

**REPRINT
HOUSE SUBSTITUTE FOR
SENATE BILL NO. 857**

(As passed the House, March 1, 2000)

(As amended March 14, 2000)

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 217b, 233a, 657, 660, 705, and 801 (MCL 257.217b, 257.233a, 257.657, 257.660, 257.705, and 257.801), section 233a as amended by 1988 PA 470, section 660 as amended by 1994 PA 348, section 705 as amended by 1995 PA 91, and section 801 as amended by 1998 PA 384, and by adding sections 25b, 606a, and 658b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1** SEC. 25B. "LOW-SPEED VEHICLE" MEANS AN ELECTRICALLY POWERED
2 VEHICLE DESIGNED TO BE OPERATED AT A SPEED NOT TO EXCEED 35 MILES
3 PER HOUR WITH A CAPACITY OF NOT MORE THAN 4 PERSONS INCLUDING THE
DRIVER OF 2,200 POUNDS OR LESS IN WEIGHT AS DESCRIBED IN 49
4 C.F.R. 571.500 THAT IS EQUIPPED WITH, BUT NOT LIMITED TO, THE
5 FOLLOWING:

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- 1 (A) HEADLAMPS.
- 2 (B) FRONT AND REAR TURN SIGNAL LAMPS, TAIL LAMPS, AND STOP
3 LAMPS.
- 4 (C) REFLEX REFLECTORS: 1 RED ON EACH SIDE AS FAR TO THE
5 REAR AS PRACTICABLE, AND 1 RED ON THE REAR.
- 6 (D) AN EXTERIOR MIRROR MOUNTED ON THE DRIVER'S SIDE OF THE
7 VEHICLE AND EITHER AN EXTERIOR MIRROR MOUNTED ON THE PASSENGER'S
8 SIDE OF THE VEHICLE OR AN INTERIOR MIRROR.
- 9 (E) A PARKING BRAKE.
- 10 (F) A WINDSHIELD THAT MEETS THE STANDARDS PRESCRIBED BY THIS
11 ACT.
- 12 (G) A VEHICLE IDENTIFICATION NUMBER.
- 13 (H) A SEAT BELT ASSEMBLY CONFORMING TO THE REQUIREMENTS OF
14 THIS ACT INSTALLED AT EACH DESIGNATED SEATING POSITION.
- 15 Sec. 217b. A moped ~~manufactured for sale in this state~~
16 ~~after January 1, 1977,~~ AND A LOW-SPEED VEHICLE shall have per-
17 manently affixed to ~~its~~ THEIR frame a manufacturer's identifi-
18 cation number.
- 19 Sec. 233a. (1) When the owner of a registered motor vehicle
20 transfers his or her title or interest in that vehicle, the
21 transferor shall present to the transferee before delivery of the
22 vehicle, written disclosure of odometer mileage by means of the
23 certificate of title or a written statement signed by the trans-
24 feror including the transferor's printed name, containing all of
25 the following:
- 26 (a) The odometer reading at the time of transfer not to
27 include the tenths of a mile or kilometer.

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- 1 (b) The date of transfer.
- 2 (c) The transferor's name and current address.
- 3 (d) The transferee's name and current address.
- 4 (e) The identity of the vehicle, including its make, model,
5 body type, year, and vehicle identification number.
- 6 (f) A reference to this section and comparable federal law,
7 and a statement that failing to complete the title or form or
8 providing false information may result in civil liability and
9 civil or criminal penalties being imposed on the transferor.
- 10 (g) One of the following:
- 11 (i) A statement by the transferor certifying that to the
12 best of his or her knowledge the odometer reading reflects the
13 actual mileage of the vehicle.
- 14 (ii) If the transferor knows that the odometer reading
15 reflects the amount of mileage in excess of the designed mechani-
16 cal odometer limit, a statement to that effect.
- 17 (iii) If the transfer knows that the odometer reading dif-
18 fers from the mileage and the difference is greater than that
19 caused by odometer calibration error, a statement that the odome-
20 ter reading does not reflect the actual mileage and should not be
21 relied upon. This notice shall include a warning notice to alert
22 the transferee that a discrepancy exists between the odometer and
23 the actual mileage.
- 24 (h) Space for the signature and printed name of the trans-
25 feree, and the date of presentation to the transferee.
- 26 (2) A certificate of title and a dealer reassignment form
27 shall contain a place for the information required by subsection

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1 (1)(a) to (h). If the vehicle is not titled or the title does
2 not contain a space for the required information, a written
3 statement shall be provided as a separate document.

4 (3) A dealer selling or exchanging vehicles required to be
5 titled under this act shall present the certificate of title or
6 written statement and any reassigned titles in his or her posses-
7 sion to the transferee. The transferee or the transferee's agent
8 shall inspect, print his or her name, sign, and date the certifi-
9 cate or statement and return it to the transferor for submission
10 to the secretary of state. If neither the transferee nor trans-
11 feror is a dealer licensed under this act, completing the odome-
12 ter information on the certificate of title shall be considered
13 to comply with subsection (1). A person shall not sign an odome-
14 ter disclosure statement as both the transferor and transferee in
15 the same transaction.

16 (4) A new or used vehicle dealer shall obtain from the
17 transferor a completed odometer mileage statement which meets the
18 requirements of subsection (1) with each motor vehicle acquired
19 by the dealer. The dealer shall not accept nor provide an odome-
20 ter mileage statement or a title which contains a place for odom-
21 eter information which has not been completely filled in by the
22 transferor.

