

## Motorist-related Bills in the 98<sup>th</sup> Michigan Legislature – 2015–2016

A service of the National Motorists Association, Michigan Chapter. As of Oct. 21, 2015.  
Includes bills related to the Vehicle Code, driver regulation and courts, vehicle taxation and road finance.

*Passed* means passed house of origin. *Enrolled* or *presented* means passed both houses.  
*P.A. Number* \_\_ means signed into law.

### Senate

- 10,11 TRADE-IN TAX (Hildenbrand) Accelerate phase-in of tax exemption for sales tax on value of vehicle trade-ins; increase exempt amount to \$5,000 in 2015, and increase by \$1,000/year until 2024 (up from \$500/year). Compare SB 317; HBs 4149, 4150, 4410.
- 42 COMMERCIAL VEHICLE RULES, LEARNER’S PERMIT; SOBRIETY TESTS; PERSONALIZED PLATES (Casperson) Amend definition of *commercial motor vehicle* for combinations. Make definition depend on actual gross vehicle weight, not GVW rating, including towed units. Exclude empty transported tanks from definition of *tank vehicle*. Create commercial learner’s permit; set standards for instructors; fix requirements and restrictions. Revise requirements for training for vehicle-group designations. Establish reciprocity.  
Incorporate SB 207: Replace “preliminary roadside analysis” with “preliminary chemical breath analysis.” (Restore admissibility of roadside field sobriety tests, correcting unintended consequence of P.A.315 of 2014).  
Abolish censorship of personalized plates for “good taste and decency.” Compare SB 386. P.A.11 of 2015.
- 105 MOVABLE BRIDGES, WETLANDS (Green) Award more road funds to MDOT and 10 cities with drawbridges. Devote \$5,000,000/year to creation of artificial swamps by local governments. S-1 reported.
- 153 IMPLIED CONSENT, URINE TESTS (Schmidt+4) Allow blood or urine samples to be collected from drivers suspected of causing severe-injury crashes, but not arrested. Allow urine to be collected from injured drivers at hospitals following crashes. S-4 passed.
- 157 CORE SALES TAX (Hertel) Exempts value of auto-parts cores from sales tax. Also HBs 4269&4372.
- 168 REDUCE TRUCK WEIGHT (Bieda, Rocca) Limit gross vehicle weight to 80,000 lbs. Also HB 4257. Compare HB 4586.
- 174–176 IGNITION INTERLOCKS (Schuitmaker) Regulate businesses installing ignition interlocks in cars of convicted drunk drivers. Fix standards for blood-alcohol detection devices; include cameras, revise test procedure. Tighten restrictions on restricted licenses.
- 183 SCHOOL-BUS CAMERAS (Jones, Hansen) Allow automated enforcement cameras to be installed on school buses by counties, cities, villages, or townships. Admit photos as evidence of passing stopped school buses without investigation by prosecutor.
- 184 NETWORK CARS, LIMITED LOCAL REGULATION (Jones, Zorn, Kowall) MDOT to regulate “transportation network company vehicles” (Uber-style services) under Limousine Transportation Act except where regulated locally by the City of Detroit, airport authorities, or jointly by several local units (as in Lansing–East Lansing, but not single units). Define *network vehicle* as a car logged into a ride-sharing network; exclude network cars from definition of *limousine*. Fix insurance and other standards. Authorize fee of \$300 plus \$50/car, require annual inspections and \$5/car/year renewal. Restore Detroit’s authority to regulate limos, and add network cars. Change definition of

