

HOUSE BILL NO. 4037

January 15, 2019, Introduced by Rep. Lightner and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 801b (MCL 257.801b), as amended by 1986 PA 311.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 801b. (1) If a person, through error either on his or her
2 own part or that of the secretary of state, pays the specific tax
3 required by section 801 or 802 more than once on the same
4 equipment, the secretary of state, upon application and

1 satisfactory proof, shall refund the amount paid in error. A claim
 2 shall be filed within 1 year after the date of payment and verified
 3 by the secretary of state before a refund is made. If an
 4 application for a dealer license provided for in section 248 is
 5 withdrawn by the applicant or the applicant's heir, before issuance
 6 of the dealer license, the **secretary of state may refund the** fees
 7 that accompanied the application under sections 803, 803a, and 807
 8 ~~may be refunded by the secretary of state upon application and~~
 9 satisfactory proof.

10 (2) If a person's license to drive a motor vehicle is revoked,
 11 suspended, or denied for medical or physical reasons, the person
 12 may return the registration plates and obtain a refund on the
 13 plates prorated on a monthly basis for the time period remaining in
 14 the registration year from the date the plates are returned.
 15 However, the refund ~~shall~~**must** not exceed the original registration
 16 fee.

17 (3) Upon the death of a spouse, the surviving spouse may
 18 return registration plates and obtain a refund on the plates
 19 prorated on a monthly basis for the time period remaining in the
 20 registration year from the date the plates are returned. However,
 21 the refund shall not exceed the original registration fee.

22 (4) The owner of a registered vehicle who transfers or assigns
 23 title or interest in that registered vehicle ~~before placing upon~~
 24 ~~the registered vehicle the registration plates or tabs issued for~~
 25 ~~that registered vehicle may obtain a full refund in full from the~~
 26 secretary of state for the registration ~~plates~~**plate** or ~~tabs~~.
 27 ~~Registration plates, or tabs issued for 1978 and thereafter shall~~
 28 ~~be returned by the owner within 30 days following the date of~~
 29 ~~transfer or assignment.~~**tab if 1 of the following is satisfied:**

1 (a) The tab has not been affixed to the registration plate and
2 the applicant submits an application for a refund and the
3 registration plate and tab within 30 days after the date of
4 transfer or reassignment of the vehicle.

5 (b) All of the following are satisfied:

6 (i) The registration plate or tab was purchased before the
7 expiration date of the immediately preceding registration.

8 (ii) The secretary of state receives an application for refund
9 within 30 days after the date of transfer or reassignment of the
10 vehicle and before the expiration date of the immediately preceding
11 registration.

12 (iii) The registration plate and tab are returned to the
13 secretary of state with the application for refund before the
14 expiration date of the immediately preceding registration.

15 ~~(5) The owner of a vehicle registered pursuant to section~~
16 ~~801d(2) who transfers or assigns title or interest in the vehicle~~
17 ~~may obtain a refund on the registration for each unused, whole~~
18 ~~registration period remaining on the registration from the date the~~
19 ~~plates are returned and the application for a refund is made.~~

20 (5) ~~(6)~~—In the case of an original application for
21 registration plates issued under section 217a or 803b, the
22 secretary of state shall issue a refund prorated on a monthly basis
23 from the date of application for the time period remaining in the
24 previously issued registration, if an application for the refund is
25 made and satisfactory proof is presented to the secretary of state.
26 ~~A—The secretary of state shall not issue a refund shall not be made~~
27 if the amount due is less than \$5.00.

28 (6) ~~(7)~~—In the case of an original application for the
29 registration plates bearing the letters "SEN" or "REP", the

1 secretary of state shall issue a refund prorated on a monthly basis
2 from the date of application for the time period remaining in the
3 previously issued registration.

4 (7) ~~(8)~~—In the case of an original application and issuance of
5 an international registration plan registration plate under section
6 801g, the secretary of state shall make a refund as a credit
7 prorated on a monthly basis from the date of application for the
8 months remaining for the previously issued registration on the same
9 vehicle, if an application for the refund as a credit is made and
10 satisfactory proof of eligibility is presented to the secretary of
11 state. A refund as a credit ~~shall~~**must** not exceed the total amount
12 of the Michigan apportioned fees assessed for the plates issued
13 under section 801g ~~nor~~**and shall not** be made if the amount due is
14 less than \$5.00. ~~For the purpose of~~**As used in** this subsection, ~~a~~
15 ~~month shall mean~~**"month" means** 30 consecutive days, and a partial
16 month shall be considered ~~as~~ a whole month.

17 Enacting section 1. This amendatory act takes effect 90 days
18 after the date it is enacted into law.