



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 4319 (Substitute H-1 as passed by the House)
Sponsor: Representative Curtis S. VanderWall
House Committee: Transportation and Infrastructure
Senate Committee: Transportation

Date Completed: 5-2-18

CONTENT

The bill would amend the Michigan Vehicle Code to do the following:

- **Allow a surviving spouse of a totally disabled veteran with an honorable discharge from the armed services to use a special registration plate after the death of the disabled veteran, if the spouse notified the Secretary of State (SOS).**
- **Allow the surviving spouse to renew the plate without paying the registration tax for the first year after notifying the SOS of his or her intention to use the plate.**
- **Require the surviving spouse to apply for registration of the vehicle upon which he or she wished to place the disabled veteran plate before using or renewing it.**
- **Allow a surviving spouse of a disabled veteran who also was disabled to apply to the SOS for a tab for people with disabilities in the same manner as provided for a totally disabled veteran.**

The bill would take effect on February 19, 2019.

Special Registration Plate

The Code allows a person who is a totally disabled veteran with an honorable discharge from the armed services to apply to the Secretary of State if he or she owns a private passenger motor vehicle, and allows the SOS to issue a special registration plate inscribed with special identification numbers preceded by the letters "DV" and the words "disabled veteran" inscribed beneath the number. The plate expires on the birthday of the disabled veteran in a year in which the SOS issues new plates. A special registration plate is exempt from payment of the tax provided in Section 801. (Section 801 prescribes the registration tax the SOS must collect when registering a vehicle.)

Under the bill, the surviving spouse of a person who was a totally disabled veteran with an honorable discharge from the armed services could use the special DV registration plate after the death of the veteran. A surviving spouse who wished to use the plate would have to notify the SOS that he or she wished to use it within 15 days after the death of the totally disabled veteran or, if applicable, within the 15-day period described in Section 234. (Section 234 requires a purchaser or transferee of a vehicle to present to the SOS the certificate of title and registration certificate if plates are being transferred. Unless the transfer is made and a transfer fee is paid within 15 days, the vehicle is considered unregistered.)

For the first year after notifying the SOS of his or her intent to use the plate, the surviving spouse could renew the plate without having to pay the applicable registration tax provided in Section 801. Beginning with the second year after a surviving spouse notified the SOS of his or her intent to use the special registration plate, he or she would have to pay the

applicable registration tax provided in Section 801 and would be subject to annual renewal of his or her registration.

If applicable, a surviving spouse would have to apply for registration of the vehicle upon which he or she wished to place the disabled veteran plate before using or renewing it. If the surviving spouse had paid the applicable registration tax for his or her vehicle for the year in which he or she notified the SOS of his or her intent to use the special registration plate, the one-year period during which the surviving spouse could renew the plate without paying the applicable registration tax would begin on the date his or her current registration expired.

(To receive a special DV registration plate, an applicant must submit to the SOS an application accompanied by a service fee of \$5 and proof that the applicant was honorably discharged from the armed services and either of the following:

- That the applicant has been determined by the United States Department of Veterans Affairs to have a service-connected total or permanent total disability rating for compensation.
- That the applicant has been determined to have a service-connected total or permanent total disability rating and is receiving disability retirement pay from a branch of the uniformed armed services.)

Disabled Spouse

The Code allows the SOS to issue a tab for people with disabilities to a disabled person who has been issued a special DV registration plate. The tab must display the international wheelchair symbol or a reasonable facsimile of it. The SOS must require the same proof that the applicant is a disabled person as is required for issuance of a permanent windshield placard under Section 675. Under the bill, if the surviving spouse of a totally disabled veteran were a disabled person, he or she could apply to the SOS for a tab for people with disabilities in the same manner as provided for a totally disabled veteran.

(Section 675 allows a disabled person to apply for a serially numbered nontransferable temporary or permanent windshield placard for his or her personal use. A disabled person with a windshield placard or a special registration plate with a tab for people with disabilities attached is entitled to courtesy in the parking of a vehicle, which relieves the person of liability for a parking violation except in violation of the Code.)

MCL 257.803f

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

The bill could have a negligible negative impact on the Michigan Transportation Fund due to the one-year exemption from the registration tax for the surviving spouse of a totally disabled veteran. The potential amount of revenue loss is indeterminate and dependent on the number of registrations fees that would be exempt.

The bill would have no fiscal impact on local government.

Fiscal Analyst: Joe Carrasco

SAS\S1718\s4319sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.