- Class "B" limousine* from 7 to 9 seats, including the driver. Compare SBs 77&188, HBs 4032, 4637–4641. S-5 reported.
- 188 NETWORK CARS, M.D.O.T. REGULATION (Zorn, Jones) MDOT to regulate “transportation network company vehicles” (Uber-style services) statewide under Limousine Transportation Act. Prohibit local regulation. Fix insurance and other standards for drivers and cars; require annual report by firm. Keep users’ records secure. Define *taxi* as a metered or flat-fare car for hire. Prohibit street hailing or use of cab stands by network cars. Exclude *ridesharing arrangements*: nonprofit carpools to or from work only, arranged over a network. Similar to HB 4032 (SOS regulation). Compare HB 184 and 77 (limousines); HBs 4032, 4637–4641. S-5 reported.
- 196 SCRAP TITLES (Casperson+6) Enable disposal of salvaged vehicles by towing companies when the title is not surrendered by a lienholder. P.A.48 or 2015.
- 207 ROADSIDE SOBRIETY TESTS (Schuitmaker, Jones) Replace “preliminary roadside analysis” with “preliminary chemical breath analysis.” (May restore admissibility of roadside field sobriety tests). Enacted in SB 42. Enacted in SB 42.
- 232 TRADE-IN TAX (Robertson) Allow vehicles purchased in other states to qualify for sales tax reduced by the value of the trade-in (phasing in over 14 years). Also SB 233 (use tax). Reported.
- 248,249 INSURANCE; REPLACE M.C.C.A. (Hune) Revise no-fault insurance law. Authorize Legacy Claims Association to supplant MCCA for injury claims over \$545,000, to be a public agency with a board appointed by the Governor subject to open-meetings and freedom-of-information law. Regulate LCA premiums. Require \$100/car premium reduction for 2 years. Create Insurance Fraud Authority. Require payments to health-care providers to be at 150% of Medicare rates, subject to challenge by claimants and review. Pay family members \$15/hour for attendant care. No co-pay or cap on benefits. Bill is immune from referendum. Compare SB 288, HB 4946. H-3 reported.
- 268 ELIOS DIRECT to YOU (Booher) Amend dealer-franchise law to allow manufacturers of autocycles (3-wheeled vehicles such as the Elio) to operate dealerships.
- 274 SADDLE-MOUNT COMBINATIONS, AUTO CARRIERS (Jones+3) Increase normal length maximum of 1-tow-bar or 3-saddle-mount combinations (delivery of new truck chassis) from 75 to 97 feet. Allow auto carriers or lowboys carrying stacked truck chassis to have an overall length of 79 feet, including loads that extend 4 feet behind the rear of the trailer. S-2 passed.
- 288 LOW-COST “D-Insurance” AUTO POLICIES (Smith, Hune) Allow City of Detroit or any city with 35 per cent uninsured operation to contract for low-cost auto-insurance policies, with \$50,000 P.I.P. for policy owner only, \$250,000 catastrophic coverage, and no MCCA unlimited coverage, for cars valued below \$20,000 and drivers over 21 with a good record. Compare SBs 248&249. S-2 reported.
- 313 P.I.P. BENEFITS (Knollenberg) Require provider to accept amount customarily reimbursed. Require health insurance to cover automobile-accident injuries, including secondary coverage.
- 317 TRADE-IN SALES TAX (Robertson) Eliminate 9-year phase-in of exemption of value of car and boat trade-ins from sales tax; give full exemption beginning in Fiscal 2016. Slightly reduce CTF. Compare SBs 10, 11; HBs 4149, 4150, 4410.
- 325 POLICE BODY CAMERAS (Young) Require use of video cameras by police; regulate use of recordings.
- 341 NATURAL GAS (Shirkey) Apply motor fuel tax to natural gas (CNG and LNG) and other gaseous fuels. Define gasoline and Diesel-gallon equivalents; set tax rate at gasoline gallon equivalent (GGE) for CNG and hydrogen, and Diesel gallon equivalent (DGE) for LNG. Provide for collection from fleet users and home compressors. Compare HB 4614&4615.
- 342 ELECTRIC and HYBRID CARS (Shirkey) Surtax registration of electric cars or plug-in hybrids by \$75/year, or \$200 for electric trucks over 8,000 lbs. Surtax hybrid-drive cars by \$25/year, and hybrid-drive trucks over 8,000 lbs. by \$100. No other changes to Sec. 801. Compare HB 4612.
- 347 REGULATE INSURANCE, GROUP POLICIES (Young) Various auto-insurance amendments. Prohibit kickbacks for steering repair business. Provide for group auto insurance under a uniform

