

HOUSE SUBSTITUTE FOR
SENATE BILL NO. 389

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
(MCL 257.1 to 257.923) by adding section 805; and to repeal acts
and parts of acts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 805. (1) AN APPLICANT FOR THE ISSUANCE OR RENEWAL OF A
2 MOTOR VEHICLE REGISTRATION MAY SUBMIT A STATE PARK AND STATE-
3 OPERATED PUBLIC BOATING ACCESS SITE PASSPORT FEE TO THE SECRETARY
4 OF STATE WITH THE APPLICATION. SUBJECT TO SUBSECTION (6), THE
5 AMOUNT OF THE RECREATION PASSPORT FEE IS AS FOLLOWS:

- 6 (A) EXCEPT AS PROVIDED IN SUBDIVISION (B), \$10.00.
7 (B) FOR A MOTORCYCLE, \$5.00.

1 (2) IN ADDITION TO THE REQUIREMENTS OF SECTION 217, AN
2 APPLICATION FOR A MOTOR VEHICLE REGISTRATION SHALL CONTAIN AT LEAST
3 THE FOLLOWING INFORMATION, IN SUBSTANTIALLY THE FOLLOWING FORMAT
4 AND LANGUAGE, EXCEPT THAT THE AMOUNT OF THE RECREATION PASSPORT FEE
5 SPECIFIED SHALL BE \$5.00 FOR A MOTORCYCLE:

6 \$ [AMOUNT] - ANNUAL VEHICLE REGISTRATION OR RENEWAL.

7 \$10.00 - ANNUAL AUTHORIZATION TO USE THIS VEHICLE FOR
8 UNLIMITED ENTRY INTO ALL MICHIGAN STATE PARKS
9 AND RECREATION AREAS AND DNR-OPERATED STATE
10 BOATING ACCESS SITES. (CHECK ONE OF THE
11 BOXES BELOW.)

12 _____ I ELECT TO PAY THIS \$10.00 FEE.

13 _____ I ELECT NOT TO PAY THIS \$10.00 FEE. THIS
14 VEHICLE WILL NOT BE USED TO ENTER THE FACILITIES
15 DESCRIBED ABOVE.

16 \$ _____ - TOTAL AMOUNT DUE.

17 (3) IF THE APPLICANT APPLIES BY MAIL AND, IN ADDITION TO THE
18 REGISTRATION FEE, THE APPLICANT PAYS AN AMOUNT EQUAL TO THE
19 RECREATION PASSPORT FEE, THE APPLICANT SHALL BE CONSIDERED TO HAVE
20 ELECTED TO PAY THE RECREATION PASSPORT FEE REGARDLESS OF WHETHER
21 SUCH AN ELECTION IS INDICATED ON THE APPLICATION.

22 (4) SUBSECTIONS (1) AND (2) DO NOT APPLY TO AN APPLICATION
23 SUBMITTED BY A DEALER UNDER SECTION 217 FOR A VEHICLE SOLD, LEASED,
24 OR EXCHANGED BY THE DEALER.

25 (5) THE SECRETARY OF STATE SHALL, AT LEAST MONTHLY, TRANSFER
26 THE REVENUE FROM RECREATION PASSPORT FEES TO THE DEPARTMENT OF
27 NATURAL RESOURCES AND ENVIRONMENT FOR DEPOSIT AS PROVIDED IN

1 SECTION 2045 OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION
2 ACT, 1994 PA 451, MCL 324.2045.

3 (6) FOR EACH STATE FISCAL YEAR, BEGINNING WITH THE 2011-2012
4 STATE FISCAL YEAR, THE STATE TREASURER SHALL ADJUST THE AMOUNTS SET
5 FORTH IN SUBSECTION (1) BY AN AMOUNT DETERMINED BY THE STATE
6 TREASURER TO REFLECT THE CUMULATIVE PERCENTAGE CHANGE IN THE
7 CONSUMER PRICE INDEX SINCE OCTOBER 1, 2010 USING THE MOST RECENT
8 DATA AVAILABLE AND ROUNDED TO THE NEAREST DOLLAR.

