SENATE BILL No. 71

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January 31, 2017, Introduced by Senators ANANICH, BIEDA, GREGORY, CONYERS and KOWALL 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 2016 PA 148.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 801. (1) The secretary of state shall collect the following taxes at the time of registering a vehicle, which shall exempt the vehicle from all other state and local taxation, except the fees and taxes provided by law to be paid by certain carriers operating motor vehicles and trailers under the motor carrier act, 1933 PA 254, MCL 475.1 to 479.42; the taxes imposed by the motor carrier fuel tax act, 1980 PA 119, MCL 207.211 to 207.234; and except as otherwise provided by this act:

(a) For a motor vehicle, including a motor home, except as otherwise provided, and a pickup truck or van that weighs not more than 8,000 pounds, except as otherwise provided, according to the

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following schedule of empty weights:

Empty weights	Tax
0 to 3,000 pounds	$ 29.00
3,001 to 3,500 pounds	32.00
3,501 to 4,000 pounds	37.00
4,001 to 4,500 pounds	43.00
4,501 to 5,000 pounds	47.00
5,001 to 5,500 pounds	52.00
5,501 to 6,000 pounds	57.00
6,001 to 6,500 pounds	62.00
6,501 to 7,000 pounds	67.00
7,001 to 7,500 pounds	71.00
7,501 to 8,000 pounds	77.00
8,001 to 8,500 pounds	81.00
8,501 to 9,000 pounds	86.00
9,001 to 9,500 pounds	91.00
9,501 to 10,000 pounds	95.00
over 10,000 pounds	$ 0.90 per 100 pounds of empty weight

On October 1, 1983, and October 1, 1984, the tax assessed under this subdivision shall be annually revised for the registrations expiring on the appropriate October 1 or after that date by multiplying the tax assessed in the preceding fiscal year times the personal income of Michigan for the preceding calendar year divided by the personal income of Michigan for the calendar year that preceded that calendar year. In performing the calculations under this subdivision, the secretary of state shall use the spring preliminary report of the United States Department of Commerce or its successor agency. A van that is owned by an individual who uses a wheelchair or by an individual who transports a member of his or her household who uses a wheelchair and for which registration plates are issued under section 803d shall be assessed at the rate of 50% of the tax provided for in this subdivision.

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

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

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

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

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

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

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

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

(D) A vehicle that directly loads harvested logs or timber, including, but not limited to, a knuckle-boom loader, front-end loader, or forklift.

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

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

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

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

(g) For a bus including a station wagon, carryall, or similarly constructed vehicle owned and operated by a nonprofit parents' transportation corporation used for school purposes, parochial school or society, church Sunday school, or any other grammar school, or by a nonprofit youth organization or nonprofit rehabilitation facility; or a motor vehicle owned and operated by a senior citizen center, $10.00, if the bus, station wagon, carryall, or similarly constructed vehicle or motor vehicle is designated by proper signs showing the organization operating the vehicle.

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

(i) For each truck owned and operated free of charge by a bona fide ecclesiastical or charitable corporation, or Red Cross, Girl Scout, or Boy Scout organization, 65 cents per 100 pounds of the empty weight of the truck.

(j) For each truck, weighing 8,000 pounds or less, and not used to tow a vehicle, for each privately owned truck used to tow a trailer for recreational purposes only and not involved in a profit making venture, and for each vehicle designed and used to tow a mobile home or a trailer coach, except as provided in subdivision (b), $38.00 or an amount computed according to the following schedule of empty weights, whichever 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 (p) 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 subdivision for an identical vehicle, the tax required under this subdivision is not less than the tax required under subdivision (p) 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), as follows:

(*i*) Until December 31, 2016, according to the following schedule of elected gross weights:

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

36,001 to 42,000 pounds........................	874.00
42,001 to 48,000 pounds........................	1,005.00
48,001 to 54,000 pounds........................	1,135.00
54,001 to 60,000 pounds........................	1,268.00
60,001 to 66,000 pounds........................	1,398.00
66,001 to 72,000 pounds........................	1,529.00
72,001 to 80,000 pounds........................	1,660.00
80,001 to 90,000 pounds........................	1,793.00
90,001 to 100,000 pounds.......................	2,002.00
100,001 to 115,000 pounds......................	2,223.00
115,001 to 130,000 pounds......................	2,448.00
130,001 to 145,000 pounds......................	2,670.00
145,001 to 160,000 pounds......................	2,894.00
over 160,000 pounds............................	3,117.00

