

HOUSE BILL NO. 5487

February 13, 2020, Introduced by Reps. Maddock, Berman, Markkanen, Crawford, Mueller, Brann and Yaroch and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending sections 226 and 805 (MCL 257.226 and 257.805), section 226 as amended by 2018 PA 342 and section 805 as amended by 2013 PA 82.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 226. (1) A vehicle registration issued by the secretary
2 of state expires on the owner's birthday, unless another expiration
3 date is provided for under this act or unless the registration is



1 for the following vehicles, in which case registration expires on
2 the last day of February:

3 (a) A commercial vehicle except for a commercial vehicle
4 issued a registration under the international registration plan or
5 a pickup truck or van owned by an individual.

6 (b) Except for a trailer or semitrailer issued a registration
7 under the international registration plan, a trailer or semitrailer
8 owned by a business, corporation, or person other than an
9 individual; or a pole trailer.

10 (2) The expiration date for a registration issued for a
11 motorcycle is the motorcycle owner's birthday.

12 (3) The expiration date for a registration bearing the letters
13 "SEN" or "REP" is February 1.

14 (4) In the case of a vehicle owned by a business, corporation,
15 or an owner other than an individual, the secretary of state may
16 assign or reassign the expiration date of the registration.

17 (5) The secretary of state shall do all of the following:

18 (a) After the October 1 immediately preceding the year
19 designated on the registration, issue a registration upon
20 application and payment of the proper fee for a commercial vehicle,
21 other than a pickup or van owned by an individual; or a trailer
22 owned by a business, corporation, or person other than an
23 individual.

24 (b) Beginning 60 days before the expiration date assigned on
25 an international registration plan registration plate, issue a
26 registration under section 801g upon application and payment of the
27 proper apportioned fee for a commercial vehicle engaged in
28 interstate commerce.

29 (c) Beginning 45 days before the owner's birthday **or, if the**



1 owner has requested the expiration date described in subsection
2 (13), 45 days before the expiration date, and 120 days before the
3 expiration date assigned by the secretary of state, issue a
4 registration for a vehicle other than those designated in
5 subsection (1)(a) or (b). However, if an owner whose registration
6 period begins 45 days before his or her birthday **or expiration date**
7 will be out of the state during the 45 days immediately preceding
8 expiration of a registration or for other good cause shown cannot
9 apply for a renewal registration within the 45-day period,
10 application for a renewal registration may be made not more than 6
11 months before expiration.

12 (6) Except as otherwise provided in this subsection **and**
13 **subsection (13)**, the secretary of state, upon application and
14 payment of the proper fee, shall issue a registration for a vehicle
15 or a motorcycle to a resident that ~~shall expire~~ **expires** on the
16 owner's birthday **or, if applicable, on the expiration date**
17 **described in subsection (13)**. If the owner's next birthday is at
18 least 6 months but not more than 12 months in the future, the owner
19 shall receive a registration valid until the owner's next birthday
20 **or, if applicable, on the expiration date described in subsection**
21 **(13)**. If the owner's next birthday is less than 6 months in the
22 future, the owner shall receive a registration valid until the
23 owner's birthday following the owner's next birthday **or, if**
24 **applicable, the expiration date described in subsection (13)**. The
25 tax required under this act for a registration described in this
26 subsection ~~shall~~ **must** be either of the following:

27 (a) For an original registration, the tax ~~shall~~ **must** bear the
28 same relationship to the tax required under section 801 for a 12-
29 month registration as the length of the registration bears to 12



1 months.

2 (b) For a renewal of a registration, either of the following:

3 (i) For a registration that is for at least 6 months but not
4 more than 12 months, the same amount as for 12 months.

5 (ii) For a renewal of a registration that is for more than 12
6 months, ~~2 times the amount for the tax must bear the same~~
7 **relationship to the tax required under section 801 for a 12-month**
8 **registration as the length of registration bears to 12 months.**

9 Partial months ~~shall~~**must** be considered as whole months in the
10 calculation of the required tax and in the determination of the
11 length of time between the application for a registration and the
12 owner's next birthday **or, if applicable, the expiration date**
13 **described in subsection (13)**. The tax required for that
14 registration ~~shall~~**must** be rounded off to whole dollars as provided
15 in section 801.

