

Act No. 82
Public Acts of 2013
Approved by the Governor
June 27, 2013
Filed with the Secretary of State
June 28, 2013
EFFECTIVE DATE: May 1, 2014

**STATE OF MICHIGAN
97TH LEGISLATURE
REGULAR SESSION OF 2013**

Introduced by Rep. Foster

ENROLLED HOUSE BILL No. 4439

AN ACT to amend 1949 PA 300, entitled "An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of owners and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date," by amending section 805 (MCL 257.805), as added by 2010 PA 35.

The People of the State of Michigan enact:

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

- (a) Except as provided in subdivision (b), \$10.00.
- (b) For a motorcycle, \$5.00.

(2) In addition to the requirements of section 217, an application for a motor vehicle registration shall contain at least the following information, in substantially the following format and language, except that the amount of the recreation passport fee specified shall be \$5.00 for a motorcycle:

§[Amount] – Annual vehicle registration or renewal.

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

I elect to pay this \$10.00 fee.

I elect not to pay this \$10.00 fee. This vehicle will not be used to enter the facilities described above.

\$ _____ – Total amount due.

(3) The secretary of state may revise the format and language of an application for motor vehicle registration to reflect the fact that, under sections 74116 and 78119 of the natural resources and environmental protection act, 1994 PA 451, MCL 324.74116 and 324.78119, payment of the recreation passport fee authorizes entry into all state parks and recreation areas and designated state-operated public boating access sites until expiration of the motor vehicle registration.

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

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

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

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

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

(7) For each calendar year, the state treasurer shall adjust the amounts set forth in subsection (1) by an amount determined by the state treasurer to reflect the cumulative percentage change in the consumer price index from October 1, 2010 to the October 1 immediately preceding that calendar year, using the most recent data available and rounded to the nearest dollar.

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

(9) If the secretary of state issues a registration tab or sticker for a registration plate or personalized registration plate under section 224 or 803b for a motor vehicle for which a recreation passport fee has been paid under this section, the tab or sticker shall be marked in a distinctive manner determined by the secretary of state after consultation with the director of the department of natural resources and the department of state police. Before discontinuing the issuance of a registration tab or sticker, the secretary of state shall consult with the director of the department of natural resources and establish an alternative method or procedure by which the department of natural resources can determine whether a recreation passport fee has been paid for a motor vehicle.

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

(11) As used in this section:

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

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

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

Enacting section 1. This amendatory act takes effect May 1, 2014.

Enacting section 2. This amendatory act does not take effect unless House Bill No. 4297 of the 97th Legislature is enacted into law.



Clerk of the House of Representatives



Secretary of the Senate

Approved

Governor