23 (5) The odometer information described in subsection (1)
24 shall not be required for any of the following:

25 (a) Vehicles having a gross vehicle weight rating of more
26 than 16,000 pounds.

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1 (b) A vehicle that is not self-propelled.

2 (c) A vehicle that is 10 years old, or older.

3 (d) A new vehicle transferred from a manufacturer to a
4 dealer.

5 (e) A vehicle sold directly by the manufacturer to an agency
6 of the United States in conformity with contractual
7 specifications.

8 (F) A LOW-SPEED VEHICLE.

9 (6) A person shall not alter, set back, or disconnect an
10 odometer; cause or allow an odometer to be altered, set back, or
11 disconnected; or advertise for sale, sell, use, install, or cause
12 or allow to be installed a device which causes an odometer to
13 register other than the actual mileage driven. This subsection
14 does not prohibit the service, repair, or replacement of an odom-
15 eter if the mileage indicated on the odometer remains the same as
16 before the service, repair, or replacement. If the odometer is
17 incapable of registering the same mileage as before the service,
18 repair, or replacement, the odometer shall be adjusted to read
19 zero and a notice in writing shall be attached to the left door
20 frame of the vehicle by the owner or his or her agent specifying
21 the mileage prior to service, repair, or replacement of the odom-
22 eter and the date on which it was serviced, repaired, or
23 replaced. A person shall not remove, deface, or alter any notice
24 affixed to a motor vehicle pursuant to this subsection.

25 (7) A person who violates subsection (6) is guilty of a
26 felony.

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1 (8) Before executing a transfer of ownership document, a
2 lessor of a leased vehicle shall notify the lessee in writing
3 that ownership of the vehicle is being transferred and that the
4 lessee is required to provide a written statement to the lessor
5 regarding the mileage of the vehicle. This notice shall inform
6 the lessee of the penalties for failure to comply with the
7 requirement.

8 (9) Upon receiving notification from the lessor of a leased
9 vehicle that ownership of the vehicle is to be transferred, the
10 lessee shall furnish to the lessor a written statement regarding
11 the mileage of the vehicle. This statement shall be signed by
12 the lessee and shall contain all of the following:

13 (a) The printed name of the person making the statement.

14 (b) The current odometer reading, not including tenths of
15 miles.

16 (c) The date of the statement.

17 (d) The lessee's name and current address.

18 (e) The lessor's name and current address.

19 (f) The identity of the vehicle, including its make, model,
20 year, body type, and vehicle identification number.

21 (g) The date that the lessor notified the lessee of the
22 requirements of this subsection.

23 (h) The date that the completed disclosure statement was
24 received by lessor.

25 (i) The signature of the lessor.

26 (j) One of the following:

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1 (i) A statement by the lessee certifying that to the best of
2 his or her knowledge the odometer reading reflects the actual
3 mileage of the vehicle.

4 (ii) If the lessee knows that the odometer reading reflects
5 the amount of mileage in excess of the designed mechanical odome-
6 ter limit, a statement to that effect.

7 (iii) If the lessee knows that the odometer reading differs
8 from the mileage and that the difference is greater than that
9 caused by odometer calibration error, a statement that the odome-
10 ter reading is not the actual mileage and should not be relied
11 upon.

12 (10) If the lessor transfers a leased vehicle without
13 obtaining possession of the vehicle, the lessor may indicate on
14 the certificate of title the mileage disclosed by the lessee
15 under subsection (9), unless the lessor has reason to believe
16 that the mileage disclosed by the lessee does not reflect the
17 actual mileage of the vehicle.

18 (11) A dealer who is required by this section to execute an
19 odometer mileage statement shall retain for 5 years a photostat-
20 ic, carbon, or other facsimile copy of each odometer mileage
21 statement the dealer issues or receives. The dealer shall retain
22 the odometer mileage statements at his or her primary place of
23 business in an order that is appropriate to business requirements
24 and that permits systematic retrieval.

25 (12) A lessor shall retain for 5 years following the date of
26 transfer of ownership of each leased vehicle, the odometer
27 mileage statement received from the lessee. The lessor shall

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1 retain the odometer mileage statements at his or her primary
2 place of business in an order that is appropriate to business
3 requirements and that permits systematic retrieval.

4 (13) An auction dealer or vehicle salvage pool operator
5 shall establish and retain at his or her primary place of busi-
6 ness in an order that is appropriate to business requirements and
7 that permits systematic retrieval, for 5 years following the date
8 of sale of each motor vehicle, the following records:

9 (a) The name and the most recent owner, other than the auc-
10 tion dealer or salvage pool operator.

11 (b) The name of the buyer.

12 (c) The vehicle identification number.

13 (d) The odometer reading, not including the tenths of a
14 mile, on the date the auction dealer or salvage pool operator
15 took possession of the motor vehicle.

16 (14) A violation of subsection (1) or (6) by any dealer
17 licensed under this act is prima facie evidence of a fraudulent
18 act as provided in section 249.

19 (15) A person who, with intent to defraud, violates any
20 requirement under subsection (1) or (6), or a dealer who fails to
21 retain for 5 years each odometer mileage statement the dealer
22 receives and each odometer mileage statement furnished by the
23 dealer upon the sale of a vehicle, is liable in an amount equal
24 to 3 times the amount of actual damages sustained or \$1,500.00
25 whichever is greater, and in the case of a successful recovery of
26 damages, the costs of the action together with reasonable
27 attorney's fees.

