SENATE BILL No. 705

November 30, 1989, Introduced by Senators SHINKLE, POSTHUMUS, FESSLER and NICHOLS and referred to the Committee on State Affairs, Tourism, and Transportation.

A bill to amend sections 224 and 801 of Act No. 300 of the Public Acts of 1949, entitled as amended "Michigan vehicle code," section 224 as amended by Act No. 238 of the Public Acts of 1987 and section 801 as amended by Act No. 346 of the Public Acts of 1988, being sections 257.224 and 257.801 of the Michigan Compiled

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Sections 224 and 801 of Act No. 300 of the

Laws.

- 2 Public Acts of 1949, section 224 as amended by Act No. 238 of the
- 3 Public Acts of 1987 and section 801 as amended by Act No. 346 of
- 4 the Public Acts of 1988, being sections 257.224 and 257.801 of
- 5 the Michigan Compiled Laws, are amended to read as follows:
- 6 Sec. 224. (1) Except as otherwise provided in this act
- 7 regarding tabs or stickers, upon registering a vehicle, the

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- 1 secretary of state shall issue to the owner 1 registration
- 2 plate.
- 3 (2) A registration plate shall display the registration
- 4 number assigned to the vehicle for which the registration plate
- 5 is issued; the name of this state, which may be abbreviated; and
- 6 when the registration plate expires, which may be shown by a tab
- 7 or sticker furnished by the secretary of state.
- 8 (3) A registration plate issued for motor vehicles owned and
- 9 operated by this state; a state institution; a municipality; A
- 10 PRIVATELY INCORPORATED, NONPROFIT VOLUNTEER FIRE DEPARTMENT; or a
- 11 nonpublic, nonprofit college or university of this state shall
- 12 not expire at any particular time but shall be renewed when the
- 13 registration plate is worn out or is illegible. This registra-
- 14 tion plate shall be assigned upon proper application and payment
- 15 of the applicable fee and may be used on any eligible vehicle
- 16 titled to the applicant if a written record is kept of the vehi-
- 17 cles upon which the registration plate is used. The written
- 18 record shall state the time the registration plate is used on a
- 19 particular vehicle. The record shall be open to inspection by a
- 20 law enforcement officer or a representative of the secretary of
- 21 state.
- 22 (4) A registration plate issued for a vehicle owned by the
- 23 civil air patrol as organized under sections 1 to 8, chapter 527,
- 24 60 Stat. 346 to 347, 36 U.S.C. 201 to 208; a vehicle owned by a
- 25 nonprofit organization and used to transport equipment for pro-
- 26 viding dialysis treatment to children at camp; an emergency
- 27 support vehicle used exclusively for emergencies and owned and

- 1 operated by a federally recognized nonprofit charitable
- 2 organization; a motor vehicle having a truck chassis and a loco-
- 3 motive or ship's body which is owned by a nonprofit veterans
- 4 organization and used exclusively in parades and civic events; a
- 5 motor vehicle owned and operated by a senior citizen center; --or
- 6 a privately incorporated, nonprofit volunteer fire department;
- 7 and a registration plate issued for buses including station
- 8 wagons, carryalls, or similarly constructed vehicles owned and
- 9 operated by a nonprofit parents' transportation corporation used
- 10 for school purposes, parochial school, society, church Sunday
- 11 school, or other grammar school, or by a nonprofit youth organi-
- 12 zation or nonprofit rehabilitation facility shall be issued upon
- 13 proper application and payment of the applicable fee provided in
- 14 section 801(1)(g) or (h) to the applicant for the vehicle identi-
- 15 fied in the application. The vehicle shall be used exclusively
- 16 for activities of the school or organization and shall be desig-
- 17 nated by proper signs showing the school or organization operat-
- 18 ing the vehicle. The registration plate shall expire on December
- 19 31 in the fifth year following the date of issuance. The regis-
- 20 tration plate may be transferred to another vehicle upon proper
- 21 application and payment of a \$10.00 transfer fee.
- 22 (5) The registration plate and the required letters and
- 23 numerals on the registration plate shall be of sufficient size to
- 24 be plainly readable from a distance of 100 feet during daylight.
- 25 The secretary of state may issue a tab or tabs designating the
- 26 month and year of expiration.

