

HOUSE BILL NO. 560

INTRODUCED BY STANG, COCCHIARELLA, DAILY, SVRCEK

IN THE HOUSE

FEBRUARY 1, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON HIGHWAYS & TRANSPORTATION.

FEBRUARY 2, 1991 FIRST READING.

FEBRUARY 15, 1991 COMMITTEE RECOMMEND BILL
DO PASS. REPORT ADOPTED.

FEBRUARY 16, 1991 PRINTING REPORT.

MARCH 7, 1991 SECOND READING, DO PASS.

 ON MOTION, REREFERRED TO COMMITTEE
ON APPROPRIATIONS.

MARCH 25, 1991 COMMITTEE RECOMMEND BILL
DO PASS. REPORT ADOPTED.

 PRINTING REPORT.

MARCH 27, 1991 SECOND READING, DO PASS.

MARCH 28, 1991 ENGROSSING REPORT.

 THIRD READING, PASSED.
AYES, 84; NOES, 15.

 TRANSMITTED TO SENATE.

IN THE SENATE

MARCH 28, 1991 INTRODUCED AND REFERRED TO COMMITTEE
ON FINANCE & CLAIMS.

 FIRST READING.

APRIL 3, 1991 COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

APRIL 13, 1991 SECOND READING, CONCURRED IN.

APRIL 15, 1991 THIRD READING, CONCURRED IN.
AYES, 47; NOES, 1.

 RETURNED TO HOUSE.

IN THE HOUSE

APRIL 16, 1991

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

House BILL NO. 560

INTRODUCED BY _____

Christine Kelly

A BILL FOR AN ACT ENTITLED: "AN ACT TO CREDIT REVENUE FROM THE DRIVER'S LICENSE MOTORCYCLE ENDORSEMENT FEE TO THE MOTORCYCLE SAFETY TRAINING ACCOUNT ADMINISTERED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION; AMENDING SECTIONS 61-2-406 AND 61-5-121, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 61-2-406, MCA, is amended to read:

"61-2-406. (Temporary) Motorcycle safety training account -- source of funds -- statutory appropriation. (1) There is a motorcycle safety training account in the special revenue fund of the state treasury. All revenue collected pursuant to 61-2-404 and, 61-2-405, and 61-5-121 must be credited to this account.

(2) The money in the motorcycle safety training account is statutorily appropriated, as provided in 17-7-502, to the superintendent of public instruction to administer motorcycle safety training. (Terminates June 30, 1993--sec. 10, Ch. 324, L. 1989.)"

Section 2. Section 61-5-121, MCA, is amended to read:

"61-5-121. Disposition of fees. (1) The disposition of

the fees from driver's licenses provided for in 61-5-111(7)(a), motorcycle endorsements provided for in 61-5-111(7)(b), commercial vehicle operator's endorsements provided for in 61-5-111(7)(c), and duplicate driver's licenses provided for in 61-5-114 is as follows:

(a) The amount of 33 1/3% of each driver's license fee and of each duplicate driver's license fee must be deposited into an account in the state special revenue fund. The department shall transfer the funds from this account to the Montana highway patrol officers' retirement pension trust fund as provided in 19-6-404. Funds transferred from the account are statutorily appropriated, as provided in 17-7-502, to the pension trust fund.

(b) (i) If the fees are collected by a county treasurer or other agent of the department, the amount of 5% of each driver's license fee and of each duplicate driver's license fee must be deposited into the county general fund.

(ii) If the fees are collected by the department, the amount provided for in subsection (1)(b)(i) must be deposited into the state special revenue fund for use by the department to defray the costs of issuing licenses or duplicate licenses.

(c) (i) If the fee is collected by a county treasurer or other agent of the department, the amount of 5% of each motorcycle endorsement must be deposited into the county



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1 general fund.

2 (ii) If the fee is collected by the department, the
3 amount provided for in subsection (1)(c)(i) must be
4 deposited into the state special revenue fund for use by the
5 department to defray the costs of issuing motorcycle
6 endorsements.

7 (d) The amount of 23 1/3% of each driver's license fee
8 and of each duplicate driver's license fee ~~and the amount of~~
9 ~~35% of each motorcycle endorsement fee~~ must be deposited
10 into the state traffic education account.

