

Act No. 562  
Public Acts of 2006  
Approved by the Governor  
December 28, 2006  
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December 29, 2006  
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**STATE OF MICHIGAN  
93RD LEGISLATURE  
REGULAR SESSION OF 2006**

Introduced by Rep. LaJoy

# **ENROLLED HOUSE BILL No. 6137**

AN ACT to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending sections 217d, 801, 811d, 811e, 811f, 811g, 811h, 811i, 811j, 811l, and 811n (MCL 257.217d, 257.801, 257.811d, 257.811e, 257.811f, 257.811g, 257.811h, 257.811i, 257.811j, 257.811l, and 257.811n), sections 217d and 811h as amended by 2003 PA 152, section 801 as amended by 2006 PA 136, section 811d as amended by 2005 PA 317, section 811e as amended by 2001 PA 124, sections 811f and 811g as added by 2000 PA 77, section 811i as added by 2000 PA 74, section 811j as added by 2000 PA 71, section 811l as added by 2000 PA 70, and section 811n as added by 2000 PA 79, and by adding sections 811m, 811o, 811p, and 811q; and to repeal acts and parts of acts.

*The People of the State of Michigan enact:*

Sec. 217d. (1) The secretary of state shall design and may issue a special congressional medal of honor registration plate for residents of this state awarded the congressional medal of honor.

(2) A special congressional medal of honor registration plate shall be issued only for 1 vehicle intended for personal use by the applicant.

(3) A person who is a recipient of the congressional medal of honor may apply to the secretary of state for a special registration plate under this section on a form prescribed by the secretary of state, which shall be accompanied by any proof of the applicant having been a congressional medal of honor recipient that the secretary of state may require. The secretary of state shall waive the \$5.00 service fee requirement under section 804.

(4) A person who qualifies to be issued a special registration plate under this section is entitled to only 1 special registration plate issued under subsection (1) that is exempt from payment of the tax provided in section 801.

(5) A person with disabilities who applies for a special registration plate under this section shall be issued a tab for persons with disabilities as provided in section 803f for his or her special registration plate. The secretary of state shall require the same proof that the applicant is disabled as is required for issuance of a permanent windshield placard under section 675.

(6) A special registration plate issued under subsection (1) expires on the birthday of the vehicle owner in a year in which new plates are issued by the secretary of state.

(7) The secretary of state shall deliver or cause to be delivered 1 or more special registration plates issued under this section to the home address of the applicant at no additional cost to the applicant.

Sec. 801. (1) The secretary of state shall collect the following taxes at the time of registering a vehicle, which shall exempt the vehicle from all other state and local taxation, except the fees and taxes provided by law to be paid by certain carriers operating motor vehicles and trailers under the motor carrier act, 1933 PA 254, MCL 475.1 to 479.43; the taxes imposed by the motor carrier fuel tax act, 1980 PA 119, MCL 207.211 to 207.234; and except as otherwise provided by this act:

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

| Empty weights                | Tax                                       |
|------------------------------|---|
| 0 to 3,000 pounds .....      | \$ 29.00                                  |
| 3,001 to 3,500 pounds .....  | 32.00                                     |
| 3,501 to 4,000 pounds .....  | 37.00                                     |
| 4,001 to 4,500 pounds .....  | 43.00                                     |
| 4,501 to 5,000 pounds .....  | 47.00                                     |
| 5,001 to 5,500 pounds .....  | 52.00                                     |
| 5,501 to 6,000 pounds .....  | 57.00                                     |
| 6,001 to 6,500 pounds .....  | 62.00                                     |
| 6,501 to 7,000 pounds .....  | 67.00                                     |
| 7,001 to 7,500 pounds .....  | 71.00                                     |
| 7,501 to 8,000 pounds .....  | 77.00                                     |
| 8,001 to 8,500 pounds .....  | 81.00                                     |
| 8,501 to 9,000 pounds .....  | 86.00                                     |
| 9,001 to 9,500 pounds .....  | 91.00                                     |
| 9,501 to 10,000 pounds ..... | 95.00                                     |
| over 10,000 pounds.....      | \$ 0.90 per 100 pounds<br>of empty weight |