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1 SEC. 606A. (1) THE STATE TRANSPORTATION DEPARTMENT, A BOARD
2 OF COUNTY ROAD COMMISSIONERS, A COUNTY BOARD OF COMMISSIONERS,
3 AND A COUNTY, CITY, OR VILLAGE HAVE NO DUTY TO MAINTAIN ANY HIGH-
4 WAY UNDER THEIR JURISDICTION IN A CONDITION REASONABLY SAFE AND
5 CONVENIENT FOR THE OPERATION OF LOW-SPEED VEHICLES.

6 (2) THE STATE TRANSPORTATION DEPARTMENT, A BOARD OF COUNTY
7 ROAD COMMISSIONERS, A COUNTY BOARD OF COMMISSIONERS, AND A
8 COUNTY, CITY, OR VILLAGE ARE IMMUNE FROM TORT LIABILITY FOR INJU-
9 RIES OR DAMAGES SUSTAINED BY ANY PERSON ARISING IN ANY WAY OUT OF
10 THE OPERATION OR USE OF A LOW-SPEED VEHICLE ON MAINTAINED OR
11 UNMAINTAINED HIGHWAYS, SHOULDERS, AND RIGHTS-OF-WAY OVER WHICH
12 THE STATE TRANSPORTATION DEPARTMENT, THE BOARD OF COUNTY ROAD
13 COMMISSIONERS, THE COUNTY BOARD OF COMMISSIONERS, OR THE COUNTY,
14 CITY, OR VILLAGE HAS JURISDICTION. THE IMMUNITY PROVIDED BY THIS
15 SUBSECTION DOES NOT APPLY TO ACTIONS WHICH CONSTITUTE GROSS
16 NEGLIGENCE. GROSS NEGLIGENCE IS DEFINED AS CONDUCT SO RECKLESS
17 AS TO DEMONSTRATE A SUBSTANTIAL LACK OF CONCERN FOR WHETHER AN
18 INJURY RESULTS.

19 Sec. 657. Every person riding a bicycle or moped OR OPERAT-
20 ING A LOW-SPEED VEHICLE upon a roadway shall be granted all of
21 the rights and shall be subject to all of the duties applicable
22 to the driver of a vehicle by this chapter, except as to special
23 regulations in this article and except as to those provisions of
24 this chapter which by their nature do not have application.

25 SEC. 658B. (1) EXCEPT AS PROVIDED IN SUBSECTION (2), A
26 PERSON OPERATING OR RIDING IN A LOW-SPEED VEHICLE SHALL WEAR A
27 CRASH HELMET ON HIS OR HER HEAD. THE CRASH HELMET SHALL MEET THE

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1 REQUIREMENTS OF THE RULES PROMULGATED BY THE DEPARTMENT OF STATE
2 POLICE UNDER SECTION 658.

3 (2) SUBSECTION (1) DOES NOT APPLY TO A PERSON OPERATING OR
4 RIDING IN A LOW-SPEED VEHICLE EQUIPPED WITH A ROOF THAT MEETS OR
5 EXCEEDS THE STANDARDS FOR ROOF-CRUSH RESISTANCE, PROVIDED UNDER
6 49 C.F.R. 571.500.

7 Sec. 660. (1) A person operating a bicycle, LOW-SPEED
8 VEHICLE, or moped upon a roadway shall ride as near to the right
9 side of the roadway as practicable, exercising due care when
10 passing a standing vehicle or one proceeding in the same
11 direction. A motorcycle is entitled to full use of a lane and a
12 motor vehicle shall not be driven in such a manner as to deprive
13 a motorcycle of the full use of a lane. This subsection shall
14 not apply to motorcycles operated 2 abreast in a single lane.

15 (2) A person riding a bicycle, motorcycle, or moped upon a
16 roadway shall not ride more than 2 abreast except on a path or
17 part of a roadway set aside for the exclusive use of those
18 vehicles.

19 (3) Where a usable and designated path for bicycles is pro-
20 vided adjacent to a roadway, a bicycle rider may, by local ordi-
21 nance, be required to use that path. Where a usable and desig-
22 nated path for bicycles is provided adjacent to a roadway, a
23 bicycle rider who is less than 16 years of age shall use that
24 path unless accompanied by an adult.

25 (4) A person operating a motorcycle, moped, LOW-SPEED
26 VEHICLE, or ~~a~~ bicycle shall not pass between lines of traffic,
27 but may pass on the left of traffic moving in his OR HER

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1 direction in the case of a 2-way street, or on the left or right
2 of traffic in the case of a 1-way street, in an unoccupied lane.

3 (5) A person operating a bicycle on a sidewalk constructed
4 for the use of pedestrians shall yield the right of way to a
5 pedestrian and shall give an audible signal before overtaking and
6 passing the pedestrian.

7 (6) A moped OR LOW-SPEED VEHICLE shall not be operated on a
8 sidewalk constructed for the use of pedestrians.