11 (e) The amount of 38 1/3% of each driver's license fee
12 and of each duplicate driver's license fee ~~and the amount of~~
13 ~~60% of each motorcycle endorsement fee~~ must be deposited
14 into the state general fund.

15 (f) If the fee is collected by the county treasurer or
16 other agent of the department, the amount of 5% of each
17 commercial vehicle operator's endorsement fee must be
18 deposited into the county general fund, otherwise all of the
19 fee must be deposited in the state general fund.

20 (g) The amount of 95% of each motorcycle endorsement
21 fee must be deposited into the motorcycle safety training
22 account in the state special revenue fund.

23 (2) (a) If fees from driver's licenses, commercial
24 vehicle operator's endorsements, motorcycle endorsements,
25 and duplicate driver's licenses are collected by a county

1 treasurer or other agent of the department, he shall deposit
2 the amounts provided for in subsections (1)(b)(i) and
3 (1)(c)(i) into the county general fund. He shall then remit
4 to the state treasurer all remaining fees, together with a
5 statement indicating what portion of each fee is to be
6 deposited into the account in the state special revenue fund
7 as provided in subsection (1)(a), the state traffic
8 education account, the motorcycle safety training account,
9 and the state general fund. The state treasurer, upon
10 receipt of the fees and statement, shall deposit the fees as
11 provided in subsections (1)(a), (1)(d), (1)(e), and (1)(f),
12 and (1)(g).

13 (b) If fees from driver's licenses, commercial vehicle
14 operator's endorsements, motorcycle endorsements, and
15 duplicate driver's licenses are collected by the department,
16 it shall remit all fees to the state treasurer, together
17 with a statement indicating what portion of each fee is to
18 be deposited into the account in the state special revenue
19 fund as provided in subsection (1)(a), the state special
20 revenue fund, the state traffic education account, the
21 motorcycle safety training account, and the state general
22 fund. The state treasurer, upon receipt of the fees and
23 statement, shall deposit the fees as provided in subsections
24 (1)(a), (1)(b)(ii), (1)(c)(ii), (1)(d), (1)(e), and (1)(f),
25 and (1)(g)."

LC 1559/01

1 NEW SECTION. **Section 3.** **Effective date.** [This act] is
2 effective July 1, 1991.

-End-

STATE OF MONTANA - FISCAL NOTE
Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0560, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to credit revenue from the driver's license motorcycle endorsement fee to the motorcycle safety training account administered by the Superintendent of Public Instruction; amending sections 61-2-406 and 61-5-121, MCA.

ASSUMPTIONS:


1. Motorcycle endorsement fee will remain constant.
2. Motorcycle endorsement revenue will continue at the FY90 level of about \$31,000 per year.
3. The county treasurer or other agent of the department will continue to retain 5% of the fee collected.
4. The 60% of the motorcycle endorsement fee currently going to the state general fund will be deposited in the motorcycle safety training account in the state special revenue fund.
5. Motorcycle endorsement fees will now be statutorily appropriated in the motorcycle safety training account.

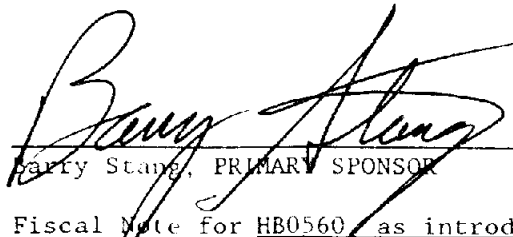
FISCAL IMPACT:

<u>Revenues:</u>	<u>FY 92</u>			<u>FY 93</u>		
	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>
General Fund (01)	19,000	0	(19,000)	19,000	0	(19,000)
Traffic Safety (02)	1,416,600	1,405,600	(11,000)	1,416,600	1,405,600	(11,000)
Motorcycle Safety (02)	89,800	119,800	30,000	89,800	119,800	30,000
Net General Fund Impact			(19,000)			(19,000)

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

There will be no effect on county or other local revenues or expenditures.


