

**SUBSTITUTE FOR
SENATE BILL NO. 516**

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending sections 627, 688, 722, and 801 (MCL 257.627,
257.688, 257.722, and 257.801), section 627 as amended by 2006 PA
85, section 688 as amended by 2006 PA 14, section 722 as amended
by 2009 PA 146, and section 801 as amended by 2011 PA 159, and by
adding section 30c.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **SEC. 30C. "MODIFIED AGRICULTURE VEHICLE" MEANS A VEHICLE**
2 **THAT SATISFIES BOTH OF THE FOLLOWING CONDITIONS:**

3 **(A) IT HAS BEEN MODIFIED FROM ITS ORIGINAL USE SO THAT THE**
4 **TRANSPORT OF AGRICULTURAL COMMODITIES IS THE VEHICLE'S PRIMARY**
5 **PURPOSE.**

6 **(B) IT IS CERTIFIED BY THE UNITED STATES DEPARTMENT OF**
7 **TRANSPORTATION AND UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

1 FOR ROAD USE BEFORE BEING MODIFIED AS DESCRIBED IN SUBDIVISION
2 (A).

3 Sec. 627. (1) A person operating a vehicle on a highway
4 shall operate that vehicle at a careful and prudent speed not
5 greater than nor less than is reasonable and proper, having due
6 regard to the traffic, surface, and width of the highway and of
7 any other condition then existing. A person shall not operate a
8 vehicle upon a highway at a speed greater than that which will
9 permit a stop within the assured, clear distance ahead.

10 (2) Except in those instances where a lower speed is
11 specified in this chapter or the speed is unsafe ~~pursuant to~~
12 **UNDER** subsection (1), it is prima facie lawful for the operator
13 of a vehicle to operate that vehicle at a speed not exceeding the
14 following, except when this speed would be unsafe:

15 (a) 25 miles per hour on all highways in a business
16 district. ~~as that term is defined in section 5.~~

17 (b) 25 miles per hour in public parks unless a different
18 speed is fixed and duly posted.

19 (c) 25 miles per hour on all highways or parts of highways
20 within the boundaries of land platted under the land division
21 act, 1967 PA 288, MCL 560.101 to 560.293, or the condominium act,
22 1978 PA 59, MCL 559.101 to 559.276, unless a different speed is
23 fixed and posted.

24 (d) 25 miles per hour on a highway segment with 60 or more
25 vehicular access points within 1/2 mile.

26 (e) 35 miles per hour on a highway segment with not less
27 than 45 vehicular access points but no more than 59 vehicular

1 access points within 1/2 mile.

2 (f) 45 miles per hour on a highway segment with not less
3 than 30 vehicular access points but no more than 44 vehicular
4 access points within 1/2 mile.

5 (3) It is prima facie unlawful for a person to exceed the
6 speed limits prescribed in subsection (2), except as provided in
7 section 629.

8 (4) A person operating a vehicle in a mobile home park as
9 defined in section 2 of the mobile home commission act, 1987 PA
10 96, MCL 125.2302, shall operate that vehicle at a careful and
11 prudent speed, not greater than a speed that is reasonable and
12 proper, having due regard for the traffic, surface, width of the
13 roadway, and all other conditions existing, and not greater than
14 a speed that permits a stop within the assured clear distance
15 ahead. It is prima facie unlawful for the operator of a vehicle
16 to operate that vehicle at a speed exceeding 15 miles an hour in
17 a mobile home park as defined in section 2 of the mobile home
18 commission act, 1987 PA 96, MCL 125.2302.

19 (5) A person operating a passenger vehicle drawing another
20 vehicle or trailer shall not exceed the posted speed limit.

21 (6) Except as otherwise provided in this subsection, a
22 person operating a truck with a gross weight of 10,000 pounds or
23 more, a truck-tractor, a truck-tractor with a semi-trailer or
24 trailer, or a combination of these vehicles shall not exceed a
25 speed of 55 miles per hour on highways, streets, or freeways and
26 shall not exceed a speed of 35 miles per hour during the period
27 when reduced loadings are being enforced in accordance with this

1 chapter. However, a person operating a school bus, a truck, a
2 truck-tractor, or a truck-tractor with a semi-trailer or trailer
3 described in this subsection shall not exceed a speed of 60 miles
4 per hour on a freeway if the maximum speed limit on that freeway
5 is 70 miles per hour. **A PERSON OPERATING A MODIFIED AGRICULTURE
6 VEHICLE SHALL NOT EXCEED A SPEED OF 45 MILES PER HOUR.**

7 (7) Except as otherwise provided in subsection (6), a person
8 operating a school bus shall not exceed the speed of 55 miles per
9 hour.

10 (8) The maximum rates of speeds allowed under this section
11 are subject to the maximum rate established under section 629b.

12 (9) A person operating a vehicle on a highway, when entering
13 and passing through a work zone described in section 79d(a) where
14 a normal lane or part of the lane of traffic has been closed due
15 to highway construction, maintenance, or surveying activities,
16 shall not exceed a speed of 45 miles per hour unless a different
17 speed limit is determined for that work zone by the state
18 transportation department, a county road commission, or a local
19 authority, based on accepted engineering practice. The state
20 transportation department, a county road commission, or a local
21 authority shall post speed limit signs in each work zone
22 described in section 79d(a) that indicate the speed limit in that
23 work zone and shall identify that work zone with any other
24 traffic control devices necessary to conform to the Michigan
25 manual of uniform traffic control devices. A person shall not
26 exceed a speed limit established under this section or a speed
27 limit established under section 628 or 629.

1 (10) Subject to subsections (1) and (2)(c), speed limits
2 established ~~pursuant to~~ **UNDER** this section are not valid unless
3 properly posted. In the absence of a properly posted sign, the
4 speed limit in effect shall be the general speed limit ~~pursuant~~
5 ~~to~~ **UNDER** section 628(1).

