

MICHIGAN VEHICLE CODE (EXCERPT)

Act 300 of 1949

MISCELLANEOUS

257.813 Certified copies of records.

Sec. 813. For each page of a certified copy of a record as provided in section 207, paragraph (b) of chapter 2 of this act, \$1.00. All money collected under this section shall be deposited to the credit of the general fund.

History: 1949, Act 300, Eff. Sept. 23, 1949.

257.814 Use tax; collection; disposition; collection upon registration of nonresident vehicle in this state.

Sec. 814. (a) If it appears to the secretary of state that a motor vehicle was purchased by an applicant in a state other than this state, unless the applicant produces a certificate of title issued to the applicant under the laws of that state, or a certificate of registration or registered bill of sale issued under the laws of another state showing the applicant for a Michigan certificate of title to have resided in the state that issued the certificate of title, certificate of registration, or registered bill of sale, the secretary of state shall conduct an investigation of the purchase and sale and of the title to the motor vehicle. If the secretary of state is satisfied that the applicant is the owner of the motor vehicle, or is otherwise entitled to register the motor vehicle in the applicant's name, the secretary of state shall issue to the applicant an appropriate certificate of title under section 217. Before the secretary of state issues the certificate of title, the applicant shall attach to the application a statement showing the amount of use tax due upon the motor vehicle described in the application on a form prescribed by the state treasurer, together with the amount of the use tax due upon the motor vehicle, under the use tax act, 1937 PA 94, MCL 205.91 to 205.111. However, if the motor vehicle is exempt by law from the payment of use tax, no use tax shall be paid.

(b) The secretary of state shall transmit the statement and the funds collected under subdivision (a) covering the payment of the use tax to the state treasurer. The secretary of state shall not issue a certificate of title for a motor vehicle until the requirements of this section are satisfied. An owner of a motor vehicle purchased outside of this state who paid the use tax to the secretary of state under this section is not required to comply with sections 6, 7, and 8 of the use tax act, 1937 PA 94, MCL 205.96, 205.97, and 205.98.

(c) An owner of a motor vehicle purchased from a Michigan dealer in this state without application of sales tax due to an exemption under section 4a of the general sales tax act, 1933 PA 167, MCL 205.54a, who later by reason of storage or use is required to register the vehicle in this state shall pay a use tax at the time of registration, computed on the retail dollar value of a like vehicle, except when the motor vehicle is exempt from the use tax. The secretary of state shall use as his or her guide the retail dollar value from the current issue of any nationally recognized used vehicle guide for financial institution appraisal purposes in this state.

History: 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1962, Act 80, Imd. Eff. Apr. 24, 1962;—Am. 2008, Act 7, Imd. Eff. Feb. 15, 2008.

257.815 Application for registration or for transfer of license; statement of sales tax due; form; copies; exemption; certification; transmitting statement and sales tax funds to department of treasury; issuing or transferring title or license plates on motor vehicle sold by dealer; conditions; compensation for collection of sales tax.

Sec. 815. (1) Each application for registration, or for a transfer of the license, of a motor vehicle, shall be accompanied by a statement showing the amount of the sales tax due upon the sale of the motor vehicle, on a form prescribed by the department of treasury, together with the amount of the sales tax due upon the sale under Act No. 167 of the Public Acts of 1933, as amended, being sections 205.51 to 205.78 of the Michigan Compiled Laws, and the statement shall be in triplicate, 1 copy to be retained by the dealer and 1 copy to be delivered to the purchaser, except if the sale of a motor vehicle is exempt by law from the payment of the sales tax, a tax shall not be paid. However, if the sale of a motor vehicle is exempt by law from the payment of the sales tax, a certification, on a form as the secretary of state shall prescribe, shall accompany the application for registration, signed and certified by the purchaser stating that the motor vehicle is exempt by law from the payment of the sales tax by virtue of the fact that the sale was an isolated transaction, pursuant to Act No. 167 of the Public Acts of 1933, as amended.

(2) The secretary of state shall transmit the statement and the funds covering the payment of the sales tax to the department of treasury. The secretary of state shall not issue a title, license plates or transfer a title or license plates on a motor vehicle sold by a dealer until the requirements of this section regarding the payment of the sales tax have been complied with. A dealer of new or secondhand vehicles selling motor vehicles at

retail paying the sales tax to the secretary of state pursuant to this section shall not be required to include the sale of the motor vehicles on the dealer's reports to the department of treasury nor pay the tax on the sale as required by Act No. 167 of the Public Acts of 1933, as amended.

(3) The department of treasury shall determine and pay to the secretary of state reasonable compensation for the collection of the sales tax pursuant to this section.

History: 1949, Act 300, Eff. Sept. 23, 1949;—Am. 1980, Act 398, Eff. Mar. 31, 1981.

257.816 Acceptance of credit cards for payment of tax or fee.

Sec. 816. The secretary of state may accept a credit card, in lieu of cash or check, as payment of a tax or fee required under this act. The secretary of state shall determine which major credit cards may be accepted for payment.

History: Add. 1986, Act 129, Imd. Eff. June 16, 1986.

257.817 Liability.

Sec. 817. A manufacturer of automated technology is immune from civil liability for damages that arise out of any modification made by another person to a motor vehicle or an automated motor vehicle, or to any automated technology, as provided in section 2949b of the revised judicature act of 1961, 1961 PA 236, MCL 600.2949b.

