

# HOUSE BILL No. 4571

April 16, 2013, Introduced by Rep. Schmidt and referred to the Committee on Transportation and Infrastructure.

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 203 (MCL 259.203), as amended by 2008 PA 25.

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

1           Sec. 203. (1) There is hereby imposed a ~~privilege~~ **AN AD**  
2 **VALOREM** tax of ~~3 cents per gallon~~ **4% OF THE WHOLESALE PRICE** on all  
3 fuel sold or used in producing or generating power for propelling  
4 aircraft using the aeronautical facilities on the lands and waters  
5 of this state. The tax shall be collected and remitted in the same  
6 manner and method and at the same time as prescribed by law for the  
7 collection of the gasoline tax imposed on all gasoline used in  
8 producing or generating power for propelling motor vehicles used  
9 upon the public highways of this state under the motor fuel tax  
10 act, 2000 PA 403, MCL 207.1001 to 207.1170. ~~A refund of 1 1/2 cents~~  
11 ~~per gallon shall be made to airline operators who show proof within~~

1 ~~6 months after purchase that they are operating interstate on~~  
2 ~~scheduled operations.~~

3 (2) If a person required to register with the department of  
4 treasury under section 94 of the motor fuel tax act, 2000 PA 403,  
5 MCL 207.1094, is not registered, the person shall not ~~purchase~~**PAY**  
6 **TAX UNDER SUBSECTION (1) ON** fuel ~~under this act at the rate imposed~~  
7 ~~by subsection (1),~~ but shall pay the applicable rate imposed on  
8 motor fuel by section 8 of the motor fuel tax act, 2000 PA 403, MCL  
9 207.1008.

10 (3) The tax **OTHERWISE** imposed under subsection (1) is not  
11 imposed on aviation fuel if the purchaser has certified in writing  
12 to the seller that the aviation fuel is being purchased solely for  
13 the purpose of formulating leaded racing fuel as that term is  
14 defined in section 4 of the motor fuel tax act, 2000 PA 403, MCL  
15 207.1004. Aviation fuel qualifying under this subsection shall be  
16 identified on shipping papers and invoices as "aviation fuel exempt  
17 for LRF".