9 (7) A LOW-SPEED VEHICLE SHALL BE OPERATED AT A SPEED OF NOT
10 TO EXCEED 25 MILES PER HOUR AND SHALL NOT BE OPERATED ON A HIGH-
11 WAY, ROAD, OR STREET WITH A SPEED LIMIT OF MORE THAN 35 MILES PER
12 HOUR EXCEPT FOR THE PURPOSE OF CROSSING THAT HIGHWAY, ROAD, OR
13 STREET. THE STATE TRANSPORTATION DEPARTMENT MAY PROHIBIT THE
14 OPERATION OF A LOW-SPEED VEHICLE ON ANY HIGHWAY UNDER ITS JURIS-
15 DICTION IF IT DETERMINES THAT THE PROHIBITION IS NECESSARY IN THE
16 INTEREST OF PUBLIC SAFETY.

17 (8) ~~-(7)-~~ This section shall not apply to a police officer
18 in the performance of his or her official duties.

19 Sec. 705. (1) Brake equipment shall be required as
20 follows:

21 (a) A motor vehicle, other than a motorcycle or moped, AND A
22 LOW-SPEED VEHICLE when operated upon a highway shall be equipped
23 with brakes adequate to control the movement of and to stop and
24 hold the vehicle, including 2 separate means of applying the
25 brakes, each of which means shall be effective to apply the
26 brakes to at least 2 wheels. If these 2 separate means of
27 applying the brakes are connected in any way, they shall be

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1 constructed in a way that failure of 1 part of the operating
2 mechanism shall not leave the motor vehicle without brakes on at
3 least 2 wheels.

4 (b) A motorcycle or moped when operated upon a highway shall
5 be equipped with at least 2 brakes, 1 on the front wheel and 1 on
6 the rear wheel, which may be operated by hand or foot.

7 (c) A trailer or semitrailer of a gross weight of 5,500
8 pounds or more when operated upon a highway shall be equipped
9 with brakes operating on all wheels and designed to be applied by
10 the driver of the towing motor vehicle from its cab.

11 (d) A new motor vehicle, trailer, or semitrailer sold in
12 this state and operated upon the highways shall be equipped with
13 brakes on all wheels, except a motorcycle or moped, and except
14 that a semitrailer, pole trailer, or trailer of less than 3,000
15 pounds gross weight need not be equipped with brakes if the gross
16 weight of a trailer or pole trailer, no part of the load of which
17 rests upon the towing vehicle, does not exceed 40% of the gross
18 weight of the towing vehicle, and if the gross weight of the
19 towing vehicle and the gross weight of a semitrailer or pole
20 trailer, part of the load of which rests upon the towing vehicle,
21 does not exceed 40% of the gross weight of the towing vehicle
22 when connected to the semitrailer or pole trailer. This subdivi-
23 sion shall not apply to a trailer or semitrailer owned by a
24 farmer and used exclusively in connection with the farming opera-
25 tions of the farmer and not used for hire.

26 (e) Every bus, school bus, truck, or truck tractor shall be
27 equipped with brakes operating on all wheels, except that a truck

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1 or truck tractor ~~which~~ THAT has 3 or more axles need not have
2 brakes on the front wheels if the vehicle was manufactured before
3 July 25, 1980.

4 (f) In any combination of motor driven vehicles, means shall
5 be provided for applying the rearmost trailer brakes, for a
6 trailer equipped with brakes, in approximate synchronism with the
7 brakes on the towing vehicle and developing the required braking
8 effort on the rearmost wheels at the fastest rate; or means shall
9 be provided for applying braking effort first on the rearmost
10 trailer equipped with brakes; or both of the above means capable
11 of being used alternatively may be employed.

12 (g) A motor vehicle and combination of vehicles, except pole
13 trailers, motorcycles, and mopeds, shall be equipped with parking
14 brakes adequate to hold the vehicle on any grade on which it is
15 operated, under all conditions of loading on a surface free from
16 snow, ice, or loose material. The parking brakes shall be
17 capable of being applied in conformance with the foregoing
18 requirements by the driver's muscular effort or by spring action
19 or by equivalent means. Their operation may be assisted by the
20 service brakes or other source of power if failure of the service
21 brake actuation system or other power assisting mechanism will
22 not prevent the parking brakes from being applied in conformance
23 with the foregoing requirements. The parking brakes shall be
24 designed in a manner that when once applied they shall remain
25 applied with the required effectiveness despite exhaustion of any
26 source of energy or leakage of any kind. The same brake drums,
27 brake shoes, and lining assemblies, brake shoe anchors, and

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1 mechanical brake shoe actuation mechanism normally associated
2 with the wheel brake assemblies may be used for both the service
3 brakes and the parking brakes. If the means of applying the
4 parking brakes and the service brakes are connected in any way,
5 they shall be constructed in a manner that failure of 1 part
6 shall not leave the vehicle without operative brakes.

7 (h) The brake shoes operating within or upon the drums of
8 the vehicle wheels of a motor vehicle may be used for both serv-
9 ice and hand operation.

10 (2) A motor vehicle or combination of motor-drawn vehicles
11 shall be capable at all times and under all conditions of load-
12 ing, of being stopped on a dry, smooth, level road free from
13 loose material within the distances specified ~~below~~ IN THIS
14 SUBSECTION, or shall be capable of being decelerated at a sus-
15 tained rate corresponding to these distances upon initial appli-
16 cation of the service (foot) brake.