6 (11) Nothing in this section prevents the establishment of
7 an absolute speed limit ~~pursuant to~~ **UNDER** section 628. Subject to
8 subsection (1), an absolute speed limit established ~~pursuant to~~
9 **UNDER** section 628 supersedes a prima facie speed limit
10 established ~~pursuant to~~ **UNDER** this section.

11 (12) Nothing in this section shall be construed as
12 justification to deny a traffic and engineering investigation.

13 (13) As used in this section, "vehicular access point" means
14 a driveway or intersecting roadway.

15 (14) A person who violates this section is responsible for a
16 civil infraction.

17 Sec. 688. (1) In addition to other equipment required in
18 this chapter, the following vehicles shall be equipped as
19 provided in this section under the conditions stated in section
20 687:

21 (a) On every bus or truck, whatever its size, there shall be
22 on the rear, 2 red reflectors, 1 on each side, and 1 red or amber
23 stop light.

24 (b) On every bus or truck 80 inches or more in overall
25 width, in addition to the requirements in subdivision (a), the
26 following:

27 (i) On the front, 2 clearance lamps, 1 at each side.

- 1 (ii) On the rear, 2 clearance lamps, 1 at each side.
- 2 (iii) On each side, 2 side marker lamps, 1 at or near the
3 front and 1 at or near the rear.
- 4 (iv) On each side, 2 reflectors, 1 at or near the front and 1
5 at or near the rear.
- 6 (v) Three identification lamps, mounted on the vertical
7 centerline of the vehicle or the vertical centerline of the cab
8 where different from the centerline of the vehicle, except that,
9 ~~where~~**IF** the cab is not more than 42 inches wide at the front
10 roofline, a single lamp at the center of the cab ~~shall be~~
11 ~~considered to comply with~~**SATISFIES** the requirements for
12 identification lamps. The identification lamps or their mounts
13 shall not extend below the top of the vehicle windshield.
- 14 (c) On every truck tractor, the following:
- 15 (i) On the front, 2 clearance lamps, 1 at each side.
- 16 (ii) On the rear, 1 stop light.
- 17 (d) On every trailer, pickup camper, or semitrailer having a
18 gross weight in excess of 3,000 pounds, the following:
- 19 (i) On the front, 2 clearance lamps, 1 at each side.
- 20 (ii) On each side, 2 side marker lamps, 1 at or near the
21 front and 1 at or near the rear.
- 22 (iii) On each side, 2 reflectors, 1 at or near the front and 1
23 at or near the rear.
- 24 (iv) On the rear, 2 clearance lamps, 1 at each side, also 2
25 reflectors, 1 at each side, and 1 stop light.
- 26 (e) On every poletrailer, the following:
- 27 (i) On each side, 1 side marker lamp and 1 clearance lamp

1 which may be in combination, to show to the front, side, or rear.

2 (ii) On the rear of the poletrailer or load, 2 reflectors, 1
3 on each side.

4 (f) On every trailer, pickup camper, or semitrailer weighing
5 3,000 pounds gross or less, on the rear, 2 reflectors, 1 on each
6 side if any trailer or semitrailer is so loaded or is of such
7 dimensions as to obscure the stop light on the towing vehicle,
8 then such vehicle shall also be equipped with 1 stop light.

9 (g) Subject to subsection (3), when operated on the highway,
10 every vehicle ~~which~~**THAT** has a maximum potential speed of 25
11 miles an hour, implement of husbandry, farm tractor, **MODIFIED**
12 **AGRICULTURE VEHICLE**, or special mobile equipment shall be
13 identified with a reflective device as follows:

14 (i) An equilateral triangle in shape, at least 16 inches wide
15 at the base and at least 14 inches in height: with a dark red
16 border, at least 1-3/4 inches wide of highly reflective beaded
17 material.

18 (ii) A center triangle, at least 12-1/4 inches on each side
19 of yellow-orange fluorescent material.

20 (2) The device described in ~~subdivision (g)~~**SUBSECTION**
21 **(1)(G)** shall be mounted on the rear of the vehicle, broad base
22 down, not less than 3 feet nor more than 5 feet above the ground
23 and as near the center of the vehicle as possible. The use of
24 this reflective device is restricted to use on slow moving
25 vehicles specified in this section, and use of such reflective
26 device on any other type of vehicle or stationary object on the
27 highway is prohibited. On the rear, at each side, red reflectors

1 or reflectorized material visible from all distances within 500
2 to 50 feet to the rear when directly in front of lawful upper
3 beams of headlamps.

4 (3) An implement of husbandry manufactured on or after
5 January 1, 2007 shall comply with section 684a.

6 Sec. 722. (1) ~~The~~ **EXCEPT AS OTHERWISE PROVIDED IN THIS**
7 **SECTION, THE** maximum axle load shall not exceed the number of
8 pounds designated in the following provisions that prescribe the
9 distance between axles:

10 (a) If the axle spacing is 9 feet or more between axles, the
11 maximum axle load shall not exceed 18,000 pounds for vehicles
12 equipped with high pressure pneumatic or balloon tires.

13 (b) If the axle spacing is less than 9 feet between 2 axles
14 but more than 3-1/2 feet, the maximum axle load shall not exceed
15 13,000 pounds for high pressure pneumatic or balloon tires.

16 (c) If the axles are spaced less than 3-1/2 feet apart, the
17 maximum axle load shall not exceed 9,000 pounds per axle.

18 (d) Subdivisions (a), (b), and (c) shall be known as the
19 normal loading maximum.

20 (2) When normal loading is in effect, the state
21 transportation department, or a local authority with respect to
22 highways under its jurisdiction, may designate certain highways,
23 or sections of those highways, where bridges and road surfaces
24 are adequate for heavier loading, and revise a designation as
25 needed, on which the maximum tandem axle assembly loading shall
26 not exceed 16,000 pounds for any axle of the assembly, if there
27 is no other axle within 9 feet of any axle of the assembly.

