

HOUSE BILL NO. 5379

November 14, 2023, Introduced by Reps. Hill, Wilson, Haadsma, Tsernoglou, Paiz, Rheingans and Prestin and referred to the Committee on Transportation, Mobility and Infrastructure.

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

1 may enter into reciprocal compacts, agreements, or arrangements
 2 that the board considers proper or expedient and in the interests
 3 of the people of this state, with the proper authorities of other
 4 jurisdictions, either individually or with a group of
 5 jurisdictions, concerning the fees, charges, taxation, operation,
 6 and regulation of trucks, tractors, trailers, automobiles, buses,
 7 and all other automotive equipment engaged in international,
 8 interstate, or intrastate commerce on the public highways.

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

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

21 (ii) "International fuel tax agreement" means the agreement
 22 described in section 2a of the motor carrier fuel tax act, 1980 PA
 23 119, MCL 207.212a.

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

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

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

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

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

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

18 (A) Carrying, obtaining, or displaying a license, decal,
19 permit, or other credentials otherwise required by the
20 international fuel tax agreement or the motor carrier fuel tax act,
21 1980 PA 119, MCL 207.211 to 207.234.

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

27 (vi) "Raw forest products" means logs, pilings, posts, poles,
28 cordwood products, wood chips, sawdust, pulpwood, intermediary
29 lumber, fuel wood, and Christmas trees, that are not altered by a

- 1 manufacturing process off the land, sawmill, or factory from which
- 2 they are taken and are not finished products suitable for sale at
- 3 retail.