On October 1, 1983, and October 1, 1984, the tax assessed under this subdivision shall be annually revised for the registrations expiring on the appropriate October 1 or after that date by multiplying the tax assessed in the preceding fiscal year times the personal income of Michigan for the preceding calendar year divided by the personal income of Michigan for the calendar year that preceded that calendar year. In performing the calculations under this subdivision, the secretary of state shall use the spring preliminary report of the United States department of commerce or its successor agency. A van that is owned by an individual who uses a wheelchair or by an individual who transports a resident of his or her household who uses a wheelchair and for which registration plates are issued under section 803d shall be assessed at the rate of 50% of the tax provided for in this subdivision.

(b) For a trailer coach attached to a motor vehicle, the tax shall be assessed as provided in subdivision (l). A trailer coach not under 1959 PA 243, MCL 125.1035 to 125.1043, and while located on land otherwise assessable as real property under the general property tax act, 1893 PA 206, MCL 211.1 to 211.157, if the trailer coach is used as a place of habitation, and whether or not permanently affixed to the soil, is not exempt from real property taxes.

(c) For a road tractor, truck, or truck tractor owned by a farmer and used exclusively in connection with a farming operation, including a farmer hauling livestock or farm equipment for other farmers for remuneration in kind or in labor, but not for money, or used for the transportation of the farmer and the farmer's family, and not used for hire, 74 cents per 100 pounds of empty weight of the road tractor, truck, or truck tractor. If the road tractor, truck, or truck tractor owned by a farmer is also used for a nonfarming operation, the farmer is subject to the highest registration tax applicable to the nonfarm use of the vehicle but is not subject to more than 1 tax rate under this act.

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

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

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

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

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

(C) A vehicle that directly processes harvested logs or timber, including, but not limited to, a forwarder, grapple skidder, or cable skidder.

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

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

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

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

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

(g) For a bus including a station wagon, carryall, or similarly constructed vehicle owned and operated by a nonprofit parents' transportation corporation used for school purposes, parochial school or society, church Sunday school, or any other grammar school, or by a nonprofit youth organization or nonprofit rehabilitation facility; or a motor vehicle owned and operated by a senior citizen center, \$10.00, if the bus, station wagon, carryall, or similarly constructed vehicle or motor vehicle is designated by proper signs showing the organization operating the vehicle.

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

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

(j) For each truck, weighing 8,000 pounds or less, and not used to tow a vehicle, for each privately owned truck used to tow a trailer for recreational purposes only and not involved in a profit making venture, and for each vehicle designed and used to tow a mobile home or a trailer coach, except as provided in subdivision (b), \$38.00 or an amount computed according to the following schedule of empty weights, whichever is greater:

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

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

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

| Elected gross weight          | Tax       |
|-------------------------------|-----------|
| 0 to 24,000 pounds .....      | \$ 491.00 |
| 24,001 to 26,000 pounds ..... | 558.00    |
| 26,001 to 28,000 pounds ..... | 558.00    |
| 28,001 to 32,000 pounds ..... | 649.00    |
| 32,001 to 36,000 pounds ..... | 744.00    |

|                                 |          |
|---------------------------------|----------|
| 36,001 to 42,000 pounds .....   | 874.00   |
| 42,001 to 48,000 pounds .....   | 1,005.00 |
| 48,001 to 54,000 pounds .....   | 1,135.00 |
| 54,001 to 60,000 pounds .....   | 1,268.00 |
| 60,001 to 66,000 pounds .....   | 1,398.00 |
| 66,001 to 72,000 pounds .....   | 1,529.00 |
| 72,001 to 80,000 pounds .....   | 1,660.00 |
| 80,001 to 90,000 pounds .....   | 1,793.00 |
| 90,001 to 100,000 pounds .....  | 2,002.00 |
| 100,001 to 115,000 pounds ..... | 2,223.00 |
| 115,001 to 130,000 pounds ..... | 2,448.00 |
| 130,001 to 145,000 pounds ..... | 2,670.00 |
| 145,001 to 160,000 pounds ..... | 2,894.00 |
| over 160,000 pounds .....       | 3,117.00 |