ROD SUNDSTED, BUDGET DIRECTOR
Office of Budget and Program Planning
DATE 2-7-91


Barry Stang, PRIMARY SPONSOR
DATE 2/8/91
Fiscal Note for HB0560 as introduced

HB 560

APPROVED BY COMMITTEE
ON HIGHWAYS & TRANSPORTATION

House BILL NO. 560

INTRODUCED BY

Cochranella Kelly Gandy

A BILL FOR AN ACT ENTITLED: "AN ACT TO CREDIT REVENUE FROM THE DRIVER'S LICENSE MOTORCYCLE ENDORSEMENT FEE TO THE MOTORCYCLE SAFETY TRAINING ACCOUNT ADMINISTERED BY THE SUPERINTENDENT OF PUBLIC INSTRUCTION; AMENDING SECTIONS 61-2-406 AND 61-5-121, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

Section 1. Section 61-2-406, MCA, is amended to read:

"61-2-406. (Temporary) Motorcycle safety training account -- source of funds -- statutory appropriation. (1) There is a motorcycle safety training account in the special revenue fund of the state treasury. All revenue collected pursuant to 61-2-404 and, 61-2-405, and 61-5-121 must be credited to this account.

(2) The money in the motorcycle safety training account is statutorily appropriated, as provided in 17-7-502, to the superintendent of public instruction to administer motorcycle safety training. (Terminates June 30, 1993--sec. 10, Ch. 324, L. 1989.)"

Section 2. Section 61-5-121, MCA, is amended to read:

"61-5-121. Disposition of fees. (1) The disposition of

the fees from driver's licenses provided for in 61-5-111(7)(a), motorcycle endorsements provided for in 61-5-111(7)(b), commercial vehicle operator's endorsements provided for in 61-5-111(7)(c), and duplicate driver's licenses provided for in 61-5-114 is as follows:

(a) The amount of 33 1/3% of each driver's license fee and of each duplicate driver's license fee must be deposited into an account in the state special revenue fund. The department shall transfer the funds from this account to the Montana highway patrol officers' retirement pension trust fund as provided in 19-6-404. Funds transferred from the account are statutorily appropriated, as provided in 17-7-502, to the pension trust fund.

(b) (i) If the fees are collected by a county treasurer or other agent of the department, the amount of 5% of each driver's license fee and of each duplicate driver's license fee must be deposited into the county general fund.

(ii) If the fees are collected by the department, the amount provided for in subsection (1)(b)(i) must be deposited into the state special revenue fund for use by the department to defray the costs of issuing licenses or duplicate licenses.

(c) (i) If the fee is collected by a county treasurer or other agent of the department, the amount of 5% of each motorcycle endorsement must be deposited into the county

1 general fund.

2 (ii) If the fee is collected by the department, the
3 amount provided for in subsection (1)(c)(i) must be
4 deposited into the state special revenue fund for use by the
5 department to defray the costs of issuing motorcycle
6 endorsements.

7 (d) The amount of 23 1/3% of each driver's license fee
8 and of each duplicate driver's license fee ~~and the amount of~~
9 ~~35% of each motorcycle endorsement fee~~ must be deposited
10 into the state traffic education account.

11 (e) The amount of 38 1/3% of each driver's license fee
12 and of each duplicate driver's license fee ~~and the amount of~~
13 ~~60% of each motorcycle endorsement fee~~ must be deposited
14 into the state general fund.

15 (f) If the fee is collected by the county treasurer or
16 other agent of the department, the amount of 5% of each
17 commercial vehicle operator's endorsement fee must be
18 deposited into the county general fund, otherwise all of the
19 fee must be deposited in the state general fund.

20 (g) The amount of 95% of each motorcycle endorsement
21 fee must be deposited into the motorcycle safety training
22 account in the state special revenue fund.

23 (2) (a) If fees from driver's licenses, commercial
24 vehicle operator's endorsements, motorcycle endorsements,
25 and duplicate driver's licenses are collected by a county

1 treasurer or other agent of the department, he shall deposit
2 the amounts provided for in subsections (1)(b)(i) and
3 (1)(c)(i) into the county general fund. He shall then remit
4 to the state treasurer all remaining fees, together with a
5 statement indicating what portion of each fee is to be
6 deposited into the account in the state special revenue fund
7 as provided in subsection (1)(a), the state traffic
8 education account, the motorcycle safety training account,
9 and the state general fund. The state treasurer, upon
10 receipt of the fees and statement, shall deposit the fees as
11 provided in subsections (1)(a), (1)(d), (1)(e), and (1)(f),
12 and (1)(g).

