

HOUSE BILL No. 6586

October 29, 2008, Introduced by Rep. Elsenheimer and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 801 (MCL 257.801), as amended by 2008 PA 7.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 801. (1) The secretary of state shall collect the
2 following taxes at the time of registering a vehicle, which shall
3 exempt the vehicle from all other state and local taxation,
4 except the fees and taxes provided by law to be paid by certain
5 carriers operating motor vehicles and trailers under the motor
6 carrier act, 1933 PA 254, MCL 475.1 to 479.43; the taxes imposed
7 by the motor carrier fuel tax act, 1980 PA 119, MCL 207.211 to
8 207.234; 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 that weighs not

1 more than 8,000 pounds, except as otherwise provided, according
 2 to the following schedule of empty weights:

3	Empty weights	Tax
4	0 to 3,000 pounds.....	\$ 29.00
5	3,001 to 3,500 pounds.....	32.00
6	3,501 to 4,000 pounds.....	37.00
7	4,001 to 4,500 pounds.....	43.00
8	4,501 to 5,000 pounds.....	47.00
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
 23 registrations expiring on the appropriate October 1 or after that
 24 date 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
 27 year that preceded that calendar year. In performing the
 28 calculations under this subdivision, the secretary of state shall

1 use the spring preliminary report of the United States department
2 of commerce or its successor agency. A van that is owned by an
3 individual who uses a wheelchair or by an individual who
4 transports a member of his or her household who uses a wheelchair
5 and for which registration plates are issued under section 803d
6 shall be assessed at the rate of 50% of the tax provided for in
7 this subdivision.

8 (b) For a trailer coach attached to a motor vehicle, the tax
9 shall be assessed as provided in subdivision (l). A trailer coach
10 not under 1959 PA 243, MCL 125.1035 to 125.1043, and while
11 located on land otherwise assessable as real property under the
12 general property tax act, 1893 PA 206, MCL 211.1 to ~~211.157~~
13 **211.155**, if the trailer coach is used as a place of habitation,
14 and whether or not permanently affixed to the soil, is not exempt
15 from real property taxes.

16 (c) For a road tractor, truck, or truck tractor owned by a
17 farmer and used exclusively in connection with a farming
18 operation, including a farmer hauling livestock or farm equipment
19 for other farmers for remuneration in kind or in labor, but not
20 for money, or used for the transportation of the farmer and the
21 farmer's family, and not used for hire, 74 cents per 100 pounds
22 of empty weight of the road tractor, truck, or truck tractor. If
23 the road tractor, truck, or truck tractor owned by a farmer is
24 also used for a nonfarming operation, the farmer is subject to
25 the highest registration tax applicable to the nonfarm use of the
26 vehicle but is not subject to more than 1 tax rate under this
27 act.

1 (d) For a road tractor, truck, or truck tractor owned by a
2 wood harvester and used exclusively in connection with the wood
3 harvesting operations or a truck used exclusively to haul milk
4 from the farm to the first point of delivery, 74 cents per 100
5 pounds of empty weight of the road tractor, truck, or truck
6 tractor. A registration secured by payment of the tax prescribed
7 in this subdivision continues in full force and effect until the
8 regular expiration date of the registration. As used in this
9 subdivision:

10 (i) "Wood harvester" includes the person or persons hauling
11 and transporting raw materials in the form produced at the
12 harvest site or hauling and transporting wood harvesting
13 equipment. Wood harvester does not include a person or persons
14 whose primary activity is tree-trimming or landscaping.

15 (ii) "Wood harvesting equipment" includes all of the
16 following:

17 (A) A vehicle that directly harvests logs or timber,
18 including, but not limited to, a processor or a feller buncher.

19 (B) A vehicle that directly processes harvested logs or
20 timber, including, but not limited to, a slasher, delimeter,
21 processor, chipper, or saw table.

22 (C) A vehicle that directly processes harvested logs or
23 timber, including, but not limited to, a forwarder, grapple
24 skidder, or cable skidder.