- policy to groups of 25 or more. Regulate rates for nondiscrimination, adequate return, and excess profits. Require uniform territories based on traffic patterns of not less than one county. Require 20% reduction from 2014 rates. Require reports and data collection. Prohibit joint ratemaking.
- 386 CONVICTION RECORDS (Casperson) Allow courts to resume taking traffic offenses “under advisement,” and report no conviction to the Secretary of State (if drivers maintain clean records for some period), for other than commercial drivers. (May require amendment so as not to trigger federal-aid penalty under CMVS Act of 1986; see SB 42, P.A.11 of 2015.)
- 412, 413 M.C.C.A. ASSESSMENT (Knollenberg+1) Require Michigan Catastrophic Claims Association assessment (\$150/car/year as of July 1, 2015) to be collected by Sec. of State with registration renewal. (End pro-ration for vehicles withdrawn seasonally from service. Preserve 80% historic-vehicle reduction.)
- 414 INCOME TAX for ROADS (Schmidt) In FY 2017, appropriate \$350,000,000 in income-tax revenue to state and local roads in Fiscal 2017, and \$700,000,000 in Fiscal 2018 and thereafter. Express intent of the legislature to cut General Fund expenditures to offset the roads appropriation beginning in FY 2017.  
Beginning in the 2018 tax year, reduce the income-tax rate from 4.25% if General Fund revenues increase faster than Detroit CPI. Tie-barred to HBs 4612,13,14,15, and 4616. Compare HB 4605. S-1 passed.
- 415 ROAD and BRIDGE FUND (Hansen) Create new Road and Bridge Fund to receive funds from any source. Divide funds 39.1–39.1–21.8 for state highways, county roads, and city streets (none to transit). (No revenue source specified.) Compare HB 4613 (S-3).
- 421, 422 EMERGENCY VEHICLES (Hertel, Jones) Sentencing guidelines for failure to yield or stop for emergency vehicles (up to 2 or 15 years for causing injury or death). Convert to misdemeanor or felony. Passed.
- 430 REPAIR STEERING (Hune) Prohibit insurers from requiring use of particular repair shops or methods for collision claims. Compare SB 443.
- 434 ROADSIDE DRUG TESTING (Casperson) Create pilot program for roadside preliminary saliva tests for presence of drugs, in 3 counties for 1 year. Reported.
- 435 BILLBOARD LOCATIONS (Hildenbrand+1) Allow billboards to be located in a business area created by special-use permits (not only by industrial or commercial zoning).
- 443 REPAIR STEERING (Zorn) Prohibit insurers from requiring use of particular repair shops, parts, or methods for collision claims; impose standards. Compare SB 430.
- 445 NO SANCTUARY (Kowall+6) Require local police to communicate with immigration authorities when they arrest a person they have cause to believe is in this country illegally; withhold revenue sharing for failure to comply.
- 454 MINOR RESCUE (Hertel) Provide immunity for persons who break into cars to rescue unattended children, after contacting police. Compare SB 566.
- 486 SCHOOL-BUS FINES (Hertel) Increase fines for violation of school-bus laws from \$100 to \$250, and \$500 to \$1,000 for second violations; allow license suspension.
- 496 MOTORCYCLE ENDORSEMENT (Jones+3) Make riding without motorcycle endorsement a misdemeanor, \$500 or 90 days, second offense \$1,000 or 1 year.
- 501 FOREIGN LICENSES (Stamas+3) Grant reciprocity to all other countries’ driver licenses; abolish requirements for Secretary of State to evaluate foreign licensing standards, exchange agreements, and publish list. Require foreign drivers (including Canada?) to possess passports or valid visas, but not other “trusted traveler” documents.
- 515 STORED CARS; LATE FEE (Robertson) Waive \$10 “late fee” (for General Fund) for vehicles in storage and seasonally uninsured when registration is due, if owner presents proof that comprehensive insurance is in force, in person at a Secretary of State office. (Prevents charging late fee to owners whose birthdays fall when cars are stored out of use.) Same as HB 4634.
- 527 MOTORCYCLE HELMETS (Warren) Require helmet use.

- 541 ORGAN DONATION (Proos) Require Secretary of State to inquire if drivers wish to be organ donors.
- 548 DRIVER LICENSE ADDRESS (Warren) Allow address on driver license to be different from address in qualified voter file.
- 566 CHILD RESCUE (Knollenberg) Provide immunity for persons who break into locked cars in good-faith efforts to rescue children or animals. Compare SB 454.

## House

- 4042 REGISTER BUGGIES (J. Johnson) Allow counties to register and tax horse-drawn vehicles, \$50 one-time tax dedicated to roads.
- 4067 GRAVEL-ROAD SPEED LIMITS (Webber) Allow a majority (instead of unanimous) vote of the State Police, county road agency, and township board to post “reasonable and safe” speed limits on county gravel roads; allow township boards to opt out of process.
- 4116 INSURANCE OVERCHARGES (Tinsley-Talabi) Provides reimbursement process of premium overcharges.
- 4117 INSURANCE RATES (Tinsley-Talabi) Prohibits auto insurance rates based on credit rating.
- 4127 INSURANCE RATES (Gay-Dagnogo+20) Prohibits auto insurance rates based on credit rating.
- 4128 FREE LICENSE (Banks) Waive driver-license fee for persons receiving homeless benefits.
- 4142 “MISLOAD” OVERWEIGHT FINES (Goike+8) Amend fine schedule for trucks with excessive axle weights but within legal gross vehicle weight. Disallow discretion by court for \$200/axle fine for 1,000–4,000 lbs. on up to 3 axles. Impose fine of \$400/axle for 4,000–8,000 lbs., or normal fine for each axle 8,000 lbs. overweight, or \$1,000 for more than 1,000 lbs. on up to 3 axles for permitted loads.
- 4149, 4150 TRADE-IN TAX (Webber+6) Accelerate tax exemption for sales tax on value of vehicle trade-ins; increase exempt amount to \$5,000 in Calendar 2015, and increase by \$1,000/year until 2024 (up from \$500/year). Also HB 4410 and SBs 10&11, 317.
- 4187 METAL THEFT (Durhal+29) Fix criminal penalties for theft of or damage to traffic-control devices, streetlights, or any other traffic-related devices (would include ticket cameras if legalized).
- 4193 ELECTRONIC PROOF of INSURANCE (Nesbitt+8) Allow proof of insurance to appear on electronic devices or be transmitted to police by e-mail; prohibit police from manipulating or searching portable devices. Compare HB 4971. P.A.135 of 2015.
- 4228 PEDAL BARS (Pettalia) Allow pedal-powered mobile beer bars on roads posted at up to 45 mph.
- 4233 POLICE CHASES (Neeley) Enable local-government policies on vehicle pursuits.
- 4236 HEADLIGHTS ON in RAIN (Darany) Require headlight use during precipitation.
- 4257 REDUCE TRUCK WEIGHT (Lane+12) Limit gross vehicle weight to 80,000 lbs. Also SB 168.
- 4258 POTHOLE DAMAGE (Lane+8) Prohibit insurers from basing premiums on claims for damage from potholes.
- 4269 CORE SALES TAX (Outman) Exempts value of auto-parts cores from sales tax. Also SB 257.
- 4277 GENERATOR TRAILERS (Outman) Add generators and conveyors to definition of *special mobile equipment* trailers not requiring registration.
- 4314 INJURIES on PRIVATE PROPERTY (Singh+3) Extend penalties for causing serious injury with a vehicle to operation on other than public roads (such as private roads, parking lots). Passed.
- 4317 WHOLESALE MOTOR FUEL TAX (Courser+1) Base motor fuel tax on gasoline and Diesel-fuel wholesale prices. Increase rate gradually over six years from 7.5% to 13.5% of wholesale price. (At 2015 prices, no immediate increase in per-gallon gasoline tax, Diesel tax rises to 19 cents. Tax increases over 6 years to 34 or more cents/gallon) No limit on maximum per-gallon rates, or rate of change. Credit increased revenues to roads only (not transit). Tie-barred to HB 4318 (remove sales tax from fuel on same gradual schedule). Same as HB 4336.

