

HOUSE BILL NO. 6256

December 05, 2024, Introduced by Rep. Martus and referred to the Committee on Transportation, Mobility and Infrastructure.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending the title and section 219 (MCL 257.219), as amended by 2018 PA 74, and by adding sections 68a, 818a, and 818b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE
2 An act to provide for the registration, titling, sale,
3 transfer, and regulation of certain vehicles operated upon the
4 public highways of this state or any other place open to the
5 general public or generally accessible to motor vehicles and
6 distressed vehicles; to provide for the licensing of dealers; to

1 provide for the examination, licensing, and control of operators
2 and chauffeurs; to provide for the giving of proof of financial
3 responsibility and security by owners and operators of vehicles; to
4 provide for the imposition, levy, and collection of specific taxes
5 on vehicles, and the levy and collection of sales and use taxes,
6 license fees, and permit fees; to provide for the regulation and
7 use of streets and highways; to create certain funds; to provide
8 penalties and sanctions for a violation of this act; to provide for
9 civil liability of manufacturers, the manufacturers of certain
10 devices, the manufacturers of automated technology, upfitters,
11 owners, and operators of vehicles and service of process on
12 residents and nonresidents; to regulate the introduction and use of
13 certain evidence; to regulate and certify the manufacturers of
14 certain devices; to provide for approval and certification of
15 installers and servicers of certain devices; to provide for the
16 levy of certain assessments; **to authorize the designation of toll**
17 **vehicle roadways and lanes by the state transportation department;**
18 to provide for the enforcement of this act; to provide for the
19 creation of and to prescribe the powers and duties of certain state
20 and local agencies; to impose liability upon the state or local
21 agencies; to provide appropriations for certain purposes; to repeal
22 all other acts or parts of acts inconsistent with this act or
23 contrary to this act; and to repeal certain parts of this act on a
24 specific date.

25 **Sec. 68a. (1) "Michigan tolling authority" means the Michigan**
26 **tolling authority created under section 818b.**

27 **(2) "Toll vehicle roadway" means a segment of roadway that has**
28 **been designed by the state transportation department for the**
29 **charging of tolls to the registered owners of vehicles that utilize**

1 that segment of roadway.

2 (3) "Toll vehicle roadway lane" means any lane or ramp on a
3 toll vehicle roadway designated for the use of only the registered
4 owners of vehicles that pay tolls charged by the state
5 transportation department.

6 Sec. 219. (1) The secretary of state shall refuse issuance of
7 a registration or a transfer of registration upon any of the
8 following grounds:

9 (a) The application contains a false or fraudulent statement,
10 the applicant has failed to furnish required information or
11 reasonable additional information requested by the secretary of
12 state, or the applicant is not entitled to the registration of the
13 vehicle under this act.

14 (b) The secretary of state has reasonable ground to believe
15 that the vehicle is a stolen or embezzled vehicle, or that the
16 granting of registration would constitute a fraud against the
17 rightful owner or other person having a valid lien upon the
18 vehicle.

19 (c) The registration of the vehicle is suspended or revoked
20 for any reason provided in the motor vehicle laws of this state.

21 (d) At the time of the application, the operator's or
22 chauffeur's license of the owner or co-owner or lessee or co-lessee
23 is suspended, revoked, or denied, except for an applicant who has
24 been issued a license under section 304, or the operator has never
25 been licensed by this state for a third or subsequent violation of
26 section 625 or 625m, a local ordinance substantially corresponding
27 to section 625 or 625m, or a law of another state substantially
28 corresponding to section 625 or 625m, or for a fourth or subsequent
29 suspension or revocation under section 904.

1 (e) The required fee has not been paid.

2 (f) The applicant, at the time of applying for registration or
3 a transfer of registration other than a temporary registration
4 issued under section 226b, fails to present a certificate of
5 compliance or waiver for a motor vehicle as required under either
6 part 63 or part 65 of the natural resources and environmental
7 protection act, 1994 PA 451, MCL 324.6301 to 324.6321 and 324.6501
8 to 324.6539.

9 (g) The application for registration of a vehicle with an
10 elected gross weight of 55,000 pounds or more is not accompanied
11 with proof of payment of the federal highway use tax levied under
12 the surface transportation assistance act of 1982, Public Law 97-
13 424.

14 (h) The applicant is a motor carrier subject to an out-of-
15 service order, the applicant has applied for a registration or
16 transfer registration as a subterfuge for a person subject to an
17 out-of-service order, or the applicant's business is operated,
18 managed, controlled by, or affiliated with a person that is
19 ineligible for registration, including, but not limited to, the
20 applicant, a relative or family member of the applicant, or a
21 corporate officer or shareholder of the applicant. As used in this
22 subdivision, "out-of-service order" means that term as defined in
23 49 CFR 390.5, and also includes an out-of-service order issued
24 under 49 CFR 386.73.

25 **(i) The secretary of state has received a request under**
26 **section 818a from the Michigan tolling authority to refuse issuance**
27 **of a registration or a transfer of registration because of an**
28 **unpaid toll.**

29 (2) The secretary of state shall refuse issuance of a

1 certificate of title or a salvage certificate of title upon any of
2 the following grounds:

3 (a) The application contains a false or fraudulent statement,
4 the applicant has failed to furnish required information or
5 reasonable additional information requested by the secretary of
6 state, or the applicant is not entitled to the issuance of a
7 certificate of title or salvage certificate of title under this
8 act.

