

HOUSE BILL No. 5695

May 1, 1990, Introduced by Reps. Pitoniak, DeMars, Dunaskiss, Walberg, Joe Young, Jr., Profit, Randall, Allen, Barns, Kulchitsky, Perry Bullard, Stupak, Willis Bullard, Weeks, Gire, Leland, DeBeaussaert, Niederstadt and Trim and referred to the Committee on Transportation.

A bill to amend section 801b of Act No. 300 of the Public Acts of 1949, entitled as amended

"Michigan vehicle code,"

as amended by Act No. 311 of the Public Acts of 1986, being section 257.801b of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 801b of Act No. 300 of the Public Acts
2 of 1949, as amended by Act No. 311 of the Public Acts of 1986,
3 being section 257.801b of the Michigan Compiled Laws, is amended
4 to read as follows:

5 Sec. 801b. (1) If a person, through error either on his or
6 her own part or that of the secretary of state, pays the specific
7 tax required by section 801 or 802 more than once on the same
8 equipment, the secretary of state, upon application and
9 satisfactory proof, shall refund the amount paid in error. A

1 claim shall be filed within 1 year after the date of payment and
2 verified by the secretary of state before a refund is made. If
3 an application for a dealer license provided for in section 248
4 is withdrawn by the applicant or the applicant's heir, before
5 issuance of the dealer license, the fees that accompanied the
6 application under sections 803, 803a, and 807 may be refunded by
7 the secretary of state upon application and satisfactory proof.

8 (2) If a person's license to drive a motor vehicle is
9 revoked, suspended, or denied for medical or physical reasons,
10 the person may return the registration plates and obtain a refund
11 on the plates prorated on a monthly basis for the time period
12 remaining in the registration year from the date the plates are
13 returned. However, the refund shall not exceed the original reg-
14 istration fee.

15 (3) Upon the death of a spouse, the surviving spouse may
16 return registration plates and obtain a refund on the plates pro-
17 rated on a monthly basis for the time period remaining in the
18 registration year from the date the plates are returned.
19 However, the refund shall not exceed the original registration
20 fee.

21 (4) The owner of a registered vehicle who transfers or
22 assigns title or interest in that registered vehicle before plac-
23 ing upon the registered vehicle the registration plates or tabs
24 issued for that registered vehicle may obtain a refund in full
25 from the secretary of state for the registration plates or tabs.
26 Registration plates, or tabs issued for 1978 and thereafter shall

1 be returned by the owner within 30 days following the date of
2 transfer or assignment.

3 (5) The owner of a vehicle registered pursuant to section
4 801d(2) who transfers or assigns title or interest in the vehicle
5 may obtain a refund on the registration for each unused, whole
6 registration period remaining on the registration from the date
7 the plates are returned and the application for a refund is
8 made.

9 (6) In the case of an original application for registration
10 plates issued under section 217a or 803b, the secretary of state
11 shall issue a refund prorated on a monthly basis from the date of
12 application for the time period remaining in the previously
13 issued registration, if an application for the refund is made and
14 satisfactory proof is presented to the secretary of state. A
15 refund shall not be made if the amount due is less than \$5.00.

16 (7) In the case of an original application for the registra-
17 tion plates bearing the letters "SEN" or "REP", the secretary of
18 state shall issue a refund prorated on a monthly basis from the
19 date of application for the time period remaining in the previ-
20 ously issued registration.

21 (8) In the case of an original application and issuance of
22 an international registration plan registration plate under sec-
23 tion 801g, the secretary of state shall make a refund as a credit
24 prorated on a monthly basis from the date of application for the
25 months remaining for the previously issued registration on the
26 same vehicle, if an application for the refund as a credit is
27 made and satisfactory proof of eligibility is presented to the

1 secretary of state. A refund as a credit shall not exceed the
2 total amount of the Michigan apportioned fees assessed for the
3 plates issued under section 801g nor be made if the amount due is
4 less than \$5.00. For the purpose of this subsection, a month
5 shall mean 30 consecutive days and a partial month shall be con-
6 sidered as a whole month.

7 (9) IF A PERSON IS NOT CLAIMING A REFUND UNDER THIS SECTION
8 DUE TO REVOCATION, SUSPENSION, OR DENIAL OF HIS OR HER LICENSE,
9 THE PERSON, INSTEAD OF A REFUND, MAY CLAIM A CREDIT IN THE AMOUNT
10 ELIGIBLE FOR REFUND AGAINST A SUBSEQUENT REGISTRATION UNDER THIS
11 ACT.