- 4318 EXEMPT MOTOR FUEL from SALES TAX (Courser+1) Remove sales tax from motor fuel, by 1 per cent per year over 6 years. Restore tax and reduce fuel tax to 19 cents/gallon if appropriations for schools and local governments fall. Same as HB 4335.
- 4335 EXEMPT MOTOR FUEL from SALES TAX (Glenn+12) Seems to be identical to HB 4318.
- 4336 WHOLESALE MOTOR FUEL TAX (Glenn) Seems to be identical to HB 4317.
- 4337 MOTOR CARRIER FUEL TAX (Glenn) Conforming amendment to HB 4317 or 4336. Sets Diesel-fuel tax rate in Motor Fuel Tax Act. Adds gasoline and “alternative fuel” (CNG and LNG) to the definition of truck fuel for taxation of truck fuel under IFTA.
- 4344 AUTO REPAIR REGULATION (Pettalia+5) Extensive revision of law regulating auto-repair shops. Create classes of repair shop and mechanic, including trainee, specialty, and master mechanic. Regulate contracts with customers, and certification, standards and practices of shops. Also HB 4343 (penalties). H-3 amended.
- 4356 MEDICAL MARIJUANA (Kesto) Amend sentencing guidelines for operating under the influence of marijuana to reflect medical marijuana use.
- 4357 MARIJUANA METABOLITES (Lucido) Allow up to 5 nanograms of THC per milliliter of operator’s blood for licensed medical marijuana users.
- 4372 CORE SALES TAX (Geiss) Exempt value of auto-parts cores or recycling fees from sales tax. Also HB 4269 & SB 257.
- 4386, 4387 M.C.C.A. (Yanez) make Catastrophic Claims Association subject to Open Meetings Act and Freedom of Information Act.
- 4406, 4407 JURY POOLS (Banks) Require Dept. of Treasury to deliver addresses of state taxpayers to jury pools (expand juries beyond driver-license holders).
- 4410 TRADE-IN TAX (Greimel+10) Accelerate tax exemption for sales tax on value of vehicle trade-ins; increase by \$1,000/year until 2024 (up from \$500/year). Similar to HBs 4149&4150 and SBs 10&11, 317.
- 4418 MAPLE SAP TRUCKS (Chatfield+12) Add maple sap to list of “agricultural commodities” allowed to be 10% over axle-weight limits for first movement from field to storage.

**SPEED-LIMIT REFORM PACKAGE (HBs 4423–4427)**

Increase default “general” speed limits:

- 80 rural freeways (trucks 70)
- 70 urban freeways
- 65 all other state trunklines
- 60 county roads
- 55 unpaved roads (45 in Oakland and Wayne Counties)

Allow only 2 methods for setting “modified” (other than general) speed limits: frequency of access points, or observed 85<sup>th</sup>-percentile speed (rounded, but never less than 75<sup>th</sup> percentile). Make methods uniform for all jurisdictions—state, county, city. (Invalidate unsupported city speed limits.) Make all speed limits absolute (abolish *prima facie* limits in cities).

Preserve “reasonable and proper” basic speed law.

Preserve unposted 25-mph subdivision limit; disallow 25-mph limit at edges of subdivisions.