(*ii*) Beginning on January 1, 2017, according to the following schedule of elected gross weights:

Elected gross weight	Tax
0 to 24,000 pounds.............................	$ 590.00
24,001 to 26,000 pounds........................	670.00
26,001 to 28,000 pounds........................	670.00
28,001 to 32,000 pounds........................	779.00
32,001 to 36,000 pounds........................	893.00
36,001 to 42,000 pounds........................	1,049.00
42,001 to 48,000 pounds........................	1,206.00
48,001 to 54,000 pounds........................	1,362.00
54,001 to 60,000 pounds........................	1,522.00

60,001 to 66,000 pounds	1,678.00
66,001 to 72,000 pounds	1,835.00
72,001 to 80,000 pounds	1,992.00
80,001 to 90,000 pounds	2,152.00
90,001 to 100,000 pounds	2,403.00
100,001 to 115,000 pounds	2,668.00
115,001 to 130,000 pounds	2,938.00
130,001 to 145,000 pounds	3,204.00
145,001 to 160,000 pounds	3,473.00
over 160,000 pounds	3,741.00

For each commercial vehicle registered under this subdivision, $15.00 shall be deposited in a truck safety fund to be expended as provided in section 25 of 1951 PA 51, MCL 247.675.

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

(*l*) For each pole trailer, semitrailer, trailer coach, or trailer, the tax shall be assessed according to the following schedule of empty weights:

Empty weights	Tax
0 to 2,499 pounds	$ 75.00
2,500 to 9,999 pounds	200.00

10,000 pounds and over..........................	300.00

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

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

Empty weights	Per 100 pounds
0 to 4,000 pounds..............................	$ 1.76
4,001 to 6,000 pounds..........................	2.20
6,001 to 10,000 pounds.........................	2.72
10,001 pounds and over.........................	3.25

(n) For each motorcycle, $23.00.

On October 1, 1983, and October 1, 1984, the tax assessed under this subdivision shall be annually revised for the registrations expiring on the appropriate October 1 or after that date by multiplying the tax assessed in the preceding fiscal year times the personal income of Michigan for the preceding calendar year divided by the personal income of Michigan for the calendar year that preceded that calendar year. In performing the calculations under this subdivision, the secretary of state shall use the spring preliminary report of the United States Department of Commerce or its successor agency.

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

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

(p) After September 30, 1983, each motor vehicle of the 1984 or a subsequent model year as shown on the application required under section 217 that has not been previously subject to the tax rates of this section and that is of the motor vehicle category otherwise subject to the tax schedule described in subdivision (a), and each low-speed vehicle according to the following schedule based upon registration periods of 12 months:

(*i*) Except as otherwise provided in this subdivision **AND SUBDIVISION (S)**, for the first registration that 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:

(A) Until December 31, 2016, as follows:

List Price	Tax
$ 0 - $ 6,000.00	$ 30.00
More than $ 6,000.00 - $ 7,000.00	$ 33.00
More than $ 7,000.00 - $ 8,000.00	$ 38.00
More than $ 8,000.00 - $ 9,000.00	$ 43.00
More than $ 9,000.00 - $ 10,000.00	$ 48.00
More than $ 10,000.00 - $ 11,000.00	$ 53.00
More than $ 11,000.00 - $ 12,000.00	$ 58.00
More than $ 12,000.00 - $ 13,000.00	$ 63.00
More than $ 13,000.00 - $ 14,000.00	$ 68.00
More than $ 14,000.00 - $ 15,000.00	$ 73.00
More than $ 15,000.00 - $ 16,000.00	$ 78.00
More than $ 16,000.00 - $ 17,000.00	$ 83.00
More than $ 17,000.00 - $ 18,000.00	$ 88.00
More than $ 18,000.00 - $ 19,000.00	$ 93.00
More than $ 19,000.00 - $ 20,000.00	$ 98.00
More than $ 20,000.00 - $ 21,000.00	$ 103.00
More than $ 21,000.00 - $ 22,000.00	$ 108.00
More than $ 22,000.00 - $ 23,000.00	$ 113.00
More than $ 23,000.00 - $ 24,000.00	$ 118.00
More than $ 24,000.00 - $ 25,000.00	$ 123.00

