

# HOUSE BILL NO. 5408

October 19, 2021, Introduced by Reps. Cherry, Howell, Roth, Sneller, Clemente, Puri, Liberati, Shannon, O'Malley and Eisen and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending section 805 (MCL 257.805), as amended by 2013 PA 82.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 805. (1) An applicant for the issuance or renewal of a  
2 motor vehicle registration or for a replacement registration tab or  
3 sticker may submit a state park and state-operated public boating  
4 access site passport fee to the secretary of state with the  
5 application. Subject to subsection (7), the amount of the

1 recreation passport fee is as follows:

2 (a) Except as provided in subdivision (b), \$10.00.

3 (b) For a motorcycle, \$5.00.

4 (2) ~~In~~**Subject to subsection (7), in** addition to the  
5 requirements of section 217, an application for a motor vehicle  
6 registration ~~shall~~**must** contain at least the following information,  
7 in substantially the following format and language **or similar**  
8 **language agreed to by the secretary of state and the director of**  
9 **the department of natural resources,** except that the amount of the  
10 recreation passport fee specified ~~shall be~~**is** \$5.00 for a  
11 motorcycle:

12 \$[Amount] - Annual vehicle registration or renewal **and annual**  
13 **\$10.00 recreation passport fee to use this vehicle**  
14 **for unlimited entry into all Michigan state parks**  
15 **and recreation areas and DNR-operated state boating**  
16 **access sites. (Check 1 of the boxes below.)**

17 ~~\$10.00 - Annual authorization to use this vehicle for~~  
18 ~~unlimited entry into all Michigan state parks and~~  
19 ~~recreation areas and DNR-operated state boating~~  
20 ~~access sites. (Check one of the boxes below.)~~

21 ~~\_\_\_\_\_ I elect to pay this \$10.00 fee. I do not wish to~~  
22 **visit or support Michigan state parks and recreation**  
23 **areas and DNR-operated state boating access sites**  
24 **and choose to deduct the \$10.00 recreation passport**  
25 **fee from my total amount due and payment.**

1           ~~\_\_\_\_\_ I elect not to pay this \$10.00 fee. I wish to~~  
 2           **visit or support Michigan state parks and recreation**  
 3           **areas and DNR-operated state boating access sites**  
 4           **and elect to pay the \$10.00 recreation passport fee**  
 5           **included in my total amount due and payment.**

6           ~~This vehicle will not be used to enter the~~  
 7           ~~facilities described above.~~

8           \_\_\_\_\_ I wish to visit or support Michigan state parks  
 9           and recreation areas and DNR-operated state boating  
 10          access sites and elect to pay the \$10.00 recreation  
 11          passport fee included in my total amount due and I  
 12          wish to donate an additional \$15.00 to support  
 13          Michigan state parks and recreation areas and DNR-  
 14          operated state boating access sites and increase my  
 15          total amount due and payment.

16          \$ \_\_\_\_\_ - Total amount due.

17          (3) The secretary of state may revise the format and language  
 18          of an application for motor vehicle registration to reflect the  
 19          fact that, under sections 74116 and 78119 of the natural resources  
 20          and environmental protection act, 1994 PA 451, MCL 324.74116 and  
 21          324.78119, payment of the recreation passport fee authorizes entry  
 22          into all state parks and recreation areas and designated state-  
 23          operated public boating access sites until expiration of the motor  
 24          vehicle registration.

25          (4) If the applicant applies by mail and, in addition to the  
 26          registration fee, the applicant pays an amount equal to the  
 27          recreation passport fee, the applicant ~~shall be considered to have~~  
 28          **has** elected to pay the recreation passport fee regardless of  
 29          whether such an election is indicated on the application. **If the**

1 applicant applies by mail and pays an amount equal to the  
2 registration fee only, the applicant has elected not to pay the  
3 recreation passport fee regardless of whether such an election is  
4 indicated on the application.

5 (5) Subsections (1) and (2) do not apply to any of the  
6 following:

7 (a) An application submitted by a dealer under section 217 for  
8 a vehicle sold, leased, or exchanged by the dealer.

9 (b) The issuance or renewal of a motor vehicle registration  
10 described in section 803e(1) and exempt under section 803e(6) from  
11 the registration tax or the issuance or renewal of a motor vehicle  
12 registration described in section 217d or 803f.

13 (6) The secretary of state shall, at least monthly, transfer  
14 the revenue from recreation passport fees **and donations** to the  
15 department of natural resources ~~and environment~~ for deposit as  
16 provided in section 2045 of the natural resources and environmental  
17 protection act, 1994 PA 451, MCL 324.2045.

18 (7) For each calendar year, the state treasurer shall adjust  
19 the amounts set forth in ~~subsection~~ **subsections (1) and (11)** by an  
20 amount determined by the state treasurer to reflect the cumulative  
21 percentage change in the ~~consumer price index~~ **Consumer Price Index**  
22 from October 1, 2010 to the October 1 immediately preceding that  
23 calendar year, using the most recent data available and rounded to  
24 the nearest dollar.

25 (8) The legislature shall annually review the amount of  
26 revenue raised by the recreation passport fee to ensure that the  
27 amount is appropriate for the purposes for which the recreation  
28 passport fee is assessed and in compliance with law.

29 (9) If the secretary of state issues a registration tab or

1 sticker for a registration plate or personalized registration plate  
2 under section 224 or 803b for a motor vehicle for which a  
3 recreation passport fee has been paid under this section, the tab  
4 or sticker ~~shall~~**must** be marked in a distinctive manner determined  
5 by the secretary of state after consultation with the director of  
6 the department of natural resources and the department of state  
7 police. Before discontinuing the issuance of a registration tab or  
8 sticker, the secretary of state shall consult with the director of  
9 the department of natural resources and establish an alternative  
10 method or procedure ~~by which~~ the department of natural resources  
11 can **use to** determine whether a recreation passport fee has been  
12 paid for a motor vehicle.

13 (10) Whether or not an individual paid or indicated that he or  
14 she elected to pay or not to pay a recreation passport fee under  
15 this section is personal information for purposes of section 40b.

16 (11) **Subject to subsection (7), if an individual applies for a**  
17 **registration under this section, the department shall provide the**  
18 **application under subsection (2) asking if the applicant would like**  
19 **to donate an additional \$15.00 to all state parks and recreation**  
20 **areas and designated state-operated public boating access sites. If**  
21 **the applicant would like to make the donation, the department shall**  
22 **collect and deposit the donation as a recreation passport fee.**

23 (12) ~~(11)~~ As used in this section:

24 (a) "Consumer ~~price index~~**Price Index**" means the most  
25 comprehensive index of consumer prices available for this state  
26 from the ~~bureau~~**Bureau** of labor ~~statistics~~**Labor Statistics** of the  
27 United States ~~department~~**Department** of labor.**Labor.**

28 (b) "Motor vehicle" does not include a commercial motor  
29 vehicle.

1 (c) "Recreation passport fee" means the state park and state-  
2 operated public boating access site recreation passport fee as  
3 provided for in subsection (1).

4 Enacting section 1. This amendatory act does not take effect  
5 unless all of the following bills of the 101st Legislature are  
6 enacted into law:

7 (a) Senate Bill No. \_\_\_\_ or House Bill No. 5410 (request no.  
8 03429'21).

9 (b) Senate Bill No. \_\_\_\_ or House Bill No. 5409 (request no.  
10 03429'21 a).