

SUBSTITUTE FOR

HOUSE BILL NO. 4439

(As amended June 19, 2013)

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending section 805 (MCL 257.805), as added by 2010 PA 35.

**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 <<OR FOR A REPLACEMENT REGISTRATION TAB  
OR STICKER>> 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)~~, (7),  
5 the 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.  
8           (2) In addition to the requirements of section 217, an  
9 application for a motor vehicle registration shall contain at  
10 least the following information, in substantially the following

1 format and language, except that the amount of the recreation  
2 passport fee specified shall be \$5.00 for a motorcycle:

3        \$[Amount] - Annual vehicle registration or renewal.  
4        \$10.00    - Annual authorization to use this vehicle for  
5                    unlimited entry into all Michigan state parks  
6                    and recreation areas and DNR-operated state  
7                    boating access sites. (Check one of the  
8                    boxes below.)

9                    I elect to pay this \$10.00 fee.

10                   I elect not to pay this \$10.00 fee.

11                   This vehicle will not be used to enter the  
12                   facilities described above.

13        \$           - Total amount due.

14            **(3) THE SECRETARY OF STATE MAY REVISE THE FORMAT AND**  
15 **LANGUAGE OF AN APPLICATION FOR MOTOR VEHICLE REGISTRATION TO**  
16 **REFLECT THE FACT THAT, UNDER SECTIONS 74116 AND 78119 OF THE**  
17 **NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451,**  
18 **MCL 324.74116 AND 324.78119, PAYMENT OF THE RECREATION PASSPORT**  
19 **FEE AUTHORIZES ENTRY INTO ALL STATE PARKS AND RECREATION AREAS**  
20 **AND DESIGNATED STATE-OPERATED PUBLIC BOATING ACCESS SITES UNTIL**  
21 **EXPIRATION OF THE MOTOR VEHICLE REGISTRATION.**

22            **(4) ~~(3)~~**—If the applicant applies by mail and, in addition to  
23 the registration fee, the applicant pays an amount equal to the  
24 recreation passport fee, the applicant shall be considered to  
25 have elected to pay the recreation passport fee regardless of  
26 whether such an election is indicated on the application.

27            **(5) ~~(4)~~**—Subsections (1) and (2) do not apply to ~~an~~**ANY OF**

1 **THE FOLLOWING:**

2 (A) AN application submitted by a dealer under section 217  
3 for a vehicle sold, leased, or exchanged by the dealer.

4 (B) THE ISSUANCE OR RENEWAL OF A MOTOR VEHICLE REGISTRATION  
5 DESCRIBED IN SECTION 803E(1) AND EXEMPT UNDER SECTION 803E(6)  
6 FROM THE REGISTRATION TAX OR THE ISSUANCE OR RENEWAL OF A MOTOR  
7 VEHICLE REGISTRATION DESCRIBED IN SECTION 217D OR 803F.

8 (6) ~~(5)~~—The secretary of state shall, at least monthly,  
9 transfer the revenue from recreation passport fees to the  
10 department of natural resources and environment for deposit as  
11 provided in section 2045 of the natural resources and  
12 environmental protection act, 1994 PA 451, MCL 324.2045.

13 (7) ~~(6)~~—For each ~~state fiscal~~ **CALENDAR** year, ~~beginning with~~  
14 ~~the 2011-2012 state fiscal year,~~ the state treasurer shall adjust  
15 the amounts set forth in subsection (1) by an amount determined  
16 by the state treasurer to reflect the cumulative percentage  
17 change in the consumer price index ~~since~~ **FROM** October 1, 2010 **TO**  
18 **THE OCTOBER 1 IMMEDIATELY PRECEDING THAT CALENDAR YEAR,** using the  
19 most recent data available and rounded to the nearest dollar.

20 (8) ~~(7)~~—The legislature shall annually review the amount of  
21 revenue raised by the recreation passport fee to ensure that the  
22 amount is appropriate for the purposes for which the recreation  
23 passport fee is assessed and in compliance with law.

24 (9) ~~(8)~~—If the secretary of state issues a registration tab  
25 or sticker for a registration plate or personalized registration  
26 plate under section 224 or 803b for a motor vehicle for which a  
27 recreation passport fee has been paid under this section, the tab

1 or sticker and any temporary registration plate issued under  
2 section 224a shall be marked in a distinctive manner determined  
3 by the secretary of state after consultation with the director of  
4 the department of natural resources and environment and the  
5 department of state police. Before discontinuing the issuance of  
6 a registration tab or sticker, the secretary of state shall  
7 consult with the director of the department of natural resources  
8 and environment and establish an alternative method or procedure  
9 by which the department of natural resources and environment can  
10 determine whether a recreation passport fee has been paid for a  
11 motor vehicle.

12 (10) ~~(9)~~ Whether or not an individual paid or indicated that  
13 he or she elected to pay or not to pay a recreation passport fee  
14 under this section is personal information for purposes of  
15 section 40b.

16 (11) ~~(10)~~ As used in this section:

17 (a) "Consumer price index" means the most comprehensive  
18 index of consumer prices available for this state from the bureau  
19 of labor statistics of the United States department of labor.

20 (b) "Motor vehicle" does not include a commercial motor  
21 vehicle.

22 (c) "Recreation passport fee" means the state park and  
23 state-operated public boating access site recreation passport fee  
24 as provided for in subsection (1).

25 ~~— (11) This section is repealed effective April 1, 2014~~  
26 ~~unless, during at least 1 of the state fiscal years ending~~  
27 ~~September 30, 2011, 2012, and 2013, revenue from the recreation~~

1 ~~passport fee, minus appropriations to the secretary of state~~  
2 ~~under section 2045(1)(a) of the natural resources and~~  
3 ~~environmental protection act, 1994 PA 451, MCL 324.2045, equals~~  
4 ~~or exceeds \$12,017,514.00.~~

5       Enacting section 1. This amendatory act takes effect May 1,  
6 2014.

7       Enacting section 2. This amendatory act does not take effect  
8 unless House Bill No. 4297 of the 97th Legislature is enacted  
9 into law.