ~~organization until December 31, 2000;~~ a motor vehicle owned and
27 operated by a senior citizen center; and a registration plate

1 issued for buses including station wagons, carryalls, or similarly
2 constructed vehicles owned and operated by a nonprofit parents'
3 transportation corporation used for school purposes, parochial
4 school, society, church Sunday school, or other grammar school, or
5 by a nonprofit youth organization or nonprofit rehabilitation
6 facility shall be issued upon proper application and payment of the
7 applicable tax provided in section 801(1)(g) or (h) to the
8 applicant for the vehicle identified in the application. The
9 vehicle shall be used exclusively for activities of the school or
10 organization and shall be designated by proper signs showing the
11 school or organization operating the vehicle. The registration
12 plate shall expire on December 31 in the fifth year following the
13 date of issuance. The registration plate may be transferred to
14 another vehicle upon proper application and payment of a \$10.00
15 transfer fee.

16 (5) The department shall not issue or transfer a standard
17 design beads on paint registration plate or issue a registration
18 tab or sticker for that plate, but shall offer a new standard
19 design registration plate that complies with the requirements of
20 this act. The new standard design registration plate shall be of a
21 common color scheme and design that is made of fully reflectorized
22 material and shall be clearly visible at night. The implementation
23 of this subsection is contingent upon appropriations sufficient to
24 cover the costs to the department of designing, manufacturing,
25 distributing, and issuing the new standard design registration
26 plate. The secretary of state shall file a written report with the
27 secretary of the senate and the clerk of the house of

1 representatives of the costs incurred and revenue expended to meet
2 the requirements of this subsection within 30 days after all of the
3 standard design beads on paint registration plates to be replaced
4 under this subsection have been replaced.

5 (6) The department may use the Pure Michigan brand or a
6 successor or similar brand that is used in conjunction with the
7 state's promotion, travel, and tourism campaigns or marketing
8 efforts as part of the standard design for registration plates.

9 (7) The registration plate and the required letters and
10 numerals on the registration plate shall be of sufficient size to
11 be plainly readable from a distance of 100 feet during daylight.
12 The secretary of state may issue a tab or tabs designating the
13 month and year of expiration.

14 (8) The secretary of state shall issue for every passenger
15 motor vehicle rented without a driver the same type of registration
16 plate as the type of registration plate issued for private
17 passenger vehicles.

18 (9) A person shall not operate a vehicle on the public
19 highways or streets of this state displaying a registration plate
20 other than the registration plate issued for the vehicle by the
21 secretary of state, except as provided in this chapter for
22 nonresidents, and by assignment provided in subsection (3).

23 (10) The registration plate displayed on a vehicle registered
24 on the basis of elected gross weight shall indicate the elected
25 gross weight for which the vehicle is registered.

26 (11) **THE REGISTRATION PLATE ISSUED TO A TRUCK, ROAD TRACTOR,**
27 **OR TRUCK TRACTOR UNDER SECTION 226(13) SHALL DISPLAY THE PHRASE "AG**

1 **SERVICE".**

2 Sec. 226. (1) A vehicle registration issued by the secretary
3 of state expires on the owner's birthday, unless another expiration
4 date is provided for under this act or unless the registration is
5 for the following vehicles, in which case registration expires on
6 the last day of February:

7 (a) A commercial vehicle except for a commercial vehicle
8 issued a registration under the international registration plan or
9 a pickup truck or van owned by an individual.

10 (b) Except for a trailer or semitrailer issued a registration
11 under the international registration plan, a trailer or semitrailer
12 owned by a business, corporation, or person other than an
13 individual; or a pole trailer.

14 (2) Until February 1, 2005, the expiration date for a
15 registration issued for a motorcycle is March 31. Beginning
16 February 1, 2005, the expiration date for a registration issued for
17 a motorcycle is the motorcycle owner's birthday.

18 (3) The expiration date for a registration bearing the letters
19 "SEN" or "REP" is February 1.

20 (4) In the case of a vehicle owned by a business, corporation,
21 or an owner other than an individual, the secretary of state may
22 assign or reassign the expiration date of the registration.

23 (5) The secretary of state shall do all of the following:

24 (a) After the October 1 immediately preceding the year
25 designated on the registration, issue a registration upon
26 application and payment of the proper fee for a commercial vehicle,
27 other than a pickup or van owned by an individual; or a trailer

1 owned by a business, corporation, or person other than an
2 individual.