1 (3) On a legal combination of vehicles, only 1 tandem axle
2 assembly shall be permitted on the designated highways at the
3 gross permissible weight of 16,000 pounds per axle, if there is
4 no other axle within 9 feet of any axle of the assembly, and if
5 no other tandem axle assembly in the combination of vehicles
6 exceeds a gross weight of 13,000 pounds per axle. On a
7 combination of truck tractor and semitrailer having not more than
8 5 axles, 2 consecutive tandem axle assemblies shall be permitted
9 on the designated highways at a gross permissible weight of
10 16,000 pounds per axle, if there is no other axle within 9 feet
11 of any axle of the assembly.

12 (4) Notwithstanding subsection (3), on a combination of
13 truck tractor and semitrailer having not more than 5 axles, 2
14 consecutive sets of tandem axles may carry a gross permissible
15 weight of not to exceed 17,000 pounds on any axle of the tandem
16 axles if there is no other axle within 9 feet of any axle of the
17 tandem axles and if the first and last axles of the consecutive
18 sets of tandem axles are not less than 36 feet apart and the
19 gross vehicle weight does not exceed 80,000 pounds to pick up and
20 deliver agricultural commodities between the national truck
21 network or special designated highways and any other highway.
22 This subsection is not subject to the maximum axle loads of
23 subsections (1), (2), and (3). For purposes of this subsection, a
24 "tandem axle" means 2 axles spaced more than 40 inches but not
25 more than 96 inches apart or 2 axles spaced more than 3-1/2 feet
26 but less than 9 feet apart. This subsection does not apply during
27 that period when reduced maximum loads are in effect under

1 subsection (8).

2 (5) The seasonal reductions described under subsection (8)
3 to the loading maximums and gross vehicle weight requirement of
4 subsection (12) do not apply to a person hauling agricultural
5 commodities if the person who picks up or delivers the
6 agricultural commodity either from a farm or to a farm notifies
7 the county road commission for roads under its authority not less
8 than 48 hours before the pickup or delivery of the time and
9 location of the pickup or delivery. The county road commission
10 shall issue a permit to the person and charge a fee that does not
11 exceed the administrative costs incurred. The permit shall
12 contain all of the following:

13 (a) The designated route or routes of travel for the load.

14 (b) The date and time period requested by the person who
15 picks up or delivers the agricultural commodities during which
16 the load may be delivered or picked up.

17 (c) A maximum speed limit of travel, if necessary.

18 (d) Any other specific conditions agreed to between the
19 parties.

20 (6) The seasonal reductions described under subsection (8)
21 to the loading maximums and gross vehicle weight requirements of
22 subsection (12) do not apply to public utility vehicles under the
23 following circumstances:

24 (a) For emergency public utility work on restricted roads,
25 as follows:

26 (i) If required by the county road commission, the public
27 utility or its subcontractor shall notify the county road

1 commission, as soon as practical, of the location of the
2 emergency public utility work and provide a statement that the
3 vehicles that were used to perform the emergency utility work may
4 have exceeded the loading maximums and gross vehicle weight
5 requirements of subsection (12) as reduced under subsection (8).
6 The notification may be made via facsimile or electronically.

7 (ii) The public utility vehicle travels to and from the site
8 of the emergency public utility work while on a restricted road
9 at a speed not greater than 35 miles per hour.

10 (b) For nonemergency public utility work on restricted
11 roads, as follows:

12 (i) If the county road commission requires, the public
13 utility or its subcontractor shall apply to the county road
14 commission annually for a seasonal truck permit for roads under
15 its authority before seasonal weight restrictions are effective.
16 The county road commission shall issue a seasonal truck permit
17 for each public utility vehicle or vehicle configuration the
18 public utility or subcontractor anticipates will be utilized for
19 nonemergency public utility work. The county road commission may
20 charge a fee for a seasonal truck permit that does not exceed the
21 administrative costs incurred for the permit. The seasonal truck
22 permit shall contain all of the following:

23 (A) The seasonal period requested by the public utility or
24 subcontractor during which the permit is valid.

25 (B) A unique identification number for the vehicle and any
26 vehicle configuration to be covered on the seasonal truck permit
27 requested by the public utility or subcontractor.

1 (C) A requirement that travel on restricted roads during
2 weight restrictions will be minimized and only utilized when
3 necessary to perform public utility work using the public utility
4 vehicle or vehicle configuration and that nonrestricted roads
5 shall be used for travel when available and for routine travel.

6 (D) A requirement that in the case of a subcontractor the
7 permit is only valid while the subcontractor vehicle is being
8 operated in the performance of public utility work.

9 (E) A requirement that a subcontractor vehicle or vehicle
10 configuration shall display signage on the outside of the vehicle
11 to identify the vehicle as operating on behalf of the public
12 utility.

13 (ii) If the county road commission requires notification, the
14 county road commission shall provide a notification application
15 for the public utility or its subcontractor to use when
16 requesting access to operate on restricted roads and the public
17 utility or its subcontractor shall provide notification to the
18 county road commission, via facsimile or electronically, not
19 later than 24 hours before the time of the intended travel. A
20 subcontractor using a vehicle on a restricted road shall have a
21 copy of any notification provided to a county road commission in
22 the subcontractor's possession while performing the relevant
23 nonemergency work. Notwithstanding this subsection or an
24 agreement under this subsection, if the county road commission
25 determines that the condition of a particular road under its
26 jurisdiction makes it unusable, the county road commission may
27 deny access to all or any part of that road. The denial shall be

1 made and communicated via facsimile or electronically to the
2 public utility or its subcontractor within 24 hours after
3 receiving notification that the public utility or subcontractors
4 intends to perform nonemergency work that requires use of that
5 road. Any notification that is not disapproved within 24 hours
6 after the notice is received by the county road commission is
7 considered approved. The notification application required under
8 this subparagraph may include all of the following information:

9 (A) The address or location of the nonemergency work.

10 (B) The date or dates of the nonemergency work.

11 (C) The route to be taken to the nonemergency work site.

