

**SUBSTITUTE FOR
HOUSE BILL NO. 5379**

A bill to amend 1960 PA 124, entitled
"An act to create the Michigan highway reciprocity board; to
prescribe its powers and duties; to provide for the powers and
duties of certain state and local governmental officers and
entities; to allow certain reciprocal compacts, agreements, and
arrangements; and to repeal certain acts and parts of acts,"
by amending section 3 (MCL 3.163), as amended by 2022 PA 25.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3. Notwithstanding any other provision of law to the
2 contrary, both of the following apply:
3 (a) Except as otherwise provided in subsection (b), the board
4 may enter into reciprocal compacts, agreements, or arrangements
5 that the board considers proper or expedient and in the interests
6 of the people of this state, with the proper authorities of other

jurisdictions, either individually or with a group of jurisdictions, concerning the fees, charges, taxation, operation, and regulation of trucks, tractors, trailers, automobiles, buses, and all other automotive equipment engaged in international, interstate, or intrastate commerce on the public highways.

(b) Beginning on ~~the effective date of the amendatory act that added this subdivision,~~ **March 10, 2022**, the department of treasury may enter into qualified fuel tax reciprocity agreements that the department of treasury considers proper or expedient and in the interests of the people of this state, with the proper authorities of other jurisdictions, either individually or with a group of jurisdictions. The department of treasury has the sole authority to enter into qualified fuel tax reciprocity agreements. As used in this subdivision:

(i) "Jurisdiction" means other states of the United States that share a common border with this state and are members of the international fuel tax agreement.

(ii) "International fuel tax agreement" means the agreement described in section 2a of the motor carrier fuel tax act, 1980 PA 119, MCL 207.212a.

(iii) "Motor carrier" means a person who operates or causes to be operated a qualified commercial motor vehicle on a public road or highway in this state and at least 1 other state.

(iv) "Qualified commercial motor vehicle" means a motor vehicle used, designed, or maintained for transportation of persons or property and 1 of the following:

(A) Having 3 or more axles regardless of weight.

(B) Having 2 axles and a gross vehicle weight or registered gross vehicle weight exceeding 26,000 pounds or ~~12,000~~ **11,797**

1 kilograms.

2 (C) Is used in a combination of vehicles, if the weight of
3 that combination exceeds 26,000 pounds or ~~12,000~~**11,797** kilograms
4 gross vehicle or registered gross vehicle weight.

5 (v) "Qualified fuel tax reciprocity agreement" means a
6 compact, agreement, or arrangement that, in exchange for reciprocal
7 treatment for a motor carrier, or a class or category of motor
8 carrier, from this state in another jurisdiction, allows a motor
9 carrier, or a class or category of motor carrier, from the other
10 jurisdiction to operate or cause to be operated a qualified
11 commercial motor vehicle on a public highway in this state for the
12 purpose of carrying raw forest products to a sawmill or factory
13 within ~~30~~**not more than 50** air miles of the border of this state
14 without doing any of the following:

15 (A) Carrying, obtaining, or displaying a license, decal,
16 permit, or other credentials otherwise required by the
17 international fuel tax agreement or the motor carrier fuel tax act,
18 1980 PA 119, MCL 207.211 to 207.234.

19 (B) Paying, reporting, or filing returns for taxes imposed by
20 or subject to the international fuel tax agreement, the motor
21 carrier fuel tax act, 1980 PA 119, MCL 207.211 to 207.234, or
22 section 5 of the streamlined sales and use tax revenue equalization
23 act, 2004 PA 175, MCL 205.175.

24 (vi) "Raw forest products" means logs, pilings, posts, poles,
25 cordwood products, wood chips, sawdust, pulpwood, intermediary
26 lumber, fuel wood, and Christmas trees, that are not altered by a
27 manufacturing process off the land, sawmill, or factory from which
28 they are taken and are not finished products suitable for sale at
29 retail.

1 Enacting section 1. This amendatory act does not take effect
2 unless House Bill No. 5747 of the 102nd Legislature is enacted into
3 law.