

HOUSE BILL No. 5312

January 26, 2012, Introduced by Reps. Geiss and Olson and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 801 (MCL 257.801), as amended by 2011 PA 159,
and by adding section 801k.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 801. (1) The secretary of state shall collect the
2 following taxes at the time of registering a vehicle, which shall
3 exempt the vehicle from all other state and local taxation,
4 except the fees and taxes provided by law to be paid by certain
5 carriers operating motor vehicles and trailers under the motor
6 carrier act, 1933 PA 254, MCL 475.1 to 479.43; the taxes imposed
7 by the motor carrier fuel tax act, 1980 PA 119, MCL 207.211 to
8 207.234; and except as otherwise provided by this act:

9 (a) For a motor vehicle, including a motor home, except as

1 otherwise provided, and a pickup truck or van that weighs not
 2 more than 8,000 pounds, except as otherwise provided, according
 3 to the following schedule of empty weights:

4	Empty weights	Tax
5	0 to 3,000 pounds.....	\$ 29.00
6	3,001 to 3,500 pounds.....	32.00
7	3,501 to 4,000 pounds.....	37.00
8	4,001 to 4,500 pounds.....	43.00
9	4,501 to 5,000 pounds.....	47.00
10	5,001 to 5,500 pounds.....	52.00
11	5,501 to 6,000 pounds.....	57.00
12	6,001 to 6,500 pounds.....	62.00
13	6,501 to 7,000 pounds.....	67.00
14	7,001 to 7,500 pounds.....	71.00
15	7,501 to 8,000 pounds.....	77.00
16	8,001 to 8,500 pounds.....	81.00
17	8,501 to 9,000 pounds.....	86.00
18	9,001 to 9,500 pounds.....	91.00
19	9,501 to 10,000 pounds.....	95.00
20	over 10,000 pounds.....	\$ 0.90 per 100 pounds
21		of empty weight

22 On October 1, 1983, and October 1, 1984, the tax assessed
 23 under this subdivision shall be annually revised for the
 24 registrations expiring on the appropriate October 1 or after that
 25 date by multiplying the tax assessed in the preceding fiscal year
 26 times the personal income of Michigan for the preceding calendar
 27 year divided by the personal income of Michigan for the calendar
 28 year that preceded that calendar year. In performing the

1 calculations under this subdivision, the secretary of state shall
2 use the spring preliminary report of the United States department
3 of commerce or its successor agency. A van that is owned by an
4 individual who uses a wheelchair or by an individual who
5 transports a member of his or her household who uses a wheelchair
6 and for which registration plates are issued under section 803d
7 shall be assessed at the rate of 50% of the tax provided for in
8 this subdivision.

9 (b) For a trailer coach attached to a motor vehicle, the tax
10 shall be assessed as provided in subdivision (l). A trailer coach
11 not under 1959 PA 243, MCL 125.1035 to 125.1043, and while
12 located on land otherwise assessable as real property under the
13 general property tax act, 1893 PA 206, MCL 211.1 to 211.155, if
14 the trailer coach is used as a place of habitation, and whether
15 or not permanently affixed to the soil, is not exempt from real
16 property taxes.

17 (c) For a road tractor, truck, or truck tractor owned by a
18 farmer and used exclusively in connection with a farming
19 operation, including a farmer hauling livestock or farm equipment
20 for other farmers for remuneration in kind or in labor, but not
21 for money, or used for the transportation of the farmer and the
22 farmer's family, and not used for hire, 74 cents per 100 pounds
23 of empty weight of the road tractor, truck, or truck tractor. If
24 the road tractor, truck, or truck tractor owned by a farmer is
25 also used for a nonfarming operation, the farmer is subject to
26 the highest registration tax applicable to the nonfarm use of the
27 vehicle but is not subject to more than 1 tax rate under this

1 act.

2 (d) For a road tractor, truck, or truck tractor owned by a
3 wood harvester and used exclusively in connection with the wood
4 harvesting operations or a truck used exclusively to haul milk
5 from the farm to the first point of delivery, 74 cents per 100
6 pounds of empty weight of the road tractor, truck, or truck
7 tractor. A registration secured by payment of the tax prescribed
8 in this subdivision continues in full force and effect until the
9 regular expiration date of the registration. As used in this
10 subdivision:

11 (i) "Wood harvester" includes the person or persons hauling
12 and transporting raw materials in the form produced at the
13 harvest site or hauling and transporting wood harvesting
14 equipment. Wood harvester does not include a person or persons
15 whose primary activity is tree-trimming or landscaping.