9 (7) THE LEGISLATURE SHALL ANNUALLY REVIEW THE AMOUNT OF
10 REVENUE RAISED BY THE RECREATION PASSPORT FEE TO ENSURE THAT THE
11 AMOUNT IS APPROPRIATE FOR THE PURPOSES FOR WHICH THE RECREATION
12 PASSPORT FEE IS ASSESSED AND IN COMPLIANCE WITH LAW.

13 (8) IF THE SECRETARY OF STATE ISSUES A REGISTRATION TAB OR
14 STICKER FOR A REGISTRATION PLATE OR PERSONALIZED REGISTRATION PLATE
15 UNDER SECTION 224 OR 803B FOR A MOTOR VEHICLE FOR WHICH A
16 RECREATION PASSPORT FEE HAS BEEN PAID UNDER THIS SECTION, THE TAB
17 OR STICKER AND ANY TEMPORARY REGISTRATION PLATE ISSUED UNDER
18 SECTION 224A SHALL BE MARKED IN A DISTINCTIVE MANNER DETERMINED BY
19 THE SECRETARY OF STATE AFTER CONSULTATION WITH THE DIRECTOR OF THE
20 DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT AND THE DEPARTMENT
21 OF STATE POLICE. BEFORE DISCONTINUING THE ISSUANCE OF A
22 REGISTRATION TAB OR STICKER, THE SECRETARY OF STATE SHALL CONSULT
23 WITH THE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES AND
24 ENVIRONMENT AND ESTABLISH AN ALTERNATIVE METHOD OR PROCEDURE BY
25 WHICH THE DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENT CAN
26 DETERMINE WHETHER A RECREATION PASSPORT FEE HAS BEEN PAID FOR A
27 MOTOR VEHICLE.

1 (9) WHETHER OR NOT AN INDIVIDUAL PAID OR INDICATED THAT HE OR
2 SHE ELECTED TO PAY OR NOT TO PAY A RECREATION PASSPORT FEE UNDER
3 THIS SECTION IS PERSONAL INFORMATION FOR PURPOSES OF SECTION 40B.

4 (10) AS USED IN THIS SECTION:

5 (A) "CONSUMER PRICE INDEX" MEANS THE MOST COMPREHENSIVE INDEX
6 OF CONSUMER PRICES AVAILABLE FOR THIS STATE FROM THE BUREAU OF
7 LABOR STATISTICS OF THE UNITED STATES DEPARTMENT OF LABOR.

8 (B) "MOTOR VEHICLE" DOES NOT INCLUDE A COMMERCIAL MOTOR
9 VEHICLE.

10 (C) "RECREATION PASSPORT FEE" MEANS THE STATE PARK AND STATE-
11 OPERATED PUBLIC BOATING ACCESS SITE RECREATION PASSPORT FEE AS
12 PROVIDED FOR IN SUBSECTION (1).

13 (11) THIS SECTION IS REPEALED EFFECTIVE APRIL 1, 2014 UNLESS,
14 DURING AT LEAST 1 OF THE STATE FISCAL YEARS ENDING SEPTEMBER 30,
15 2011, 2012, AND 2013, REVENUE FROM THE RECREATION PASSPORT FEE,
16 MINUS APPROPRIATIONS TO THE SECRETARY OF STATE UNDER SECTION
17 2045(1)(A) OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION
18 ACT, 1994 PA 451, MCL 324.2045, EQUALS OR EXCEEDS \$12,017,514.00.

19 Enacting section 1. This amendatory act takes effect October
20 1, 2010.

21 Enacting section 2. This amendatory act does not take effect
22 unless all of the following bills of the 95th Legislature are
23 enacted into law:

24 (a) Senate Bill No. 1057.

25 (b) House Bill No. 4677.

26 (c) House Bill No. 5752.