12 (D) The restricted road or roads intended to be traveled
13 upon to the nonemergency work site or sites.

14 (E) In the case of a subcontractor, the utility on whose
15 behalf the subcontractor is performing services.

16 (7) The normal size of tires shall be the rated size as
17 published by the manufacturers, and the maximum wheel load
18 permissible for any wheel shall not exceed 700 pounds per inch of
19 width of tire.

20 (8) Except as provided in this subsection and subsection

21 (9), during the months of March, April, and May in each year, the
22 maximum axle load allowable on concrete pavements or pavements
23 with a concrete base is reduced by 25% from the maximum axle load
24 as specified in this chapter, and the maximum axle loads
25 allowable on all other types of roads during these months are
26 reduced by 35% from the maximum axle loads as specified. The
27 maximum wheel load shall not exceed 525 pounds per inch of tire

1 width on concrete and concrete base or 450 pounds per inch of
2 tire width on all other roads during the period the seasonal road
3 restrictions are in effect. Subject to subsection (5), this
4 subsection does not apply to vehicles transporting agricultural
5 commodities or, subject to subsection (6), public utility
6 vehicles on a highway, road, or street under the jurisdiction of
7 a local road agency. The state transportation department and each
8 local authority with highways and streets under its jurisdiction
9 to which the seasonal restrictions prescribed under this
10 subsection apply shall post all of the following information on
11 the homepage of its website or, if a local authority does not
12 have a website, then on the website of a statewide road
13 association of which it is a member:

14 (a) The dates when the seasonal restrictions are in effect.

15 (b) The names of the highways and streets and portions of
16 highways and streets to which the seasonal restrictions apply.

17 (9) The state transportation department for roads under its
18 jurisdiction and a county road commission for roads under its
19 jurisdiction may grant exemptions from seasonal weight
20 restrictions for milk on specified routes when requested in
21 writing. Approval or denial of a request for an exemption shall
22 be given by written notice to the applicant within 30 days after
23 the date of submission of the application. If a request is
24 denied, the written notice shall state the reason for denial and
25 alternate routes for which the permit may be issued. The
26 applicant may appeal to the state transportation commission or
27 the county road commission. These exemptions do not apply on

1 county roads in counties that have negotiated agreements with
2 milk haulers or haulers of other commodities during periods of
3 seasonal load limits before April 14, 1993. This subsection does
4 not limit the ability of these counties to continue to negotiate
5 such agreements.

6 (10) The state transportation department, or a local
7 authority with respect to highways under its jurisdiction, may
8 suspend the restrictions imposed by this section when and where
9 conditions of the highways or the public health, safety, and
10 welfare warrant suspension, and impose the restricted loading
11 requirements of this section on designated highways at any other
12 time that the conditions of the highway require.

13 (11) For the purpose of enforcing this act, the gross
14 vehicle weight of a single vehicle and load or a combination of
15 vehicles and loads shall be determined by weighing individual
16 axles or groups of axles, and the total weight on all the axles
17 shall be the gross vehicle weight. In addition, the gross axle
18 weight shall be determined by weighing individual axles or by
19 weighing a group of axles and dividing the gross weight of the
20 group of axles by the number of axles in the group. For purposes
21 of subsection (12), the overall gross weight on a group of 2 or
22 more axles shall be determined by weighing individual axles or
23 several axles, and the total weight of all the axles in the group
24 shall be the overall gross weight of the group.

25 (12) The loading maximum in this subsection applies to
26 interstate highways, and the state transportation department, or
27 a local authority with respect to highways under its

1 jurisdiction, may designate a highway, or a section of a highway,
 2 for the operation of vehicles having a gross vehicle weight of
 3 not more than 80,000 pounds that are subject to the following
 4 load maximums:

5 (a) Twenty thousand pounds on any 1 axle, including all
 6 enforcement tolerances.

7 (b) A tandem axle weight of 34,000 pounds, including all
 8 enforcement tolerances.

9 (c) An overall gross weight on a group of 2 or more
 10 consecutive axles equaling:

$$11 \quad W = 500 \frac{\sqrt{LN} + 12N + 36}{\sqrt{N-1}} \\ 12$$

13 where W = overall gross weight on a group of 2 or more
 14 consecutive axles to the nearest 500 pounds, L = distance in feet
 15 between the extreme of a group of 2 or more consecutive axles,
 16 and N = number of axles in the group under consideration; except
 17 that 2 consecutive sets of tandem axles may carry a gross load of
 18 34,000 pounds each if the first and last axles of the consecutive
 19 sets of tandem axles are not less than 36 feet apart. The gross
 20 vehicle weight shall not exceed 80,000 pounds including all
 21 enforcement tolerances. Except for 5 axle truck tractor,
 22 semitrailer combinations having 2 consecutive sets of tandem
 23 axles, vehicles having a gross weight in excess of 80,000 pounds
 24 or in excess of the vehicle gross weight determined by
 25 application of the formula in this subsection are subject to the
 26 maximum axle loads of subsections (1), (2), and (3). As used in

Senate Bill No. 516 as amended November 10, 2011

1 this subsection, "tandem axle weight" means the total weight
 2 transmitted to the road by 2 or more consecutive axles, the
 3 centers of which may be included between parallel transverse
 4 vertical planes spaced more than 40 inches but not more than 96
 5 inches apart, extending across the full width of the vehicle.
 6 Except as otherwise provided in this section, vehicles
 7 transporting agricultural commodities shall have weight load
 8 maximums as set forth in this subsection.