16 (7) A certificate of title ~~shall~~**must** remain valid until
17 canceled by the secretary of state for cause or upon a transfer of
18 an interest shown on the certificate of title.

19 (8) The secretary of state, upon request, shall issue special
20 registration for commercial vehicles, valid for 6 months after the
21 date of issue, if the full registration fee exceeds \$50.00, on the
22 payment of 1/2 the full registration fee and a service charge as
23 enumerated in section 802(1).

24 (9) The secretary of state may issue a special registration
25 for each of the following:

26 (a) A new vehicle purchased or leased outside of this state
27 and delivered in this state to the purchaser or lessee by the
28 manufacturer of that vehicle for removal to a place outside of this
29 state, if a certification is made that the vehicle will be



1 primarily used, stored, and registered outside of this state and
2 will not be returned to this state by the purchaser or lessee for
3 use or storage.

4 (b) A vehicle purchased or leased in this state and delivered
5 to the purchaser or lessee by a dealer or by the owner of the
6 vehicle for removal to a place outside of this state, if a
7 certification is made that the vehicle will be primarily used,
8 stored, and registered outside of this state and will not be
9 returned to this state by the purchaser or lessee for use or
10 storage.

11 (10) A special registration issued under subsection (9) is
12 valid for not more than 30 days after the date of issuance, and a
13 fee ~~shall~~**must** be collected for each special registration as
14 provided in section 802(3). The special registration may be in the
15 form determined by the secretary of state. If a dealer makes a
16 retail sale or lease of a vehicle to a purchaser or lessee who is
17 qualified and eligible to obtain a special registration, the dealer
18 shall apply for the special registration for the purchaser or
19 lessee. If a person other than a dealer sells or leases a vehicle
20 to a purchaser or lessee who is qualified and eligible to obtain a
21 special registration, the purchaser or lessee shall appear in
22 person, or by a person exercising the purchaser's or lessee's power
23 of attorney, at an office of the secretary of state and furnish a
24 certification that the person is the bona fide purchaser or lessee
25 or that the person has granted the power of attorney, together with
26 other forms required for the issuance of the special registration
27 and provide the secretary of state with proof that the vehicle is
28 covered by a ~~Michigan no-fault~~**an automobile** insurance policy
29 issued under section 3101 of the insurance code of 1956, 1956 PA



1 218, MCL 500.3101, or proof that the vehicle is covered by a policy
2 of insurance issued by an insurer under section 3163 of the
3 insurance code of 1956, 1956 PA 218, MCL 500.3163. The
4 certification required in this subsection ~~shall~~**must** contain all of
5 the following:

6 (a) The address of the purchaser or lessee.

7 (b) A statement that the vehicle is purchased or leased for
8 registration outside of this state.

9 (c) A statement that the vehicle ~~shall~~**will** be primarily used,
10 stored, and registered outside of this state.

11 (d) The name of the jurisdiction ~~in which~~**where** the vehicle is
12 to be registered.

13 (e) Other information requested by the secretary of state.

14 (11) In the case of a commercial vehicle, trailer, or
15 semitrailer issued a registration under the international
16 registration plan, the secretary of state in mutual agreement with
17 the owner may assign or reassign the expiration date of the
18 registration. However, the expiration date agreed to ~~shall~~**must** be
19 either March 31, June 30, September 30, or December 31 or beginning
20 on February 19, 2019, the last day of a calendar month. Renewals
21 expiring on or after June 30, 2020 ~~shall~~**must** be for a minimum of
22 ~~at least~~ 12 months if there is a change in the established
23 expiration date.

24 (12) The expiration date for a multiyear registration issued
25 for a leased vehicle ~~shall~~**must** be the date the lease expires but
26 ~~shall~~**must** not be for a period longer than ~~24~~**36** months.

