

SENATE BILL No. 389

March 17, 2009, Introduced by Senators BASHAM, BIRKHOLZ, PAPPAGEORGE, JANSEN and GEORGE and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
(MCL 257.1 to 257.923) by adding section 805.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 805. (1) SUBJECT TO SUBSECTIONS (2) AND (3), THE
2 SECRETARY OF STATE SHALL NOT ISSUE OR RENEW A REGISTRATION FOR A
3 MOTOR VEHICLE UNLESS, IN ADDITION TO THE TAXES PROVIDED FOR UNDER
4 SECTION 801, A STATE PARK, PUBLIC BOATING ACCESS SITE, AND FOREST
5 RECREATION PASSPORT FEE IS SUBMITTED TO THE SECRETARY OF STATE WITH
6 THE APPLICATION. SUBJECT TO SUBSECTION (4), THE AMOUNT OF THE
7 RECREATION PASSPORT FEE IS AS FOLLOWS:

8 (A) EXCEPT AS PROVIDED IN SUBDIVISION (B), \$10.00.

9 (B) FOR A MOTORCYCLE, \$5.00.

1 (2) SUBSECTION (1) DOES NOT APPLY TO A COMMERCIAL MOTOR
2 VEHICLE.

3 (3) SUBSECTION (1) DOES NOT APPLY IF THE APPLICANT ADOPTS A
4 STATEMENT THAT THE APPLICANT DECLINES TO PAY THE RECREATION
5 PASSPORT FEE BECAUSE THE APPLICANT DOES NOT INTEND TO USE THE MOTOR
6 VEHICLE TO ENTER ANY STATE PARK OR RECREATION AREA, STATE PUBLIC
7 BOATING ACCESS SITE, OR STATE FOREST CAMPGROUND OR TO PROVIDE
8 ACCESS TO ANY STATE FOREST NONMOTORIZED TRAIL OR PATHWAY DURING THE
9 REGISTRATION PERIOD. THE APPLICATION SHALL CONTAIN SUCH A STATEMENT
10 AND A MEANS FOR THE APPLICANT TO ADOPT THE STATEMENT, SUCH AS BY
11 CHECKMARK OR SIGNATURE.

12 (4) THE SECRETARY OF STATE SHALL ALLOCATE REVENUE FROM
13 RECREATION PASSPORT FEES AS FOLLOWS:

14 (A) THE SECRETARY OF STATE SHALL RETAIN AN AMOUNT EQUAL TO
15 1/2% OF ALL RECREATION PASSPORT FEES, WHETHER OR NOT THOSE FEES ARE
16 REFUNDED, TO DEFRAY THE COSTS OF ADMINISTERING THIS SECTION.

17 (B) THE SECRETARY OF STATE SHALL, AT LEAST WEEKLY, TRANSFER
18 THE BALANCE OF THE REVENUE TO THE DEPARTMENT OF NATURAL RESOURCES
19 FOR DEPOSIT AS PROVIDED IN SECTION 2045 OF THE NATURAL RESOURCES
20 AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451, MCL 324.2045.

21 (5) FOR EACH CALENDAR YEAR, BEGINNING WITH 2011, THE STATE
22 TREASURER SHALL ADJUST THE AMOUNTS SET FORTH IN SUBSECTION (1) (A)
23 AND (B) BY AN AMOUNT DETERMINED BY THE STATE TREASURER AT THE END
24 OF EACH CALENDAR YEAR TO REFLECT THE CUMULATIVE PERCENTAGE CHANGE
25 IN THE CONSUMER PRICE INDEX FOR THE MOST RECENT 1-YEAR PERIOD FOR
26 WHICH DATA ARE AVAILABLE AND ROUNDED TO THE NEAREST 5 CENTS.

27 (6) AS USED IN THIS SECTION:

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

4 (B) "RECREATION PASSPORT FEE" MEANS THE STATE PARK, PUBLIC
5 BOATING ACCESS SITE, AND FOREST RECREATION PASSPORT FEE PROVIDED
6 FOR IN SUBSECTION (1).

7 Enacting section 1. This amendatory act takes effect January
8 1, 2010.

9 Enacting section 2. This amendatory act does not take effect
10 unless Senate Bill No. 388.

11 of the 95th Legislature is enacted into law.