16 (ii) "Wood harvesting equipment" includes all of the
17 following:

18 (A) A vehicle that directly harvests logs or timber,
19 including, but not limited to, a processor or a feller buncher.

20 (B) A vehicle that directly processes harvested logs or
21 timber, including, but not limited to, a slasher, delimber,
22 processor, chipper, or saw table.

23 (C) A vehicle that directly processes harvested logs or
24 timber, including, but not limited to, a forwarder, grapple
25 skidder, or cable skidder.

26 (D) A vehicle that directly loads harvested logs or timber,
27 including, but not limited to, a knuckle-boom loader, front-end

1 loader, or forklift.

2 (E) A bulldozer or road grader being transported to a wood
3 harvesting site specifically for the purpose of building or
4 maintaining harvest site roads.

5 (iii) "Wood harvesting operations" does not include the
6 transportation of processed lumber, Christmas trees, or processed
7 firewood for a profit making venture.

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

14 (f) For a vehicle owned and operated by this state, a state
15 institution, a municipality, a privately incorporated, nonprofit
16 volunteer fire department, or a nonpublic, nonprofit college or
17 university, \$5.00 per plate. A registration plate issued under
18 this subdivision expires on June 30 of the year in which new
19 registration plates are reissued for all vehicles by the
20 secretary of state.

21 (g) For a bus including a station wagon, carryall, or
22 similarly constructed vehicle owned and operated by a nonprofit
23 parents' transportation corporation used for school purposes,
24 parochial school or society, church Sunday school, or any other
25 grammar school, or by a nonprofit youth organization or nonprofit
26 rehabilitation facility; or a motor vehicle owned and operated by
27 a senior citizen center, \$10.00, if the bus, station wagon,

1 carryall, or similarly constructed vehicle or motor vehicle is
2 designated by proper signs showing the organization operating the
3 vehicle.

4 (h) For a vehicle owned by a nonprofit organization and used
5 to transport equipment for providing dialysis treatment to
6 children at camp; for a vehicle owned by the civil air patrol, as
7 organized under 36 USC 40301 to 40307, \$10.00 per plate, if the
8 vehicle is designated by a proper sign showing the civil air
9 patrol's name; for a vehicle owned and operated by a nonprofit
10 veterans center; for a vehicle owned and operated by a nonprofit
11 recycling center or a federally recognized nonprofit conservation
12 organization; for a motor vehicle having a truck chassis and a
13 locomotive or ship's body that is owned by a nonprofit veterans
14 organization and used exclusively in parades and civic events; or
15 for an emergency support vehicle used exclusively for emergencies
16 and owned and operated by a federally recognized nonprofit
17 charitable organization, \$10.00 per plate.

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

22 (j) For each truck, weighing 8,000 pounds or less, and not
23 used to tow a vehicle, for each privately owned truck used to tow
24 a trailer for recreational purposes only and not involved in a
25 profit making venture, and for each vehicle designed and used to
26 tow a mobile home or a trailer coach, except as provided in
27 subdivision (b), \$38.00 or an amount computed according to the

1 following schedule of empty weights, whichever is greater:

2	Empty weights	Per 100 pounds
3	0 to 2,500 pounds.....	\$ 1.40
4	2,501 to 4,000 pounds.....	1.76
5	4,001 to 6,000 pounds.....	2.20
6	6,001 to 8,000 pounds.....	2.72
7	8,001 to 10,000 pounds.....	3.25
8	10,001 to 15,000 pounds.....	3.77
9	15,001 pounds and over.....	4.39

10 If the tax required under subdivision (p) for a vehicle of
 11 the same model year with the same list price as the vehicle for
 12 which registration is sought under this subdivision is more than
 13 the tax provided under the preceding provisions of this
 14 subdivision for an identical vehicle, the tax required under this
 15 subdivision is not less than the tax required under subdivision
 16 (p) for a vehicle of the same model year with the same list
 17 price.