27 **(13) In the case of a vehicle owned by an individual, upon**
28 **request of that individual, a vehicle registration issued by the**
29 **secretary of state expires 2 or 3 years after the owner's birthday.**

1 Sec. 805. (1) An applicant for the issuance or renewal of a
2 motor vehicle registration or for a replacement registration tab or
3 sticker may submit a state park and state-operated public boating
4 access site passport fee to the secretary of state with the
5 application. Subject to subsection (7), the amount of the
6 recreation passport fee is as follows:

7 (a) Except as provided in subdivision (b) **or (c)**, \$10.00.

8 **(b) For an individual who obtains a 2-year or 3-year vehicle**
9 **registration under section 226(13), \$20.00 or \$30.00, respectively.**

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

11 (2) In addition to the requirements of section 217, an
12 application for a motor vehicle registration ~~shall~~**must** contain at
13 least the following information, in substantially the following
14 format and language, except that the amount of the recreation
15 passport fee specified ~~shall~~**must** be **\$20.00 for a vehicle**
16 **registered for 2 years or \$30.00 for a vehicle registered for 3**
17 **years under section 226(13) and \$5.00 for a motorcycle:**

18 \$[Amount] - Annual vehicle registration or renewal.

19 \$10.00 - Annual authorization to use this vehicle for
20 unlimited entry into all Michigan state parks
21 and recreation areas and DNR-operated state
22 boating access sites. (Check one of the
23 boxes below.)

24 _____ I elect to pay this \$10.00 fee.

25 _____ I elect not to pay this \$10.00 fee.

26 This vehicle will not be used to enter the
27 facilities described above.

28 \$ _____ - Total amount due.

29 (3) The secretary of state may revise the format and language



1 of an application for motor vehicle registration to reflect the
2 fact that, under sections 74116 and 78119 of the natural resources
3 and environmental protection act, 1994 PA 451, MCL 324.74116 and
4 324.78119, payment of the recreation passport fee authorizes entry
5 into all state parks and recreation areas and designated state-
6 operated public boating access sites until expiration of the motor
7 vehicle registration.

8 (4) If the applicant applies by mail and, in addition to the
9 registration fee, the applicant pays an amount equal to the
10 recreation passport fee, the applicant shall be considered to have
11 elected to pay the recreation passport fee regardless of whether
12 such an election is indicated on the application.

13 (5) Subsections (1) and (2) do not apply to any of the
14 following:

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

17 (b) The issuance or renewal of a motor vehicle registration
18 described in section 803e(1) and exempt under section 803e(6) from
19 the registration tax or the issuance or renewal of a motor vehicle
20 registration described in section 217d or 803f.

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

26 (7) For each calendar year, the state treasurer shall adjust
27 the amounts set forth in subsection (1) by an amount determined by
28 the state treasurer to reflect the cumulative percentage change in
29 the ~~consumer price index~~ **Consumer Price Index** from October 1, 2010



1 to the October 1 immediately preceding that calendar year, using
2 the most recent data available and rounded to the nearest dollar.

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

7 (9) If the secretary of state issues a registration tab or
8 sticker for a registration plate or personalized registration plate
9 under section 224 or 803b for a motor vehicle ~~for which~~**that had** a
10 recreation passport fee ~~has been~~ paid under this section, the tab
11 or sticker ~~shall~~**must** be marked in a distinctive manner determined
12 by the secretary of state after consultation with the director of
13 the department of natural resources and the department of state
14 police. Before discontinuing the issuance of a registration tab or
15 sticker, the secretary of state shall consult with the director of
16 the department of natural resources and establish an alternative
17 method or procedure ~~by which~~ the department of natural resources
18 can **use to** determine whether a recreation passport fee has been
19 paid for a motor vehicle.

20 (10) Whether or not an individual paid or indicated that he or
21 she elected to pay or not to pay a recreation passport fee under
22 this section is personal information for purposes of section 40b.

23 (11) As used in this section:

24 (a) "Consumer ~~price index~~**Price Index**" means the most
25 comprehensive index of consumer prices available for this state
26 from the ~~bureau of labor statistics~~**Bureau of Labor Statistics** of
27 the United States ~~department~~**Department** of ~~labor~~**Labor**.

28 (b) "Motor vehicle" does not include a commercial motor
29 vehicle.



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

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