3 (b) Beginning 60 days before the expiration date assigned on
4 an international registration plan registration plate, issue a
5 registration under section 801g upon application and payment of the
6 proper apportioned fee for a commercial vehicle engaged in
7 interstate commerce.

8 (c) Beginning 45 days before the owner's birthday and 120 days
9 before the expiration date assigned by the secretary of state,
10 issue a registration for a vehicle other than ~~those~~ **A VEHICLE**
11 designated in subsection (1)(a) or (b). However, if an owner whose
12 registration period begins 45 days before his or her birthday will
13 be out of ~~the~~ **THIS** state during the 45 days immediately preceding
14 expiration of a registration or for other good cause shown cannot
15 apply for a renewal registration within the 45-day period,
16 application for a renewal registration may be made not more than 6
17 months before expiration.

18 (6) Except as otherwise provided in this subsection, the
19 secretary of state, upon application and payment of the proper fee,
20 shall issue a registration for a vehicle or a motorcycle to a
21 resident that ~~shall expire~~ **EXPIRES** on the owner's birthday. If the
22 owner's next birthday is at least 6 months but not more than 12
23 months in the future, the owner shall receive a registration valid
24 until the owner's next birthday. If the owner's next birthday is
25 less than 6 months in the future, the owner shall receive a
26 registration valid until the owner's birthday following the owner's
27 next birthday. The tax required under this act for a registration

described in this subsection shall be either of the following:

(a) For an original registration, the tax shall bear the same relationship to the tax required under section 801 for a 12-month registration as the length of the registration bears to 12 months.

(b) For a renewal of a registration, either of the following:

(i) For a registration that is for at least 6 months but not more than 12 months, the same amount as for 12 months.

(ii) For a renewal of a registration that is for more than 12 months, 2 times the amount for 12 months.

Partial months ~~shall be~~ **ARE** considered as whole months in the calculation of the required tax and in the determination of the length of time between the application for a registration and the owner's next birthday. The tax required for that registration shall be rounded off to whole dollars as provided in section 801.

(7) A certificate of title ~~shall remain~~ **IS** valid until canceled by the secretary of state for cause or upon a transfer of an interest shown on the certificate of title.

(8) The secretary of state, upon request, shall issue special registration for commercial vehicles, valid for 6 months after the date of issue, if the full registration fee exceeds \$50.00, on the payment of 1/2 the full registration fee and a service charge as ~~enumerated~~ **PROVIDED** in section 802(1).

(9) The secretary of state may issue a special registration for each of the following:

(a) A new vehicle purchased or leased outside of this state and delivered in this state to the purchaser or lessee by the manufacturer of that vehicle for removal to a place outside of this

1 state, if a certification is made that the vehicle will be
2 primarily used, stored, and registered outside of this state and
3 will not be returned to this state by the purchaser or lessee for
4 use or storage.

5 (b) A vehicle purchased or leased in this state and delivered
6 to the purchaser or lessee by a dealer or by the owner of the
7 vehicle for removal to a place outside of this state, if a
8 certification is made that the vehicle will be primarily used,
9 stored, and registered outside of this state and will not be
10 returned to this state by the purchaser or lessee for use or
11 storage.

12 (10) A special registration issued under subsection (9) is
13 valid for not more than 14 days after the date of issuance, and a
14 fee shall be collected for each special registration as provided in
15 section 802(3). The special registration may be in the form
16 determined by the secretary of state. If a dealer makes a retail
17 sale or lease of a vehicle to a purchaser or lessee who is
18 qualified and eligible to obtain a special registration, the dealer
19 shall apply for the special registration for the purchaser or
20 lessee. If a person other than a dealer sells or leases a vehicle
21 to a purchaser or lessee who is qualified and eligible to obtain a
22 special registration, the purchaser or lessee shall appear in
23 person, or by a person exercising the purchaser's or lessee's power
24 of attorney, at an office of the secretary of state and furnish a
25 certification that the person is the bona fide purchaser or lessee
26 or that the person has granted the power of attorney, together with
27 other forms required for the issuance of the special registration

1 and provide the secretary of state with proof that the vehicle is
2 covered by a Michigan no-fault insurance policy issued pursuant to
3 section 3101 of the insurance code of 1956, 1956 PA 218, MCL
4 500.3101, or proof that the vehicle is covered by a policy of
5 insurance issued by an insurer pursuant to section 3163 of the
6 insurance code of 1956, 1956 PA 218, MCL 500.3163. The
7 certification required in this subsection shall contain all of the
8 following:

9 (a) The address of the purchaser or lessee.

