

HOUSE BILL NO. 4977

June 09, 2021, Introduced by Reps. Markkanen, Cambensy, Whitsett and LaFave and referred to the Committee on Transportation.

A bill to amend 1960 PA 124, entitled
"An act to create the Michigan highway reciprocity board; to
prescribe its powers and duties; and to repeal certain acts and
parts of acts,"
by amending the title and sections 1 and 3 (MCL 3.161 and 3.163).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 TITLE
2 An act to create the Michigan highway reciprocity board; to
3 prescribe its powers and duties; **to provide for the powers and**
4 **duties of certain state and local governmental officers and**

1 **entities; to allow certain reciprocal compacts, agreements, and**
2 **arrangements;** and to repeal certain acts and parts of acts.

3 Sec. 1. When used in this act:

4 (a) "Person" means any individual, firm, partnership,
5 association, and corporation.

6 (b) "Jurisdiction" means, **except as otherwise provided in this**
7 **subdivision,** other states of the United States, the District of
8 Columbia, territories and possessions of the United States, foreign
9 countries, or political subdivisions of foreign countries. **For**
10 **purposes of a fuel tax reciprocity agreement, jurisdiction includes**
11 **only those states of the United States that are members of the**
12 **international fuel tax agreement.**

13 (c) "Properly registered" as applied to place of registration
14 or licensing means the jurisdiction in which the board acting under
15 section 5 determines a vehicle must be registered or licensed in
16 order to be granted the privileges and benefits of this act when
17 operating in this state.

18 (d) "Board" means the ~~Michigan highway reciprocity~~
19 ~~board.~~ **department of state or, with respect to a qualified fuel tax**
20 **reciprocity agreement, the department of treasury.**

21 (e) "Fuel tax reciprocity agreement" means a compact,
22 agreement, or arrangement that, in exchange for reciprocal
23 treatment for a motor carrier, or a class or category of motor
24 carrier, from this state in another jurisdiction, allows a motor
25 carrier, or a class or category of motor carrier, from the other
26 jurisdiction to operate or cause to be operated a qualified
27 commercial motor vehicle on a public highway in this state without
28 doing any of the following:

29 (i) Carrying, obtaining, or displaying a license, decal,

1 permit, or other credentials otherwise required by the
2 international fuel tax agreement or the motor carrier fuel tax act,
3 1980 PA 119, MCL 207.211 to 207.234.

4 (ii) Paying, reporting, or filing returns for, taxes imposed by
5 or subject to the international fuel tax agreement, the motor
6 carrier fuel tax act, 1980 PA 119, MCL 207.211 to 207.234, or
7 section 5 of the streamlined sales and use tax revenue equalization
8 act, 2004 PA 175, MCL 205.175.

9 (f) "International fuel tax agreement" means the agreement
10 described in section 2a of the motor carrier fuel tax act, 1980 PA
11 119, MCL 207.212a.

12 (g) Motor carrier" means that term as defined in section
13 1(g) (i) of the motor carrier fuel tax act, 1980 PA 119, MCL 207.211.

14 (h) "Qualified commercial motor vehicle" means that term as
15 defined in section 1 of the motor carrier fuel tax act, 1980 PA
16 119, MCL 207.211.

17 (i) "Qualified fuel tax reciprocity agreement" means a fuel
18 tax reciprocity agreement that provides reciprocal treatment only
19 for motor carriers carrying raw forest products within 30 air miles
20 of the border of this state.

21 (j) "Raw forest products" means logs, pilings, posts, poles,
22 cordwood products, wood chips, sawdust, pulpwood, intermediary
23 lumber, fuel wood, and Christmas trees, not altered by a
24 manufacturing process off the land, sawmill, or factory from which
25 they are taken.

26 Sec. 3. Notwithstanding any other provision of law to the
27 contrary, both of the following apply:

28 (a) Except as otherwise provided in subsection (b), the board
29 department of state may enter into ~~and make such reciprocal~~

1 compacts, agreements, or arrangements ~~as that~~ the ~~board deems~~
2 **department of state considers** proper or expedient and in the
3 interests of the people of this state, with the proper authorities
4 of other jurisdictions, either individually or with a group of
5 jurisdictions, concerning the fees, charges, taxation, operation,
6 and regulation of trucks, tractors, trailers, automobiles, buses,
7 and all other automotive equipment engaged in international,
8 interstate, or intrastate commerce ~~upon and over~~ **on** the public
9 highways.

10 (b) **Beginning on the effective date of the amendatory act that**
11 **added this subdivision, the department of treasury may enter into**
12 **qualified fuel tax reciprocity agreements that the department of**
13 **treasury considers proper or expedient and in the interests of the**
14 **people of this state, with the proper authorities of other**
15 **jurisdictions, either individually or with a group of**
16 **jurisdictions. The department of treasury has the sole authority to**
17 **enter into qualified fuel tax reciprocity agreements.**