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

If a truck or road tractor without trailer is leased from an individual owner-operator, the lessee, whether a person, firm, or corporation, shall pay to the owner-operator 60% of the tax prescribed in this subdivision for the truck tractor or road tractor at the rate of 1/12 for each month of the lease or arrangement in addition to the compensation the owner-operator is entitled to for the rental of his or her equipment.

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

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

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

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

|                              |                |
|------------------------------|----------------|
| Empty weights                | Per 100 pounds |
| 0 to 4,000 pounds .....      | \$ 1.76        |
| 4,001 to 6,000 pounds .....  | 2.20           |
| 6,001 to 10,000 pounds ..... | 2.72           |
| 10,001 pounds and over ..... | 3.25           |

(n) For each motorcycle ..... \$ 23.00

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

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

(o) For each truck weighing 8,001 pounds or more, road tractor, or truck tractor used exclusively as a moving van or part of a moving van in transporting household furniture and household effects or the equipment or those engaged in conducting carnivals, at the rate of 80% of the schedule of elected gross weights in subdivision (k) as modified by the operation of that subdivision.

(p) After September 30, 1983, each motor vehicle of the 1984 or a subsequent model year as shown on the application required under section 217 that has not been previously subject to the tax rates of this section and that is of the motor

vehicle category otherwise subject to the tax schedule described in subdivision (a), and each low-speed vehicle according to the following schedule based upon registration periods of 12 months:

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

| List Price                                 | Tax       |
|--|-----------|
| \$ 0 - \$ 6,000.00.....                    | \$ 30.00  |
| More than \$ 6,000.00 - \$ 7,000.00.....   | \$ 33.00  |
| More than \$ 7,000.00 - \$ 8,000.00.....   | \$ 38.00  |
| More than \$ 8,000.00 - \$ 9,000.00.....   | \$ 43.00  |
| More than \$ 9,000.00 - \$ 10,000.00.....  | \$ 48.00  |
| More than \$ 10,000.00 - \$ 11,000.00..... | \$ 53.00  |
| More than \$ 11,000.00 - \$ 12,000.00..... | \$ 58.00  |
| More than \$ 12,000.00 - \$ 13,000.00..... | \$ 63.00  |
| More than \$ 13,000.00 - \$ 14,000.00..... | \$ 68.00  |
| More than \$ 14,000.00 - \$ 15,000.00..... | \$ 73.00  |
| More than \$ 15,000.00 - \$ 16,000.00..... | \$ 78.00  |
| More than \$ 16,000.00 - \$ 17,000.00..... | \$ 83.00  |
| More than \$ 17,000.00 - \$ 18,000.00..... | \$ 88.00  |
| More than \$ 18,000.00 - \$ 19,000.00..... | \$ 93.00  |
| More than \$ 19,000.00 - \$ 20,000.00..... | \$ 98.00  |
| More than \$ 20,000.00 - \$ 21,000.00..... | \$ 103.00 |
| More than \$ 21,000.00 - \$ 22,000.00..... | \$ 108.00 |
| More than \$ 22,000.00 - \$ 23,000.00..... | \$ 113.00 |
| More than \$ 23,000.00 - \$ 24,000.00..... | \$ 118.00 |
| More than \$ 24,000.00 - \$ 25,000.00..... | \$ 123.00 |
| More than \$ 25,000.00 - \$ 26,000.00..... | \$ 128.00 |
| More than \$ 26,000.00 - \$ 27,000.00..... | \$ 133.00 |
| More than \$ 27,000.00 - \$ 28,000.00..... | \$ 138.00 |
| More than \$ 28,000.00 - \$ 29,000.00..... | \$ 143.00 |
| More than \$ 29,000.00 - \$ 30,000.00..... | \$ 148.00 |

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

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

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

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

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

(q) For a wrecker, \$200.00.

