

HOUSE BILL No. 5339

December 7, 1989, Introduced by Rep. Kosteva and referred to the Committee on Conservation, Recreation and Environment.

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. 346 of the Public Acts of 1988, being section 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. 346 of the Public Acts of 1988, 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 THE TIRE DISPOSAL SURCHARGE PROVIDED IN THE TIRE RECOVERY ACT;
 8 and except as otherwise provided by this act:

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

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

1	8,001 to 8,500 pounds.....	81.00
2	8,501 to 9,000 pounds.....	86.00
3	9,001 to 9,500 pounds.....	91.00
4	9,501 to 10,000 pounds.....	95.00
5	over 10,000 pounds.....\$ 0.90 per 100 pounds	
6		of empty weight

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. A van which is owned and oper-
17 ated by a person who uses a wheelchair and for which registration
18 plates are issued pursuant to section 803d shall be assessed at
19 the rate of 50% of the tax provided for in this 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, or a nonpublic, nonprofit col-
24 lege or university, \$5.00 per set; and for each motor vehicle
25 operating under municipal franchise, weighing less than 2,500
26 pounds, 65 cents per 100 pounds of the empty weight of the motor
27 vehicle, weighing from 2,500 to 4,000 pounds, 80 cents per 100

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

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

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

1 incorporated, nonprofit volunteer fire department, \$10.00 per
2 plate.

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

7 (j) For each truck, weighing 8,000 pounds or less, and not
8 used to tow a vehicle, for each road service vehicle designed and
9 used to tow disabled vehicles, for each privately owned truck
10 used to tow a trailer for recreational purposes only and not
11 involved in a profit making venture, and for each vehicle
12 designed and used to tow a mobile home or a trailer coach, except
13 as provided in subdivision (b), \$38.00 or an amount computed
14 according to the following schedule of empty weights, whichever
15 is greater:

16	Empty weights	Per 100 pounds
17	0 to 2,500 pounds.....	\$ 1.40
18	2,501 to 4,000 pounds.....	1.76
19	4,001 to 6,000 pounds.....	2.20
20	6,001 to 8,000 pounds.....	2.72
21	8,001 to 10,000 pounds.....	3.25
22	10,001 to 15,000 pounds.....	3.77
23	15,001 pounds and over.....	4.39

24 If the tax required under subdivision (q) for a vehicle of
25 the same model year with the same list price as the vehicle for
26 which registration is sought under this subdivision is more than
27 the tax provided under the preceding provisions of this

1 subdivision for an identical vehicle, the tax required under this
 2 subdivision shall not be less than the tax required under subdi-
 3 vision (q) for a vehicle of the same model year with the same
 4 list price.

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

10	Elected gross weight	Fee
11	0 to 24,000 pounds.....	\$ 378.00
12	24,001 to 28,000 pounds.....	429.00
13	28,001 to 32,000 pounds.....	499.00
14	32,001 to 36,000 pounds.....	572.00
15	36,001 to 42,000 pounds.....	672.00
16	42,001 to 48,000 pounds.....	773.00
17	48,001 to 54,000 pounds.....	873.00
18	54,001 to 60,000 pounds.....	975.00
19	60,001 to 66,000 pounds.....	1,075.00
20	66,001 to 72,000 pounds.....	1,176.00
21	72,001 to 80,000 pounds.....	1,277.00
22	80,001 to 90,000 pounds.....	1,379.00
23	90,001 to 100,000 pounds.....	1,540.00
24	100,001 to 115,000 pounds.....	1,710.00
25	115,001 to 130,000 pounds.....	1,883.00
26	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:

26	Empty weights	Per 100 pounds
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1	0 to 4,000 pounds.....	\$ 1.76
2	4,001 to 6,000 pounds.....	2.20
3	6,001 to 10,000 pounds.....	2.72
4	10,001 pounds and over.....	3.25
5	(n) For each motorcycle.....	\$ 23.00

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.

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

26 (o) For each truck weighing 8,001 pounds or more, road
27 tractor, or truck tractor used exclusively as a moving van or

1 part of a moving van in transporting household furniture and
 2 household effects or the equipment or those engaged in conducting
 3 carnivals, at the rate of 80% of the schedule of elected gross
 4 weights in subdivision (k) as modified by the operation of that
 5 subdivision.

