

# HOUSE BILL No. 5447

March 10, 2016, Introduced by Rep. Pettalia and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending sections 811e and 811h (MCL 257.811e and 257.811h), as  
amended by 2015 PA 78.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1       Sec. 811e. (1) The secretary of state may develop a fund-  
2       raising plate as provided in this section.

3       (2) A start-up fee ~~of \$15,000.00~~ **IN AN AMOUNT EQUAL TO A 3-**  
4       **YEAR AVERAGE OF THE COST TO THE SECRETARY OF STATE OF DEVELOPING A**  
5       **NEW FUND-RAISING PLATE, AS CALCULATED BY THE SECRETARY OF STATE ON**  
6       **JANUARY 1 OF EACH YEAR,** shall be paid for any new fund-raising  
7       plate authorized under this section. The secretary of state shall  
8       deposit the fee in the transportation administration collection  
9       fund ~~through October 1, 2019~~ to be used for the cost of creating,  
10      producing, and issuing fund-raising plates. If the fee described in

1 this subsection is not paid within 18 months after the effective  
2 date of the public act that authorizes the development and issuance  
3 of a fund-raising plate, the secretary of state shall not create,  
4 produce, or issue the related fund-raising plate. A start-up fee  
5 paid under this subsection is nonrefundable.

6 (3) Not less than 3 years after the secretary of state first  
7 issues 1 of the fund-raising plates as described in subsection (1)  
8 and upon payment of \$2,000.00, the Michigan university or other  
9 person sponsoring that fund-raising plate may redesign it as  
10 approved by the secretary of state. The secretary of state shall  
11 deposit the payment required under this subsection in the  
12 transportation administration collection fund created under section  
13 810b ~~through October 1, 2019~~ to be used for the cost of creating,  
14 producing, and issuing fund-raising plates. A payment under this  
15 subsection is nonrefundable.

16 (4) The secretary of state may develop 1 or more limited term  
17 registration plates to recognize a Michigan university or an  
18 accomplishment or occasion of a Michigan university.

19 (5) The secretary of state may, **AT ANY 1 TIME**, develop,  
20 **PRODUCE, ISSUE, OR MAKE AVAILABLE FOR SALE NOT MORE THAN 10**  
21 different state-sponsored fund-raising plates as described in this  
22 section, and matching state-sponsored collector plates as described  
23 in section 811g.

24 (6) The secretary of state shall not develop or issue a fund-  
25 raising plate unless a public act authorizing the fund-raising  
26 plate, at a minimum, does all of the following:

27 (a) Identifies the purpose of the fund-raising plate.

1 (b) Creates a nonprofit fund or designates an existing  
2 nonprofit fund to receive the money raised through the sale of  
3 fund-raising plates and matching collector plates.

4 (c) If a fund is created, names the person or entity  
5 responsible for administering the fund.

6 Sec. 811h. (1) The secretary of state shall credit each  
7 service fee collected under sections 811f and 811g to the  
8 transportation administration collection fund created under section  
9 810b. ~~through October 1, 2019.~~

10 (2) The secretary of state shall identify and segregate the  
11 fund-raising donations collected under sections 811f and 811g into  
12 separate accounts. The secretary of state shall create a separate  
13 account for each fund-raising plate and its **MATCHING** collector  
14 ~~plates~~ **PLATE** issued or sold by the secretary of state.

15 (3) As determined necessary by the secretary of state but not  
16 more than 45 days after the end of each calendar quarter, the  
17 secretary of state shall not less than once each calendar quarter  
18 authorize the disbursement of fund-raising donations segregated  
19 under subsection (2) and, independent from any disbursement under  
20 subsection (2), report the number of each type of fund-raising and  
21 collector plates issued, sold, or renewed to the following, as  
22 appropriate:

23 (a) The treasurer of a Michigan university.

24 (b) The person or entity identified in a public act ~~pursuant~~  
25 ~~to~~ **DESCRIBED IN** section 811e to administer a state-sponsored fund-  
26 raising registration plate fund.

27 (c) The sponsor of a fund-raising plate issued as prescribed

1 under section 811e that was developed and issued after January 1,  
2 2007.

3 (4) A fund-raising plate created after January 1, 2007 shall  
4 meet or exceed the following sales goals:

5 (a) In the first year, 2,000 plates.

6 (b) In the second and each subsequent year for 5 years, 500  
7 original plates.

8 (5) The secretary of state ~~may~~**SHALL** cease to issue a fund-  
9 raising plate or to issue a duplicate replacement of a fund-raising  
10 plate for use on a vehicle if that fund-raising plate fails to meet  
11 a sales goal described in subsection (4). The secretary of state  
12 ~~may~~**SHALL** also cease to sell a collector plate that matches the  
13 discontinued fund-raising plate. However, the secretary of state  
14 may continue to renew fund-raising plates already issued and  
15 collect the renewal fund-raising donation for those plates.

16 (6) The state of Michigan, through the secretary of state,  
17 shall own all right, title, and interest in all fund-raising plates  
18 and collector plates, including the right to use, reproduce, or  
19 distribute a fund-raising or collector plate or the image of a  
20 fund-raising or collector plate in any form. The secretary of state  
21 may authorize the commercial or other use of a fund-raising or  
22 collector plate design, logo, or image if written consent is  
23 obtained from the pertinent Michigan university or other person  
24 that sponsored a fund-raising plate. However, the secretary of  
25 state shall not authorize the commercial or other use of a fund-  
26 raising or collector plate under this section unless the user first  
27 agrees in writing to the terms and conditions that the secretary of

1 state considers necessary. Those terms and conditions may include  
2 the payment of royalty fees to 1 or more of the following:

3 (a) This state.

4 (b) A Michigan university.

5 (c) Another person that sponsored a fund-raising plate.

6 (7) The secretary of state shall credit a royalty fee paid to  
7 this state under a written agreement described in subsection (6) to  
8 the transportation administration collection fund created under  
9 section 810b. ~~through October 1, 2019.~~

10 (8) Beginning not later than February 1, 2007, and annually  
11 after that, an organization receiving fund-raising donations  
12 disbursed under this section shall report to the state treasurer. A  
13 report under this subsection shall include a summary of  
14 expenditures during the preceding year of the money received under  
15 this section.

16 Enacting section 1. This amendatory act takes effect 90 days  
17 after the date it is enacted into law.