



HOUSE BILL No. 5935

June 6, 1996, Introduced by Reps. Gnodtke, Gernaat, Randall, McNutt, London, Brackenridge, Bodem, Gilmer, Oxender, Geiger, Kukuk, Horton, Goschka, Hill, Rhead, McManus, Llewellyn, Lowe, DeMars, Green, Crissman, McBryde, Gustafson, Alley, Baade, Harder, Bobier, Wetters, Nye, Anthony, Tesanovich, Prusi and Kilpatrick and referred to the Committee on Transportation.

A bill to amend section 801 of Act No. 300 of the Public Acts of 1949, entitled as amended "Michigan vehicle code," as amended by Act No. 226 of the Public Acts of 1995, being section 257.801 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 801 of Act No. 300 of the Public Acts of
2 1949, as amended by Act No. 226 of the Public Acts of 1995, being
3 section 257.801 of the Michigan Compiled Laws, is amended to read
4 as follows:

5 Sec. 801. (1) The secretary of state shall collect the fol-
6 lowing taxes at the time of registering a vehicle, which shall
7 exempt the vehicle from all other state and local taxation,
8 except the fees and taxes provided by law to be paid by certain
9 carriers operating motor vehicles and trailers under the motor

1 carrier act, Act No. 254 of the Public Acts of 1933, being
 2 sections 475.1 to 479.43 of the Michigan Compiled Laws; the taxes
 3 imposed by the motor carrier fuel tax act, Act No. 119 of the
 4 Public Acts of 1980, being sections 207.211 to 207.235 of the
 5 Michigan Compiled Laws; a fee or fees imposed pursuant to the
 6 local road improvements and operations revenue act, Act No. 237
 7 of the Public Acts of 1987, being sections 247.521 to 247.525 of
 8 the Michigan Compiled Laws; and except as otherwise provided by
 9 this act:

10 (a) For a motor vehicle, including a motor home, except as
 11 otherwise provided, and a ~~pickup~~ truck or van, which ~~pickup~~
 12 truck or van weighs not more than ~~5,000~~ 5,500 pounds and is not
 13 taxed under subdivision (p), except as otherwise provided,
 14 according to the following schedule of empty weights:

15

16	Empty weights	Fee
17	0 to 3,000 pounds.....	\$ 29.00
18	3,001 to 3,500 pounds.....	32.00
19	3,501 to 4,000 pounds.....	37.00
20	4,001 to 4,500 pounds.....	43.00
21	4,501 to 5,000 pounds.....	47.00
22	5,001 to 5,500 pounds.....	52.00
23	5,501 to 6,000 pounds.....	57.00
24	6,001 to 6,500 pounds.....	62.00
25	6,501 to 7,000 pounds.....	67.00
26	7,001 to 7,500 pounds.....	71.00

1	7,501 to 8,000 pounds.....	77.00
2	8,001 to 8,500 pounds.....	81.00
3	8,501 to 9,000 pounds.....	86.00
4	9,001 to 9,500 pounds.....	91.00
5	9,501 to 10,000 pounds.....	95.00
6	over 10,000 pounds.....\$ 0.90 per 100 pounds	
7		of empty weight

8 On October 1, 1983, and October 1, 1984, the tax assessed
9 under this subdivision shall be annually revised for the regis-
10 trations expiring on the appropriate October 1 or after that date
11 by multiplying the tax assessed in the preceding fiscal year
12 times the personal income of Michigan for the preceding calendar
13 year divided by the personal income of Michigan for the calendar
14 year which preceded that calendar year. In performing the calcu-
15 lations under this subdivision, the secretary of state shall use
16 the spring preliminary report of the United States department of
17 commerce or its successor agency. A van which is owned by a
18 person who uses a wheelchair or by a person who transports a res-
19 ident of his or her household who uses a wheelchair and for which
20 registration plates are issued pursuant to section 803d shall be
21 assessed at the rate of 50% of the tax provided for in this
22 subdivision.

