

SUBSTITUTE FOR
SENATE BILL NO. 1258

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 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~~ **SHALL** submit a ~~state park and state operated public~~
4 ~~boating access site~~ **RECREATION** passport fee to the secretary of
5 state with the application **UNLESS THE APPLICANT ELECTS ON THE**
6 **APPLICATION NOT TO PAY THE FEE**. Subject to subsection ~~(7)~~, **(8)**, the
7 amount of the recreation passport fee is as follows:
8 (a) Except as provided in subdivision (b), \$10.00.
9 (b) For a motorcycle, \$5.00.
10 (2) In addition to the requirements of section 217, an

1 application for a motor vehicle registration shall contain at least
 2 the following information, in substantially the following format
 3 and language, except that the amount of the recreation passport fee
 4 specified shall be \$5.00 for a motorcycle:

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

6 \$10.00 - Annual authorization to use this vehicle for
 7 unlimited entry into all Michigan state parks
 8 and recreation areas and DNR-operated state
 9 boating access sites. ~~(Check one of the~~
 10 ~~boxes~~ **(IF APPLICABLE, CHECK THE BOX below.)**

11 I elect to pay this \$10.00 fee.

12 I elect not to pay this \$10.00 fee.

13 This vehicle will not be used to enter the
 14 facilities described above.

15 \$_____ - Total amount due.

16 **(3) THE SECRETARY OF STATE SHALL REVISE THE FORMAT AND**
 17 **LANGUAGE OF AN APPLICATION FOR MOTOR VEHICLE REGISTRATION TO ALLOW**
 18 **THE APPLICANT TO PERMANENTLY WAIVE THE OPTION NOT TO PAY THE**
 19 **RECREATION PASSPORT FEE AND TO INFORM THE APPLICANT THAT FUTURE**
 20 **RECREATION PASSPORT FEES ARE SUBJECT TO ADJUSTMENT, UNDER**
 21 **SUBSECTION (8). IF THE WAIVER IS EXERCISED, THE SECRETARY OF STATE**
 22 **SHALL REVISE THE FORMAT AND LANGUAGE OF SUBSEQUENT APPLICATIONS FOR**
 23 **THAT APPLICANT TO REFLECT THE EXERCISE OF THE WAIVER.**

24 **(4)** ~~(3)~~The secretary of state may revise the format and
 25 language of an application for motor vehicle registration to
 26 reflect the fact that, under sections 74116 and 78119 of the
 27 natural resources and environmental protection act, 1994 PA 451,

1 MCL 324.74116 and 324.78119, payment of the recreation passport fee
 2 authorizes entry into all state parks and recreation areas and
 3 designated state-operated public boating access sites until
 4 expiration of the motor vehicle registration.

5 (5) ~~(4)~~—If the applicant applies by mail and, in addition to
 6 the registration fee, the applicant pays an amount equal to the
 7 recreation passport fee, the applicant ~~shall be~~ **IS** considered to
 8 have elected to pay the recreation passport fee regardless of
 9 whether ~~such an election is indicated~~ **THE ELECTOR INDICATED**
 10 **OTHERWISE** on the application.

11 (6) ~~(5)~~—Subsections (1) and (2) do not apply to any of the
 12 following:

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

15 (b) The issuance or renewal of ~~a~~ **ANY OF THE FOLLOWING** motor
 16 vehicle **REGISTRATIONS:**

17 (i) **A** registration described in section 803e(1) and exempt
 18 under section 803e(6) from the registration tax. ~~or the issuance or~~
 19 ~~renewal of a motor vehicle~~

20 (ii) **A** registration described in section 217d or 803f.

21 (7) ~~(6)~~—The secretary of state shall, at least monthly,
 22 transfer the revenue from recreation passport fees to the
 23 department of natural resources ~~and environment~~ for deposit as
 24 provided in section 2045 of the natural resources and environmental
 25 protection act, 1994 PA 451, MCL 324.2045.

26 (8) ~~(7)~~—For each calendar year, the state treasurer shall
 27 adjust the amounts set forth in subsection (1) by an amount

1 determined by the state treasurer to reflect the cumulative
2 percentage change in the ~~consumer price index~~ **CONSUMER PRICE INDEX**
3 from October 1, 2010 to the October 1 immediately preceding that
4 calendar year, using the most recent data available and rounded to
5 the nearest dollar.

6 (9) ~~(8)~~—The legislature shall annually review the amount of
7 revenue raised by the recreation passport fee to ensure that the
8 amount is appropriate for the purposes for which the recreation
9 passport fee is assessed and in compliance with law.

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

23 (11) ~~(10)~~—Whether or not an individual ~~paid or~~ indicated that
24 he or she elected ~~to pay or~~ not to pay a recreation passport fee
25 under this section is personal information for purposes of section
26 40b.

27 (12) ~~(11)~~—As used in this section:

1 (a) "~~Consumer price index~~" **PRICE INDEX**" means the most
2 comprehensive index of consumer prices available for this state
3 from the ~~bureau of labor statistics~~ **BUREAU OF LABOR STATISTICS** of
4 the United States ~~department of labor~~ **DEPARTMENT OF LABOR, OR**
5 **SUCCESSOR AGENCY.**

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

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

11 Enacting section 1. This amendatory act takes effect February
12 19, 2019.

13 Enacting section 2. This amendatory act does not take effect
14 unless Senate Bill No. 1259 of the 99th Legislature is enacted into
15 law.