Abolish truck and school-bus differential limits, except trucks have a limit of 70 mph on freeways.

Simplify school-zone hours. Simplify work-zone language.

Make local traffic ordinances (not just signs) conform to the MMUTCD, under penalty of loss of state aid. Hearing held.

- 4423 GENERAL and CITY-STREET SPEED LIMITS (Jacobsen) Amend Sec. 627, see above.

Increase general limits and amend table of driveway frequency for 5-mph increments.

- 4424 SCHOOL-ZONE SPEED LIMITS (Jacobsen) Amend Sec. 627a, see above. Delete confusing and superfluous language.

- 4425 DATA-DRIVEN SPEED LIMITS (Outman) Amend Sec. 628, see above. Establish method of setting “modified” limits by speed study only, on all roads.

- 4426 LICENSE POINTS, M.M.U.T.C.D. (Kivela) Reduce driver-license points for speeding convictions, remove reference to work zones. Require local units to obey MMUTCD.
- 4427 INSURANCE PREMIUMS (Smiley) Prohibit assessing insurance-eligibility points for speeding convictions of less than 6 mph over the limit (up from no minimum at present). Update references.
- 4436 RESTRICTED LICENSES (Lucido) Allow courts to grant restricted driving privileges following review of Secretary of State denial of licenses for drunk driving.
- 4439 FEE-TRANSFER SUNSET, TITLE TAX (Victory) Extend transfer of title fees from road funds to Secretary of State through FY 2020. Reduce road funds by \$28 million/year beginning in FY 2016. Extend \$1.50 title tax from start of FY 2016 through FY 2020, for Solid Waste Management Fund. H-1 enrolled.
- 4459 EMERGENCY CONTACT (Lucido) Allows machine-readable encoding of emergency-contact information on driver licenses, at driver's request. H-2 passed.
- 4499 NUISANCES (Glenn+38) Require plaintiffs to prove a nuisance (such as for stored inoperable cars?) by clear and convincing evidence. Part of package restricting forfeitures. S-1 passed.
- 4508 VEHICLE FORFEITURE (Irwin) Prohibit forfeiture of vehicle for possession of 1 ounce or less of marijuana. Part of package restricting forfeitures. S-1 passed.
- 4560 EXPROPRIATE M.C.C.A. (Lucido) Declare Michigan Catastrophic Claims Association funds to be "money of this state." Appropriate \$1,000,000,000 in MCCA interest to roads and transit in Fiscal 2015 only. Director of DIFS to appoint MCCA board.
- 4566 SALES TAX for TRANSIT (Potvin) Appropriate sales-tax revenue from gasoline only to transit agencies beginning in Fiscal 2015 (approximately \$130 million/year).
- 4577 SEASONAL C.D.Ls (Lauwers+23) Allow one renewal per year of seasonal restricted vehicle-group designations, regardless of whether license is expired. H-1 reported.
- 4586 TRUCK AXLE WEIGHT (Darany) Increase legal weight of any truck axle to 20,000 lbs. No other changes to axle-weight law. Limit gross combination weight to 120,000 lbs.
- 4600 DO NOT RESUSCITATE (Vaupel) Allow driver licenses to carry do-not-resuscitate and no-heroic-measures orders.
- 4601 INCREASE MOTOR FUEL TAX (Rutledge) Increase the per-gallon tax rates on gasoline and Diesel fuel to—
- |                |               |                                  |
|----------------|---------------|----------------------------------|
| Calendar 2016  | \$0.24/gallon | \$298 million additional revenue |
| 2017           | 0.29          | 561                              |
| 2018 and later | 0.34          | 822                              |
- 4605 INCOME TAX for ROADS (Pscholka+5) Appropriate a fraction of income-tax revenue to state, county, and city roads according to usual formula (not transit):
- |         |               |
|---------|---------------|
| FY 2016 | \$442 million |
| FY 2017 | 492           |
| FY 2018 | 617           |
| FY 2019 | 792           |
- In FY 2020 and thereafter, the \$792 million is changed in proportion to the national CPI, but never less than the previous year. Compare SB 132 (2016 budget). H-1 reported.
- 4606 SALES TAX for ROADS (Potvin+3) Beginning in 2016, appropriate the sales tax on motor fuels, if available, approximately \$130 million/year, from the General Fund to the 3-way roads formula (not transit). Compare HB 4566. H-1 passed.
- 4607 21<sup>st</sup>-CENTURY JOBS FUND for ROADS (Pettalia+5) Beginning in 2016, move \$75 million in tobacco-tax revenues from the 21<sup>st</sup>-Century Jobs Fund to the 3-way roads formula (not transit). Passed.
- 4608 MICHIGAN STRATEGIC FUND for ROADS (Chatfield+5) Beginning in FY 2016, move \$60,000,000 in Indian gaming revenues and other revenues to the 3-way roads formula (not transit). Passed.
- 4612 ELECTRIC-CAR TAX (Leutheuser, Inman) Apply registration surtax to electric cars, on top of price-based tax, beginning June 1, 2016:

Plug-in hybrid cars: \$30/year, rising with fuel tax to \$67.50 by 2017

Pure electric cars: \$100/year, rising with fuel tax to \$175 by 2017.