23 (b) For a trailer coach attached to a motor vehicle 76 cents
24 per 100 pounds of empty weight of the trailer coach. A trailer
25 coach not under Act No. 243 of the Public Acts of 1959, being
26 sections 125.1035 to 125.1043 of the Michigan Compiled Laws, and
27 while located on land otherwise assessable as real property under

1 the general property tax act, Act No. 206 of the Public Acts of
2 1893, being sections 211.1 to 211.157 of the Michigan Compiled
3 Laws, if the trailer coach is used as a place of habitation, and
4 whether or not permanently affixed to the soil, shall not be
5 exempt from real property taxes.

6 (c) For a road tractor, truck, or truck tractor owned by a
7 farmer and used exclusively in connection with the farmer's farm-
8 ing operations, or used for the transportation of the farmer and
9 the farmer's family, and not used for hire, 74 cents per 100
10 pounds of empty weight of the road tractor, truck, or truck
11 tractor. If the road tractor, truck, or truck tractor owned by a
12 farmer is also used for a nonfarming operation, the farmer shall
13 be subject to the highest registration tax applicable to the non-
14 farm use of the vehicle but shall not be subject to more than 1
15 tax rate under this act.

16 (d) For a road tractor, truck, or truck tractor owned by a
17 wood harvester and used exclusively in connection with the wood
18 harvesting operations, 74 cents per 100 pounds of empty weight of
19 the road tractor, truck, or truck tractor. A registration
20 secured by payment of the fee as prescribed in this subdivision
21 shall continue in full force and effect until the regular expira-
22 tion date of the registration. As used in this subdivision,
23 "wood harvester" includes the person or persons hauling and
24 transporting raw materials only from the forest to the mill
25 site. "Wood harvesting operations" does not include the trans-
26 portation of processed lumber.

1 (e) For a hearse or ambulance used exclusively by a licensed
2 funeral director in the general conduct of the licensee's funeral
3 business, including a hearse or ambulance whose owner is engaged
4 in the business of leasing or renting the hearse or ambulance to
5 others, \$1.17 per 100 pounds of the empty weight of the hearse or
6 ambulance.

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

18 (g) For a bus including a station wagon, carryall, or simi-
19 larly constructed vehicle owned and operated by a nonprofit
20 parents' transportation corporation used for school purposes,
21 parochial school or society, church Sunday school, or any other
22 grammar school, or by a nonprofit youth organization or nonprofit
23 rehabilitation facility; or a motor vehicle owned and operated by
24 a senior citizen center, \$10.00 per set, if the bus, station
25 wagon, carryall, or similarly constructed vehicle or motor vehi-
26 cle is designated by proper signs showing the organization
27 operating the vehicle.

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

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

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

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

If the tax required under subdivision (q) for a vehicle of the same model year with the same list price as the vehicle for which registration is sought under this subdivision is more than the tax provided under the preceding provisions of this subdivision for an identical vehicle, the tax required under this subdivision shall not be less than the tax required under subdivision (q) for a vehicle of the same model year with the same list price.

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

Elected gross weight	Fee
0 to 24,000 pounds.....	\$ 378.00
24,001 to 26,000 pounds.....	429.00
26,001 to 28,000 pounds.....	429.00

1	28,001 to 32,000 pounds.....	499.00
2	32,001 to 36,000 pounds.....	572.00
3	36,001 to 42,000 pounds.....	672.00
4	42,001 to 48,000 pounds.....	773.00
5	48,001 to 54,000 pounds.....	873.00
6	54,001 to 60,000 pounds.....	975.00
7	60,001 to 66,000 pounds.....	1,075.00
8	66,001 to 72,000 pounds.....	1,176.00
9	72,001 to 80,000 pounds.....	1,277.00
10	80,001 to 90,000 pounds.....	1,379.00
11	90,001 to 100,000 pounds.....	1,540.00
12	100,001 to 115,000 pounds.....	1,710.00
13	115,001 to 130,000 pounds.....	1,883.00
14	130,001 to 145,000 pounds.....	2,054.00
15	145,001 to 160,000 pounds.....	2,226.00
16	over 160,000 pounds.....	2,398.00

17 For each commercial vehicle registered pursuant to this sub-
18 division \$15.00 shall be deposited in a truck safety fund to be
19 expended for the purposes prescribed in section 25 of Act No. 51
20 of the Public Acts of 1951, being section 247.675 of the Michigan
21 Compiled Laws.