(r) When the secretary of state computes a tax under this section, a computation that does not result in a whole dollar figure shall be rounded to the next lower whole dollar when the computation results in a figure ending in 50 cents or less and shall be rounded to the next higher whole dollar when the computation results in a figure ending in 51 cents or more, unless specific taxes are specified, and the secretary of state may accept the manufacturer's shipping weight of the vehicle fully equipped for the use for which the registration application is made. If the weight is not correctly stated or is not satisfactory, the secretary of state shall determine the actual weight. Each application for registration of a vehicle under subdivisions (j) and (m) shall have attached to the application a scale weight receipt of the vehicle fully equipped as of the time the application is made. The scale weight receipt is not necessary if there is presented with the application a registration receipt of the previous year that shows on its face the weight of the motor vehicle as registered with the secretary of state and that is accompanied by a statement of the applicant that there has not been a structural change in the motor vehicle that has increased the weight and that the previous registered weight is the true weight.

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

(3) Until October 1, 2009, the tax for a vehicle with an empty weight over 10,000 pounds imposed under subsection (1)(a) and the taxes imposed under subsection (1)(c), (d), (e), (f), (i), (j), (m), (o), and (p) are each increased as follows:

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

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

(4) If a tax required to be paid under this section is not received by the secretary of state on or before the expiration date of the registration plate, the secretary of state shall collect a late fee of \$10.00 for each registration renewed after the expiration date. An application for a renewal of a registration using the regular mail and postmarked before the expiration date of that registration shall not be assessed a late fee. The late fee collected under this subsection shall be deposited into the general fund.

(5) As used in this section:

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

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

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

Sec. 811d. (1) As used in this chapter:

(a) "Fund-raising plate" means a registration plate authorized to raise funds for a specified goal.

(b) "Collector plate" means a collector plate that matches any registration plate developed and issued under this act.

(c) "Nonprofit" means that which is exempt from taxation under section 501(c)(3) of the internal revenue code, 26 USC 501.

(d) "Transportation administration collection fund" means the fund created under section 810b.

(2) A fund-raising plate shall contain all of the following as prescribed or approved by the secretary of state:

(a) The same generic background.

(b) Letters and numbers.

(c) The word "Michigan" and any other unique identifier specified by the secretary of state.

(d) A design or logo.

(3) If the design or logo of a fund-raising plate uses 1 or more designs, trade names, trademarks, service marks, emblems, symbols, or other images that are owned by a Michigan university or other person, the Michigan university or other person shall grant to or obtain for the secretary of state both of the following pursuant to a written agreement between the parties:

(a) A nonexclusive worldwide license to use those designs, trade names, trademarks, service marks, emblems, symbols, or other images on and in conjunction with the marketing, promotion, sale, or copyrighting of the registration plate or image of the fund-raising plate.

(b) The authority to merchandise the fund-raising plate or an image of the fund-raising plate.

(4) In using or employing a design, trade name, trademark, service mark, emblem, symbol, logo, or other image on and in conjunction with the marketing, promotion, sale, copyrighting, or merchandising of a fund-raising plate or image of the fund-raising plate, the secretary of state may alter the size of the design, trade name, trademark, service mark, emblem, symbol, logo, or other image but shall not change the color or design of the design, trade name, trademark, service mark, emblem, symbol, logo, or other image without the prior written consent of the respective Michigan university or other person. The secretary of state shall not use or employ a design, trade name, trademark, service mark, emblem, symbol, logo, or other image on and in conjunction with the marketing, promotion, sale, copyrighting, or merchandising of a fund-raising plate or an image of the fund-raising plate in any manner that is offensive to the Michigan university or other person that owns the design, trade name, trademark, service mark, emblem, symbol, logo, or other image that is the subject of a written agreement under subsection (3).

Sec. 811e. (1) Beginning January 1, 2007, the secretary of state may develop a fund-raising plate as provided in this section.