	Feet to stop from	Deceleration
	20 miles	in feet
	per hour	per second
17 Vehicles or combination of		
18 vehicles having brakes on all		
19 wheels.....	30	14
20 Vehicles or combination of		
21 vehicles not having brakes		
22 on all wheels.....	40	10.7

26 (3) Subsection (2) does not apply to a combination of
27 motor-drawn vehicles under all of the following circumstances:

28 (a) The drawn vehicle is an implement of husbandry as
29 defined in section 21.

30 (b) The motor vehicle hauling the implement of husbandry
31 does not exceed a maximum speed of 25 miles per hour if the

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1 implement of husbandry being drawn is not equipped with brakes
2 that meet the standards set forth in 49 C.F.R. 393.40 and this
3 act.

4 (c) If the implement of husbandry being drawn does not
5 exceed any other implement or component design maximum speed lim-
6 itation, the combination of vehicles shall not exceed that maxi-
7 mum speed limitation.

8 (4) All brakes shall be maintained in good working order and
9 shall be adjusted in a manner as to operate as equally as practi-
10 cable with respect to the wheels on the opposite side of the
11 vehicle.

12 Sec. 801. (1) The secretary of state shall collect the fol-
13 lowing taxes at the time of registering a vehicle, which shall
14 exempt the vehicle from all other state and local taxation,
15 except the fees and taxes provided by law to be paid by certain
16 carriers operating motor vehicles and trailers under the motor
17 carrier act, 1933 PA 254, MCL 475.1 to 479.43; the taxes imposed
18 by the motor carrier fuel tax act, 1980 PA 119, MCL 207.211 to
19 207.234; a fee or fees imposed pursuant to the local road
20 improvements and operations revenue act, 1987 PA 237, MCL 247.521
21 to 247.525; and except as otherwise provided by this act:

22 (a) For a motor vehicle, including a motor home, except as
23 otherwise provided, and a pickup truck or van, which pickup truck
24 or van weighs not more than 5,000 pounds and is not taxed under
25 subdivision (p), except as otherwise provided, according to the
26 following schedule of empty weights:

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	Empty weights	Fee
1		
2	0 to 3,000 pounds.....	\$ 29.00
3	3,001 to 3,500 pounds.....	32.00
4	3,501 to 4,000 pounds.....	37.00
5	4,001 to 4,500 pounds.....	43.00
6	4,501 to 5,000 pounds.....	47.00
7	5,001 to 5,500 pounds.....	52.00
8	5,501 to 6,000 pounds.....	57.00
9	6,001 to 6,500 pounds.....	62.00
10	6,501 to 7,000 pounds.....	67.00
11	7,001 to 7,500 pounds.....	71.00
12	7,501 to 8,000 pounds.....	77.00
13	8,001 to 8,500 pounds.....	81.00
14	8,501 to 9,000 pounds.....	86.00
15	9,001 to 9,500 pounds.....	91.00
16	9,501 to 10,000 pounds.....	95.00
17	over 10,000 pounds.....	\$ 0.90 per 100 pounds
18		of empty weight

19 On October 1, 1983, and October 1, 1984, the tax assessed
20 under this subdivision shall be annually revised for the regis-
21 trations expiring on the appropriate October 1 or after that date
22 by multiplying the tax assessed in the preceding fiscal year
23 times the personal income of Michigan for the preceding calendar
24 year divided by the personal income of Michigan for the calendar
25 year which preceded that calendar year. In performing the calcu-
26 lations under this subdivision, the secretary of state shall use
27 the spring preliminary report of the United States department of

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1 commerce or its successor agency. A van which is owned by a
2 person who uses a wheelchair or by a person who transports a res-
3 ident of his or her household who uses a wheelchair and for which
4 registration plates are issued pursuant to section 803d shall be
5 assessed at the rate of 50% of the tax provided for in this
6 subdivision.

7 (b) For a trailer coach attached to a motor vehicle 76 cents
8 per 100 pounds of empty weight of the trailer coach. A trailer
9 coach not under 1959 PA 243, MCL 125.1035 to 125.1043, and while
10 located on land otherwise assessable as real property under the
11 general property tax act, 1893 PA 206, MCL 211.1 to 211.157, if
12 the trailer coach is used as a place of habitation, and whether
13 or not permanently affixed to the soil, shall not be exempt from
14 real property taxes.

15 (c) For a road tractor, truck, or truck tractor owned by a
16 farmer and used exclusively in connection with the farmer's farm-
17 ing operations, or used for the transportation of the farmer and
18 the farmer's family, and not used for hire, 74 cents per 100
19 pounds of empty weight of the road tractor, truck, or truck
20 tractor. If the road tractor, truck, or truck tractor owned by a
21 farmer is also used for a nonfarming operation, the farmer shall
22 be subject to the highest registration tax applicable to the non-
23 farm use of the vehicle but shall not be subject to more than 1
24 tax rate under this act.

25 (d) For a road tractor, truck, or truck tractor owned by a
26 wood harvester and used exclusively in connection with the wood
27 harvesting operations OR A TRUCK USED EXCLUSIVELY TO HAUL MILK FROM
THE FARM TO THE FIRST POINT OF DELIVERY, 74 cents per 100 pounds of
empty weight of

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1 the road tractor, truck, or truck tractor. A registration
2 secured by payment of the fee as prescribed in this subdivision
3 shall continue in full force and effect until the regular expira-
4 tion date of the registration. As used in this subdivision,
5 "wood harvester" includes the person or persons hauling and
6 transporting raw materials only from the forest to the mill
7 site. "Wood harvesting operations" does not include the trans-
8 portation of processed lumber.