18 (k) For each truck weighing 8,000 pounds or less towing a
 19 trailer or any other combination of vehicles and for each truck
 20 weighing 8,001 pounds or more, road tractor or truck tractor,
 21 except as provided in subdivision (j) according to the following
 22 schedule of elected gross weights:

23	Elected gross weight	Tax
24	0 to 24,000 pounds.....	\$ 491.00
25	24,001 to 26,000 pounds.....	558.00
26	26,001 to 28,000 pounds.....	558.00

1	28,001 to 32,000 pounds.....	649.00
2	32,001 to 36,000 pounds.....	744.00
3	36,001 to 42,000 pounds.....	874.00
4	42,001 to 48,000 pounds.....	1,005.00
5	48,001 to 54,000 pounds.....	1,135.00
6	54,001 to 60,000 pounds.....	1,268.00
7	60,001 to 66,000 pounds.....	1,398.00
8	66,001 to 72,000 pounds.....	1,529.00
9	72,001 to 80,000 pounds.....	1,660.00
10	80,001 to 90,000 pounds.....	1,793.00
11	90,001 to 100,000 pounds.....	2,002.00
12	100,001 to 115,000 pounds.....	2,223.00
13	115,001 to 130,000 pounds.....	2,448.00
14	130,001 to 145,000 pounds.....	2,670.00
15	145,001 to 160,000 pounds.....	2,894.00
16	over 160,000 pounds.....	3,117.00

17 For each commercial vehicle registered under this
18 subdivision, \$15.00 shall be deposited in a truck safety fund to
19 be expended for the purposes prescribed in section 25 of 1951 PA
20 51, MCL 247.675.

21 If a truck or road tractor without trailer is leased from an
22 individual owner-operator, the lessee, whether a person, firm, or
23 corporation, shall pay to the owner-operator 60% of the tax
24 prescribed in this subdivision for the truck tractor or road
25 tractor at the rate of 1/12 for each month of the lease or
26 arrangement in addition to the compensation the owner-operator is
27 entitled to for the rental of his or her equipment.

28 (1) For each pole trailer, semitrailer, trailer coach, or

1 trailer, the tax shall be assessed according to the following
 2 schedule of empty weights:

3	Empty weights	Tax
4	0 to 2,499 pounds.....	\$ 75.00
5	2,500 to 9,999 pounds.....	200.00
6	10,000 pounds and over.....	300.00

7 The registration plate issued under this subdivision expires
 8 only when the secretary of state reissues a new registration
 9 plate for all trailers. Beginning October 1, 2005, if the
 10 secretary of state reissues a new registration plate for all
 11 trailers, a person who has once paid the tax as increased by 2003
 12 PA 152 for a vehicle under this subdivision is not required to
 13 pay the tax for that vehicle a second time, but is required to
 14 pay only the cost of the reissued plate at the rate provided in
 15 section 804(2) for a standard plate. A registration plate issued
 16 under this subdivision is nontransferable.

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

21	Empty weights	Per 100 pounds
22	0 to 4,000 pounds.....	\$ 1.76
23	4,001 to 6,000 pounds.....	2.20
24	6,001 to 10,000 pounds.....	2.72
25	10,001 pounds and over.....	3.25
26	(n) For each motorcycle.....	\$ 23.00

1 **(N) FOR EACH MOTORCYCLE, \$23.00.**

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

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

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

(p) After September 30, 1983, each motor vehicle of the 1984 or a subsequent model year as shown on the application required under section 217 that has not been previously subject to the tax rates of this section and that is of the motor vehicle category otherwise subject to the tax schedule described in subdivision (a), and each low-speed vehicle according to the following schedule based upon registration periods of 12 months:

(i) Except as otherwise provided in this subdivision, for the first registration that is not a transfer registration under section 809 and for the first registration after a transfer registration under section 809, according to the following schedule based on the vehicle's list price:

List Price	Tax
\$ 0 - \$ 6,000.00.....	\$ 30.00
More than \$ 6,000.00 - \$ 7,000.00.....	\$ 33.00
More than \$ 7,000.00 - \$ 8,000.00.....	\$ 38.00
More than \$ 8,000.00 - \$ 9,000.00.....	\$ 43.00
More than \$ 9,000.00 - \$ 10,000.00.....	\$ 48.00
More than \$ 10,000.00 - \$ 11,000.00.....	\$ 53.00
More than \$ 11,000.00 - \$ 12,000.00.....	\$ 58.00
More than \$ 12,000.00 - \$ 13,000.00.....	\$ 63.00
More than \$ 13,000.00 - \$ 14,000.00.....	\$ 68.00
More than \$ 14,000.00 - \$ 15,000.00.....	\$ 73.00
More than \$ 15,000.00 - \$ 16,000.00.....	\$ 78.00
More than \$ 16,000.00 - \$ 17,000.00.....	\$ 83.00
More than \$ 17,000.00 - \$ 18,000.00.....	\$ 88.00
More than \$ 18,000.00 - \$ 19,000.00.....	\$ 93.00
More than \$ 19,000.00 - \$ 20,000.00.....	\$ 98.00

