

HOUSE BILL NO. 4678

June 25, 2025, Introduced by Reps. Aragona, Kelly, Liberati and Rigas and referred to Committee on Regulatory Reform.

A bill to amend 1964 PA 283, entitled
"Weights and measures act,"
(MCL 290.601 to 290.635) by adding section 28g.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 28g. (1) The sale of motor fuel by a qualified equipment
2 renter to a person that rents the qualified rental equipment at a
3 qualified equipment rental location for the purpose of filling or
4 refilling a motor fuel storage tank that is part of the qualified
5 rental equipment may be conducted by 1 of the following methods:
6 (a) A flat rate or surcharge amount stated clearly in a rental

1 contract.

2 (b) A per-gallon fee amount stated clearly in a rental
3 contract with the amount of the motor fuel sold measured by a
4 qualified dispenser.

5 (2) A qualified dispenser must be used in compliance with any
6 applicable regulations of the United States Department of Labor,
7 Occupational Safety and Health Administration and the United States
8 Department of Labor.

9 (3) As used in this section:

10 (a) "Gallon" means that term as defined in section 3 of the
11 motor fuel tax act, 2000 PA 403, MCL 207.1003.

12 (b) "Motor fuel" means that term as defined in section 4 of
13 the motor fuel tax act, 2000 PA 403, MCL 207.1004.

14 (c) "Qualified dispenser" means a container for the storage
15 and transfer of motor fuel of 110 gallons or less that is
16 constructed from materials compatible with the type of motor fuel
17 stored in the container, that complies with any applicable
18 standards of the United States Department of Transportation, and
19 that includes all of the following components:

20 (i) A dispensing hose and nozzle.

21 (ii) A venting system.

22 (iii) A gauge for measuring the amount of fuel in the container
23 with a level of precision of not less than 1/8 of an inch.

24 (iv) A volumetric flow meter that satisfies all of the
25 following requirements:

26 (A) Is installed in compliance with the requirements of the
27 manufacturer of the volumetric flow meter.

28 (B) Is capable of displaying the amount of motor fuel
29 dispensed to the nearest 0.1 gallon or less.

1 (C) Is certified by the manufacturer of the volumetric flow
2 meter to have an accuracy of plus or minus 1.0% or less.

3 (d) "Qualified equipment rental location" means a physical
4 location of a qualified equipment renter in this state with a tax
5 parcel identification number under the general property tax act,
6 1893 PA 206, MCL 211.1 to 211.155, that sells less than 3,000
7 gallons of motor fuel to persons renting qualified rental equipment
8 from the qualified equipment rental location in a calendar year.

9 (e) "Qualified equipment renter" means a person that satisfies
10 both of the following:

11 (i) Is engaged in this state in a line of business described in
12 Code 532310 or 532412 of the North American Industry Classification
13 System published by the United States Census Bureau, 2022 edition.

14 (ii) Receives more than 25% of its annual gross receipts from
15 the rental of qualified equipment to the public.

16 (f) "Qualified rental equipment" means equipment that is
17 powered by motor fuel, is mobile, and is rented to customers by a
18 qualified renter. For purposes of this subdivision, equipment is
19 mobile if the equipment is not intended to be permanently affixed
20 to real property for its intended use and can be moved to different
21 locations. Qualified rental equipment includes, but is not limited
22 to, any of the following:

23 (i) A self-propelled vehicle that is not designed to be driven
24 on the highway.

25 (ii) Electrical generation equipment.

26 (iii) Lifting equipment.

27 (iv) Material handling equipment.

28 (v) Portable heating, ventilation, and air conditioning
29 equipment.

1 (vi) Industrial compressors, generators, or pumps.

2 (vii) Equipment used in shoring, shielding, and ground
3 trenching.

4 (viii) Equipment or vehicles not subject to titling under the
5 Michigan vehicle code, 1949 PA 300, MCL 257.1 to 257.923.

6 (g) "Rent" or "rental" means entering into an agreement for
7 the use of property in exchange for consideration for a term of
8 less than 365 consecutive days, or under an open-ended contract.

9 Enacting section 1. This amendatory act does not take effect
10 unless House Bill No. 4679 (request no. H02412'25) of the 103rd
11 Legislature is enacted into law.