

# HOUSE BILL No. 5049

October 6, 2011, Introduced by Reps. McMillin and Shirkey and referred to the Committee on Natural Resources, Tourism, and Outdoor Recreation.

A bill to amend 1949 PA 300, entitled  
"Michigan vehicle code,"  
by amending section 805 (MCL 257.805), as added by 2010 PA 35.

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

1           Sec. 805. (1) An applicant for the issuance or renewal of a  
2 motor vehicle registration may submit a state park and state-  
3 operated public boating access site passport fee to the secretary  
4 of state with the application. Subject to subsection (6), the  
5 amount of the recreation passport fee is as follows:

6           (a) Except as provided in subdivision (b), \$10.00.

7           (b) For a motorcycle, \$5.00.

8           (2) In addition to the requirements of section 217, an  
9 application for a motor vehicle registration shall contain at  
10 least the following information, in substantially the following

1 format and language, except that the amount of the recreation  
2 passport fee specified shall be \$5.00 for a motorcycle:

3        \$[Amount] - Annual vehicle registration or renewal.  
4        \$10.00     - Annual authorization to use this vehicle for  
5                    unlimited entry into all Michigan state parks  
6                    and recreation areas and DNR-operated state  
7                    boating access sites. (Check one of the  
8                    boxes below.)

9                    \_\_\_ I elect to pay this \$10.00 fee.

10                   \_\_\_ I elect not to pay this \$10.00 fee.

11        ~~\_\_\_\_\_ This vehicle will not be used to enter the~~  
12        ~~\_\_\_\_\_ facilities described above.~~ **I AM NOT INTERESTED**  
13        **IN A RECREATION PASSPORT AT THIS TIME.**

14        \$\_\_\_\_\_ - Total amount due.

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

20           (4) Subsections (1) and (2) do not apply to an application  
21 submitted by a dealer under section 217 for a vehicle sold,  
22 leased, or exchanged by the dealer.

23           (5) The secretary of state shall, at least monthly, transfer  
24 the revenue from recreation passport fees to the department of  
25 natural resources ~~and environment~~ for deposit as provided in  
26 section 2045 of the natural resources and environmental  
27 protection act, 1994 PA 451, MCL 324.2045.

1           (6) For each state fiscal year, beginning with the 2011-2012  
2 state fiscal year, the state treasurer shall adjust the amounts  
3 set forth in subsection (1) by an amount determined by the state  
4 treasurer to reflect the cumulative percentage change in the  
5 consumer price index since October 1, 2010 using the most recent  
6 data available and rounded to the nearest dollar.

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

11           (8) If the secretary of state issues a registration tab or  
12 sticker for a registration plate or personalized registration  
13 plate under section 224 or 803b for a motor vehicle for which a  
14 recreation passport fee has been paid under this section, the tab  
15 or sticker and any temporary registration plate issued under  
16 section ~~224a-226A~~ shall be marked in a distinctive manner  
17 determined by the secretary of state after consultation with the  
18 director of the department of natural resources ~~and environment~~  
19 and the department of state police. Before discontinuing the  
20 issuance of a registration tab or sticker, the secretary of state  
21 shall consult with the director of the department of natural  
22 resources ~~and environment~~ and establish an alternative method or  
23 procedure by which the department of natural resources ~~and~~  
24 ~~environment~~ can determine whether a recreation passport fee has  
25 been paid for a motor vehicle.

26           (9) Whether or not an individual paid or indicated that he  
27 or she elected to pay or not to pay a recreation passport fee

1 under this section is personal information for purposes of  
2 section 40b.

3 (10) As used in this section:

4 (a) "Consumer price index" means the most comprehensive  
5 index of consumer prices available for this state from the bureau  
6 of labor statistics of the United States department of labor.

7 (b) "Motor vehicle" does not include a commercial motor  
8 vehicle.

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

12 (11) This section is repealed effective April 1, 2014  
13 unless, during at least 1 of the state fiscal years ending  
14 September 30, 2011, 2012, and 2013, revenue from the recreation  
15 passport fee, minus appropriations to the secretary of state  
16 under section 2045(1)(a) of the natural resources and  
17 environmental protection act, 1994 PA 451, MCL 324.2045, equals  
18 or exceeds \$12,017,514.00.