1	More than \$ 20,000.00 - \$ 21,000.00.....	\$ 103.00
2	More than \$ 21,000.00 - \$ 22,000.00.....	\$ 108.00
3	More than \$ 22,000.00 - \$ 23,000.00.....	\$ 113.00
4	More than \$ 23,000.00 - \$ 24,000.00.....	\$ 118.00
5	More than \$ 24,000.00 - \$ 25,000.00.....	\$ 123.00
6	More than \$ 25,000.00 - \$ 26,000.00.....	\$ 128.00
7	More than \$ 26,000.00 - \$ 27,000.00.....	\$ 133.00
8	More than \$ 27,000.00 - \$ 28,000.00.....	\$ 138.00
9	More than \$ 28,000.00 - \$ 29,000.00.....	\$ 143.00
10	More than \$ 29,000.00 - \$ 30,000.00.....	\$ 148.00

11 More than \$30,000.00, the tax of \$148.00 is increased by
 12 \$5.00 for each \$1,000.00 increment or fraction of a \$1,000.00
 13 increment over \$30,000.00. If a current tax increases or
 14 decreases as a result of 1998 PA 384, only a vehicle purchased or
 15 transferred after January 1, 1999 shall be assessed the increased
 16 or decreased tax.

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

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

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

23 For a vehicle of the 1984 or a subsequent model year that
 24 has been previously registered by a person other than the person
 25 applying for registration or for a vehicle of the 1984 or a
 26 subsequent model year that has been previously registered in
 27 another state or country and is registered for the first time in
 28 this state, the tax under this subdivision shall be determined by

1 subtracting the model year of the vehicle from the calendar year
2 for which the registration is sought. If the result is zero or a
3 negative figure, the first registration tax shall be paid. If the
4 result is 1, 2, or 3 or more, then, respectively, the second,
5 third, or subsequent registration tax shall be paid. A van that
6 is owned by an individual who uses a wheelchair or by an
7 individual who transports a member of his or her household who
8 uses a wheelchair and for which registration plates are issued
9 under section 803d shall be assessed at the rate of 50% of the
10 tax provided for in this subdivision.

11 (q) For a wrecker, \$200.00.

12 (r) When the secretary of state computes a tax under this
13 section, a computation that does not result in a whole dollar
14 figure shall be rounded to the next lower whole dollar when the
15 computation results in a figure ending in 50 cents or less and
16 shall be rounded to the next higher whole dollar when the
17 computation results in a figure ending in 51 cents or more,
18 unless specific taxes are specified, and the secretary of state
19 may accept the manufacturer's shipping weight of the vehicle
20 fully equipped for the use for which the registration application
21 is made. If the weight is not correctly stated or is not
22 satisfactory, the secretary of state shall determine the actual
23 weight. Each application for registration of a vehicle under
24 subdivisions (j) and (m) shall have attached to the application a
25 scale weight receipt of the vehicle fully equipped as of the time
26 the application is made. The scale weight receipt is not
27 necessary if there is presented with the application a

1 registration receipt of the previous year that shows on its face
2 the weight of the motor vehicle as registered with the secretary
3 of state and that is accompanied by a statement of the applicant
4 that there has not been a structural change in the motor vehicle
5 that has increased the weight and that the previous registered
6 weight is the true weight.

7 (2) A manufacturer is not exempted under this act from
8 paying ad valorem taxes on vehicles in stock or bond, except on
9 the specified number of motor vehicles registered. A dealer is
10 exempt from paying ad valorem taxes on vehicles in stock or bond.

11 (3) Until October 1, 2015, the tax for a vehicle with an
12 empty weight over 10,000 pounds imposed under subsection (1)(a)
13 and the taxes imposed under subsection (1)(c), (d), (e), (f),
14 (i), (j), (m), (o), and (p) are each increased as follows:

15 (a) A regulatory fee of \$2.25 that shall be credited to the
16 traffic law enforcement and safety fund created in section 819a
17 and used to regulate highway safety.

18 (b) A fee of \$5.75 that shall be credited to the
19 transportation administration collection fund created in section
20 810b.