More than $ 25,000.00 - $ 26,000.00............	$	128.00
More than $ 26,000.00 - $ 27,000.00............	$	133.00
More than $ 27,000.00 - $ 28,000.00............	$	138.00
More than $ 28,000.00 - $ 29,000.00............	$	143.00
More than $ 29,000.00 - $ 30,000.00............	$	148.00

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

(B) Beginning on January 1, 2017, as follows:

List Price		Tax
$ 0 - $ 6,000.00................................	$	36.00
More than $ 6,000.00 - $ 7,000.00..............	$	40.00
More than $ 7,000.00 - $ 8,000.00..............	$	46.00
More than $ 8,000.00 - $ 9,000.00..............	$	52.00
More than $ 9,000.00 - $ 10,000.00.............	$	58.00
More than $ 10,000.00 - $ 11,000.00............	$	64.00
More than $ 11,000.00 - $ 12,000.00............	$	70.00
More than $ 12,000.00 - $ 13,000.00............	$	76.00
More than $ 13,000.00 - $ 14,000.00............	$	82.00
More than $ 14,000.00 - $ 15,000.00............	$	88.00
More than $ 15,000.00 - $ 16,000.00............	$	94.00
More than $ 16,000.00 - $ 17,000.00............	$	100.00
More than $ 17,000.00 - $ 18,000.00............	$	106.00

More than $ 18,000.00 - $ 19,000.00............	$	112.00
More than $ 19,000.00 - $ 20,000.00............	$	118.00
More than $ 20,000.00 - $ 21,000.00............	$	124.00
More than $ 21,000.00 - $ 22,000.00............	$	130.00
More than $ 22,000.00 - $ 23,000.00............	$	136.00
More than $ 23,000.00 - $ 24,000.00............	$	142.00
More than $ 24,000.00 - $ 25,000.00............	$	148.00
More than $ 25,000.00 - $ 26,000.00............	$	154.00
More than $ 26,000.00 - $ 27,000.00............	$	160.00
More than $ 27,000.00 - $ 28,000.00............	$	166.00
More than $ 28,000.00 - $ 29,000.00............	$	172.00
More than $ 29,000.00 - $ 30,000.00............	$	178.00

More than $30,000.00, the tax of $178.00 is increased by $6.00 for each $1,000.00 increment or fraction of a $1,000.00 increment over $30,000.00. If a current tax increases or decreases as a result of 1998 PA 384, only a vehicle purchased or transferred after January 1, 1999 shall be assessed the increased or decreased tax.

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

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

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

For a vehicle of the 1984 or a subsequent model year that has been previously registered by a person other than the person applying for registration or for a vehicle of the 1984 or a subsequent model year that has been previously registered in another state or country and is registered for the first time in this state, the tax under this subdivision shall be determined by subtracting the model year of the vehicle from the calendar year for which the registration is sought. If the result is zero or a negative figure, the first registration tax shall be paid. If the result is 1, 2, or 3 or more, then, respectively, the second, third, or subsequent registration tax shall be paid. A van that is owned by an individual who uses a wheelchair or by an individual who transports a member of his or her household who uses a wheelchair and for which registration plates are issued under section 803d shall be assessed at the rate of 50% of the tax provided for in this subdivision.

(q) For a wrecker, $200.00.

(r) When the secretary of state computes a tax under this act, a computation that does not result in a whole dollar figure shall be rounded to the next lower whole dollar when the computation results in a figure ending in 50 cents or less and shall be rounded to the next higher whole dollar when the computation results in a figure ending in 51 cents or more, unless specific taxes are specified, and the secretary of state may accept the manufacturer's shipping weight of the vehicle fully equipped for the use for which the registration application is made. If the weight is not correctly stated or is not satisfactory, the secretary of state shall determine the actual weight. Each application for registration of a vehicle under subdivisions (j) and (m) shall have attached to the application a scale weight receipt of the vehicle fully equipped as of the time the application is made. The scale weight receipt is not necessary if there is presented with the application a registration receipt of the previous year that shows on its face the weight of the motor vehicle as registered with the secretary of state and that is accompanied by a statement of the applicant that there has not been a structural change in the motor vehicle that has increased the weight and that the previous registered weight is the true weight.