9 (13) A VEHICLE CARRYING A LOAD THAT IS NOT LESS THAN 100%
 10 AGRICULTURAL COMMODITIES OR RAW TIMBER <<FROM THE PLACE OF HARVEST
 TO THE FIRST POINT OF DELIVERY>> IS CONSIDERED TO BE IN
 11 COMPLIANCE WITH THE MAXIMUM WEIGHT REQUIREMENTS UNDER THIS
 12 SECTION IF ITS AXLE WEIGHTS<< >> ARE NOT MORE THAN 10% GREATER THAN
 13 THE MAXIMUM WEIGHT OTHERWISE PERMITTED UNDER THIS SECTION.
 14 HOWEVER, A MOTOR VEHICLE DESCRIBED IN THIS SUBSECTION THAT IS NOT
 15 IN COMPLIANCE WITH THE MAXIMUM WEIGHT REQUIREMENTS OF THIS
 16 SECTION SHALL BE CONSIDERED TO BE IN VIOLATION FOR THE FULL
 17 WEIGHT WITHOUT CONSIDERATION OF THE 10% COMPLIANCE ALLOWANCE.
 18 THIS SUBSECTION DOES NOT APPLY TO EITHER OF THE FOLLOWING:

19 (A) A VEHICLE UTILIZING AN INTERSTATE HIGHWAY.

20 (B) A VEHICLE UTILIZING A ROAD THAT IS SUBJECT TO SEASONAL
 21 WEIGHT RESTRICTIONS UNDER SUBSECTION (8) DURING THE TIME THAT THE
 22 SEASONAL WEIGHT RESTRICTIONS ARE IN EFFECT.

23 (14) ~~(13)~~As used in this section:

24 (a) "Agricultural commodities" means those plants and
 25 animals useful to human beings produced by agriculture and
 26 includes, but is not limited to, forages and sod crops, grains
 27 and feed crops, field crops, dairy and dairy products, poultry

1 and poultry products, cervidae, livestock, including breeding and
2 grazing, equine, fish, and other aquacultural products, bees and
3 bee products, berries, herbs, fruits, vegetables, flowers, seeds,
4 grasses, nursery stock, mushrooms, fertilizer, livestock bedding,
5 farming equipment, and fuel for agricultural use. The term does
6 not include trees or lumber.

7 (b) "Emergency public utility work" means work performed to
8 restore public utility service or to eliminate a danger to the
9 public due to a natural disaster, an act of God, or an emergency
10 situation, whether or not a public official has declared an
11 emergency.

12 (c) "Public utility" means a public utility under the
13 jurisdiction of the public service commission or a transmission
14 company.

15 (d) "Public utility vehicle" means a vehicle owned or
16 operated by a public utility or operated by a subcontractor on
17 behalf of a public utility.

18 (e) "Transmission company" means either an affiliated
19 transmission company or an independent transmission company as
20 those terms are defined in section 2 of the electric transmission
21 line certification act, 1995 PA 30, MCL 460.562.

22 Sec. 801. (1) The secretary of state shall collect the
23 following taxes at the time of registering a vehicle, which shall
24 exempt the vehicle from all other state and local taxation,
25 except the fees and taxes provided by law to be paid by certain
26 carriers operating motor vehicles and trailers under the motor
27 carrier act, 1933 PA 254, MCL 475.1 to 479.43; the taxes imposed

1 by the motor carrier fuel tax act, 1980 PA 119, MCL 207.211 to
2 207.234; and except as otherwise provided by this act:

3 (a) For a motor vehicle, including a motor home, except as
4 otherwise provided, and a pickup truck or van that weighs not
5 more than 8,000 pounds, except as otherwise provided, according
6 to the following schedule of empty weights:

7	Empty weights	Tax
8	0 to 3,000 pounds.....\$	29.00
9	3,001 to 3,500 pounds.....	32.00
10	3,501 to 4,000 pounds.....	37.00
11	4,001 to 4,500 pounds.....	43.00
12	4,501 to 5,000 pounds.....	47.00
13	5,001 to 5,500 pounds.....	52.00
14	5,501 to 6,000 pounds.....	57.00
15	6,001 to 6,500 pounds.....	62.00
16	6,501 to 7,000 pounds.....	67.00
17	7,001 to 7,500 pounds.....	71.00
18	7,501 to 8,000 pounds.....	77.00
19	8,001 to 8,500 pounds.....	81.00
20	8,501 to 9,000 pounds.....	86.00
21	9,001 to 9,500 pounds.....	91.00
22	9,501 to 10,000 pounds.....	95.00
23	over 10,000 pounds.....\$ 0.90 per 100 pounds	
24	of empty weight	

25 On October 1, 1983, and October 1, 1984, the tax assessed
26 under this subdivision shall be annually revised for the
27 registrations expiring on the appropriate October 1 or after that
28 date by multiplying the tax assessed in the preceding fiscal year

1 times the personal income of Michigan for the preceding calendar
2 year divided by the personal income of Michigan for the calendar
3 year that preceded that calendar year. In performing the
4 calculations under this subdivision, the secretary of state shall
5 use the spring preliminary report of the United States department
6 of commerce or its successor agency. A van that is owned by an
7 individual who uses a wheelchair or by an individual who
8 transports a member of his or her household who uses a wheelchair
9 and for which registration plates are issued under section 803d
10 shall be assessed at the rate of 50% of the tax provided for in
11 this subdivision.

12 (b) For a trailer coach attached to a motor vehicle, the tax
13 shall be assessed as provided in subdivision (l). A trailer coach
14 not under 1959 PA 243, MCL 125.1035 to 125.1043, and while
15 located on land otherwise assessable as real property under the
16 general property tax act, 1893 PA 206, MCL 211.1 to 211.155, if
17 the trailer coach is used as a place of habitation, and whether
18 or not permanently affixed to the soil, is not exempt from real
19 property taxes.

20 (c) For a road tractor, **MODIFIED AGRICULTURAL VEHICLE,**
21 truck, or truck tractor owned by a farmer and used exclusively in
22 connection with a farming operation, including a farmer hauling
23 livestock or farm equipment for other farmers for remuneration in
24 kind or in labor, but not for money, or used for the
25 transportation of the farmer and the farmer's family, and not
26 used for hire, 74 cents per 100 pounds of empty weight of the
27 road tractor, truck, or truck tractor. If the road tractor,

1 **MODIFIED AGRICULTURAL VEHICLE**, truck, or truck tractor owned by a
2 farmer is also used for a nonfarming operation, the farmer is
3 subject to the highest registration tax applicable to the nonfarm
4 use of the vehicle but is not subject to more than 1 tax rate
5 under this act.