(No surtax on hybrid-drive gas-burning vehicles.)

*Compared with early editions of HB 4630 of 2014, this bill does **not**—*

*Increase any other registration taxes (cars, trucks, motorcycles, trailers, historic vehicles)*

*Increase heavy-truck tax*

*Repeal three 10% reductions for 2, 3, and 4-year-old cars*

*Immediately collect the difference on ad valorem plates transferred to costlier vehicles*

*Abolish discount registrations (farm, log, and milk trucks; dealers; charities; buses)*

*Increase fee for inspecting new or altered VINs*

*Remedy any of the flaws and inconsistencies in registration law.*

Tie-barred to HBs 4613,14,15,16 and SB 414.

Compare SB 342. S-2 passed Senate.

4615 MOTOR FUEL TAX, DIESEL FUEL TAX, NATURAL GAS TAX; LONG-LIVED PAVEMENT STUDY, HIGH-COST PROJECTS' FUND (VerHeulen+3)

Change motor fuel tax to—

Oct. 1, 2015 \$0.23/gallon gasoline, \$0.21 Diesel

Jan. 1, 2016 0.27

Jan. 1, 2017 0.34 (7 cents' worth restricted to projects with high-cost pavements)

Jan. 1, 2018 and thereafter, increases every Jan. 1 with CPI.

Jan. 1, 2033 0.19

Jan. 2, 2034 \$0.00

Beginning Jan. 1, 2018, increase motor fuel tax rate at the CPI or 5%, whichever is less, but never negative.

Yields about \$500 million/year additional for roads and transit in 2017, increasing at about 2% per year thereafter.

Yields \$371 million in 2017 and thereafter for a new "Lock Box Fund" to be appropriated by the legislature to projects with long-lived pavement raising all state highways above "poor" condition.

Define *alternative fuel*. Define *gallon equivalent* of CNG as gasoline-gallon equivalent (GGE); define gallon equivalent of LNG as Diesel-gallon equivalent (DGE). Apply fuel tax to CNG, LNG, and other new fuels, at Diesel-gallon equivalent rates, beginning Jan. 1, 2016.

Raise fine for road use of dyed Diesel fuel.

Require reports by a "50-year Roads Task Force," studying "higher-quality roads, lasting at least 50 years." Require a plan to improve all "state roads" to at least "good" condition, with no net deterioration below their average 2015 condition.

Create new "50-year Roads Lock Box Fund" to receive all motor fuel tax collected above 27 cents/gallon, except for CPI-based adjustments above 34 cents/gallon. The Fund may be expended by the legislature, for "specific higher-quality, longer life cycle road construction" projects, probably on state highways only.

*(Similar to HB 5477 of last session but without wholesale-price basis. Does not abolish 1.5% deduction of gasoline tax. Does not apply fuel tax to taxicabs.)* Tie-barred to HBs 4612,13,14,16 and SB 414. Compare SB 341. S-4 passed Senate.

4616, 4614 DIESEL FUEL TAX (McCready+3) Conform Motor Carrier Fuel Tax Act to HB 4615. Set Diesel-fuel-tax rate equal to gasoline in the Motor Fuel Tax Act. Effective Oct 1, 2015. Enrolled.

4619 DATA (Gamrat+3) Prohibit the state (but not local governments) from contracting with firms that do "bulk collection of electronic data" on residents without their consent. (Could apply to private license-plate-reader records?)

4628 PREMIUMS, POINTS (Lane) Prohibit insurance-premium surcharges based on traffic convictions after the resulting points are removed from the driver's license (2 years).

4634 STORED CARS; LATE FEE (Gardon+10) Waive \$10 "late fee" penalty for vehicles in storage and seasonally uninsured when renewal comes due, if owner presents paper proof that comprehensive