- 1 (6) The secretary of state shall issue for every passenger
- 2 motor vehicle rented without a driver the same type of
- 3 registration plate as the type of registration plate issued for
- 4 private passenger vehicles.
- 5 (7) A person shall not operate a vehicle on the public high-
- 6 ways or streets of this state displaying a registration plate
- 7 other than the registration plate issued for the vehicle by the
- 8 secretary of state, except as provided in this chapter for non-
- 9 residents, and by assignment provided in subsection (3).
- 10 (8) The registration plate displayed on a vehicle registered
- 11 on the basis of elected gross weight shall indicate the elected
- 12 gross weight for which the vehicle is registered.
- Sec. 801. (1) The secretary of state shall collect the fol-
- 14 lowing taxes at the time of registering a vehicle, which shall
- 15 exempt the vehicle from all other state and local taxation,
- 16 except the fees and taxes provided by law to be paid by certain
- 17 carriers operating motor vehicles and trailers under the motor
- 18 carrier act, Act No. 254 of the Public Acts of 1933, as amended,
- 19 being sections 475.1 to 479.20 of the Michigan Compiled Laws; the
- 20 taxes imposed by the motor carrier fuel tax act, Act No. 119 of
- 21 the Public Acts of 1980, as amended, being sections 207.211 to
- 22 207.235 of the Michigan Compiled Laws; a fee or fees imposed pur-
- 23 suant to the local road improvements and operations revenue act;
- 24 and except as otherwise provided by this act:
- 25 (a) For a motor vehicle, including a motor home, except as
- 26 otherwise provided, and a pickup truck or van, which pickup truck
- 27 or van weighs not more than 5,000 pounds and is not taxed under

- 1 subdivision (p), except as otherwise provided, according to the
- 2 following schedule of empty weights:

3	Empty weights Fee
4	0 to 3,000 pounds \$ 29.00
5	3,001 to 3,500 pounds
6	3,501 to 4,000 pounds
7	4,001 to 4,500 pounds 43.00
. 8	4,501 to 5,000 pounds
9	5,001 to 5,500 pounds 52.00
10	5,501 to 6,000 pounds 57.00
11 .	6,001 to 6,500 pounds 62.00
12	6,501 to 7,000 pounds 67.00
13	7,001 to 7,500 pounds 71.00
14	7,501 to 8,000 pounds 77.00
15	8,001 to 8,500 pounds 81.00
16	8,501 to 9,000 pounds 86.00
17 .	9,001 to 9,500 pounds 91.00
18	9,501 to 10,000 pounds 95.00
19	over 10,000 pounds\$ 0.90 per 100 pounds
20	of empty weight
21	On October 1, 1983, and October 1, 1984, the tax assessed
22	under this subdivision shall be annually revised for the regis-
23	trations expiring on the appropriate October 1 or after that date
24	by multiplying the tax assessed in the preceding fiscal year
25	times the personal income of Michigan for the preceding calendar
26	year divided by the personal income of Michigan for the calendar

- 1 year which preceded that calendar year. In performing the
- 2 calculations under this subdivision, the secretary of state shall
- 3 use the spring preliminary report of the United States department
- 4 of commerce or its successor agency. A van which is owned and
- 5 operated by a person who uses a wheelchair and for which regis-
- 6 tration plates are issued pursuant to section 803d shall be
- 7 assessed at the rate of 50% of the tax provided for in this
- 8 subdivision.
- 9 (b) For a trailer coach attached to a motor vehicle 76 cents
- 10 per 100 pounds of empty weight of the trailer coach. A trailer
- 11 coach not under Act No. 243 of the Public Acts of 1959, being
- 12 sections 125.1035 to 125.1043 of the Michigan Compiled Laws, and
- 13 while located on land otherwise assessable as real property under
- 14 the general property tax act, Act No. 206 of the Public Acts of
- 15 1893, as amended, being sections 211.1 to 211.157 of the Michigan
- 16 Compiled Laws, if the trailer coach is used as a place of habita-
- 17 tion, and whether or not permanently affixed to the soil, shall
- 18 not be exempt from real property taxes.
- 19 (c) For a road tractor, truck, or truck tractor owned by a
- 20 farmer and used exclusively in connection with the farmer's farm-
- 21 ing operations, or used for the transportation of the farmer and
- 22 the farmer's family, and not used for hire, 74 cents per 100
- 23 pounds of empty weight of the road tractor, truck, or truck
- 24 tractor.
- (d) For a road tractor, truck, or truck tractor owned by a
- 26 wood harvester and used exclusively in connection with the wood
- 27 harvesting operations and not used for hire, 74 cents per 100

