

SENATE BILL No. 360

June 5, 1991, Introduced by Senators STABENOW, HART,
MC MANUS, CARL, O'BRIEN, BERRYMAN, KOIVISTO, POLLACK
and FAUST and referred to the Committee on
Transportation and Tourism.

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. 181 of the Public Acts of 1990, being sec-
tion 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. 181 of the Public Acts of 1990, 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, as amended,
 2 being sections 475.1 to 479.20 of the Michigan Compiled Laws; the
 3 taxes imposed by the motor carrier fuel tax act, Act No. 119 of
 4 the Public Acts of 1980, as amended, being sections 207.211 to
 5 207.235 of the Michigan Compiled Laws; a fee or fees imposed pur-
 6 suant to the local road improvements and operations revenue act;
 7 and except as otherwise provided by this act:

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

13	Empty weights	Fee
14	0 to 3,000 pounds.....	\$ 29.00
15	3,001 to 3,500 pounds.....	32.00
16	3,501 to 4,000 pounds.....	37.00
17	4,001 to 4,500 pounds.....	43.00
18	4,501 to 5,000 pounds.....	47.00
19	5,001 to 5,500 pounds.....	52.00
20	5,501 to 6,000 pounds.....	57.00
21	6,001 to 6,500 pounds.....	62.00
22	6,501 to 7,000 pounds.....	67.00
23	7,001 to 7,500 pounds.....	71.00
24	7,501 to 8,000 pounds.....	77.00
25	8,001 to 8,500 pounds.....	81.00

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

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

20 (b) For a trailer coach attached to a motor vehicle 76 cents
21 per 100 pounds of empty weight of the trailer coach. A trailer
22 coach not under Act No. 243 of the Public Acts of 1959, being
23 sections 125.1035 to 125.1043 of the Michigan Compiled Laws, and
24 while located on land otherwise assessable as real property under
25 the general property tax act, Act No. 206 of the Public Acts of
26 1893, as amended, being sections 211.1 to 211.157 of the Michigan
27 Compiled Laws, if the trailer coach is used as a place of

1 habitation, and whether or not permanently affixed to the soil,
2 shall not be exempt from real property taxes.

3 (c) For a road tractor, truck, or truck tractor owned by a
4 farmer and used exclusively in connection with the farmer's farm-
5 ing operations, or used for the transportation of the farmer and
6 the farmer's family, and not used for hire, 74 cents per 100
7 pounds of empty weight of the road tractor, truck, or truck
8 tractor.

9 (d) For a road tractor, truck, or truck tractor owned by a
10 wood harvester and used exclusively in connection with the wood
11 harvesting operations and not used for hire, 74 cents per 100
12 pounds of empty weight of the road tractor, truck, or truck
13 tractor. A registration secured by payment of the fee as pre-
14 scribed in this subdivision shall continue in full force and
15 effect until the regular expiration date of the registration.

16 (e) For a hearse or ambulance used exclusively by a licensed
17 funeral director in the general conduct of the licensee's funeral
18 business, including a hearse or ambulance whose owner is engaged
19 in the business of leasing or renting the hearse or ambulance to
20 others, \$1.17 per 100 pounds of the empty weight of the hearse or
21 ambulance.

22 (f) For a motor vehicle owned and operated by this state, a
23 state institution, a municipality, a privately incorporated, non-
24 profit volunteer fire department, or a nonpublic, nonprofit col-
25 lege or university, \$5.00 per set; and for each motor vehicle
26 operating under municipal franchise, weighing less than 2,500
27 pounds, 65 cents per 100 pounds of the empty weight of the motor

1 vehicle, weighing from 2,500 to 4,000 pounds, 80 cents per 100
2 pounds of the empty weight of the motor vehicle, weighing 4,001
3 to 6,000 pounds, \$1.00 per 100 pounds of the empty weight of the
4 motor vehicle, and weighing over 6,000 pounds, \$1.25 per 100
5 pounds of the empty weight of the motor vehicle.

6 (g) For a bus including a station wagon, carryall, or simi-
7 larly constructed vehicle owned and operated by a nonprofit
8 parents' transportation corporation used for school purposes,
9 parochial school or society, church Sunday school, or any other
10 grammar school, or by a nonprofit youth organization or nonprofit
11 rehabilitation facility; or a motor vehicle owned and operated by
12 a senior citizen center, \$10.00 per set, if the bus, station
13 wagon, carryall, or similarly constructed vehicle or motor vehi-
14 cle is designated by proper signs showing the organization oper-
15 ating the vehicle.

16 (h) For a vehicle owned by a nonprofit organization and used
17 to transport equipment for providing dialysis treatment to chil-
18 dren at camp; for a vehicle owned by the civil air patrol, as
19 organized under sections 1 to 8 of chapter 527, 60 Stat. 346, 36
20 U.S.C. 201 to 208, \$10.00 per plate, if the vehicle is designated
21 by a proper sign showing the civil air patrol's name; for a motor
22 vehicle having a truck chassis and a locomotive or ship's body
23 which is owned by a nonprofit veterans organization and used
24 exclusively in parades and civic events; or for an emergency sup-
25 port vehicle used exclusively for emergencies and owned and oper-
26 ated by a federally recognized nonprofit charitable organization,
27 \$10.00 per plate.

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

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

1 subdivision shall not be less than the tax required under
 2 subdivision (q) for a vehicle of the same model year with the
 3 same list price.