25 (D) A vehicle that directly loads harvested logs or timber,
26 including, but not limited to, a ~~knuckle-beam~~ **-KNUCKLE-BOOM** loader,
27 front-end loader, or forklift.

1 (E) A bulldozer or road grader being transported to a wood
2 harvesting site specifically for the purpose of building or
3 maintaining harvest site roads.

4 (iii) "Wood harvesting operations" does not include the
5 transportation of processed lumber, Christmas trees, or processed
6 firewood for a profit making venture.

7 (e) For a hearse or ambulance used exclusively by a licensed
8 funeral director in the general conduct of the licensee's funeral
9 business, including a hearse or ambulance whose owner is engaged
10 in the business of leasing or renting the hearse or ambulance to
11 others, \$1.17 per 100 pounds of the empty weight of the hearse or
12 ambulance.

13 (f) For a vehicle owned and operated by this state, a state
14 institution, a municipality, a privately incorporated, nonprofit
15 volunteer fire department, or a nonpublic, nonprofit college or
16 university, \$5.00 per plate. A registration plate issued under
17 this subdivision expires on June 30 of the year in which new
18 registration plates are reissued for all vehicles by the
19 secretary of state.

20 (g) For a bus including a station wagon, carryall, or
21 similarly constructed vehicle owned and operated by a nonprofit
22 parents' transportation corporation used for school purposes,
23 parochial school or society, church Sunday school, or any other
24 grammar school, or by a nonprofit youth organization or nonprofit
25 rehabilitation facility; or a motor vehicle owned and operated by
26 a senior citizen center, \$10.00, if the bus, station wagon,
27 carryall, or similarly constructed vehicle or motor vehicle is

1 designated by proper signs showing the organization operating the
2 vehicle.

3 (h) For a vehicle owned by a nonprofit organization and used
4 to transport equipment for providing dialysis treatment to
5 children at camp; for a vehicle owned by the civil air patrol, as
6 organized under 36 USC 40301 to 40307, \$10.00 per plate, if the
7 vehicle is designated by a proper sign showing the civil air
8 patrol's name; for a vehicle owned and operated by a nonprofit
9 veterans center; for a vehicle owned and operated by a nonprofit
10 recycling center or a federally recognized nonprofit conservation
11 organization; for a motor vehicle having a truck chassis and a
12 locomotive or ship's body that is owned by a nonprofit veterans
13 organization and used exclusively in parades and civic events; or
14 for an emergency support vehicle used exclusively for emergencies
15 and owned and operated by a federally recognized nonprofit
16 charitable organization, \$10.00 per plate.

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

21 (j) For each truck, weighing 8,000 pounds or less, and not
22 used to tow a vehicle, for each privately owned truck used to tow
23 a trailer for recreational purposes only and not involved in a
24 profit making venture, and for each vehicle designed and used to
25 tow a mobile home or a trailer coach, except as provided in
26 subdivision (b), \$38.00 or an amount computed according to the
27 following schedule of empty weights, whichever is greater:

	Empty weights	Per 100 pounds
1		
2	0 to 2,500 pounds.....	\$ 1.40
3	2,501 to 4,000 pounds.....	1.76
4	4,001 to 6,000 pounds.....	2.20
5	6,001 to 8,000 pounds.....	2.72
6	8,001 to 10,000 pounds.....	3.25
7	10,001 to 15,000 pounds.....	3.77
8	15,001 pounds and over.....	4.39

9 If the tax required under subdivision (p) for a vehicle of
10 the same model year with the same list price as the vehicle for
11 which registration is sought under this subdivision is more than
12 the tax provided under the preceding provisions of this
13 subdivision for an identical vehicle, the tax required under this
14 subdivision is not less than the tax required under subdivision
15 (p) for a vehicle of the same model year with the same list
16 price.