- 1 pounds of empty weight of the road tractor, truck, or truck
- 2 tractor. A registration secured by payment of the fee as pre-
- 3 scribed in this subdivision shall continue in full force and
- 4 effect until the regular expiration date of the registration.
- 5 (e) For a hearse or ambulance used exclusively by a licensed
- 6 funeral director in the general conduct of the licensee's funeral
- 7 business, including a hearse or ambulance whose owner is engaged
- 8 in the business of leasing or renting the hearse or ambulance to
- 9 others, \$1.17 per 100 pounds of the empty weight of the hearse or
- 10 ambulance.
- 11 (f) For a motor vehicle owned and operated by this state, a
- 12 state institution, a municipality, A PRIVATELY INCORPORATED, NON-
- 13 PROFIT VOLUNTEER FIRE DEPARTMENT, or a nonpublic, nonprofit col-
- 14 lege or university, \$5.00 per set; and for each motor vehicle
- 15 operating under municipal franchise, weighing less than 2,500
- 16 pounds, 65 cents per 100 pounds of the empty weight of the motor
- 17 vehicle, weighing from 2,500 to 4,000 pounds, 80 cents per 100
- 18 pounds of the empty weight of the motor vehicle, weighing 4,001
- 19 to 6,000 pounds, \$1.00 per 100 pounds of the empty weight of the
- 20 motor vehicle, and weighing over 6,000 pounds, \$1.25 per 100
- 21 pounds of the empty weight of the motor vehicle.
- 22 (g) For a bus including a station wagon, carryall, or simi-
- 23 larly constructed vehicle owned and operated by a nonprofit
- 24 parents' transportation corporation used for school purposes,
- 25 parochial school or society, church Sunday school, or any other
- 26 grammar school, or by a nonprofit youth organization or nonprofit
- 27 rehabilitation facility; or a motor vehicle owned and operated by

- 1 a senior citizen center, \$10.00 per set, if the bus, station
- 2 wagon, carryall, or similarly constructed vehicle or motor vehi-
- 3 cle is designated by proper signs showing the organization oper-
- 4 ating the vehicle.
- 5 (h) For a vehicle owned by a nonprofit organization and used
- 6 to transport equipment for providing dialysis treatment to chil-
- 7 dren at camp; for a vehicle owned by the civil air patrol, as
- 8 organized under sections 1 to 8 of chapter 527, 60 Stat. 346, 36
- 9 U.S.C. 201 to 208, \$10.00 per plate, if the vehicle is designated
- 10 by a proper sign showing the civil air patrol's name; for a motor
- 11 vehicle having a truck chassis and a locomotive or ship's body
- 12 which is owned by a nonprofit veterans organization and used
- 13 exclusively in parades and civic events; or for an emergency sup-
- 14 port vehicle used exclusively for emergencies and owned and oper-
- 15 ated by a federally recognized nonprofit charitable organization,
- 16 or a motor vehicle owned and operated by a privately incorporat-
- 17 ed, nonprofit volunteer fire department, \$10.00 per plate.
- (i) For each truck owned and operated free of charge by a
- 19 bona fide ecclesiastical or charitable corporation, or red cross,
- 20 girl scout, or boy scout organization, 65 cents per 100 pounds of
- 21 the empty weight of the truck.
- 22 (j) For each truck, weighing 8,000 pounds or less, and not
- 23 used to tow a vehicle, for each road service vehicle designed and
- 24 used to tow disabled vehicles, for each privately owned truck
- 25 used to tow a trailer for recreational purposes only and not
- 26 involved in a profit making venture, and for each vehicle
- 27 designed and used to tow a mobile home or a trailer coach, except