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

9	Elected gross weight	Fee
10	0 to 24,000 pounds.....	\$ 378.00
11	24,001 to 28,000 pounds.....	429.00
12	28,001 to 32,000 pounds.....	499.00
13	32,001 to 36,000 pounds.....	572.00
14	36,001 to 42,000 pounds.....	672.00
15	42,001 to 48,000 pounds.....	773.00
16	48,001 to 54,000 pounds.....	873.00
17	54,001 to 60,000 pounds.....	975.00
18	60,001 to 66,000 pounds.....	1,075.00
19	66,001 to 72,000 pounds.....	1,176.00
20	72,001 to 80,000 pounds.....	1,277.00
21	80,001 to 90,000 pounds.....	1,379.00
22	90,001 to 100,000 pounds.....	1,540.00
23	100,001 to 115,000 pounds.....	1,710.00
24	115,001 to 130,000 pounds.....	1,883.00
25	130,001 to 145,000 pounds.....	2,054.00

1	145,001 to 160,000 pounds.....	2,226.00
2	over 160,000 pounds.....	2,398.00

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

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

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

17	Empty weights	Fee
18	0 to 500 pounds.....	\$ 17.00
19	501 to 1,500 pounds.....	24.00
20	1,501 pounds and over.....	39.00

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

1	Empty weights	Per 100 pounds
2	0 to 4,000 pounds.....	\$ 1.76
3	4,001 to 6,000 pounds.....	2.20
4	6,001 to 10,000 pounds.....	2.72
5	10,001 pounds and over.....	3.25

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

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

17 Beginning January 1, 1984, the registration tax for each
18 motorcycle shall be increased by \$3.00. The \$3.00 increase shall
19 not be considered as part of the tax assessed under this subdivi-
20 sion for the purpose of the annual October 1 revisions but shall
21 be in addition to the tax assessed as a result of the annual
22 October 1 revisions. Beginning January 1, 1984, \$3.00 of each
23 motorcycle fee shall be placed in a motorcycle safety fund in the
24 state treasury and shall be used only for funding the motorcycle
25 safety education program as provided for under sections 312b and
26 811a.

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

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

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

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

(i) Except as otherwise provided in this subdivision, for the first registration, which is not a transfer registration under section 809 and for the first registration after a transfer

1 registration under section 809, according to the following
 2 schedule based on the vehicle's list price:

3	List Price	Tax
4	\$0 - \$6,000.00.....	\$ 30.00
5	More than \$6,000.00 - \$7,000.00.....	\$ 33.00
6	More than \$7,000.00 - \$8,000.00.....	\$ 38.00
7	More than \$8,000.00 - \$9,000.00.....	\$ 43.00
8	More than \$9,000.00 - \$10,000.00.....	\$ 48.00
9	More than \$10,000.00 - \$11,000.00.....	\$ 53.00
10	More than \$11,000.00 - \$12,000.00.....	\$ 58.00
11	More than \$12,000.00 - \$13,000.00.....	\$ 63.00
12	More than \$13,000.00 - \$14,000.00.....	\$ 68.00
13	More than \$14,000.00 - \$15,000.00.....	\$ 73.00
14	More than \$15,000.00 - \$16,000.00.....	\$ 78.00
15	More than \$16,000.00 - \$17,000.00.....	\$ 83.00
16	More than \$17,000.00 - \$18,000.00.....	\$ 88.00
17	More than \$18,000.00 - \$19,000.00.....	\$ 93.00
18	More than \$19,000.00 - \$20,000.00.....	\$ 98.00
19	More than \$20,000.00 - \$21,000.00.....	\$103.00
20	More than \$21,000.00 - \$22,000.00.....	\$108.00
21	More than \$22,000.00 - \$23,000.00.....	\$113.00
22	More than \$23,000.00 - \$24,000.00.....	\$118.00
23	More than \$24,000.00 - \$25,000.00.....	\$123.00
24	More than \$25,000.00 - \$26,000.00.....	\$128.00
25	More than \$26,000.00 - \$27,000.00.....	\$133.00

1	More than \$27,000.00 - \$28,000.00.....	\$138.00
2	More than \$28,000.00 - \$29,000.00.....	\$143.00
3	More than \$29,000.00 - \$30,000.00.....	\$148.00
4	More than \$30,000.00.....	0.5% of the list price

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

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

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

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

26 (r) When the secretary of state computes a tax under this
27 section, a computation which does not result in a whole dollar

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

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

25 (3) The fee for a vehicle with an empty weight over 10,000
26 pounds imposed pursuant to subsection (1)(a) and the fees imposed
27 pursuant to subsection (1)(b), (c), (d), (e), (f), (i), (j), (m),

1 (o), and (q) shall each be increased by \$5.00. This increase
2 shall be credited to the Michigan transportation fund and used to
3 defray the costs of processing the registrations under this
4 section.

5 (4) As used in this section:

6 (a) "Gross proceeds" means gross proceeds as defined in sec-
7 tion 1 of the general sales tax act, Act No. 167 of the Public
8 Acts of 1933, being section 205.51 of the Michigan Compiled
9 Laws. However, gross proceeds shall include the value of the
10 motor vehicle used as part payment of the purchase price as that
11 value is agreed to by the parties to the sale, as evidenced by
12 the signed agreement executed pursuant to section 251.

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

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