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

	Elected gross weight	Tax
22		
23	0 to 24,000 pounds.....	\$ 491.00
24	24,001 to 26,000 pounds.....	558.00
25	26,001 to 28,000 pounds.....	558.00
26	28,001 to 32,000 pounds.....	649.00
27	32,001 to 36,000 pounds.....	744.00

1	36,001 to 42,000 pounds.....	874.00
2	42,001 to 48,000 pounds.....	1,005.00
3	48,001 to 54,000 pounds.....	1,135.00
4	54,001 to 60,000 pounds.....	1,268.00
5	60,001 to 66,000 pounds.....	1,398.00
6	66,001 to 72,000 pounds.....	1,529.00
7	72,001 to 80,000 pounds.....	1,660.00
8	80,001 to 90,000 pounds.....	1,793.00
9	90,001 to 100,000 pounds.....	2,002.00
10	100,001 to 115,000 pounds.....	2,223.00
11	115,001 to 130,000 pounds.....	2,448.00
12	130,001 to 145,000 pounds.....	2,670.00
13	145,001 to 160,000 pounds.....	2,894.00
14	over 160,000 pounds.....	3,117.00

15 For each commercial vehicle registered under this
16 subdivision, \$15.00 shall be deposited in a truck safety fund to
17 be expended for the purposes prescribed in section 25 of 1951 PA
18 51, MCL 247.675.

19 If a truck or road tractor without trailer is leased from an
20 individual owner-operator, the lessee, whether a person, firm, or
21 corporation, shall pay to the owner-operator 60% of the tax
22 prescribed in this subdivision for the truck tractor or road
23 tractor at the rate of 1/12 for each month of the lease or
24 arrangement in addition to the compensation the owner-operator is
25 entitled to for the rental of his or her equipment.

26 (1) For each pole trailer, semitrailer, trailer coach, or
27 trailer, the tax shall be assessed according to the following
28 schedule of empty weights:

1	Empty weights	Tax
2	0 to 2,499 pounds.....	\$ 75.00
3	2,500 to 9,999 pounds.....	200.00
4	10,000 pounds and over.....	300.00

5 The registration plate issued under this subdivision expires
6 only when the secretary of state reissues a new registration
7 plate for all trailers. Beginning October 1, 2005, if the
8 secretary of state reissues a new registration plate for all
9 trailers, a person who has once paid the tax as increased by 2003
10 PA 152 for a vehicle under this subdivision is not required to
11 pay the tax for that vehicle a second time, but is required to
12 pay only the cost of the reissued plate at the rate provided in
13 section 804(2) for a standard plate. A registration plate issued
14 under this subdivision is nontransferable.

15 (m) For each commercial vehicle used for the transportation
16 of passengers for hire except for a vehicle for which a payment
17 is made under 1960 PA 2, MCL 257.971 to 257.972, according to the
18 following schedule of empty weights:

19	Empty weights	Per 100 pounds
20	0 to 4,000 pounds.....	\$ 1.76
21	4,001 to 6,000 pounds.....	2.20
22	6,001 to 10,000 pounds.....	2.72
23	10,001 pounds and over.....	3.25

24
25 (n) For each motorcycle..... \$ 23.00

26 On October 1, 1983, and October 1, 1984, the tax assessed

1 under this subdivision shall be annually revised for the
2 registrations expiring on the appropriate October 1 or after that
3 date by multiplying the tax assessed in the preceding fiscal year
4 times the personal income of Michigan for the preceding calendar
5 year divided by the personal income of Michigan for the calendar
6 year that preceded that calendar year. In performing the
7 calculations under this subdivision, the secretary of state shall
8 use the spring preliminary report of the United States department
9 of commerce or its successor agency.

10 Beginning January 1, 1984, the registration tax for each
11 motorcycle is increased by \$3.00. The \$3.00 increase is not part
12 of the tax assessed under this subdivision for the purpose of the
13 annual October 1 revisions but is in addition to the tax assessed
14 as a result of the annual October 1 revisions. Beginning January
15 1, 1984, \$3.00 of each motorcycle fee shall be placed in a
16 motorcycle safety fund in the state treasury and shall be used
17 only for funding the motorcycle safety education program as
18 provided for under sections 312b and 811a.

