

HOUSE BILL No. 4858

June 29, 1987, Introduced by Rep. Gnodtke and referred to the Committee on Taxation.

A bill to amend section 1 of Act No. 119 of the Public Acts of 1980, entitled
"Motor carrier fuel tax act,"
being section 207.211 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 1 of Act No. 119 of the Public Acts of
2 1980, being section 207.211 of the Michigan Compiled Laws, is
3 amended to read as follows:

4 Sec. 1. As used in this act:

5 (a) "Axle" means any 2 or more load-carrying wheels mounted
6 in a single transverse vertical plane.

7 (b) "Commercial motor vehicle" means a road tractor, or a
8 truck tractor or a truck having more than 2 axles, if the road
9 tractor, or truck tractor or truck is propelled by motor fuel.

1 (c) "Commercial motor vehicle" shall not include ~~either~~ a
2 road tractor, OR a truck ~~—~~ or truck tractor owned by a farmer
3 and used in connection with the farmer's farming operation and
4 not used for hire. COMMERCIAL MOTOR VEHICLE INCLUDES A ROAD
5 TRACTOR, OR A TRUCK OR TRUCK TRACTOR OWNED BY A FARMER AND USED
6 IN CONNECTION WITH THE FARMER'S FARMING OPERATION IF THE FARMER'S
7 FARMING OPERATION IS LOCATED IN A STATE WHICH DOES NOT EXEMPT
8 THESE VEHICLES IF OWNED BY A FARMER WHOSE FARMING OPERATION IS
9 LOCATED IN THIS STATE.

10 (d) "Commissioner" means the state commissioner of revenue.

11 (e) "Department" means the revenue division of the depart-
12 ment of treasury.

13 (f) "Motor carrier" means a person who operates or causes to
14 be operated a commercial motor vehicle on a public road or high-
15 way in this state.

16 (g) "Motor fuel" means diesel motor fuel as defined by Act
17 No. 150 of the Public Acts of 1927, as amended, being sections
18 207.101 to 207.194 of the Michigan Compiled Laws.

19 (h) "Nonprofit private, parochial, denominational, or public
20 school, college, or university" means an elementary, secondary,
21 or postsecondary educational facility.

22 (i) "Person" means a natural person, partnership, firm,
23 association, joint stock company, syndicate, or corporation, and
24 any receiver, trustee, conservator, or officer, other than a unit
25 of government, having jurisdiction and control of property by
26 virtue of law or by appointment of a court.

1 (j) "Public roads or highways" means a road, street, or
2 place maintained by this state or a political subdivision of this
3 state and generally open to use by the public as a matter of
4 right for the purpose of vehicular travel, notwithstanding that
5 they may be temporarily closed or travel restricted for the pur-
6 pose of construction, maintenance, repair, or reconstruction.

7 (k) "Road tractor" means a motor vehicle designed and used
8 for drawing other vehicles, but not constructed to carry any load
9 either independently or as a part of the weight of the vehicle or
10 load being drawn.

11 (l) "Truck" means a motor vehicle designed, used, or main-
12 tained primarily for the transportation of property.

13 (m) "Truck tractor" means a motor vehicle designed and used
14 primarily for drawing other vehicles and not constructed to carry
15 a load other than a part of the weight of the vehicle and load
16 being drawn.