

SUBSTITUTE FOR
HOUSE BILL NO. 5428

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 805 (MCL 257.805), as amended by 2021 PA 96.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 805. (1) An applicant for the issuance or renewal of a
2 motor vehicle registration or for a replacement registration tab or
3 sticker may submit a ~~state park and state-operated public boating~~
4 ~~access site~~ **recreation** passport fee to the secretary of state with
5 the application. Subject to subsection ~~(7)~~, **(8)**, the amount of the
6 recreation passport fee is as follows:

7 (a) Except as **otherwise** provided in ~~subdivision (b) or (c)~~,
8 **this subsection**, \$10.00.

9 **(b) For a motorcycle, \$5.00.**

1 (c) ~~(b)~~ For an individual who obtains a 2-year vehicle
2 registration under section 226(14), ~~\$20.00~~ **2 times the amount in**
3 **subdivision (a) or (b), as applicable.**

4 ~~(c) For a motorcycle, \$5.00.~~

5 (2) ~~In~~ **Subject to subsection (8), in** addition to the
6 requirements of section 217, an **electronic or online** application
7 for a motor vehicle registration must contain at least the
8 following information, in ~~substantially the following~~ **a** format and
9 language **that is agreed upon by the secretary of state and the**
10 **department of natural resources, by January 1, 2026,** except that
11 the amount of the recreation passport fee specified must be ~~\$20.00~~
12 ~~for a vehicle registered for 2 years under section 226(14) and~~
13 ~~\$5.00 for a motorcycle:~~ **the amount calculated under subsection (1),**
14 **as applicable:**

15 \$[Amount] ~~Annual vehicle~~ **Vehicle** registration ~~or renewal~~
16 **and recreation passport, which provides year-round**
17 **vehicle entry into all Michigan state parks, boating**
18 **access sites, other recreation areas and grant**
19 **funding for local parks.**

20 \$10.00 ~~Annual authorization to use this vehicle for~~
21 ~~unlimited entry into all Michigan state parks~~
22 ~~and recreation areas and DNR operated state~~
23 ~~boating access sites. (Check one of the~~
24 ~~boxes below.)~~

25 \$[Amount] I ~~elect to pay this \$10.00 fee.~~ **wish to donate**
26 **an additional \$15.00 to support Michigan's parks and**
27 **recreation and understand this will increase my**
28 **payment.**

1 **\$[Amount]** ____ I ~~elect not to pay this \$10.00 fee.~~ **decline the**
 2 **recreation passport.**

3 ~~This vehicle will not be used to enter the~~
 4 ~~facilities described above.~~

5 \$ _____ ~~— Total amount due.~~

6 **(3) The format and language of the recreation passport fee on**
 7 **a written application for motor vehicle registration must be agreed**
 8 **upon by the secretary of state and the department of natural**
 9 **resources.** The secretary of state may revise the format and
 10 language of an application for motor vehicle registration to
 11 reflect the fact that, under sections 74116 and 78119 of the
 12 natural resources and environmental protection act, 1994 PA 451,
 13 MCL 324.74116 and 324.78119, payment of the recreation passport fee
 14 authorizes entry into all state parks and recreation areas and
 15 designated state-operated public boating access sites until
 16 expiration of the motor vehicle registration.

17 (4) If the applicant applies by mail and, in addition to the
 18 registration fee, the applicant pays an amount equal to the
 19 recreation passport fee, the applicant ~~shall be considered to have~~
 20 **has** elected to pay the recreation passport fee. ~~regardless of~~
 21 ~~whether such an election is indicated on the application.~~

22 **(5) If the applicant makes a donation under subsection (2),**
 23 **the secretary of state shall collect and deposit the donation as**
 24 **recreation passport fee revenue.**

25 **(6)** ~~(5)~~ Subsections (1) and (2) do not apply to any of the
 26 following:

27 (a) An application submitted by a dealer under section 217 for
 28 a vehicle sold, leased, or exchanged by the dealer.

29 (b) The issuance or renewal of a motor vehicle registration

1 described in section 803e(1) and exempt under section 803e(6) from
2 the registration tax or the issuance or renewal of a motor vehicle
3 registration described in section 217d or 803f.

4 (7) ~~(6)~~—The secretary of state shall, at least monthly,
5 transfer the revenue from recreation passport fees to the
6 department of natural resources for deposit as provided in section
7 2045 of the natural resources and environmental protection act,
8 1994 PA 451, MCL 324.2045.

9 (8) ~~(7)~~ ~~For~~ **By August 1 of** each ~~calendar~~ year, the state
10 treasurer shall adjust the amounts set forth in subsection (1) by
11 an amount determined by the state treasurer to reflect the
12 cumulative percentage change in the Consumer Price Index from
13 October 1, 2010 to the October 1 immediately preceding that
14 calendar year, using the most recent data available and rounded to
15 the nearest dollar.

16 (9) ~~(8)~~—The legislature shall annually review the amount of
17 revenue raised by the recreation passport fee to ensure that the
18 amount is appropriate for the purposes for which the recreation
19 passport fee is assessed and in compliance with law.

20 (10) ~~(9)~~—If the secretary of state issues a registration tab
21 or sticker for a registration plate or personalized registration
22 plate under section 224 or 803b for a motor vehicle that had a
23 recreation passport fee paid under this section, the tab or sticker
24 must be marked in a distinctive manner determined by the secretary
25 of state after consultation with the director of the department of
26 natural resources and the department of state police. Before
27 discontinuing the issuance of a registration tab or sticker, the
28 secretary of state ~~shall~~ **must** consult with the director of the
29 department of natural resources and establish an alternative method

1 or procedure the department of natural resources can use to
2 determine whether a recreation passport fee has been paid for a
3 motor vehicle.

4 **(11)** ~~(10)~~ Whether ~~or not~~ an individual paid or indicated that
5 ~~he or she~~ **the individual** elected to pay or not to pay a recreation
6 passport fee under this section is personal information for
7 purposes of section 40b.

8 **(12)** ~~(11)~~ As used in this section:

9 (a) "Consumer Price Index" means the most comprehensive index
10 of consumer prices available for this state from the Bureau of
11 Labor Statistics of the United States Department of Labor.

12 (b) "Motor vehicle" does not include a commercial motor
13 vehicle.

14 ~~(c) "Recreation passport fee" means the state park and state-~~
15 ~~operated public boating access site recreation passport fee as~~
16 ~~provided for in subsection (1).~~