- insurance is in force, in person at a Secretary of State office, (Prevents charging late fee to owners whose birthdays fall when cars are stored out of use.) R5422. Same as SB 515.
- 4637–4641 NETWORK CARS (Kelly, Nesbitt+3) Exempt Uber-style cars from limousine regulation. Impose requirements for insurance, car inspection, background checks, nondiscrimination, and method of payment. Exempt from chauffeur’s license and definition of *commercial vehicle*. Allow airports to regulate access by network cars. Passed House.
- 4651 MOTORCYCLE INDORSEMENT (Plawecki) Increase fine for failure to have motorcycle indorsement to \$500. See HB 4905 (shift 25% of fine to Motorcycle Safety Fund).
- 4653 LICENSE PHOTO (Cole) Allow access to electronic driver-license photos of concealed-weapons-permit holders.
- 4672 NO SMOKING (Singh+6) Prohibit smoking in a car carrying persons under age 18, \$500 fine.
- 4684 HIGHWAY FUNDS (Schor) Shift approx. \$250,000,000/year from state highways to 533 villages and cities for 5 years. (Render state unable to match \$1 billion in federal aid.) Allow road fund to receive money from any source (such as sales or income tax), not just fuel and vehicle taxes.
- 4695 WATER TRUCKS (Sheppard) Exempt trucks hauling potable water from spring weight restrictions.
- 4698 SEX CHANGES (Banks+10) Provide for gender-identification change on driver licenses.
- 4735 CRASH NOTIFICATIONS (Brunner) Require police officers at fatal crashes to notify next of kin and insurance companies of victims.
- 4736 (H-2) REGISTRATION TAX INCREASE; ELECTRIC-CAR TAX (McCready+6)  
 Increase elected-GVW truck registration tax by 40%, beginning Oct. 1, 2016.  
 Increase *ad valorem* light-vehicle registration by 40%, beginning Oct. 1, 2016.  
 Apply \$30/year surtax to plug-in hybrid cars, \$100 for electric cars; \$100 and \$200 for plug-in hybrid and electric trucks. Increase the taxes by \$2.50 for plug-ins or \$5.00 for electrics for every 1-cent increase in the gasoline tax above 19 cents/gallon.  
 Makes **no** other changes to car or truck registration taxes. Yields \$353 million in new road and transit funds in 2017. H-2 passed.
- 4738 (H-1) INCREASE MOTOR FUEL TAX in 2019 (McCready+4) Beginning October 1, 2018, increase gasoline tax rate by 3.25 cents to 22.3 cents/gallon (actually 21.9655).  
 Increase tax on Diesel fuel:  

Oct. 1, 2017	19 cents
Oct. 1, 2018	22.3

 Increase road and transit funds by approximately \$37 million in FY 2018, and \$210 million/year beginning in FY 2019.  
 Beginning Jan. 1, 2022, increase motor fuel tax rate at the CPI or 5%, whichever is less, but never negative. Increase MTF by roughly \$23 million/year/year in 2022 and thereafter.  
 Apply fuel tax to CNG, LNG, and other new fuels, at Diesel-gallon equivalent rates, beginning Jan. 1, 2018.  
 Tie-barred to HBs 4370, 4614, 4616, 4736 and 4737. Compare HB 4615. H-1 passed.
- 4739 MOTOR CARRIER FUEL TAX (McCready+4) Make Diesel-fuel tax rate depend on the gasoline tax rate in the Motor Fuel Tax Act. Conform Motor Fuel Tax Act to HB 4738.
- 4741 SALES TAX on MOTOR FUEL (Lauwers +4) Exempt gasoline and Diesel fuel (but not other motor fuels) from the sales tax. Reduce pump prices by 15.3 and 14.8 cents/gallon, respectively, at June, 2015 prices.
- 4752 M.C.C.A. DISCLOSURE (D. Miller) Require Michigan Catastrophic Claims Association to disclose actuarial calculations.
- 4762 ODOMETER TAX (Kosowski) Require every car, truck, and motorcycle registrant to appear in person at Secretary of State’s office to pay \$50 for every 10,000 miles driven in the previous year, but not fractions thereof (\$0.0025 to \$0.005/mile); SOS to keep record of all odometer readings.
- 4780 CREDIT CARDS (Chirkun+15) Prohibit charging an additional fee for use of a credit card to purchase gasoline (not Diesel fuel). Does not prohibit posting higher credit price.