- 1 as provided in subdivision (b), \$38.00 or an amount computed
- 2 according to the following schedule of empty weights, whichever
- 3 is greater:

Empty weights Per 100 pounds
0 to 2,500 pounds \$ 1.40
2,501 to 4,000 pounds 1.76
4,001 to 6,000 pounds 2.20
6,001 to 8,000 pounds 2.72
8,001 to 10,000 pounds 3.25
10,001 to 15,000 pounds 3.77
15,001 pounds and over 4.39
If the tax required under subdivision (q) for a vehicle of
the same model year with the same list price as the vehicle for
which registration is sought under this subdivision is more than
the tax provided under the preceding provisions of this subdivi-
sion for an identical vehicle, the tax required under this subdi-
vision shall not be less than the tax required under subdivision
(q) for a vehicle of the same model year with the same list
price.
(k) For each truck weighing 8,000 pounds or less towing a
trailer or any other combination of vehicles and for each truck
weighing 8,001 pounds or more, road tractor or truck tractor,
except as provided in subdivision (j), according to the following

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schedule of elected gross weights:

1	Elected gross weight	Fee
2	0 to 24,000 pounds	\$ 378.00
3	24,001 to 28,000 pounds	429.00
4	28,001 to 32,000 pounds	499.00
5	32,001 to 36,000 pounds	572.00
6	36,001 to 42,000 pounds	672.00
7	42,001 to 48,000 pounds	773.00
8	48,001 to 54,000 pounds	873.00
9	54,001 to 60,000 pounds	975.00
10	60,001 to 66,000 pounds	1,075.00
11	66,001 to 72,000 pounds	1,176.00
12	72,001 to 80,000 pounds	1,277.00
13	80,001 to 90,000 pounds	1,379.00
14	90,001 to 100,000 pounds	1,540.00
15	100,001 to 115,000 pounds	1,710.00
16	115,001 to 130,000 pounds	1,883.00
17	130,001 to 145,000 pounds	2,054.00
18	145,001 to 160,000 pounds	2,226.00
19	over 160,000 pounds	2,398.00
20	For each commercial vehicle registered pursua	nt to this sub-
21	division \$15.00 shall be deposited in a truck safe	ty fund to be
22	expended for the purposes prescribed in section 25	of Act No. 51
23	of the Public Acts of 1951, being section 247.675	of the Michigan
24	Compiled Laws.	

If a truck or road tractor without trailer is leased from an

individual owner-operator, the lessee, whether a person, firm, or

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- 1 corporation, shall pay to the owner-operator 60% of the fee
- 2 prescribed in this subdivision for the truck tractor or road
- 3 tractor at the rate of 1/12 for each month of the lease or
- 4 arrangement in addition to the compensation the owner-operator is
- 5 entitled to for the rental of his or her equipment.
- 6 (1) For each pole trailer, semitrailer, or trailer, accord-
- 7 ing to the following schedule of rates:

8	Empty weights Fee
9	0 to 500 pounds \$ 17.00
10	501 to 1,500 pounds 24.00
11	1,501 pounds and over
12	(m) For each commercial vehicle used for the transportation
13	of passengers for hire except for a vehicle for which a payment
14	is made pursuant to Act No. 2 of the Public Acts of 1960, being
15	sections 257.971 to 257.972 of the Michigan Compiled Laws,
16	according to the following schedule of empty weights:

17	Empty weights	Per 100 pou		pounds
18	0 to 4,000 pounds	\$	1.76	
19	4,001 to 6,000 pounds		2.20	ı
20	6,001 to 10,000 pounds		2.72	
21	10,001 pounds and over		3.25	
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- 22 (n) For each motorcycle..... \$ 23.00
- On October 1, 1983, and October 1, 1984, the tax assessed
- 24 under this subdivision shall be annually revised for the