6 (d) For a road tractor, truck, or truck tractor owned by a
7 wood harvester and used exclusively in connection with the wood
8 harvesting operations or a truck used exclusively to haul milk
9 from the farm to the first point of delivery, 74 cents per 100
10 pounds of empty weight of the road tractor, truck, or truck
11 tractor. A registration secured by payment of the tax prescribed
12 in this subdivision continues in full force and effect until the
13 regular expiration date of the registration. As used in this
14 subdivision:

15 (i) "Wood harvester" includes the person or persons hauling
16 and transporting raw materials in the form produced at the
17 harvest site or hauling and transporting wood harvesting
18 equipment. Wood harvester does not include a person or persons
19 whose primary activity is tree-trimming or landscaping.

20 (ii) "Wood harvesting equipment" includes all of the
21 following:

22 (A) A vehicle that directly harvests logs or timber,
23 including, but not limited to, a processor or a feller buncher.

24 (B) A vehicle that directly processes harvested logs or
25 timber, including, but not limited to, a slasher, delimeter,
26 processor, chipper, or saw table.

27 (C) A vehicle that directly processes harvested logs or

1 timber, including, but not limited to, a forwarder, grapple
2 skidder, or cable skidder.

3 (D) A vehicle that directly loads harvested logs or timber,
4 including, but not limited to, a knuckle-boom loader, front-end
5 loader, or forklift.

6 (E) A bulldozer or road grader being transported to a wood
7 harvesting site specifically for the purpose of building or
8 maintaining harvest site roads.

9 (iii) "Wood harvesting operations" does not include the
10 transportation of processed lumber, Christmas trees, or processed
11 firewood for a profit making venture.

12 (e) For a hearse or ambulance used exclusively by a licensed
13 funeral director in the general conduct of the licensee's funeral
14 business, including a hearse or ambulance whose owner is engaged
15 in the business of leasing or renting the hearse or ambulance to
16 others, \$1.17 per 100 pounds of the empty weight of the hearse or
17 ambulance.

18 (f) For a vehicle owned and operated by this state, a state
19 institution, a municipality, a privately incorporated, nonprofit
20 volunteer fire department, or a nonpublic, nonprofit college or
21 university, \$5.00 per plate. A registration plate issued under
22 this subdivision expires on June 30 of the year in which new
23 registration plates are reissued for all vehicles by the
24 secretary of state.

25 (g) For a bus including a station wagon, carryall, or
26 similarly constructed vehicle owned and operated by a nonprofit
27 parents' transportation corporation used for school purposes,

1 parochial school or society, church Sunday school, or any other
2 grammar school, or by a nonprofit youth organization or nonprofit
3 rehabilitation facility; or a motor vehicle owned and operated by
4 a senior citizen center, \$10.00, if the bus, station wagon,
5 carryall, or similarly constructed vehicle or motor vehicle is
6 designated by proper signs showing the organization operating the
7 vehicle.

8 (h) For a vehicle owned by a nonprofit organization and used
9 to transport equipment for providing dialysis treatment to
10 children at camp; for a vehicle owned by the civil air patrol, as
11 organized under 36 USC 40301 to 40307, \$10.00 per plate, if the
12 vehicle is designated by a proper sign showing the civil air
13 patrol's name; for a vehicle owned and operated by a nonprofit
14 veterans center; for a vehicle owned and operated by a nonprofit
15 recycling center or a federally recognized nonprofit conservation
16 organization; for a motor vehicle having a truck chassis and a
17 locomotive or ship's body that is owned by a nonprofit veterans
18 organization and used exclusively in parades and civic events; or
19 for an emergency support vehicle used exclusively for emergencies
20 and owned and operated by a federally recognized nonprofit
21 charitable organization, \$10.00 per plate.

22 (i) For each truck owned and operated free of charge by a
23 bona fide ecclesiastical or charitable corporation, or red cross,
24 girl scout, or boy scout organization, 65 cents per 100 pounds of
25 the empty weight of the truck.

26 (j) For each truck, weighing 8,000 pounds or less, and not
27 used to tow a vehicle, for each privately owned truck used to tow

1 a trailer for recreational purposes only and not involved in a
2 profit making venture, and for each vehicle designed and used to
3 tow a mobile home or a trailer coach, except as provided in
4 subdivision (b), \$38.00 or an amount computed according to the
5 following schedule of empty weights, whichever is greater:

6	Empty weights	Per 100 pounds
7	0 to 2,500 pounds.....	\$ 1.40
8	2,501 to 4,000 pounds.....	1.76
9	4,001 to 6,000 pounds.....	2.20
10	6,001 to 8,000 pounds.....	2.72
11	8,001 to 10,000 pounds.....	3.25
12	10,001 to 15,000 pounds.....	3.77
13	15,001 pounds and over.....	4.39

14 If the tax required under subdivision (p) for a vehicle of
15 the same model year with the same list price as the vehicle for
16 which registration is sought under this subdivision is more than
17 the tax provided under the preceding provisions of this
18 subdivision for an identical vehicle, the tax required under this
19 subdivision is not less than the tax required under subdivision
20 (p) for a vehicle of the same model year with the same list
21 price.