10 (b) A statement that the vehicle is purchased or leased for
11 registration outside of this state.

12 (c) A statement that the vehicle shall be primarily used,
13 stored, and registered outside of this state.

14 (d) The name of the jurisdiction in which the vehicle is to be
15 registered.

16 (e) Other information requested by the secretary of state.

17 ~~—— (11) Upon request, the secretary of state may issue a~~
18 ~~registration valid for 6 months after the date of issuance for use~~
19 ~~on a trailer or semitrailer weighing 1,500 pounds or less and that~~
20 ~~is used for recreational purposes, upon payment of 1/2 the full~~
21 ~~registration fee imposed under section 801(1) (I). This subsection~~
22 ~~does not apply after October 1, 2003.~~

23 (11) ~~(12)~~ In the case of a commercial vehicle, trailer, or
24 semitrailer issued a registration under the international
25 registration plan, the secretary of state in mutual agreement with
26 the owner may assign or reassign the expiration date of the
27 registration. However, the expiration date agreed to shall be

1 either March 31, June 30, September 30, or December 31. Renewals
2 expiring on or after September 30, 1993 shall be for a minimum of
3 ~~at least~~ 12 months if there is a change in the established
4 expiration date.

5 (12) ~~(13)~~ The expiration date for a multiyear registration
6 issued for a leased vehicle shall be the date the lease expires but
7 shall not be for a ~~period~~ longer than 24 months.

8 (13) THE SECRETARY OF STATE, UPON REQUEST, SHALL ISSUE A
9 SPECIAL REGISTRATION FOR A TRUCK, ROAD TRACTOR, OR TRUCK TRACTOR
10 THAT WEIGHS 8,001 POUNDS OR MORE IF THAT TRUCK, ROAD TRACTOR, OR
11 TRUCK TRACTOR IS USED WITHIN A 100-MILE RADIUS OF THE ADDRESS OF
12 THE OWNER OF THE TRUCK, ROAD TRACTOR, OR TRUCK TRACTOR AND IS
13 EXCLUSIVELY ENGAGED IN PROVIDING AGRICULTURAL SERVICES TO FARM
14 OPERATIONS.

15 (14) A PERSON WHO USES A SPECIAL REGISTRATION ISSUED UNDER
16 SUBSECTION (13) FOR A PURPOSE OTHER THAN PROVIDING AGRICULTURAL
17 SERVICES TO FARM OPERATIONS IS SUBJECT TO THE PENALTIES PROVIDED
18 UNDER SECTION 904(3) FOR A PERSON WHO VIOLATES SECTION 904(1) OR
19 (2).

20 (15) AS USED IN THIS SECTION:

21 (A) "AGRICULTURAL SERVICES" INCLUDES, BUT IS NOT LIMITED TO,
22 COMMERCIAL CROP PRODUCTION AND HARVESTING, STORAGE OF FARM
23 PRODUCTS, IRRIGATION, CONSERVATION PRACTICES, AND DRAINAGE.
24 AGRICULTURAL SERVICES DO NOT INCLUDE ANIMAL HUSBANDRY, ACTIVITIES
25 INVOLVING THE USE OF IMPLEMENTS OF HUSBANDRY, OR THE TRANSPORTATION
26 OF FARM PRODUCTS.

27 (B) "FARM OPERATIONS" MEANS A FARM OPERATION AS THAT TERM IS

1 DEFINED IN SECTION 2 OF THE MICHIGAN RIGHT TO FARM ACT, 1981 PA 93,
2 MCL 286.472.

3 (C) "FARM PRODUCTS" MEANS THAT TERM AS DEFINED IN SECTION 2 OF
4 THE MICHIGAN RIGHT TO FARM ACT, 1981 PA 93, MCL 286.472.

5 Sec. 802. (1) For a special registration issued ~~as provided~~
6 ~~for in UNDER~~ section 226(8), ~~there~~ **THE REGISTRANT** shall be paid ~~PAY~~
7 1/2 the tax imposed under section 801 and in addition a service fee
8 of \$10.00.

9 (2) For all commercial vehicles registered after August 31 for
10 the period expiring the last day of February, **THE SECRETARY OF**
11 **STATE SHALL COLLECT** a tax of 1/2 the rate otherwise imposed under
12 this act. ~~shall be collected.~~ This subsection does not apply to
13 vehicles registered by manufacturers or dealers under sections 244
14 to 247.