19 (o) For each truck weighing 8,001 pounds or more, road
20 tractor, or truck tractor used exclusively as a moving van or
21 part of a moving van in transporting household furniture and
22 household effects or the equipment or those engaged in conducting
23 carnivals, at the rate of 80% of the schedule of elected gross
24 weights in subdivision (k) as modified by the operation of that
25 subdivision.

26 (p) After September 30, 1983, each motor vehicle of the 1984
27 or a subsequent model year as shown on the application required

1 under section 217 that has not been previously subject to the tax
 2 rates of this section and that is of the motor vehicle category
 3 otherwise subject to the tax schedule described in subdivision
 4 (a), and each low-speed vehicle according to the following
 5 schedule based upon registration periods of 12 months:

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

11 List Price	Tax
12 \$ 0 - \$ 6,000.00.....	\$ 30.00
13 More than \$ 6,000.00 - \$ 7,000.00.....	\$ 33.00
14 More than \$ 7,000.00 - \$ 8,000.00.....	\$ 38.00
15 More than \$ 8,000.00 - \$ 9,000.00.....	\$ 43.00
16 More than \$ 9,000.00 - \$ 10,000.00.....	\$ 48.00
17 More than \$ 10,000.00 - \$ 11,000.00.....	\$ 53.00
18 More than \$ 11,000.00 - \$ 12,000.00.....	\$ 58.00
19 More than \$ 12,000.00 - \$ 13,000.00.....	\$ 63.00
20 More than \$ 13,000.00 - \$ 14,000.00.....	\$ 68.00
21 More than \$ 14,000.00 - \$ 15,000.00.....	\$ 73.00
22 More than \$ 15,000.00 - \$ 16,000.00.....	\$ 78.00
23 More than \$ 16,000.00 - \$ 17,000.00.....	\$ 83.00
24 More than \$ 17,000.00 - \$ 18,000.00.....	\$ 88.00
25 More than \$ 18,000.00 - \$ 19,000.00.....	\$ 93.00
26 More than \$ 19,000.00 - \$ 20,000.00.....	\$ 98.00
27 More than \$ 20,000.00 - \$ 21,000.00.....	\$ 103.00
28 More than \$ 21,000.00 - \$ 22,000.00.....	\$ 108.00

1	More than \$ 22,000.00 - \$ 23,000.00.....	\$ 113.00
2	More than \$ 23,000.00 - \$ 24,000.00.....	\$ 118.00
3	More than \$ 24,000.00 - \$ 25,000.00.....	\$ 123.00
4	More than \$ 25,000.00 - \$ 26,000.00.....	\$ 128.00
5	More than \$ 26,000.00 - \$ 27,000.00.....	\$ 133.00
6	More than \$ 27,000.00 - \$ 28,000.00.....	\$ 138.00
7	More than \$ 28,000.00 - \$ 29,000.00.....	\$ 143.00
8	More than \$ 29,000.00 - \$ 30,000.00.....	\$ 148.00

9 More than \$30,000.00, the tax of \$148.00 is increased by
10 \$5.00 for each \$1,000.00 increment or fraction of a \$1,000.00
11 increment over \$30,000.00. If a current tax increases or
12 decreases as a result of 1998 PA 384, only a vehicle purchased or
13 transferred after January 1, 1999 shall be assessed the increased
14 or decreased tax.

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

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

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

21 For a vehicle of the 1984 or a subsequent model year that
22 has been previously registered by a person other than the person
23 applying for registration or for a vehicle of the 1984 or a
24 subsequent model year that has been previously registered in
25 another state or country and is registered for the first time in
26 this state, the tax under this subdivision shall be determined by
27 subtracting the model year of the vehicle from the calendar year

1 for which the registration is sought. If the result is zero or a
2 negative figure, the first registration tax shall be paid. If the
3 result is 1, 2, or 3 or more, then, respectively, the second,
4 third, or subsequent registration tax shall be paid. A van that
5 is owned by an individual who uses a wheelchair or by an
6 individual who transports a member of his or her household who
7 uses a wheelchair and for which registration plates are issued
8 under section 803d shall be assessed at the rate of 50% of the
9 tax provided for in this subdivision.