(2) A start-up fee of \$15,000.00 shall be paid for any new fund-raising plate authorized under this section, which fee shall be deposited in the transportation administration collection fund to be used for the cost of creating, producing, and issuing fund-raising plates. If the fee described in this subsection is not paid within 18 months of the effective date of the public act that authorizes the development and issuance of a fund-raising plate, then the related fund-raising plate shall not be created, produced, or issued. A start-up fee paid under this subsection is nonrefundable.

(3) Not less than 3 years after the secretary of state first issues 1 of the fund-raising plates as described in subsection (1) and upon payment of \$2,000.00, the Michigan university or other person sponsoring that fund-raising plate may redesign it as approved by the secretary of state. The payment required under this subsection shall be deposited in the transportation administration collection fund to be used for the cost of creating, producing, and issuing fund-raising plates. A payment under this subsection is nonrefundable.

(4) The secretary of state may develop 1 or more limited term registration plates to recognize a Michigan university or an accomplishment or occasion of a Michigan university.

(5) The secretary of state may, at any 1 time, develop not more than 8 different state sponsored fund-raising registration plates as described in this section, and matching state-sponsored collector plates as described in section 811g.

(6) The secretary of state shall not develop or issue a fund-raising plate unless a public act authorizing the fund-raising plate, at a minimum, does all of the following:

(a) Identifies the purpose of the fund-raising plate.

(b) Creates a nonprofit fund or designates an existing nonprofit fund to receive the money raised through the sale of fund-raising plates and matching collector plates.

(c) If a fund is created, names the person or entity responsible for administering the fund.

Sec. 811f. (1) The secretary of state may, upon application, issue 1 fund-raising plate instead of a standard registration plate to a person for use on a passenger motor vehicle or motor home or a pickup truck or van used exclusively to transport personal possessions or family members for nonbusiness purposes.

(2) A person may be issued a fund-raising plate for use on a vehicle under this act by applying to the secretary of state pursuant to section 217. An application for an original fund-raising plate shall be accompanied by a \$25.00 fund-raising donation, payment of the regular vehicle registration tax prescribed under this act, and a \$10.00 service fee. An application for renewal of a fund-raising plate shall be accompanied by payment of the vehicle registration tax required under section 801 and a \$10.00 fund-raising donation. Application for a replacement fund-raising plate shall be accompanied by payment of only the fee prescribed under section 804.

(3) The secretary of state may issue a personalized fund-raising plate upon application and the payment of the personalized registration plate fee prescribed under section 803b in addition to the fees and donations prescribed under subsection (2) and the regular vehicle registration tax prescribed under this act.

(4) A disabled person who applies for a fund-raising plate under this section and who pays the required service fees shall be issued, as determined by the secretary of state, a disabled person's plate as provided in section 803d for his or her fund-raising plate. The secretary of state shall require the same proof that the applicant is a disabled person as is required for issuance of a permanent windshield placard under section 675.

(5) A fund-raising plate expires pursuant to section 226. The secretary of state may issue a tab or tabs designating the month and year of expiration for an original or renewal fund-raising plate.

(6) The secretary of state may issue a temporary registration permit to a person who submits an application and the proper fees and donation for a fund-raising plate, if the applicant's current vehicle registration will expire before his or her receipt of a fund-raising plate. The temporary registration shall expire upon the applicant's receipt of a fund-raising plate or upon the expiration of 30 days after the date of issuance, whichever occurs first. The temporary permit shall be issued without a separate fee.

Sec. 811g. (1) Except as otherwise provided in this act, the secretary of state may develop, market, promote, and sell a collector plate. However, the secretary of state shall only develop, market, and promote a collector plate with funds available from the collection of service fees under this chapter.

(2) A collector plate shall not be attached to a motor vehicle in a manner prescribed in section 225. A collector plate may be used on a vehicle in any lawful manner, including, but not limited to, being displayed on the front bumper of a vehicle.

(3) A person may purchase 1 or more collector plates by making payment to the secretary of state of the \$10.00 service fee and a \$25.00 fund-raising donation.