22 If a truck or road tractor without trailer is leased from an
23 individual owner-operator, the lessee, whether a person, firm, or
24 corporation, shall pay to the owner-operator 60% of the fee pre-
25 scribed in this subdivision for the truck tractor or road tractor
26 at the rate of 1/12 for each month of the lease or arrangement in

1 addition to the compensation the owner-operator is entitled to
 2 for the rental of his or her equipment.

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

5 Empty weights	Fee
6 0 to 500 pounds.....	\$ 17.00
7 501 to 1,500 pounds.....	24.00
8 1,501 pounds and over.....	39.00

9 (m) For each commercial vehicle used for the transportation
 10 of passengers for hire except for a vehicle for which a payment
 11 is made pursuant to Act No. 2 of the Public Acts of 1960, being
 12 sections 257.971 to 257.972 of the Michigan Compiled Laws,
 13 according to the following schedule of empty weights:

14 Empty weights	Per 100 pounds
15 0 to 4,000 pounds.....	\$ 1.76
16 4,001 to 6,000 pounds.....	2.20
17 6,001 to 10,000 pounds.....	2.72
18 10,001 pounds and over.....	3.25

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

20 On October 1, 1983, and October 1, 1984, the tax assessed
 21 under this subdivision shall be annually revised for the regis-
 22 trations expiring on the appropriate October 1 or after that date
 23 by multiplying the tax assessed in the preceding fiscal year
 24 times the personal income of Michigan for the preceding calendar

1 year divided by the personal income of Michigan for the calendar
2 year which preceded that calendar year. In performing the calcu-
3 lations under this subdivision, the secretary of state shall use
4 the spring preliminary report of the United States department of
5 commerce or its successor agency.

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

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

23 (p) For each ~~pickup~~ truck or van, which ~~pickup~~ truck or
24 van weighs not more than ~~5,000~~ 5,500 pounds and is owned by a
25 business, corporation, or person other than an individual,
26 according to the following schedule of empty weights:

1	Empty weights	Fee
2	0 to 4,000 pounds.....	\$ 39.00
3	4,001 to 4,500 pounds.....	44.00
4	4,501 to 5,000 pounds.....	49.00
5	5,001 TO 5,500 POUNDS.....	54.00

6 (q) After September 30, 1983, each motor vehicle of the 1984
 7 or a subsequent model year as shown on the application required
 8 under section 217 which has not been previously subject to the
 9 tax rates of this section and which is of the motor vehicle cate-
 10 gory otherwise subject to the tax schedule described in subdivi-
 11 sion (a) according to the following schedule based upon registra-
 12 tion periods of 12 months:

13 (i) Except as otherwise provided in this subdivision, for
 14 the first registration, which is not a transfer registration
 15 under section 809 and for the first registration after a transfer
 16 registration under section 809, according to the following sched-
 17 ule based on the vehicle's list price:

18	List Price	Tax
19	\$0 - \$6,000.00.....	\$ 30.00
20	More than \$6,000.00 - \$7,000.00.....	\$ 33.00
21	More than \$7,000.00 - \$8,000.00.....	\$ 38.00
22	More than \$8,000.00 - \$9,000.00.....	\$ 43.00
23	More than \$9,000.00 - \$10,000.00.....	\$ 48.00
24	More than \$10,000.00 - \$11,000.00.....	\$ 53.00
25	More than \$11,000.00 - \$12,000.00.....	\$ 58.00

