

# HOUSE BILL No. 5582

December 13, 2007, Introduced by Reps. Bieda, Schuitmaker, Condino, Stahl, Huizenga, Tobocman, Accavitti, Hildenbrand, Proos, Shaffer, Elsenheimer, DeRoche and Johnson and referred to the Committee on Tax Policy.

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 203 (MCL 259.203), as amended by 2000 PA 404.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 203. (1) There is hereby imposed a privilege tax of 3  
2 cents per gallon on all fuel sold or used in producing or  
3 generating power for propelling aircraft using the aeronautical  
4 facilities on the lands and waters of this state. The tax shall be  
5 collected and remitted in the same manner and method and at the  
6 same time as prescribed by law for the collection of the gasoline  
7 tax imposed on all gasoline used in producing or generating power  
8 for propelling motor vehicles used upon the public highways of this  
9 state under the motor fuel tax act, 2000 PA 403, MCL 207.1001 TO

1 207.1170. A refund of ~~1-1/2~~ 1-1/2 cents per gallon shall be made to  
2 airline operators who show proof within 6 months after purchase  
3 that they are operating interstate on scheduled operations.

4 (2) If a person required to register with the department of  
5 treasury under section 94 of the motor fuel tax act, 2000 PA 403,  
6 MCL 207.1094, is not registered, the person shall not purchase fuel  
7 under this act at the rate imposed by subsection (1), but shall pay  
8 the applicable rate imposed on motor fuel by section 8 of the motor  
9 fuel tax act.

10 (3) THE TAX IMPOSED UNDER SUBSECTION (1) IS NOT IMPOSED ON  
11 AVIATION FUEL BOUGHT FOR THE PURPOSE OF FORMULATING LEADED RACING  
12 FUEL TO BE USED ONLY BY RACING VEHICLES FOR A NONHIGHWAY PURPOSE.  
13 AS USED IN THIS SUBSECTION, "LEADED RACING FUEL" MEANS THAT TERM AS  
14 DEFINED IN SECTION 4 OF THE MOTOR FUEL TAX ACT, 2000 PA 403, MCL  
15 207.1004.

16 Enacting section 1. This amendatory act does not take effect  
17 unless Senate Bill No. \_\_\_\_\_ or House Bill No. 5583 (request no.  
18 05040'07 a) of the 94th Legislature is enacted into law.