History: Add. 2013, Act 231, Eff. Mar. 27, 2014.

Compiler's note: Former MCL 257.817, which pertained to effective date for fee, charge, or tax increase, was repealed by Act 152 of 2003, Eff. Oct. 1, 2003.

257.818 Repealed. 2003, Act 152, Eff. Oct. 1, 2003.

Compiler's note: The repealed section pertained to signs and lists of transaction costs and fees.

257.819 Disposition and use of revenues from increases in fees.

Sec. 819. (1) Except as otherwise provided in this section, revenue from the increases in fees provided in 1987 PA 232 must be deposited in the transportation economic development fund established in section 2 of 1987 PA 231, MCL 247.902, and must not be appropriated for any other purpose in any act making appropriations of state funds.

(2) For the fiscal year ending September 30, 1989, and each fiscal year thereafter, of the revenue from the increases in fees provided in 1987 PA 232, \$2,500,000.00 must be deposited in the state treasury and credited to the general fund, except that not more than \$1,000,000.00 must be credited to the gasoline inspection and testing fund established in section 8 of the motor fuels quality act, 1984 PA 44, MCL 290.648.

(3) Except as provided in subsection (2), for the fiscal year ending September 30, 2008, of the revenue from the increases in fees provided in 1987 PA 232, \$13,000,000.00 must be deposited in the state treasury and credited to the general fund.

(4) Except as provided in subsection (2), for the fiscal year ending September 30, 2009, of prior and current revenues from the increases in fees provided in 1987 PA 232, \$18,000,000.00 must be deposited in the state treasury and credited to the general fund and for the fiscal year ending September 30, 2010, \$12,000,000.00 must be deposited in the state treasury and credited to the general fund.

(5) Except as provided in subsection (2), for the fiscal year ending September 30, 2017, of the revenue from the increases in fees provided in 1987 PA 232, \$9,423,700.00 must be deposited in the state treasury and credited to the general fund.

(6) Except as provided in subsection (2), for the fiscal year ending September 30, 2020 only, of the revenue from the increases in fees provided in 1987 PA 232, \$13,000,000.00 must be deposited in the state treasury and credited to the general fund.

(7) Except as provided in subsection (2), for the fiscal year ending September 30, 2021 only, of the revenue from the increases in fees provided in 1987 PA 232, \$13,000,000.00 must be deposited in the state treasury and credited to the general fund.

History: Add. 1987, Act 232, Imd. Eff. Dec. 28, 1987;—Am. 1990, Act 168, Imd. Eff. July 2, 1990;—Am. 2008, Act 7, Imd. Eff. Feb. 15, 2008;—Am. 2008, Act 346, Imd. Eff. Dec. 23, 2008;—Am. 2009, Act 137, Imd. Eff. Nov. 4, 2009;—Am. 2016, Act 280, Eff. Sept. 29, 2016;—Am. 2020, Act 203, Imd. Eff. Oct. 15, 2020.

257.819a Traffic law enforcement and safety fund; creation; investment, disposition, transfer, and expenditure of money.

Sec. 819a. (1) The traffic law enforcement and safety fund is created within the state treasury.

(2) The state treasurer may receive money or other assets from any source for deposit into the fund. The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and

earnings from fund investments.

(3) Money in the fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund.

(4) The director of the department of state police may transfer any amount in the fund to the trooper recruit school fund created under section 819b.

(5) Except as otherwise provided in subsection (4), the department of state police shall expend money from the fund, upon appropriation, only for 1 or more of the following purposes:

(a) To enhance enforcement of traffic laws.

(b) To enhance the ability to provide safety on the streets and highways of this state.

History: Add. 2003, Act 152, Eff. Oct. 1, 2003;—Am. 2005, Act 179, Imd. Eff. Oct. 20, 2005.

257.819b Trooper recruit school fund; creation; investment, disposition, and expenditure of money.

Sec. 819b. (1) The trooper recruit school fund is created within the state treasury.

(2) The state treasurer may receive money or other assets from any source for deposit into the fund. The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments.

(3) Money in an amount of not more than \$5,000,000.00 in the fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund. Any amount greater than \$5,000,000.00 at the close of the fiscal year shall be credited to the traffic law enforcement and safety fund created under section 819a.

(4) The department of state police shall expend money from the fund, upon appropriation, only for 1 or more of the following purposes:

(a) Conduct a trooper recruit school to recruit and train new troopers.

(b) Conduct retraining schools for new troopers during the trooper probationary period.

History: Add. 2003, Act 152, Eff. Oct. 1, 2003.

257.820 Repealed. 2003, Act 152, Eff. Oct. 1, 2003.

Compiler's note: The repealed section pertained to applicability of fee increases.

257.821 Disposition and use of fees.

Sec. 821. For the fiscal year ending September 30, 1990 and each fiscal year thereafter, \$120,000.00 or 5% of the revenue from the road test fees, whichever is greater, shall be deposited in the transportation economic development fund from behind-the-wheel road test fees collected pursuant to section 309 in connection with the issuance of a vehicle group designation or indorsement. The balance of the revenue from these fees shall be deposited in the state treasury and credited to the general fund and shall be used to cover administrative costs of the department of state associated with new duties imposed with respect to commercial vehicles pursuant to Act No. 346 of the Public Acts of 1988.

History: Add. 1989, Act 280, Imd. Eff. Dec. 26, 1989.