10 (q) For a wrecker, \$200.00.

11 (r) When the secretary of state computes a tax under this
12 section, a computation that does not result in a whole dollar
13 figure shall be rounded to the next lower whole dollar when the
14 computation results in a figure ending in 50 cents or less and
15 shall be rounded to the next higher whole dollar when the
16 computation results in a figure ending in 51 cents or more,
17 unless specific taxes are specified, and the secretary of state
18 may accept the manufacturer's shipping weight of the vehicle
19 fully equipped for the use for which the registration application
20 is made. If the weight is not correctly stated or is not
21 satisfactory, the secretary of state shall determine the actual
22 weight. Each application for registration of a vehicle under
23 subdivisions (j) and (m) shall have attached to the application a
24 scale weight receipt of the vehicle fully equipped as of the time
25 the application is made. The scale weight receipt is not
26 necessary if there is presented with the application a
27 registration receipt of the previous year that shows on its face

1 the weight of the motor vehicle as registered with the secretary
2 of state and that is accompanied by a statement of the applicant
3 that there has not been a structural change in the motor vehicle
4 that has increased the weight and that the previous registered
5 weight is the true weight.

6 (2) A manufacturer is not exempted under this act from
7 paying ad valorem taxes on vehicles in stock or bond, except on
8 the specified number of motor vehicles registered. A dealer is
9 exempt from paying ad valorem taxes on vehicles in stock or bond.

10 (3) Until October 1, 2009, the tax for a vehicle with an
11 empty weight over 10,000 pounds imposed under subsection (1)(a)
12 and the taxes imposed under subsection (1)(c), (d), (e), (f),
13 (i), (j), (m), (o), and (p) are each increased as follows:

14 (a) A regulatory fee of \$2.25 that shall be credited to the
15 traffic law enforcement and safety fund created in section 819a
16 and used to regulate highway safety.

17 (b) A fee of \$5.75 that shall be credited to the
18 transportation administration collection fund created in section
19 810b.

20 (4) If a tax required to be paid under this section is not
21 received by the secretary of state on or before the expiration
22 date of the registration plate, the secretary of state shall
23 collect a late fee of \$10.00 for each registration renewed after
24 the expiration date. An application for a renewal of a
25 registration using the regular mail and postmarked before the
26 expiration date of that registration shall not be assessed a late
27 fee. The late fee collected under this subsection shall be

1 deposited into the general fund.

2 (5) IN LIEU OF THE TAX ASSESSED AND PAID ANNUALLY FOR
3 VEHICLE REGISTRATION, THE SECRETARY OF STATE MAY ASSESS A 1-TIME
4 TAX OF \$200.00. A TAX ASSESSED UNDER THIS SUBSECTION SHALL BE
5 ASSESSED ONLY 1 TIME DURING THE PERIOD THE VEHICLE IS OWNED BY
6 THE REGISTERED OWNER AND EXEMPTS THE VEHICLE FROM ANY OTHER
7 VEHICLE REGISTRATION TAX UNDER THIS SECTION.

8 (6) ~~(5)~~—As used in this section:

9 (a) "Gross proceeds" means that term as defined in section 1
10 of the general sales tax act, 1933 PA 167, MCL 205.51, and
11 includes the value of the motor vehicle used as part payment of
12 the purchase price as that value is agreed to by the parties to
13 the sale, as evidenced by the signed agreement executed under
14 section 251.

15 (b) "List price" means the manufacturer's suggested base
16 list price as published by the secretary of state, or the
17 manufacturer's suggested retail price as shown on the label
18 required to be affixed to the vehicle under 15 USC 1232, if the
19 secretary of state has not at the time of the sale of the vehicle
20 published a manufacturer's suggested retail price for that
21 vehicle, or the purchase price of the vehicle if the
22 manufacturer's suggested base list price is unavailable from the
23 sources described in this subdivision.

24 (c) "Purchase price" means the gross proceeds received by
25 the seller in consideration of the sale of the motor vehicle
26 being registered.