22 (k) For each truck weighing 8,000 pounds or less towing a
23 trailer or any other combination of vehicles and for each truck
24 weighing 8,001 pounds or more, road tractor or truck tractor,
25 except as provided in subdivision (j) according to the following
26 schedule of elected gross weights:

	Elected gross weight	Tax
1		
2	0 to 24,000 pounds.....	\$ 491.00
3	24,001 to 26,000 pounds.....	558.00
4	26,001 to 28,000 pounds.....	558.00
5	28,001 to 32,000 pounds.....	649.00
6	32,001 to 36,000 pounds.....	744.00
7	36,001 to 42,000 pounds.....	874.00
8	42,001 to 48,000 pounds.....	1,005.00
9	48,001 to 54,000 pounds.....	1,135.00
10	54,001 to 60,000 pounds.....	1,268.00
11	60,001 to 66,000 pounds.....	1,398.00
12	66,001 to 72,000 pounds.....	1,529.00
13	72,001 to 80,000 pounds.....	1,660.00
14	80,001 to 90,000 pounds.....	1,793.00
15	90,001 to 100,000 pounds.....	2,002.00
16	100,001 to 115,000 pounds.....	2,223.00
17	115,001 to 130,000 pounds.....	2,448.00
18	130,001 to 145,000 pounds.....	2,670.00
19	145,001 to 160,000 pounds.....	2,894.00
20	over 160,000 pounds.....	3,117.00

21 For each commercial vehicle registered under this
22 subdivision, \$15.00 shall be deposited in a truck safety fund to
23 be expended for the purposes prescribed in section 25 of 1951 PA
24 51, MCL 247.675.

25 If a truck or road tractor without trailer is leased from an
26 individual owner-operator, the lessee, whether a person, firm, or
27 corporation, shall pay to the owner-operator 60% of the tax
28 prescribed in this subdivision for the truck tractor or road

1 tractor at the rate of 1/12 for each month of the lease or
2 arrangement in addition to the compensation the owner-operator is
3 entitled to for the rental of his or her equipment.

4 (l) For each pole trailer, semitrailer, trailer coach, or
5 trailer, the tax shall be assessed according to the following
6 schedule of empty weights:

7	Empty weights	Tax
8	0 to 2,499 pounds.....	\$ 75.00
9	2,500 to 9,999 pounds.....	200.00
10	10,000 pounds and over.....	300.00

11 The registration plate issued under this subdivision expires
12 only when the secretary of state reissues a new registration
13 plate for all trailers. Beginning October 1, 2005, if the
14 secretary of state reissues a new registration plate for all
15 trailers, a person who has once paid the tax as increased by 2003
16 PA 152 for a vehicle under this subdivision is not required to
17 pay the tax for that vehicle a second time, but is required to
18 pay only the cost of the reissued plate at the rate provided in
19 section 804(2) for a standard plate. A registration plate issued
20 under this subdivision is nontransferable.

21 (m) For each commercial vehicle used for the transportation
22 of passengers for hire except for a vehicle for which a payment
23 is made under 1960 PA 2, MCL 257.971 to 257.972, according to the
24 following schedule of empty weights:

25 Empty weights Per 100 pounds

1	0 to 4,000 pounds.....	\$	1.76
2	4,001 to 6,000 pounds.....		2.20
3	6,001 to 10,000 pounds.....		2.72
4	10,001 pounds and over.....		3.25
5	(n) For each motorcycle.....	\$	23.00

6 On October 1, 1983, and October 1, 1984, the tax assessed
7 under this subdivision shall be annually revised for the
8 registrations expiring on the appropriate October 1 or after that
9 date by multiplying the tax assessed in the preceding fiscal year
10 times the personal income of Michigan for the preceding calendar
11 year divided by the personal income of Michigan for the calendar
12 year that preceded that calendar year. In performing the
13 calculations under this subdivision, the secretary of state shall
14 use the spring preliminary report of the United States department
15 of commerce or its successor agency.

16 Beginning January 1, 1984, the registration tax for each
17 motorcycle is increased by \$3.00. The \$3.00 increase is not part
18 of the tax assessed under this subdivision for the purpose of the
19 annual October 1 revisions but is in addition to the tax assessed
20 as a result of the annual October 1 revisions. Beginning January
21 1, 1984, \$3.00 of each motorcycle fee shall be placed in a
22 motorcycle safety fund in the state treasury and shall be used
23 only for funding the motorcycle safety education program as
24 provided for under sections 312b and 811a.

25 (o) For each truck weighing 8,001 pounds or more, road
26 tractor, or truck tractor used exclusively as a moving van or
27 part of a moving van in transporting household furniture and

1 household effects or the equipment or those engaged in conducting
2 carnivals, at the rate of 80% of the schedule of elected gross
3 weights in subdivision (k) as modified by the operation of that
4 subdivision.

5 (p) After September 30, 1983, each motor vehicle of the 1984
6 or a subsequent model year as shown on the application required
7 under section 217 that has not been previously subject to the tax
8 rates of this section and that is of the motor vehicle category
9 otherwise subject to the tax schedule described in subdivision
10 (a), and each low-speed vehicle according to the following
11 schedule based upon registration periods of 12 months:

12 (i) Except as otherwise provided in this subdivision, for the
13 first registration that is not a transfer registration under
14 section 809 and for the first registration after a transfer
15 registration under section 809, according to the following
16 schedule based on the vehicle's list price:

17	List Price	Tax
18	\$ 0 - \$ 6,000.00.....	\$ 30.00
19	More than \$ 6,000.00 - \$ 7,000.00.....	\$ 33.00
20	More than \$ 7,000.00 - \$ 8,000.00.....	\$ 38.00
21	More than \$ 8,000.00 - \$ 9,000.00.....	\$ 43.00
22	More than \$ 9,000.00 - \$ 10,000.00.....	\$ 48.00
23	More than \$ 10,000.00 - \$ 11,000.00.....	\$ 53.00
24	More than \$ 11,000.00 - \$ 12,000.00.....	\$ 58.00
25	More than \$ 12,000.00 - \$ 13,000.00.....	\$ 63.00
26	More than \$ 13,000.00 - \$ 14,000.00.....	\$ 68.00
27	More than \$ 14,000.00 - \$ 15,000.00.....	\$ 73.00