- 4785 VETERANS' TRANSFERS (Faris+6) Allow transfers of vehicles equipped for the handicapped between disabled veterans without \$8 plate-transfer fee.
- 4810 LEFT-LANE HOGS (Kosowski) Require drivers to move out of extreme left lane to allow faster vehicles to pass. (Does not require keeping right except to pass.)
- 4826 INSURANCE REPAIRS (Banks) Prohibit insurers from having an interest in auto-repair facilities.
- 4844 POSTMARK (Hughes+19) Change to date of postmark from date of receipt of information (not payment) by state agencies. (May apply to vehicle registration and license renewal?)
- 4853 MOTORCYCLE SAFETY COURSE FEE (Tedder+13) Increase maximum fee for course from \$25 to \$50,
- 4854 MOTORCYCLE TESTS (Tedder+16) Waive written and skills tests for motorcycle endorsement for persons who have passed a Secretary of State-approved safety course.
- 4870 CHECKPOINTS (Runestad+8) Prohibit law-enforcement participation in "voluntary" checkpoints for USDOT research into percentage of drivers using alcohol or drugs (roadside saliva samples).
- 4905 MOTORCYCLE FINES (Jacobsen+9) Shift 25% of fines for violating motorcycle endorsement requirement from county library or local government to Motorcycle Safety Fund. Tie-barred to HB 4651 (\$500 fine). Re-referred to Criminal Justice.
- 4907 INSURANCE RATE TERRITORIES (Banks) Prohibit setting insurance premiums by zip code.
- 4927,4928 VOTER REGISTRATION (D. Miller+32) Automatically register eligible drivers to vote when licenses are issued or address changes, unless driver declines in writing. Require drivers to state whether they are U.S. citizens.
- 4940 TOLL ROADS (Lane) Allow MDOT conclude public-private partnerships financed by user fees, subject to legislative approval. Prohibit non-compete requirements on local agencies (but not MDOT). Allow tolls on new roads or new lanes only. Tolls not subject to regulation. Restrict use of user data. Hold toll increases to CPI, except for congestion pricing. R4925
- 4946 FRAUD AUTHORITY (Graves) Create auto-insurance fraud authority. Compare SB 248&9.
- 4969 HISTORIC PASSES (Brunner+15) Waive state-park admission fee for vehicles with historic-vehicle plates during antique-car events.
- 4971 PAPERLESS REGISTRATION; PROOF of INSURANCE (Lucido) Allow registration to be displayed on electronic devices. Make paper or electronic proof of insurance *prima facie* evidence of coverage (even if contrary to electronic data base). Tie-barred to \_\_\_? Compare HB 4193 (enacted.)
- 4995 WINDSHIELDS (A.Miller) Require crash reports to record how much of the windshield is intact following a crash.
- 4996 WINDOW TINTING (A.Miller) Repeal medical exemption from restriction on window tinting.
- 4997,4998 G.P.S. DATA ENTRY; LOCAL CELL-PHONE ORDINANCES (Lucido) Prohibit handling or entering data into a GPS device while driving (regulate GPS devices as cell phones). Make second violation a misdemeanor, \$500 fine. Increase fine for use of hand-held cell phone in commercial vehicle to \$200; make second violation a misdemeanor, \$1,000 fine. Make third violations a felony, 2 years or \$5,000. Allow local units to enact cell-phone ordinances more restrictive than state law.
- 5002 VULNERABLE ROAD USERS (Darany+25) Define *vulnerable road user* as a pedestrian, cyclist, or wheelchair user. Assign elevated penalties for hitting vulnerable road users, as for hitting farmers. Also HB 5004.
- 5003 PASSING BICYCLES (Callton+8) Require drivers to keep at least 5 feet away when overtaking a bicycle, on the left only (may prohibit passing bicycles at the left on one-way streets). Allow overtaking bicycles in no-passing zones.
- 5004 VULNERABLE ROAD USERS (Darany+9) Make killing a vulnerable road user a 15-year felony. Also HB 5002.

**Announced but Not Introduced**

ROAD AID FORMULA (Sen. Kowall) Amend Act 51 formula to reflect traffic volumes (favor populous counties); involve townships.  
ROAD and TRANSIT FORMULA (Michigan Environmental Council) Direct increased revenue through existing formula, including transit. Consider mileage-based tax.  
TESLA SALES (Tesla Motors) Legalize auto sales and service by manufacturers.  
FLASHERS (unknown) Require that orange flashing lights be added to orange barrels, at \$24 each.  
CLEAN FUELS (Clean Fuels Michigan) Promote “clean-fuel-neutral” policies, promoting electric, natural gas, propane, and fuel-cell vehicles.

### **New Nonstandard Local Ordinances**

GRAND RAPIDS BICYCLES Require motorists to keep 5-foot distance when passing bicyclists.  
WYOMING PEDESTRIAN LIMIT 40-mph speed limit on Prairie Parkway east of Burlingame reduced to 30 mph when pedestrians are present (illegal).

### **Court Decisions**

INSURANCE ASSESSMENT Attorney General Opinion 7284. The Automobile Theft Prevention Authority may assess charges on the insurance premiums of all kinds of vehicles, not just cars.  
M.C.C.A. DOCUMENTS SC Docket 150001 Supreme Court vacates Court of Appeals ruling that Michigan Catastrophic Claims Association is not a public body and subject to Freedom of Information Act; orders Court of Appeals to decide.  
TRAILERS, NO-FAULT COA Docket 321721 No-fault covers injuries caused by trailers or anything towed or dragged behind an insured vehicle.

### **Administrative Actions**

ELECTRONIC INSURANCE RECORDS (Secretary of State) As of Sept., 2014, the electronic file of insured vehicles maintained by the Secretary of State is available through the Law Enforcement Information Network (LEIN) over terminals in police cars, enabling checks of insurance by plate number, for automobiles only. Information is up to 2 weeks old.  
M.C.C.A. PREMIUM Decrease Michigan Catastrophic Claims Association premium from \$186 to \$150/car/year, effective July 1, 2015.  
INABILITY TO PAY FINES Report by the advisory Ability To Pay Work Group of judges and court administrators recommends that persons not be jailed solely due to inability (not unwillingness) to pay fines and court costs.