13 (b) If fees from driver's licenses, commercial vehicle
14 operator's endorsements, motorcycle endorsements, and
15 duplicate driver's licenses are collected by the department,
16 it shall remit all fees to the state treasurer, together
17 with a statement indicating what portion of each fee is to
18 be deposited into the account in the state special revenue
19 fund as provided in subsection (1)(a), the state special
20 revenue fund, the state traffic education account, the
21 motorcycle safety training account, and the state general
22 fund. The state treasurer, upon receipt of the fees and
23 statement, shall deposit the fees as provided in subsections
24 (1)(a), (1)(b)(ii), (1)(c)(ii), (1)(d), (1)(e), and (1)(f),
25 and (1)(g)."

LC 1559/01

1 NEW SECTION. **Section 3.** **Effective date.** [This act] is
2 effective July 1, 1991.

-End-

RE-REFERRED AND
APPROVED BY COMMITTEE
ON APPROPRIATIONS

1 *House* BILL NO. 560
2 INTRODUCED BY *Frank*
3 *Cochranella Kelly*
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CREDIT REVENUE FROM
5 THE DRIVER'S LICENSE MOTORCYCLE ENDORSEMENT FEE TO THE
6 MOTORCYCLE SAFETY TRAINING ACCOUNT ADMINISTERED BY THE
7 SUPERINTENDENT OF PUBLIC INSTRUCTION; AMENDING SECTIONS
8 61-2-406 AND 61-5-121, MCA; AND PROVIDING AN EFFECTIVE
9 DATE."

10

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

12 **Section 1.** Section 61-2-406, MCA, is amended to read:

13 "61-2-406. (Temporary) Motorcycle safety training
14 account -- source of funds -- statutory appropriation. (1)
15 There is a motorcycle safety training account in the special
16 revenue fund of the state treasury. All revenue collected
17 pursuant to 61-2-404 and, 61-2-405, and 61-5-121 must be
18 credited to this account.

19 (2) The money in the motorcycle safety training account
20 is statutorily appropriated, as provided in 17-7-502, to the
21 superintendent of public instruction to administer
22 motorcycle safety training. (Terminates June 30, 1993--sec.
23 10, Ch. 324, L. 1989.)"

24 **Section 2.** Section 61-5-121, MCA, is amended to read:

25 "61-5-121. Disposition of fees. (1) The disposition of

1 the fees from driver's licenses provided for in
2 61-5-111(7)(a), motorcycle endorsements provided for in
3 61-5-111(7)(b), commercial vehicle operator's endorsements
4 provided for in 61-5-111(7)(c), and duplicate driver's
5 licenses provided for in 61-5-114 is as follows:

6 (a) The amount of 33 1/3% of each driver's license fee
7 and of each duplicate driver's license fee must be deposited
8 into an account in the state special revenue fund. The
9 department shall transfer the funds from this account to the
10 Montana highway patrol officers' retirement pension trust
11 fund as provided in 19-6-404. Funds transferred from the
12 account are statutorily appropriated, as provided in
13 17-7-502, to the pension trust fund.

14 (b) (i) If the fees are collected by a county treasurer
15 or other agent of the department, the amount of 5% of each
16 driver's license fee and of each duplicate driver's license
17 fee must be deposited into the county general fund.

18 (ii) If the fees are collected by the department, the
19 amount provided for in subsection (1)(b)(i) must be
20 deposited into the state special revenue fund for use by the
21 department to defray the costs of issuing licenses or
22 duplicate licenses.

23 (c) (i) If the fee is collected by a county treasurer
24 or other agent of the department, the amount of 5% of each
25 motorcycle endorsement must be deposited into the county

1 general fund.

2 (ii) If the fee is collected by the department, the
3 amount provided for in subsection (1)(c)(i) must be
4 deposited into the state special revenue fund for use by the
5 department to defray the costs of issuing motorcycle
6 endorsements.

7 (d) The amount of 23 1/3% of each driver's license fee
8 and of each duplicate driver's license fee ~~and the amount of~~
9 ~~35% of each motorcycle endorsement fee~~ must be deposited
10 into the state traffic education account.

11 (e) The amount of 38 1/3% of each driver's license fee
12 and of each duplicate driver's license fee ~~and the amount of~~
13 ~~60% of each motorcycle endorsement fee~~ must be deposited
14 into the state general fund.