1	More than \$ 15,000.00 - \$ 16,000.00.....	\$ 78.00
2	More than \$ 16,000.00 - \$ 17,000.00.....	\$ 83.00
3	More than \$ 17,000.00 - \$ 18,000.00.....	\$ 88.00
4	More than \$ 18,000.00 - \$ 19,000.00.....	\$ 93.00
5	More than \$ 19,000.00 - \$ 20,000.00.....	\$ 98.00
6	More than \$ 20,000.00 - \$ 21,000.00.....	\$ 103.00
7	More than \$ 21,000.00 - \$ 22,000.00.....	\$ 108.00
8	More than \$ 22,000.00 - \$ 23,000.00.....	\$ 113.00
9	More than \$ 23,000.00 - \$ 24,000.00.....	\$ 118.00
10	More than \$ 24,000.00 - \$ 25,000.00.....	\$ 123.00
11	More than \$ 25,000.00 - \$ 26,000.00.....	\$ 128.00
12	More than \$ 26,000.00 - \$ 27,000.00.....	\$ 133.00
13	More than \$ 27,000.00 - \$ 28,000.00.....	\$ 138.00
14	More than \$ 28,000.00 - \$ 29,000.00.....	\$ 143.00
15	More than \$ 29,000.00 - \$ 30,000.00.....	\$ 148.00

16 More than \$30,000.00, the tax of \$148.00 is increased by
 17 \$5.00 for each \$1,000.00 increment or fraction of a \$1,000.00
 18 increment over \$30,000.00. If a current tax increases or
 19 decreases as a result of 1998 PA 384, only a vehicle purchased or
 20 transferred after January 1, 1999 shall be assessed the increased
 21 or decreased tax.

22 (ii) For the second registration, 90% of the tax assessed
 23 under subparagraph (i).

24 (iii) For the third registration, 90% of the tax assessed
 25 under subparagraph (ii).

26 (iv) For the fourth and subsequent registrations, 90% of the
 27 tax assessed under subparagraph (iii).

28 For a vehicle of the 1984 or a subsequent model year that

1 has been previously registered by a person other than the person
2 applying for registration or for a vehicle of the 1984 or a
3 subsequent model year that has been previously registered in
4 another state or country and is registered for the first time in
5 this state, the tax under this subdivision shall be determined by
6 subtracting the model year of the vehicle from the calendar year
7 for which the registration is sought. If the result is zero or a
8 negative figure, the first registration tax shall be paid. If the
9 result is 1, 2, or 3 or more, then, respectively, the second,
10 third, or subsequent registration tax shall be paid. A van that
11 is owned by an individual who uses a wheelchair or by an
12 individual who transports a member of his or her household who
13 uses a wheelchair and for which registration plates are issued
14 under section 803d shall be assessed at the rate of 50% of the
15 tax provided for in this subdivision.

16 (q) For a wrecker, \$200.00.

17 (r) When the secretary of state computes a tax under this
18 section, a computation that does not result in a whole dollar
19 figure shall be rounded to the next lower whole dollar when the
20 computation results in a figure ending in 50 cents or less and
21 shall be rounded to the next higher whole dollar when the
22 computation results in a figure ending in 51 cents or more,
23 unless specific taxes are specified, and the secretary of state
24 may accept the manufacturer's shipping weight of the vehicle
25 fully equipped for the use for which the registration application
26 is made. If the weight is not correctly stated or is not
27 satisfactory, the secretary of state shall determine the actual

1 weight. Each application for registration of a vehicle under
2 subdivisions (j) and (m) shall have attached to the application a
3 scale weight receipt of the vehicle fully equipped as of the time
4 the application is made. The scale weight receipt is not
5 necessary if there is presented with the application a
6 registration receipt of the previous year that shows on its face
7 the weight of the motor vehicle as registered with the secretary
8 of state and that is accompanied by a statement of the applicant
9 that there has not been a structural change in the motor vehicle
10 that has increased the weight and that the previous registered
11 weight is the true weight.

12 (2) A manufacturer is not exempted under this act from
13 paying ad valorem taxes on vehicles in stock or bond, except on
14 the specified number of motor vehicles registered. A dealer is
15 exempt from paying ad valorem taxes on vehicles in stock or bond.

16 (3) Until October 1, 2015, the tax for a vehicle with an
17 empty weight over 10,000 pounds imposed under subsection (1)(a)
18 and the taxes imposed under subsection (1)(c), (d), (e), (f),
19 (i), (j), (m), (o), and (p) are each increased as follows:

20 (a) A regulatory fee of \$2.25 that shall be credited to the
21 traffic law enforcement and safety fund created in section 819a
22 and used to regulate highway safety.

23 (b) A fee of \$5.75 that shall be credited to the
24 transportation administration collection fund created in section
25 810b.

26 (4) If a tax required to be paid under this section is not
27 received by the secretary of state on or before the expiration

1 date of the registration plate, the secretary of state shall
2 collect a late fee of \$10.00 for each registration renewed after
3 the expiration date. An application for a renewal of a
4 registration using the regular mail and postmarked before the
5 expiration date of that registration shall not be assessed a late
6 fee. The late fee collected under this subsection shall be
7 deposited into the general fund.

8 (5) As used in this section:

9 (a) "Gross proceeds" means that term as defined in section 1
10 of the general sales tax act, 1933 PA 167, MCL 205.51, and
11 includes the value of the motor vehicle used as part payment of
12 the purchase price as that value is agreed to by the parties to
13 the sale, as evidenced by the signed agreement executed under
14 section 251.

15 (b) "List price" means the manufacturer's suggested base
16 list price as published by the secretary of state, or the
17 manufacturer's suggested retail price as shown on the label
18 required to be affixed to the vehicle under 15 USC 1232, if the
19 secretary of state has not at the time of the sale of the vehicle
20 published a manufacturer's suggested retail price for that
21 vehicle, or the purchase price of the vehicle if the
22 manufacturer's suggested base list price is unavailable from the
23 sources described in this subdivision.

24 (c) "Purchase price" means the gross proceeds received by
25 the seller in consideration of the sale of the motor vehicle
26 being registered.