15 (3) For each special registration ~~as provided for in~~ **ISSUED**
16 **UNDER** section 226(9), **THE SECRETARY OF STATE SHALL COLLECT** a
17 service fee of \$10.00. ~~shall be collected.~~

18 (4) For temporary registration plates or markers ~~as provided~~
19 ~~for in~~ **ISSUED UNDER** section 226a(1), **THE SECRETARY OF STATE SHALL**
20 **COLLECT** a service fee of \$5.00 for each group of 5 of those
21 temporary registration plates or markers. ~~shall be collected.~~

22 (5) For a temporary registration ~~as provided in~~ **ISSUED UNDER**
23 section 226b, the fee shall be either of the following:

24 (a) For a 30-day temporary registration, 1/10 of the tax
25 prescribed under section 801 or \$20.00, whichever is greater, and
26 an additional \$10.00 service fee.

27 (b) For a 60-day temporary registration, 1/5 of the tax

1 prescribed under section 801 or \$40.00, whichever is greater, and
2 an additional \$10.00 service fee.

3 (6) For registration plates ~~as provided for in~~ **ISSUED UNDER**
4 section 226a(5), (6), and (7), **THE SECRETARY OF STATE SHALL COLLECT**
5 a service fee of \$40.00 for 2 registration plates and \$20.00 for
6 each additional registration plate. ~~shall be collected.~~

7 (7) For special registrations issued for special mobile
8 equipment ~~as provided in~~ **UNDER** section 216(d), **THE SECRETARY OF**
9 **STATE SHALL COLLECT** a service fee of \$15.00 each for the first 3
10 special registrations, and \$5.00 for each special registration
11 issued in excess of the first 3. ~~shall be collected.~~

12 (8) The secretary of state, upon request, may issue a
13 registration valid for 3 months for use on a vehicle with an
14 elected gross weight of 24,000 pounds or greater on the payment of
15 1/4 the tax provided in section 801(1)(k) and in addition a service
16 fee of \$10.00.

17 (9) Upon application to the secretary of state, an owner of a
18 truck, truck tractor, or road tractor that is used exclusively for
19 the purpose of gratuitously transporting farm crops or livestock
20 bedding between the field where produced and the place of storage,
21 feed from on-farm storage to an on-farm feeding site, or
22 fertilizer, seed, or spray material from the farm location to the
23 field may obtain a special registration. The service fee for each
24 special registration issued under this subsection ~~shall be~~ **IS**
25 \$20.00. The special registration ~~shall be~~ **IS** valid for ~~a period of~~
26 up to 12 months and ~~shall expire~~ **EXPIRES** on December 31. As used in
27 this subsection:

1 (a) "Feed" means hay or silage.

2 (b) "Livestock bedding" means straw, sawdust, or sand.

3 (10) The secretary of state, upon request, may issue a special
4 registration valid for 3 or more months for a road tractor, truck,
5 or truck tractor owned by a farmer, if the motor vehicle is used
6 exclusively in connection with the farmer's farming operations or
7 for the transportation of the farmer and the farmer's family and
8 not used for hire. The fee for the registration ~~shall be~~ **IS** 1/10 of
9 the tax ~~provided in~~ **UNDER** section 801(1)(c) times the number of
10 months for which the special registration is requested and, in
11 addition, a service fee of \$10.00. No special registration shall be
12 issued for a motor vehicle for which the tax under section
13 801(1)(c) would be less than \$50.00.

14 (11) The secretary of state, upon request, may issue a
15 registration valid for 3 months or more for use on a vehicle with
16 an elected gross weight of 24,000 pounds or greater. The fee for
17 the registration ~~shall be~~ **IS** 1/12 of the tax ~~provided in~~ **UNDER**
18 section 801(1)(k), times the number of months for which the special
19 registration is requested and, in addition, a service fee of
20 \$10.00.

21 **(12) FOR A SPECIAL REGISTRATION ISSUED UNDER SECTION 226(13),**
22 **THE SECRETARY OF STATE SHALL COLLECT A \$500.00 SERVICE FEE. A**
23 **REGISTRANT WHO IS ISSUED A SPECIAL REGISTRATION UNDER SECTION**
24 **226(13) IS EXEMPT FROM THE REGISTRATION TAX UNDER SECTION 801.**

25 **(13) ~~(12)~~** The service fees collected under subsections (1),
26 (3), (4), (5), (6), (7), (8), (9), (10), ~~and~~ (11), **AND (12)** shall
27 be deposited in the transportation administration collection fund

1 created in section 810b through October 1, 2015.