(S) THE REGISTRATION TAX INCREASES PROVIDED UNDER SUBDIVISION (P)(*i*)(B) DO NOT APPLY IF THE REGISTRANT OF THE VEHICLE IS 65 YEARS OF AGE OR OLDER ON OR AFTER JANUARY 1, 2017.

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

(3) Until October 1, 2019, the tax for a vehicle with an empty weight over 10,000 pounds imposed under subsection (1)(a) and the taxes imposed under subsection (1)(c), (d), (e), (f), (i), (j), (m), (o), and (p) are each increased as follows:

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

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

(4) Except as otherwise provided in this subsection, if a tax required to be paid under this section is not received by the

secretary of state on or before the expiration date of the registration plate, the secretary of state shall collect a late fee of $10.00 for each registration renewed after the expiration date. An application for a renewal of a registration using the regular mail and postmarked before the expiration date of that registration shall not be assessed a late fee. The late fee collected under this subsection shall be deposited into the general fund. The secretary of state shall waive the late fee collected under this subsection if all of the following are satisfied:

(a) The registrant presents proof of storage insurance for the vehicle for which the late fee is assessed that is valid for the period of time between the expiration date of the most recent registration and the date of application for the renewal.

(b) The registrant requests in person at a department of state branch office that the late fee be waived at the time of application for the renewal.

(5) In addition to the registration taxes under this section, the secretary of state shall collect taxes charged under section 801j and credit revenues to a regional transit authority created under the regional transit authority act, 2012 PA 387, MCL 124.541 to 124.558, minus necessary collection expenses as provided in section 9 of article IX of the state constitution of 1963. Necessary collection expenses incurred by the secretary of state under this subsection shall be based upon an established cost allocation methodology.

(6) This section does not apply to a historic vehicle.

(7) Beginning January 1, 2017, the registration fee imposed

under this section for a vehicle using 4 or more tires is increased as follows:

(a) If the vehicle is a hybrid electric vehicle, the registration fee for that vehicle is increased by $30.00 for a vehicle with an empty weight of 8,000 pounds or less, and $100.00 for a vehicle with an empty weight of more than 8,000 pounds. As used in this subdivision and subsection (8)(a), "hybrid electric vehicle" means a vehicle that can be propelled at least in part by electrical energy and uses a battery storage system of at least 4 kilowatt-hours, but is also capable of using gasoline, diesel fuel, or alternative fuel to propel the vehicle.

(b) If the vehicle is a nonhybrid electric vehicle, the registration fee for that vehicle is increased by $100.00 for a vehicle with an empty weight of 8,000 pounds or less, and $200.00 for a vehicle with an empty weight of more than 8,000 pounds. As used in this subdivision and subsection (8)(b), "nonhybrid electric vehicle" means a vehicle that is propelled solely by electrical energy and that is not capable of using gasoline, diesel fuel, or alternative fuel to propel the vehicle.

(8) Beginning January 1, 2017, if the tax on gasoline imposed under section 8 of the motor fuel tax act, 2000 PA 403, MCL 207.1008, is increased above 19 cents per gallon, the secretary of state shall increase the fees collected under subsection (7) as follows:

(a) For a hybrid electric vehicle, $2.50 per each 1 cent above 19 cents per gallon.

(b) For a nonhybrid electric vehicle, $5.00 per each 1 cent above 19 cents per gallon.

(9) As used in this section:

(a) "Alternative fuel" means that term as defined in section 151 of the motor fuel tax act, 2000 PA 403, MCL 207.1151.

(b) "Diesel fuel" means that term as defined in section 2 of the motor fuel tax act, 2000 PA 403, MCL 207.1002.

(c) "Gasoline" means that term as defined in section 3 of the motor fuel tax act, 2000 PA 403, MCL 207.1003.

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

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

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

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.