1	More than \$12,000.00 - \$13,000.00.....	\$ 63.00
2	More than \$13,000.00 - \$14,000.00.....	\$ 68.00
3	More than \$14,000.00 - \$15,000.00.....	\$ 73.00
4	More than \$15,000.00 - \$16,000.00.....	\$ 78.00
5	More than \$16,000.00 - \$17,000.00.....	\$ 83.00
6	More than \$17,000.00 - \$18,000.00.....	\$ 88.00
7	More than \$18,000.00 - \$19,000.00.....	\$ 93.00
8	More than \$19,000.00 - \$20,000.00.....	\$ 98.00
9	More than \$20,000.00 - \$21,000.00.....	\$103.00
10	More than \$21,000.00 - \$22,000.00.....	\$108.00
11	More than \$22,000.00 - \$23,000.00.....	\$113.00
12	More than \$23,000.00 - \$24,000.00.....	\$118.00
13	More than \$24,000.00 - \$25,000.00.....	\$123.00
14	More than \$25,000.00 - \$26,000.00.....	\$128.00
15	More than \$26,000.00 - \$27,000.00.....	\$133.00
16	More than \$27,000.00 - \$28,000.00.....	\$138.00
17	More than \$28,000.00 - \$29,000.00.....	\$143.00
18	More than \$29,000.00 - \$30,000.00.....	\$148.00

19 More than \$30,000.00..... 0.5% of the list price

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

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

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

26 For a vehicle of the 1984 or a subsequent model year which
 27 has been previously registered by a person other than the person

1 applying for registration or for a vehicle of the 1984 or a
2 subsequent model year which has been previously registered in
3 another state or country and is registered for the first time in
4 this state, the tax under this subdivision shall be determined by
5 subtracting the model year of the vehicle from the calendar year
6 for which the registration is sought. If the result is zero or a
7 negative figure, the first registration tax shall be paid. If
8 the result is 1, 2, or 3 or more, then, respectively, the second,
9 third, or subsequent registration tax shall be paid. A van which
10 is owned by a person who uses a wheelchair or by a person who
11 transports a resident of his or her household who uses a wheel-
12 chair and for which registration plates are issued pursuant to
13 section 803d shall be assessed at the rate of 50% of the tax pro-
14 vided for in this subdivision.

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

16 (s) When the secretary of state computes a tax under this
17 section, a computation which does not result in a whole dollar
18 figure shall be rounded to the next lower whole dollar when the
19 computation results in a figure ending in 50 cents or less and
20 shall be rounded to the next higher whole dollar when the compu-
21 tation results in a figure ending in 51 cents or more, unless
22 specific fees are specified, and may accept the manufacturer's
23 shipping weight of the vehicle fully equipped for the use for
24 which the registration application is made. If the weight is not
25 correctly stated or is not satisfactory, the secretary of state
26 shall determine the actual weight. Each application for
27 registration of a vehicle under subdivisions (j) and (m) shall

1 have attached to the application a scale weight receipt of the
2 vehicle fully equipped as of the time the application is made.
3 The scale weight receipt is not necessary if there is presented
4 with the application a registration receipt of the previous year
5 which shows on its face the weight of the motor vehicle as regis-
6 tered with the secretary of state and which is accompanied by a
7 statement of the applicant that there has not been a structural
8 change in the motor vehicle which has increased the weight and
9 that the previous registered weight is the true weight.

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

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

22 (4) As used in this section:

23 (a) "Gross proceeds" means gross proceeds as defined in sec-
24 tion 1 of the general sales tax act, Act No. 167 of the Public
25 Acts of 1933, being section 205.51 of the Michigan Compiled
26 Laws. However, gross proceeds shall include the value of the
27 motor vehicle used as part payment of the purchase price as that

1 value is agreed to by the parties to the sale, as evidenced by
2 the signed agreement executed pursuant to section 251.

3 (b) "List price" means the manufacturer's suggested base
4 list price as published by the secretary of state, or the
5 manufacturer's suggested retail price as shown on the label
6 required to be affixed to the vehicle under section 3 of the
7 automobile information disclosure act, Public Law 85-506,
8 15 U.S.C. 1232, if the secretary of state has not at the time of
9 the sale of the vehicle published a manufacturer's suggested
10 retail price for that vehicle, or the purchase price of the vehi-
11 cle if the manufacturer's suggested base list price is unavail-
12 able from the sources described in this subdivision.

13 (c) "Purchase price" means the gross proceeds received by
14 the seller in consideration of the sale of the motor vehicle
15 being registered.