21 (4) If a tax required to be paid under this section is not
22 received by the secretary of state on or before the expiration
23 date of the registration plate, the secretary of state shall
24 collect a late fee of \$10.00 for each registration renewed after
25 the expiration date. An application for a renewal of a
26 registration using the regular mail and postmarked before the
27 expiration date of that registration shall not be assessed a late

1 fee. The late fee collected under this subsection shall be
2 deposited into the general fund.

3 (5) As used in this section:

4 (a) "Gross proceeds" means that term as defined in section 1
5 of the general sales tax act, 1933 PA 167, MCL 205.51, and
6 includes the value of the motor vehicle used as part payment of
7 the purchase price as that value is agreed to by the parties to
8 the sale, as evidenced by the signed agreement executed under
9 section 251.

10 (b) "List price" means the manufacturer's suggested base
11 list price as published by the secretary of state, or the
12 manufacturer's suggested retail price as shown on the label
13 required to be affixed to the vehicle under 15 USC 1232, if the
14 secretary of state has not at the time of the sale of the vehicle
15 published a manufacturer's suggested retail price for that
16 vehicle, or the purchase price of the vehicle if the
17 manufacturer's suggested base list price is unavailable from the
18 sources described in this subdivision.

19 (c) "Purchase price" means the gross proceeds received by
20 the seller in consideration of the sale of the motor vehicle
21 being registered.

22 (6) IN ADDITION TO THE REGISTRATION TAXES UNDER THIS
23 SECTION, THE SECRETARY OF STATE SHALL COLLECT FEES CHARGED UNDER
24 SECTION 801K AND CREDIT REVENUES RECEIVED TO THE COUNTY TREASURER
25 OF THE COUNTY THAT APPROVED THE FEE.

26 SEC. 801K. (1) IN ADDITION TO THE REQUIRED VEHICLE
27 REGISTRATION FEE UNDER SECTION 801(1)(P), A COUNTY MAY CHARGE AN

1 ADDITIONAL FEE ON VEHICLE REGISTRATIONS ISSUED TO RESIDENTS OF
2 THAT COUNTY OF NOT MORE THAN \$1.80 FOR EACH \$1,000.00 OR FRACTION
3 OF \$1,000.00 OF THE VEHICLE'S LIST PRICE AS USED IN CALCULATING
4 THE FEE UNDER SECTION 801(1)(P). THE COUNTY MAY CHARGE THE
5 ADDITIONAL FEE ONLY UPON THE APPROVAL OF A MAJORITY OF THE
6 ELECTORS IN THE COUNTY VOTING ON THE TAX AT AN ELECTION HELD ON A
7 REGULAR DATE AS PROVIDED IN SECTION 641 OF THE MICHIGAN ELECTION
8 LAW, 1954 PA 116, MCL 168.641.

9 (2) IN ADDITION TO ANY OTHER REQUIREMENTS IMPOSED BY LAW,
10 THE BALLOT QUESTION PROPOSING AUTHORIZATION OF THE FEE UNDER
11 SUBSECTION (1) SHALL SPECIFY HOW THE PROCEEDS OF THE FEE SHALL BE
12 EXPENDED.

13 (3) THE FEE COLLECTED UNDER THIS SECTION SHALL ONLY BE USED
14 BY THE COUNTY FOR TRANSPORTATION PURPOSES AS DEFINED BY SECTION 9
15 OF ARTICLE IX OF THE STATE CONSTITUTION OF 1963.

16 (4) A PROPOSAL FOR A FEE UNDER THIS SECTION SHALL NOT BE
17 PLACED ON THE BALLOT UNDER SUBSECTION (1) UNLESS THE PROPOSAL IS
18 ADOPTED BY A RESOLUTION OF THE COUNTY BOARD OF COMMISSIONERS AND
19 CERTIFIED BY THE COUNTY BOARD OF COMMISSIONERS NOT LATER THAN 70
20 DAYS BEFORE THE ELECTION TO THE COUNTY CLERK OF THE COUNTY FOR
21 INCLUSION ON THE BALLOT.

22 (5) IF A COUNTY APPROVES A FEE UNDER SUBSECTION (1), THE
23 SECRETARY OF STATE SHALL COLLECT THE FEE ON ALL VEHICLES
24 REGISTERED TO RESIDENTS OF THAT COUNTY UNDER SECTION 801(1)(P)
25 AND SHALL ANNUALLY DISTRIBUTE THE FEE COLLECTED TO THE COUNTY
26 TREASURER OF THE COUNTY THAT APPROVED THE FEE.