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

10	Empty weights	Fee
11	0 to 4,000 pounds.....	\$ 39.00
12	4,001 to 4,500 pounds.....	44.00
13	4,501 to 5,000 pounds.....	49.00

14 (q) After September 30, 1983, each motor vehicle of the 1984
 15 or a subsequent model year as shown on the application required
 16 under section 217 which has not been previously subject to the
 17 tax rates of this section and which is of the motor vehicle cate-
 18 gory otherwise subject to the tax schedule described in subdivi-
 19 sion (a) according to the following schedule based upon registra-
 20 tion periods of 12 months:

21 (i) Except as otherwise provided in this subdivision, for
 22 the first registration, which is not a transfer registration
 23 under section 809 and for the first registration after a transfer
 24 registration under section 809, according to the following sched-
 25 ule based on the vehicle's list price:

1	List Price	Tax
2	\$0 - \$6,000.00.....	\$ 30.00
3	More than \$6,000.00 - \$7,000.00.....	\$ 33.00
4	More than \$7,000.00 - \$8,000.00.....	\$ 38.00
5	More than \$8,000.00 - \$9,000.00.....	\$ 43.00
6	More than \$9,000.00 - \$10,000.00.....	\$ 48.00
7	More than \$10,000.00 - \$11,000.00.....	\$ 53.00
8	More than \$11,000.00 - \$12,000.00.....	\$ 58.00
9	More than \$12,000.00 - \$13,000.00.....	\$ 63.00
10	More than \$13,000.00 - \$14,000.00.....	\$ 68.00
11	More than \$14,000.00 - \$15,000.00.....	\$ 73.00
12	More than \$15,000.00 - \$16,000.00.....	\$ 78.00
13	More than \$16,000.00 - \$17,000.00.....	\$ 83.00
14	More than \$17,000.00 - \$18,000.00.....	\$ 88.00
15	More than \$18,000.00 - \$19,000.00.....	\$ 93.00
16	More than \$19,000.00 - \$20,000.00.....	\$ 98.00
17	More than \$20,000.00 - \$21,000.00.....	\$103.00
18	More than \$21,000.00 - \$22,000.00.....	\$108.00
19	More than \$22,000.00 - \$23,000.00.....	\$113.00
20	More than \$23,000.00 - \$24,000.00.....	\$118.00
21	More than \$24,000.00 - \$25,000.00.....	\$123.00
22	More than \$25,000.00 - \$26,000.00.....	\$128.00
23	More than \$26,000.00 - \$27,000.00.....	\$133.00
24	More than \$27,000.00 - \$28,000.00.....	\$138.00
25	More than \$28,000.00 - \$29,000.00.....	\$143.00
26	More than \$29,000.00 - \$30,000.00.....	\$148.00

1 More than \$30,000.00..... 0.5% of the list price

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

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

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

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

23 (r) When the secretary of state computes a tax under this
24 section, a computation which does not result in a whole dollar
25 figure shall be rounded to the next lower whole dollar when the
26 computation results in a figure ending in 50 cents or less and
27 shall be rounded to the next higher whole dollar when the

1 computation results in a figure ending in 51 cents or more,
2 unless specific fees are specified, and may accept the
3 manufacturer's shipping weight of the vehicle fully equipped for
4 the use for which the registration application is made. If the
5 weight is not correctly stated or is not satisfactory, the secre-
6 tary of state shall determine the actual weight. Each applica-
7 tion for registration of a vehicle under subdivisions (j) and (m)
8 shall have attached to the application a scale weight receipt of
9 the vehicle fully equipped as of the time the application is
10 made. The scale weight receipt is not necessary if there is
11 presented with the application a registration receipt of the pre-
12 vious year which shows on its face the weight of the motor vehi-
13 cle as registered with the secretary of state and which is accom-
14 panied by a statement of the applicant that there has not been a
15 structural change in the motor vehicle which has increased the
16 weight and that the previous registered weight is the true
17 weight.

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

23 (3) The fee for a vehicle with an empty weight over 10,000
24 pounds imposed pursuant to subsection (1)(a) and the fees imposed
25 pursuant to subsection (1)(b), (c), (d), (e), (f), (i), (j), (m),
26 (o), and (q) shall each be increased by \$5.00. This increase
27 shall be credited to the Michigan transportation fund and used to

1 defray the costs of processing the registrations under this
2 section.

3 (4) As used in this section:

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

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

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

24 Section 2. This amendatory act shall not take effect unless
25 Senate Bill No. ____ or House Bill No. 5338 (request
26 no. 03696'89) of the 85th Legislature is enacted into law.