(4) The secretary of state may, as determined necessary by the secretary of state, cease to sell a collector plate.

Sec. 811h. (1) Each service fee collected under sections 811f and 811g shall be credited 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 collector plates 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 pursuant to 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 the effective date of the amendatory act that added this subdivision.

(4) A fund-raising plate created after the effective date of the amendatory act that added this subsection 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.

(5) The secretary of state may 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). The secretary of state may 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) A royalty fee paid to this state under a written agreement described in subsection (6) shall be credited to the transportation administration collection fund.

(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.

Sec. 811i. (1) Fund-raising plate donations collected for plates recognizing the water quality of this state under section 811f and collector plate fund-raising donations collected under section 811g shall be disbursed under section 811h by the secretary of state to the state treasurer, who shall credit the donation money to the water quality protection fund created under subsection (3).

(2) The department of environmental quality shall establish and administer a "water quality protection fund grant program" and shall set policy and oversee this program. The program shall provide grants to local units of government for the purpose of protecting the water quality of the Michigan Great Lakes and inland lakes, rivers, and streams. The department of environmental quality may promulgate rules to implement this grant program under the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

(3) The water quality protection fund is created within the state treasury. The state treasurer may receive money or other assets from any source for deposit into the fund. The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments. Money in the fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund. Money from the fund shall be expended, upon appropriation, only for the purpose of protecting the water quality of the Michigan Great Lakes and inland lakes, rivers, and streams.

(4) For purposes of this chapter, "local unit of government" means any of the following:

(a) A county, city, village, or township.



(b) An agency of a county, city, village, or township.

(c) The office of a county drain commissioner.

(d) A soil conservation district established under part 93 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.9301 to 324.9313.

(e) A watershed council established under part 311 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.31101 to 324.31119.

(f) A local health department as that term is defined in section 1105 of the public health code, 1978 PA 368, MCL 333.1105.

(g) A community college or junior college established pursuant to section 7 of article VIII of the state constitution of 1963.

(h) A 4-year institution of higher education, public or private, located in this state.

(i) An authority or other public body created by or pursuant to state law.

Sec. 811j. (1) A fund-raising plate or collector plate recognizing children's trust shall be of a design as determined by the secretary of state after consultation with the state child abuse and neglect prevention board created in section 3 of the child abuse and neglect prevention act, 1982 PA 250, MCL 722.603.

(2) Fund-raising donations for plates recognizing children's trust collected under sections 811f and 811g shall be transferred under section 811h by the secretary of state to the state treasurer, who shall credit the donation money to the children's trust fund created under section 1 of 1982 PA 249, MCL 21.171, for the support and benefit of the children of this state.

Sec. 811l. (1) A fund-raising plate or collector plate recognizing the critical nongame wildlife habitats of this state shall be of a design as determined by the secretary of state after consulting with the director of the department of natural resources.

(2) Fund-raising donations for plates described in subsection (1) collected under sections 811f and 811g shall be transferred under section 811h by the secretary of state to the state treasurer, who shall credit the donation money to the nongame fish and wildlife trust fund created under section 43902 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.43902.

Sec. 811m. Fund-raising donations for plates recognizing the Michigan veterans memorial collected under sections 811f and 811g shall be transferred under section 811h by the secretary of state to the state treasurer, who shall credit the donation money to the Vietnam veterans memorial monument fund created in section 3 of the Michigan Vietnam veterans memorial act, 1988 PA 234, MCL 35.1053. These donations shall be used exclusively for the purposes described in sections 5 and 7 of the Michigan Vietnam veterans memorial act, 1988 PA 234, MCL 35.1055 and 35.1057.

Sec. 811n. Fund-raising donations for plates recognizing the agricultural heritage of this state collected under sections 811f and 811g shall be transferred under section 811h by the secretary of state to the state treasurer, who shall disburse the donation money to Michigan state university development, designated for the FFA vision2000 endowment fund, for the purpose of providing grants for agri-science, natural resources, and environmental K-12 educational programs.