9 (e) For a hearse or ambulance used exclusively by a licensed
10 funeral director in the general conduct of the licensee's funeral
11 business, including a hearse or ambulance whose owner is engaged
12 in the business of leasing or renting the hearse or ambulance to
13 others, \$1.17 per 100 pounds of the empty weight of the hearse or
14 ambulance.

15 (f) For a motor vehicle owned and operated by this state, a
16 state institution, a municipality, a privately incorporated, non-
17 profit volunteer fire department, or a nonpublic, nonprofit col-
18 lege or university, \$5.00 per set; and for each motor vehicle
19 operating under municipal franchise, weighing less than 2,500
20 pounds, 65 cents per 100 pounds of the empty weight of the motor
21 vehicle, weighing from 2,500 to 4,000 pounds, 80 cents per 100
22 pounds of the empty weight of the motor vehicle, weighing 4,001
23 to 6,000 pounds, \$1.00 per 100 pounds of the empty weight of the
24 motor vehicle, and weighing over 6,000 pounds, \$1.25 per 100
25 pounds of the empty weight of the motor vehicle.

26 (g) For a bus including a station wagon, carryall, or
27 similarly constructed vehicle owned and operated by a nonprofit

1 parents' transportation corporation used for school purposes,
2 parochial school or society, church Sunday school, or any other
3 grammar school, or by a nonprofit youth organization or nonprofit
4 rehabilitation facility; or a motor vehicle owned and operated by
5 a senior citizen center, \$10.00 per set, if the bus, station
6 wagon, carryall, or similarly constructed vehicle or motor vehi-
7 cle is designated by proper signs showing the organization oper-
8 ating the vehicle.

9 (h) For a vehicle owned by a nonprofit organization and used
10 to transport equipment for providing dialysis treatment to chil-
11 dren at camp; for a vehicle owned by the civil air patrol, as
12 organized under sections 1 to 8 of chapter 527, 60 Stat. 346, 36
13 U.S.C. 201 to 208, \$10.00 per plate, if the vehicle is designated
14 by a proper sign showing the civil air patrol's name; for a vehi-
15 cle owned and operated by a nonprofit veterans center; for a
16 vehicle owned and operated by a nonprofit recycling center or a
17 federally recognized nonprofit conservation organization ~~until~~
18 ~~December 31, 2000~~; for a motor vehicle having a truck chassis and
19 a locomotive or ship's body which is owned by a nonprofit veter-
20 ans organization and used exclusively in parades and civic
21 events; or for an emergency support vehicle used exclusively for
22 emergencies and owned and operated by a federally recognized non-
23 profit charitable organization, \$10.00 per plate.

24 (i) For each truck owned and operated free of charge by a
25 bona fide ecclesiastical or charitable corporation, or red cross,
26 girl scout, or boy scout organization, 65 cents per 100 pounds of
27 the empty weight of the truck.

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1 (j) For each truck, weighing 8,000 pounds or less, and not
2 used to tow a vehicle, for each privately owned truck used to tow
3 a trailer for recreational purposes only and not involved in a
4 profit making venture, and for each vehicle designed and used to
5 tow a mobile home or a trailer coach, except as provided in sub-
6 division (b), \$38.00 or an amount computed according to the fol-
7 lowing schedule of empty weights, whichever is greater:

8	Empty weights	Per 100 pounds
9	0 to 2,500 pounds.....	\$ 1.40
10	2,501 to 4,000 pounds.....	1.76
11	4,001 to 6,000 pounds.....	2.20
12	6,001 to 8,000 pounds.....	2.72
13	8,001 to 10,000 pounds.....	3.25
14	10,001 to 15,000 pounds.....	3.77
15	15,001 pounds and over.....	4.39

16 If the tax required under subdivision (q) for a vehicle of
17 the same model year with the same list price as the vehicle for
18 which registration is sought under this subdivision is more than
19 the tax provided under the preceding provisions of this subdivi-
20 sion for an identical vehicle, the tax required under this subdivi-
21 sion shall not be less than the tax required under subdivision
22 (q) for a vehicle of the same model year with the same list
23 price.

24 (k) For each truck weighing 8,000 pounds or less towing a
25 trailer or any other combination of vehicles and for each truck
26 weighing 8,001 pounds or more, road tractor or truck tractor,

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1 except as provided in subdivision (j) according to the following
2 schedule of elected gross weights:

3	Elected gross weight	Fee
4	0 to 24,000 pounds.....	\$ 491.00
5	24,001 to 26,000 pounds.....	558.00
6	26,001 to 28,000 pounds.....	558.00
7	28,001 to 32,000 pounds.....	649.00
8	32,001 to 36,000 pounds.....	744.00
9	36,001 to 42,000 pounds.....	874.00
10	42,001 to 48,000 pounds.....	1,005.00
11	48,001 to 54,000 pounds.....	1,135.00
12	54,001 to 60,000 pounds.....	1,268.00
13	60,001 to 66,000 pounds.....	1,398.00
14	66,001 to 72,000 pounds.....	1,529.00
15	72,001 to 80,000 pounds.....	1,660.00
16	80,001 to 90,000 pounds.....	1,793.00
17	90,001 to 100,000 pounds.....	2,002.00
18	100,001 to 115,000 pounds.....	2,223.00
19	115,001 to 130,000 pounds.....	2,448.00
20	130,001 to 145,000 pounds.....	2,670.00
21	145,001 to 160,000 pounds.....	2,894.00
22	over 160,000 pounds.....	3,117.00

23 For each commercial vehicle registered pursuant to this sub-
24 division \$15.00 shall be deposited in a truck safety fund to be
25 expended for the purposes prescribed in section 25 of 1951 PA 51,
26 MCL 247.675.

