



1 House BILL NO. 331  
 2 INTRODUCED BY Helmut  
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE  
 5 DEPARTMENT OF JUSTICE TO NOT DISCLOSE INFORMATION RELATING  
 6 TO A VEHICLE OWNER TO CERTAIN PERSONS REQUESTING THE  
 7 INFORMATION FOR COMMERCIAL PURPOSES; AND AMENDING SECTION  
 8 61-3-101, MCA."

9  
 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 **Section 1.** Section 61-3-101, MCA, is amended to read:

12 "61-3-101. Duties of department -- records. (1) The  
 13 department shall keep a record as hereinafter specified of  
 14 all motor vehicles, trailers, and semitrailers of every  
 15 kind, and of certificates of registration and ownership  
 16 thereof, and of all dealers in motor vehicles.

17 (2) In the case of motor vehicles, trailers, and  
 18 semitrailers, the record shall show the following:

19 (a) name of owner, residence by town and county, and  
 20 business address;

21 (b) name and address of conditional sales vendor,  
 22 mortgagee, or other lienholder and amount due under contract  
 23 or lien;

24 (c) manufacturer of car;

25 (d) manufacturer's designation of style of car or

1 vehicle;

2 (e) identifying number;

3 (f) year of manufacture;

4 (g) character of motive power and shipping weight of  
 5 car as shown by the manufacturer;

6 (h) the distinctive license number assigned to the  
 7 vehicle;

8 (i) if a truck or trailer, the number of tons' capacity  
 9 or GVW if imprinted on manufacturer's identification plate;

10 (j) such other information as may from time to time be  
 11 found desirable.

12 (3) The department shall file applications for  
 13 registration received by it from the county treasurers of  
 14 the state and register the vehicles therein described and  
 15 the owners thereof in suitable books or on index cards, as  
 16 follows:

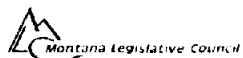
17 (a) under the distinctive license number assigned to  
 18 the vehicle by the county treasurer;

19 (b) alphabetically under the name of the owner;

20 (c) numerically under make and identifying number of  
 21 the vehicle;

22 (d) such other index of registration as the department  
 23 considers expedient.

24 (4) Vehicle registration records and indexes and  
 25 driver's license records and indexes may be maintained by



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1 electronic recording and storage media.

2 (5) In the case of dealers, the records shall show the  
3 information contained in the application for dealer's  
4 license as required by 61-4-101 through 61-4-105, as well as  
5 the distinctive license number assigned to the dealer.

6 (6) In order to prevent an accumulation of unneeded  
7 records and files, the department shall have the authority  
8 and it shall be its duty to destroy all records and files  
9 which have ceased to be of any value.

10 (7) The department may establish and maintain a  
11 short-wave radio station in order to report motor vehicle  
12 registration information to the highway patrol, to sheriffs,  
13 and to the chiefs of police of each incorporated city of the  
14 state who are able to communicate with such short-wave radio  
15 station.

16 (8) All records shall be open to inspection during all  
17 reasonable business hours, and the department shall furnish  
18 any information from the records upon payment by the  
19 applicant of the cost of transcribing the information  
20 requested. However, the department may not provide any  
21 information on an owner or the owner's vehicle to any  
22 person, other than a person having a legal interest in the  
23 vehicle, requesting the information for commercial purposes  
24 if the owner has requested in writing that the department  
25 not disclose the information."

-End-

APPROVED BY COMM. ON BUSINESS AND ECONOMIC DEVELOPMENT

HOUSE BILL NO. 331

INTRODUCED BY KILPATRICK

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING AUTHORIZING THE DEPARTMENT OF JUSTICE TO NOT--DISCLOSE RESTRICT THE DISCLOSURE OF INFORMATION RELATING TO A VEHICLE OWNER TO CERTAIN--PERSONS--REQUESTING--THE-INFO-RMATION-FOR-COMMERCIAL PURPOSES UPON REQUEST OF THE VEHICLE OWNER; AND AMENDING SECTION 61-3-101, MCA."

STATEMENT OF INTENT

A STATEMENT OF INTENT IS REQUIRED FOR THIS BILL TO PROVIDE GUIDELINES FOR THE ADOPTION OF ADMINISTRATIVE RULES TO IMPLEMENT 61-3-101(8). THE DEPARTMENT OF JUSTICE IS GRANTED AUTHORITY TO REASONABLY RESTRICT BY RULE THE DISSEMINATION OF VEHICLE REGISTRATION INFORMATION IF THE RESTRICTION IS REQUESTED IN WRITING BY THE VEHICLE OWNER AND THE DEPARTMENT DETERMINES THE DEMANDS OF INDIVIDUAL PRIVACY CLEARLY OUTWEIGH THE MERITS OF PUBLIC DISCLOSURE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 61-3-101, MCA, is amended to read:

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kind, and of certificates of registration and ownership thereof, and of all dealers in motor vehicles.

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(h) the distinctive license number assigned to the vehicle;

(i) if a truck or trailer, the number of tons' capacity or GVW if imprinted on manufacturer's identification plate;

(j) such other information as may from time to time be found desirable.

(3) The department shall file applications for registration received by it from the county treasurers of the state and register the vehicles therein described and

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1 the owners thereof in suitable books or on index cards, as  
2 follows:

3 (a) under the distinctive license number assigned to  
4 the vehicle by the county treasurer;

5 (b) alphabetically under the name of the owner;

6 (c) numerically under make and identifying number of  
7 the vehicle;

8 (d) such other index of registration as the department  
9 considers expedient.

10 (4) Vehicle registration records and indexes and  
11 driver's license records and indexes may be maintained by  
12 electronic recording and storage media.

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21 (7) The department may establish and maintain a  
22 short-wave radio station in order to report motor vehicle  
23 registration information to the highway patrol, to sheriffs,  
24 and to the chiefs of police of each incorporated city of the  
25 state who are able to communicate with such short-wave radio

1 station.

2 (8) All records shall be open to inspection during all  
3 reasonable business hours, and the department shall furnish  
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7 RULE, REASONABLY RESTRICT DISCLOSURE OF information on an  
8 owner or the owner's vehicle to any person, other than a  
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21 (7) The department may establish and maintain a  
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23 registration information to the highway patrol, to sheriffs,  
24 and to the chiefs of police of each incorporated city of the  
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