Sec. 811o. (1) A fund-raising plate or collector plate recognizing American pride shall be of a design as determined by the secretary of state and contain the words "proud to be American" and "Michigan". Fund-raising donations for plates recognizing American pride collected under sections 811f and 811g shall be transferred under section 811h by the secretary of state to the state treasurer, who shall disburse the donation money to the proud to be American fund established under this section.

(2) The proud to be American fund is created within the state treasury. The state treasurer may receive money or other assets from any source for deposit into the fund. The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments.

(3) Money in the fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund.

(4) The state treasurer shall disburse money in the fund on a monthly basis as follows:

(a) Fifty percent to the American National Red Cross established under 36 USC 300101 as represented by the Michigan state service council.

(b) Fifty percent to the Salvation Army.

(5) The American National Red Cross and the Salvation Army shall expend the money received under this section for disaster preparedness and disaster relief in the United States of America.

(6) The American National Red Cross and the Salvation Army shall annually report to the department of treasury an accounting of money received and used under this section.

Sec. 811p. (1) A fund-raising plate or collector plate recognizing the Olympic education-training center in this state shall bear an appropriate logo, the design of which the Olympic education-training center shall submit to the secretary of state. The secretary of state shall confer with the department of state police to ensure that the design will not compromise the ability of law enforcement agencies to accurately identify specific vehicles.

(2) Registration plates bearing an Olympic education-training center logo shall not be a duplication of another registration plate. The Olympic education-training center shall comply with section 803m(2), (3)(c) and (d), and (4)(c) and (d).

(3) Fund-raising donations for plates recognizing the Olympic education-training center collected under section 811f or 811g shall be transferred by the secretary of state to the state treasurer, who shall credit the funds to the Olympic education-training center fund. The money in the Olympic education-training center fund shall, upon appropriation, be distributed to the Olympic education-training center.

Sec. 811q. (1) A fund-raising plate or collector plate recognizing support for our troops shall be of a design as determined by the secretary of state and contain the emblem or logo of Support Our Troops, Inc. of Michigan, displaying a soldier and a child and the words "support our troops" and "Michigan". Fund-raising donations for plates recognizing support for our troops collected under sections 811f and 811g shall be transferred under section 811h by the secretary of state to the state treasurer, who shall disburse the donation money to the support our troops fund established under this section.

(2) The support our troops fund is created within the state treasury. The state treasurer may receive money or other assets from any source for deposit into the fund. The state treasurer shall direct the investment of the fund. The state treasurer shall credit to the fund interest and earnings from fund investments.

(3) Money in the fund at the close of the fiscal year shall remain in the fund and shall not lapse to the general fund.

(4) The state treasurer shall disburse money in the fund on a monthly basis to Support Our Troops, Inc. of Michigan, which shall expend the money received under this section for troops and their families in accordance with its articles of incorporation.

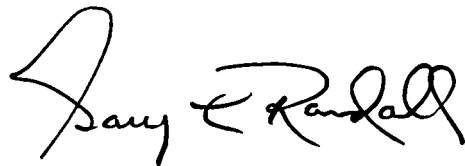
(5) Support Our Troops, Inc. of Michigan shall annually report to the department of treasury an accounting of money received and used under this section.

(6) An application for a support our troops fund-raising or collector plate by a motor vehicle owner or lessee constitutes prior written consent and instruction by that owner or lessee to the secretary of state to provide the owner's or lessee's name and address to Support Our Troops, Inc. of Michigan.

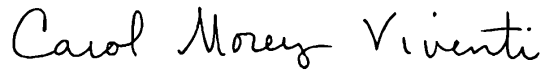
Enacting section 1. This amendatory act takes effect January 1, 2007.

Enacting section 2. Sections 217m, 217n, and 811c of the Michigan vehicle code, 1949 PA 300, MCL 257.217m, 257.217n, and 257.811c, are repealed.

This act is ordered to take immediate effect.



Clerk of the House of Representatives



Secretary of the Senate

Approved .....

.....  
Governor