

MICHIGAN VEHICLE CODE (EXCERPT)
Act 300 of 1949

***** 257.811h.amended THIS AMENDED SECTION IS EFFECTIVE FEBRUARY 28, 2017 *****

257.811h.amended Disposition of service fee collections; separate accounts; disbursement; ceasing issuance of fund-raising plate; ownership of right, title, and interest; royalty fee; report.

Sec. 811h. (1) The secretary of state shall credit each service fee collected under sections 811f and 811g to the transportation administration collection fund created under section 810b.

(2) The secretary of state shall identify and segregate the fund-raising donations collected under sections 811f and 811g into separate accounts. The secretary of state shall create a separate account for each fund-raising plate and its matching collector plate issued or sold by the secretary of state.

(3) As determined necessary by the secretary of state but not more than 45 days after the end of each calendar quarter, the secretary of state shall not less than once each calendar quarter authorize the disbursement of fund-raising donations segregated under subsection (2) and, independent from any disbursement under subsection (2), report the number of each type of fund-raising and collector plates issued, sold, or renewed to the following, as appropriate:

(a) The treasurer of a Michigan university.

(b) The person or entity identified in a public act described in section 811e to administer a state-sponsored fund-raising registration plate fund.

(c) The sponsor of a fund-raising plate issued as prescribed under section 811e that was developed and issued after January 1, 2007.

(4) A fund-raising plate shall meet or exceed the following sales goals:

(a) In the first year, 2,000 plates.

(b) In the second and each subsequent year for 5 years, 500 original plates.

(c) For each subsequent consecutive 2-year period after the 5-year period described in subdivision (b), 500 original plates.

(5) Except as otherwise provided in this subsection, the secretary of state shall cease to issue a fund-raising plate or to issue a duplicate replacement of a fund-raising plate for use on a vehicle if that fund-raising plate fails to meet a sales goal described in subsection (4). If on the effective date of the 2016 amendatory act that amended this subdivision the number of fund-raising plates available for sale exceeds the limit established in section 811e(5), the secretary of state shall not cease to issue a fund-raising plate that failed to meet a sales goal described in subsection (4) if the failure occurred before April 1, 2017. The secretary of state shall also cease to sell a collector plate that matches the discontinued fund-raising plate. However, the secretary of state may continue to renew fund-raising plates already issued and collect the renewal fund-raising donation for those plates.

(6) The state of Michigan, through the secretary of state, shall own all right, title, and interest in all fund-raising plates and collector plates, including the right to use, reproduce, or distribute a fund-raising or collector plate or the image of a fund-raising or collector plate in any form. The secretary of state may authorize the commercial or other use of a fund-raising or collector plate design, logo, or image if written consent is obtained from the pertinent Michigan university or other person that sponsored a fund-raising plate. However, the secretary of state shall not authorize the commercial or other use of a fund-raising or collector plate under this section unless the user first agrees in writing to the terms and conditions that the secretary of state considers necessary. Those terms and conditions may include the payment of royalty fees to 1 or more of the following:

(a) This state.

(b) A Michigan university.

(c) Another person that sponsored a fund-raising plate.

(7) The secretary of state shall credit a royalty fee paid to this state under a written agreement described in subsection (6) to the transportation administration collection fund created under section 810b.

(8) Beginning not later than February 1, 2007, and annually after that, an organization receiving fund-raising donations disbursed under this section shall report to the state treasurer. A report under this subsection shall include a summary of expenditures during the preceding year of the money received under this section.

History: Add. 2000, Act 77, Eff. Oct. 1, 2000;—Am. 2003, Act 152, Eff. Oct. 1, 2003;—Am. 2006, Act 562, Eff. Jan. 1, 2007;—Am. 2009, Act 99, Imd. Eff. Sept. 30, 2009;—Am. 2011, Act 159, Imd. Eff. Sept. 30, 2011;—Am. 2015, Act 78, Eff. Oct. 1, 2015;—Am. 2016, Act 327, Eff. Feb. 28, 2017.