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1 If a truck or road tractor without trailer is leased from an
2 individual owner-operator, the lessee, whether a person, firm, or
3 corporation, shall pay to the owner-operator 60% of the fee pre-
4 scribed in this subdivision for the truck tractor or road tractor
5 at the rate of 1/12 for each month of the lease or arrangement in
6 addition to the compensation the owner-operator is entitled to
7 for the rental of his or her equipment.

8 (l) For each pole trailer, semitrailer, or trailer, accord-
9 ing to the following schedule of rates:

10	Empty weights	Fee
11	0 to 500 pounds.....	\$ 17.00
12	501 to 1,500 pounds.....	24.00
13	1,501 pounds and over.....	39.00

14 (m) For each commercial vehicle used for the transportation
15 of passengers for hire except for a vehicle for which a payment
16 is made pursuant to 1960 PA 2, MCL 257.971 to 257.972, according
17 to the following schedule of empty weights:

18	Empty weights	Per 100 pounds
19	0 to 4,000 pounds.....	\$ 1.76
20	4,001 to 6,000 pounds.....	2.20
21	6,001 to 10,000 pounds.....	2.72
22	10,001 pounds and over.....	3.25

23 (n) For each motorcycle..... \$ 23.00

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1 On October 1, 1983, and October 1, 1984, the tax assessed
2 under this subdivision shall be annually revised for the
3 registrations expiring on the appropriate October 1 or after that
4 date by multiplying the tax assessed in the preceding fiscal year
5 times the personal income of Michigan for the preceding calendar
6 year divided by the personal income of Michigan for the calendar
7 year which preceded that calendar year. In performing the calcu-
8 lations under this subdivision, the secretary of state shall use
9 the spring preliminary report of the United States department of
10 commerce or its successor agency.

11 Beginning January 1, 1984, the registration tax for each
12 motorcycle shall be increased by \$3.00. The \$3.00 increase shall
13 not be considered as part of the tax assessed under this subdivi-
14 sion for the purpose of the annual October 1 revisions but shall
15 be in addition to the tax assessed as a result of the annual
16 October 1 revisions. Beginning January 1, 1984, \$3.00 of each
17 motorcycle fee shall be placed in a motorcycle safety fund in the
18 state treasury and shall be used only for funding the motorcycle
19 safety education program as provided for under sections 312b and
20 811a.

21 (o) For each truck weighing 8,001 pounds or more, road trac-
22 tor, or truck tractor used exclusively as a moving van or part of
23 a moving van in transporting household furniture and household
24 effects or the equipment or those engaged in conducting carni-
25 vals, at the rate of 80% of the schedule of elected gross weights
26 in subdivision (k) as modified by the operation of that
27 subdivision.

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1 (p) Until October 1, 1997, for each pickup truck or van,
2 which pickup truck or van weighs not more than 5,000 pounds and
3 is owned by a business, corporation, or person other than an
4 individual, according to the following schedule of empty
5 weights:

6	Empty weights	Fee
7	0 to 4,000 pounds.....	\$ 39.00
8	4,001 to 4,500 pounds.....	44.00
9	4,501 to 5,000 pounds.....	49.00

10 (q) After September 30, 1983, each motor vehicle of the 1984
11 or a subsequent model year as shown on the application required
12 under section 217 which has not been previously subject to the
13 tax rates of this section and which is of the motor vehicle cate-
14 gory otherwise subject to the tax schedule described in subdivi-
15 sion (a), ~~and~~ beginning October 1, 1997 each motor vehicle pre-
16 viously subject to the tax schedule described in subdivision (p),
17 AND EACH LOW-SPEED VEHICLE according to the following schedule
18 based upon registration periods of 12 months:

19 (i) Except as otherwise provided in this subdivision, for
20 the first registration, which is not a transfer registration
21 under section 809 and for the first registration after a transfer
22 registration under section 809, according to the following sched-
23 ule based on the vehicle's list price:

24	List Price	Tax
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1	\$0 - \$6,000.00.....	\$ 30.00
2	More than \$6,000.00 - \$7,000.00.....	\$ 33.00
3	More than \$7,000.00 - \$8,000.00.....	\$ 38.00
4	More than \$8,000.00 - \$9,000.00.....	\$ 43.00
5	More than \$9,000.00 - \$10,000.00.....	\$ 48.00
6	More than \$10,000.00 - \$11,000.00.....	\$ 53.00
7	More than \$11,000.00 - \$12,000.00.....	\$ 58.00
8	More than \$12,000.00 - \$13,000.00.....	\$ 63.00
9	More than \$13,000.00 - \$14,000.00.....	\$ 68.00
10	More than \$14,000.00 - \$15,000.00.....	\$ 73.00
11	More than \$15,000.00 - \$16,000.00.....	\$ 78.00
12	More than \$16,000.00 - \$17,000.00.....	\$ 83.00
13	More than \$17,000.00 - \$18,000.00.....	\$ 88.00
14	More than \$18,000.00 - \$19,000.00.....	\$ 93.00
15	More than \$19,000.00 - \$20,000.00.....	\$ 98.00
16	More than \$20,000.00 - \$21,000.00.....	\$103.00
17	More than \$21,000.00 - \$22,000.00.....	\$108.00
18	More than \$22,000.00 - \$23,000.00.....	\$113.00
19	More than \$23,000.00 - \$24,000.00.....	\$118.00
20	More than \$24,000.00 - \$25,000.00.....	\$123.00
21	More than \$25,000.00 - \$26,000.00.....	\$128.00
22	More than \$26,000.00 - \$27,000.00.....	\$133.00
23	More than \$27,000.00 - \$28,000.00.....	\$138.00
24	More than \$28,000.00 - \$29,000.00.....	\$143.00
25	More than \$29,000.00 - \$30,000.00.....	\$148.00
26	More than \$30,000.00, the fee shall of \$148.00 shall be	
27	increased by \$5.00 for each \$1,000.00 increment or fraction of a	