- 1 registrations expiring on the appropriate October 1 or after that
- 2 date by multiplying the tax assessed in the preceding fiscal year
- 3 times the personal income of Michigan for the preceding calendar
- 4 year divided by the personal income of Michigan for the calendar
- 5 year which preceded that calendar year. In performing the calcu-
- 6 lations under this subdivision, the secretary of state shall use
- 7 the spring preliminary report of the United States department of
- 8 commerce or its successor agency.
- 9 Beginning January 1, 1984, the registration tax for each
- 10 motorcycle shall be increased by \$3.00. The \$3.00 increase shall
- 11 not be considered as part of the tax assessed under this subdivi-
- 12 sion for the purpose of the annual October 1 revisions but shall
- 13 be in addition to the tax assessed as a result of the annual
- 14 October 1 revisions. Beginning January 1, 1984, \$3.00 of each
- 15 motorcycle fee shall be placed in a motorcycle safety fund in the
- 16 state treasury and shall be used only for funding the motorcycle
- 17 safety education program as provided for under sections 312b,
- 18 -and- 811a, AND 811B.
- 19 (o) For each truck weighing 8,001 pounds or more, road trac-
- 20 tor, or truck tractor used exclusively as a moving van or part of
- 21 a moving van in transporting household furniture and household
- 22 effects or the equipment or those engaged in conducting carni-
- 23 vals, at the rate of 80% of the schedule of elected gross weights
- 24 in subdivision (k) as modified by the operation of that
- 25 subdivision.
- 26 (p) For each pickup truck or van, which pickup truck or van
- 27 weighs not more than 5,000 pounds and is owned by a business,

1 corporation, or person other than an individual, according to the

Fee

2 following schedule of empty weights:

Empty weights

tion periods of 12 months:

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•	Timpel wordings
4	0 to 4,000 pounds \$ 39.00
5	4,001 to 4,500 pounds 44.00
6	4,501 to 5,000 pounds 49.00
7	(q) After September 30, 1983, each motor vehicle of the 1984
8	or a subsequent model year as shown on the application required
9	under section 217 which has not been previously subject to the
10	tax rates of this section and which is of the motor vehicle cate-
11	gory otherwise subject to the tax schedule described in subdivi-
12	sion (a) according to the following schedule based upon registra-

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

,19	List Price	Tax
20	\$0 - \$6,000.00	\$ 30.00
21	More than \$6,000.00 - \$7,000.00	\$ 33.00
22	More than \$7,000.00 - \$8,000.00	\$ 38.00
23	More than \$8,000.00 - \$9,000.00	\$ 43.00
24	More than \$9,000.00 - \$10,000.00	\$ 48.00

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1
      More than $10,000.00 - $11,000.00.....
                                                      $ 53.00
2
        More than $11,000.00 - $12,000.00.....
                                                      $ 58.00
                                                      $ 63.00
        More than $12,000.00 - $13,000.00.....
3
                                                      $ 68.00
        More than $13,000.00 - $14,000.00.....
4
5
        More than $14,000.00 - $15,000.00.....
                                                      $ 73.00
        More than $15,000.00 - $16,000.00.....
                                                      $ 78.00
б
        More than $16,000.00 - $17,000.00.....
                                                      $ 83.00
7
        More than $17,000.00 - $18,000.00.....
                                                      $ 88.00
8
        More than $18,000.00 - $19,000.00.....
                                                      $ 93.00
9
                                                      $ 98.00
        More than $19,000.00 - $20,000.00.....
10
11
        More than $20,000.00 - $21,000.00.....
                                                      $103.00
12
        More than $21,000.00 - $22,000.00.....
                                                      $108.00
                                                      $113.00
13
        More than $22,000.00 - $23,000.00.....
14
        More than $23,000.00 - $24,000.00.....
                                                      $118.00
        More than $24,000.00 - $25,000.00.....
                                                      $123.00
15
        More than $25,000.00 - $26,000.00.....
                                                      $128.00
16
        More than $26,000.00 - $27,000.00.....
                                                      $133.00
17
        More than $27,000.00 - $28,000.00.....
                                                      $138.00
18
19
        More than $28,000.00 - $29,000.00.....
                                                      $143.00
20
        More than $29,000.00 - $30,000.00.....
                                                      $148.00
        More than $30,000.00...... 0.5% of the list price
21
22
        (ii) For the second registration, 90% of the tax assessed
23
   under subparagraph (i).
        (iii) For the third registration, 90% of the tax assessed
24
   under subparagraph (ii).
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26
        (iv) For the fourth and subsequent registrations, 90% of the
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tax assessed under subparagraph (iii).

