

HOUSE BILL NO. 5428

February 07, 2024, Introduced by Rep. Brixie and referred to the Committee on Appropriations.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 805 (MCL 257.805), as amended by 2021 PA 96.

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~~ **recreation** passport fee to the secretary of state with
5 the application. Subject to subsection ~~(7)~~, **(8)**, the amount of the

1 recreation passport fee is as follows:

2 (a) Except as **otherwise** provided in ~~subdivision (b) or (c),~~
3 **this subsection, \$10.00.**

4 (b) **For a motorcycle, \$5.00.**

5 (c) ~~(b)~~ For an individual who obtains a 2-year vehicle
6 registration under section 226(14), ~~\$20.00-~~ **2 times the amount in**
7 **subdivision (a) or (b), as applicable.**

8 ~~(c) For a motorcycle, \$5.00.~~

9 (2) ~~In-~~ **Subject to subsection (8), in** addition to the
10 requirements of section 217, an application for a motor vehicle
11 registration must contain at least the following information, in
12 substantially the following format and language **or similar language**
13 **agreed to by the secretary of state and the director of the**
14 **department of natural resources,** except that the amount of the
15 recreation passport fee specified must be ~~\$20.00 for a vehicle~~
16 ~~registered for 2 years under section 226(14) and \$5.00 for a~~
17 ~~motorcycle-~~ **the amount calculated under subsection (1), as**
18 **applicable:**

19 \$[Amount] - Annual vehicle registration or renewal **and annual**
20 **\$10.00 recreation passport fee to use this vehicle**
21 **for unlimited entry into all Michigan state parks**
22 **and recreation areas and DNR-operated state boating**
23 **access sites.**

24 ~~\$10.00 - Annual authorization to use this vehicle for~~
25 ~~unlimited entry into all Michigan state parks~~
26 ~~and recreation areas and DNR-operated state~~
27 ~~boating access sites. (Check one of the~~
28 ~~boxes below.)~~

29 ~~_____ I elect to pay this \$10.00 fee.~~

1 ~~_____ I elect not to pay this \$10.00 fee.~~
 2 ~~This vehicle will not be used to enter the~~
 3 ~~facilities described above.~~

4 \$_____ - Total amount due.

5 (3) The secretary of state may revise the format and language
 6 of an application for motor vehicle registration to reflect the
 7 fact that, under sections 74116 and 78119 of the natural resources
 8 and environmental protection act, 1994 PA 451, MCL 324.74116 and
 9 324.78119, payment of the recreation passport fee authorizes entry
 10 into all state parks and recreation areas and designated state-
 11 operated public boating access sites until expiration of the motor
 12 vehicle registration.

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

18 **(5) If the applicant would like to request a refund of the**
 19 **recreation passport fee, they must do so in written form sent to**
 20 **the department of natural resources within 30 days of registering**
 21 **or renewing registration of the applicant's vehicle.**

22 (6) ~~(5)~~ Subsections (1) and (2) do not apply to any of the
 23 following:

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

26 (b) The issuance or renewal of a motor vehicle registration
 27 described in section 803e(1) and exempt under section 803e(6) from
 28 the registration tax or the issuance or renewal of a motor vehicle
 29 registration described in section 217d or 803f.

1 (7) ~~(6)~~—The secretary of state shall, at least monthly,
2 transfer the revenue from recreation passport fees to the
3 department of natural resources for deposit as provided in section
4 2045 of the natural resources and environmental protection act,
5 1994 PA 451, MCL 324.2045.

6 (8) ~~(7)~~ ~~For~~ **By August 1 of** each ~~calendar~~ year, the state
7 treasurer shall adjust the amounts set forth in subsection (1) by
8 an amount determined by the state treasurer to reflect the
9 cumulative percentage change in the Consumer Price Index from
10 October 1, 2010 to the October 1 immediately preceding that
11 calendar year, using the most recent data available and rounded to
12 the nearest dollar.

13 (9) ~~(8)~~—The legislature shall annually review the amount of
14 revenue raised by the recreation passport fee to ensure that the
15 amount is appropriate for the purposes for which the recreation
16 passport fee is assessed and in compliance with law.

17 (10) ~~(9)~~—If the secretary of state issues a registration tab
18 or sticker for a registration plate or personalized registration
19 plate under section 224 or 803b for a motor vehicle that had a
20 recreation passport fee paid under this section, the tab or sticker
21 must be marked in a distinctive manner determined by the secretary
22 of state after consultation with the director of the department of
23 natural resources and the department of state police. Before
24 discontinuing the issuance of a registration tab or sticker, the
25 secretary of state ~~shall~~ **must** consult with the director of the
26 department of natural resources and establish an alternative method
27 or procedure the department of natural resources can use to
28 determine whether a recreation passport fee has been paid for a
29 motor vehicle.

1 (11) ~~(10)~~ Whether ~~or not~~ an individual paid or ~~indicated that~~
2 ~~he or she elected to pay or not to pay~~ **requested a refund under**
3 **subsection (5) for** a recreation passport fee under this section is
4 personal information for purposes of section 40b.

5 (12) ~~(11)~~ As used in this section:

6 (a) "Consumer Price Index" means the most comprehensive index
7 of consumer prices available for this state from the Bureau of
8 Labor Statistics of the United States Department of Labor.

9 (b) "Motor vehicle" does not include a commercial motor
10 vehicle.

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