9 (b) The secretary of state has reasonable ground to believe
10 that the vehicle is a stolen or embezzled vehicle or that the
11 issuance of a certificate of title or a salvage certificate of
12 title would constitute a fraud against the rightful owner or other
13 person having a valid security interest upon the vehicle.

14 (c) The required fee has not been paid.

15 (3) The secretary of state shall not issue a registration for
16 a vehicle for which a temporary registration plate was issued under
17 section 904c until the violation resulting in the issuance of the
18 plate is adjudicated or the vehicle is transferred to a person who
19 is subject to payment of a use tax under section 3 of the use tax
20 act, 1937 PA 94, MCL 205.93.

21 **Sec. 818a. (1) The state transportation department may do all**
22 **of the following:**

23 (a) **Designate a segment of a roadway under its jurisdiction as**
24 **a toll vehicle roadway.**

25 (b) **Designate a lane or ramp of a toll vehicle roadway as a**
26 **toll vehicle roadway lane.**

27 (c) **Charge a toll for the use of a toll vehicle roadway or**
28 **toll vehicle roadway lane by a driver who is the registered owner**
29 **of the vehicle.**

1 (2) An individual charged a toll under this section must pay
2 the toll within a prescribed deadline determined by the Michigan
3 tolling authority.

4 (3) An individual who fails to pay a toll charged under this
5 section may be charged an additional fee as determined by the state
6 transportation department or Michigan tolling authority.

7 (4) Under conditions set by the Michigan tolling authority,
8 the secretary of state shall refuse issuance of a registration or a
9 transfer of registration in the event of nonpayment of a toll by
10 the registered owner of the vehicle, at the request of the Michigan
11 tolling authority.

12 (5) If the state transportation department designates a
13 segment of roadway as a toll vehicle roadway under subsection
14 (1)(a) or a lane or ramp of a toll vehicle roadway as a toll
15 vehicle roadway lane under subsection (1)(b), both of the following
16 apply:

17 (a) The roadway, lane, or ramp may be subject to requirements
18 established by the state transportation department as a condition
19 for use.

20 (b) The roadway, lane, or ramp may be reserved for the
21 exclusive use of certain motor vehicles as determined by the state
22 transportation department.

23 (6) This section preempts all local ordinances that regulate
24 toll vehicle roadways and toll vehicle roadway lanes, except that a
25 local unit of government may adopt or enforce an existing ordinance
26 that does not conflict with this section.

27 Sec. 818b. (1) The Michigan tolling authority is created in
28 the state transportation department.

29 (2) The authority must consist of 5 members who must each have

1 at least 3 years of experience in the transportation industry. The
2 governor shall appoint the members of the authority to 4-year
3 terms.

4 (3) The authority shall notify the governor of a vacancy in
5 the authority. If a vacancy occurs on the authority, the governor
6 shall appoint an individual to fill the vacancy for the balance of
7 the term.

8 (4) A member of the authority may be removed by the governor
9 for incompetence, dereliction of duty, malfeasance, misfeasance, or
10 nonfeasance in office, or any other good cause.

11 (5) The authority shall elect a member as a chairperson for a
12 2-year term and may elect other officers that it considers
13 necessary or appropriate. The authority shall meet at least
14 quarterly, or more frequently at the call of the chairperson or at
15 the request of 3 or more members.

16 (6) The authority shall conduct its business in compliance
17 with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275.

18 (7) A writing that is prepared, owned, used, possessed, or
19 retained by the authority in performing an official function is
20 subject to the freedom of information act, 1976 PA 442, MCL 15.231
21 to 15.246.

22 (8) The state transportation department shall assist the
23 authority in the performance of its powers and duties.

24 (9) The authority may do all of the following:

25 (a) Sue and be sued.

26 (b) Issue bonds that may be secured by current or future
27 revenues collected under this section.

28 (c) Enter into contracts with other governmental entities,
29 including, but not limited to, other states, for the purpose of

1 enforcing toll collection.

2 (10) The authority shall work with the state transportation
3 department in the setting and enforcing of any tolls established
4 under section 818a and shall do all of the following:

5 (a) Set the toll rates.

6 (b) Establish enforcement procedures and oversee enforcement.

7 (c) Coordinate with the secretary of state regarding vehicle
8 registration holds under section 818a. The authority and the
9 secretary of state may share information as needed to accomplish
10 the goals of this section and section 818a.

11 (11) Any information collected under this section may be used
12 only for toll collection and enforcement, except if otherwise
13 ordered by a court during a criminal proceeding.

14 (12) The authority may consult with the department of the
15 attorney general in setting toll rates, but the final decision on
16 setting toll rates must be made by the authority.

17 (13) The authority may, as it considers appropriate, set
18 alternative toll rates for different types of vehicles.

19 (14) The authority may establish, as the authority considers
20 appropriate, exceptions to tolling and reduced tolling rates that
21 may include, but are not limited to, exceptions or reduced rates
22 for any of the following vehicles or circumstances:

23 (a) Rented, leased, or stolen vehicles.

24 (b) Police, fire, emergency, or military vehicles.

25 (c) Economic need.

26 (15) The authority shall submit quarterly reports to the
27 governor that include information on bonds issued by the authority,
28 revenues collected by the authority, and the state of the
29 authority's finances.

1 (16) As used in this section, "authority" means the Michigan
2 tolling authority.