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- 1 For a vehicle of the 1984 or a subsequent model year which
- 2 has been previously registered by a person other than the person
- 3 applying for registration or for a vehicle of the 1984 or a sub-
- 4 sequent model year which has been previously registered in
- 5 another state or country and is registered for the first time in
- 6 this state, the tax under this subdivision shall be determined by
- 7 subtracting the model year of the vehicle from the calendar year
- 8 for which the registration is sought. If the result is zero or a
- 9 negative figure, the first registration tax shall be paid. If
- 10 the result is 1, 2, or 3 or more, then, respectively, the second,
- 11 third, or subsequent registration tax shall be paid. A van Which
- 12 is owned and operated by a person who uses a wheelchair and for
- 13 which registration plates are issued pursuant to section 803d
- 14 shall be assessed at the rate of 50% of the tax provided for in
- 15 this subdivision.
- 16 (r) When the secretary of state computes a tax under this
- 17 section, a computation which does not result in a whole dollar
- 18 figure shall be rounded to the next lower whole dollar when the
- 19 computation results in a figure ending in 50 cents or less and
- 20 shall be rounded to the next higher whole dollar when the compu-
- 21 tation results in a figure ending in 51 cents or more, unless
- 22 specific fees are specified, and may accept the manufacturer's
- 23 shipping weight of the vehicle fully equipped for the use for
- 24 which the registration application is made. If the weight is not
- 25 correctly stated or is not satisfactory, the secretary of state
- 26 shall determine the actual weight. Each application for
- 27 registration of a vehicle under subdivisions (j) and (m) shall

- 1 have attached to the application a scale weight receipt of the
- 2 vehicle fully equipped as of the time the application is made.
- 3 The scale weight receipt is not necessary if there is presented
- 4 with the application a registration receipt of the previous year
- 5 which shows on its face the weight of the motor vehicle as regis-
- 6 tered with the secretary of state and which is accompanied by a
- 7 statement of the applicant that there has not been a structural
- 8 change in the motor vehicle which has increased the weight and
- 9 that the previous registered weight is the true weight.
- 10 (2) A manufacturer is not exempted under this act from
- 11 paying ad valorem taxes on vehicles in stock or bond, except on
- 12 the specified number of motor vehicles registered. A dealer is
- 13 exempt from paying ad valorem taxes on vehicles in stock or
- 14 bond.
- 15 (3) The fee for a vehicle with an empty weight over 10,000
- 16 pounds imposed pursuant to subsection (1)(a) and the fees imposed
- 17 pursuant to subsection (1)(b), (c), (d), (e), (f), (i), (j), (m),
- 18 (o), and (q) shall each be increased by \$5.00. This increase
- 19 shall be credited to the Michigan transportation fund and used to
- 20 defray the costs of processing the registrations under this
- 21 section.
- 22 (4) As used in this section:
- 23 (a) "Gross proceeds" means gross proceeds as defined in sec-
- 24 tion 1 of the general sales tax act, Act No. 167 of the Public
- 25 Acts of 1933, being section 205.51 of the Michigan Compiled
- 26 Laws. However, gross proceeds shall include the value of the
- 27 motor vehicle used as part payment of the purchase price as that

- 1 value is agreed to by the parties to the sale, as evidenced by
- 2 the signed agreement executed pursuant to section 251.
- 3 (b) "List price" means the manufacturer's suggested base
- 4 list price as published by the secretary of state, or the
- 5 manufacturer's suggested retail price as shown on the label
- 6 required to be affixed to the vehicle under section 3 of the
- 7 automobile information disclosure act, Public Law 85-506,
- 8 15 U.S.C. 1232, if the secretary of state has not at the time of
- 9 the sale of the vehicle published a manufacturer's suggested
- 10 retail price for that vehicle, or the purchase price of the vehi-
- 11 cle if the manufacturer's suggested base list price is unavail-
- 12 able from the sources described in this subdivision.
- 13 (c) "Purchase price" means the gross proceeds received by
- 14 the seller in consideration of the sale of the motor vehicle
- 15 being registered.