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1 \$1,000.00 increment over \$30,000.00. If a current fee increases
2 or decreases as a result of the 1998 amendatory act that added
3 this sentence, only a vehicle purchased or transferred after the
4 effective date of the 1998 amendatory act that added this sen-
5 tence shall be assessed the increased or decreased fee.

6 (ii) For the second registration, 90% of the tax assessed
7 under subparagraph (i).

8 (iii) For the third registration, 90% of the tax assessed
9 under subparagraph (ii).

10 (iv) For the fourth and subsequent registrations, 90% of the
11 tax assessed under subparagraph (iii).

12 For a vehicle of the 1984 or a subsequent model year which
13 has been previously registered by a person other than the person
14 applying for registration or for a vehicle of the 1984 or a sub-
15 sequent model year which has been previously registered in
16 another state or country and is registered for the first time in
17 this state, the tax under this subdivision shall be determined by
18 subtracting the model year of the vehicle from the calendar year
19 for which the registration is sought. If the result is zero or a
20 negative figure, the first registration tax shall be paid. If
21 the result is 1, 2, or 3 or more, then, respectively, the second,
22 third, or subsequent registration tax shall be paid. A van which
23 is owned by a person who uses a wheelchair or by a person who
24 transports a resident of his or her household who uses a wheel-
25 chair and for which registration plates are issued pursuant to
26 section 803d shall be assessed at the rate of 50% of the tax
27 provided for in this subdivision.

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1 (r) For a wrecker, \$200.00.

2 (s) When the secretary of state computes a tax under this
3 section, a computation which does not result in a whole dollar
4 figure shall be rounded to the next lower whole dollar when the
5 computation results in a figure ending in 50 cents or less and
6 shall be rounded to the next higher whole dollar when the compu-
7 tation results in a figure ending in 51 cents or more, unless
8 specific fees are specified, and may accept the manufacturer's
9 shipping weight of the vehicle fully equipped for the use for
10 which the registration application is made. If the weight is not
11 correctly stated or is not satisfactory, the secretary of state
12 shall determine the actual weight. Each application for regis-
13 tration of a vehicle under subdivisions (j) and (m) shall have
14 attached to the application a scale weight receipt of the vehicle
15 fully equipped as of the time the application is made. The scale
16 weight receipt is not necessary if there is presented with the
17 application a registration receipt of the previous year which
18 shows on its face the weight of the motor vehicle as registered
19 with the secretary of state and which is accompanied by a state-
20 ment of the applicant that there has not been a structural change
21 in the motor vehicle which has increased the weight and that the
22 previous registered weight is the true weight.

23 (2) A manufacturer is not exempted under this act from
24 paying ad valorem taxes on vehicles in stock or bond, except on
25 the specified number of motor vehicles registered. A dealer is
26 exempt from paying ad valorem taxes on vehicles in stock or
27 bond.

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1 (3) The fee for a vehicle with an empty weight over 10,000
2 pounds imposed pursuant to subsection (1)(a) and the fees imposed
3 pursuant to subsection (1)(b), (c), (d), (e), (f), (i), (j), (m),
4 (o), and (q) shall each be increased by \$5.00. This increase
5 shall be credited to the Michigan transportation fund and used to
6 defray the costs of processing the registrations under this
7 section.

8 (4) As used in this section:

9 (a) "Gross proceeds" means gross proceeds as defined in sec-
10 tion 1 of the general sales tax act, 1933 PA 167, MCL 205.51.
11 However, gross proceeds shall include the value of the motor
12 vehicle used as part payment of the purchase price as that value
13 is agreed to by the parties to the sale, as evidenced by the
14 signed agreement executed pursuant to section 251.

15 (b) "List price" means the manufacturer's suggested base
16 list price as published by the secretary of state, or the
17 manufacturer's suggested retail price as shown on the label
18 required to be affixed to the vehicle under section 3 of the
19 automobile information disclosure act, Public Law 85-506,
20 15 U.S.C. 1232, if the secretary of state has not at the time of
21 the sale of the vehicle published a manufacturer's suggested
22 retail price for that vehicle, or the purchase price of the vehi-
23 cle if the manufacturer's suggested base list price is unavail-
24 able from the sources described in this subdivision.

25 (c) "Purchase price" means the gross proceeds received by
26 the seller in consideration of the sale of the motor vehicle
27 being registered.

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1 Enacting section 1. This amendatory act takes effect July
2 1, 2000.