15 (f) If the fee is collected by the county treasurer or
16 other agent of the department, the amount of 5% of each
17 commercial vehicle operator's endorsement fee must be
18 deposited into the county general fund, otherwise all of the
19 fee must be deposited in the state general fund.

20 (g) The amount of 95% of each motorcycle endorsement
21 fee must be deposited into the motorcycle safety training
22 account in the state special revenue fund.

23 (2) (a) If fees from driver's licenses, commercial
24 vehicle operator's endorsements, motorcycle endorsements,
25 and duplicate driver's licenses are collected by a county

1 treasurer or other agent of the department, he shall deposit
2 the amounts provided for in subsections (1)(b)(i) and
3 (1)(c)(i) into the county general fund. He shall then remit
4 to the state treasurer all remaining fees, together with a
5 statement indicating what portion of each fee is to be
6 deposited into the account in the state special revenue fund
7 as provided in subsection (1)(a), the state traffic
8 education account, the motorcycle safety training account,
9 and the state general fund. The state treasurer, upon
10 receipt of the fees and statement, shall deposit the fees as
11 provided in subsections (1)(a), (1)(d), (1)(e), and (1)(f),
12 and (1)(g).

13 (b) If fees from driver's licenses, commercial vehicle
14 operator's endorsements, motorcycle endorsements, and
15 duplicate driver's licenses are collected by the department,
16 it shall remit all fees to the state treasurer, together
17 with a statement indicating what portion of each fee is to
18 be deposited into the account in the state special revenue
19 fund as provided in subsection (1)(a), the state special
20 revenue fund, the state traffic education account, the
21 motorcycle safety training account, and the state general
22 fund. The state treasurer, upon receipt of the fees and
23 statement, shall deposit the fees as provided in subsections
24 (1)(a), (1)(b)(ii), (1)(c)(ii), (1)(d), (1)(e), and (1)(f),
25 and (1)(g)."

LC 1559/01

1 NEW SECTION. **Section 3.** Effective date. [This act] is
2 effective July 1, 1991.

-End-

1 *House* BILL NO. *560*

2 INTRODUCED BY *Donna Crook*
3 *Donna Crook*

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CREDIT REVENUE FROM
5 THE DRIVER'S LICENSE MOTORCYCLE ENDORSEMENT FEE TO THE
6 MOTORCYCLE SAFETY TRAINING ACCOUNT ADMINISTERED BY THE
7 SUPERINTENDENT OF PUBLIC INSTRUCTION; AMENDING SECTIONS
8 61-2-406 AND 61-5-121, MCA; AND PROVIDING AN EFFECTIVE
9 DATE."

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

12 Section 1. Section 61-2-406, MCA, is amended to read:

13 "61-2-406. (Temporary) Motorcycle safety training
14 account -- source of funds -- statutory appropriation. (1)
15 There is a motorcycle safety training account in the special
16 revenue fund of the state treasury. All revenue collected
17 pursuant to 61-2-404 and, 61-2-405, and 61-5-121 must be
18 credited to this account.

19 (2) The money in the motorcycle safety training account
20 is statutorily appropriated, as provided in 17-7-502, to the
21 superintendent of public instruction to administer
22 motorcycle safety training. (Terminates June 30, 1993--sec.
23 10, Ch. 324, L. 1989.)"

24 Section 2. Section 61-5-121, MCA, is amended to read:

25 "61-5-121. Disposition of fees. (1) The disposition of

1 the fees from driver's licenses provided for in
2 61-5-111(7)(a), motorcycle endorsements provided for in
3 61-5-111(7)(b), commercial vehicle operator's endorsements
4 provided for in 61-5-111(7)(c), and duplicate driver's
5 licenses provided for in 61-5-114 is as follows:

6 (a) The amount of 33 1/3% of each driver's license fee
7 and of each duplicate driver's license fee must be deposited
8 into an account in the state special revenue fund. The
9 department shall transfer the funds from this account to the
10 Montana highway patrol officers' retirement pension trust
11 fund as provided in 19-6-404. Funds transferred from the
12 account are statutorily appropriated, as provided in
13 17-7-502, to the pension trust fund.

14 (b) (i) If the fees are collected by a county treasurer
15 or other agent of the department, the amount of 5% of each
16 driver's license fee and of each duplicate driver's license
17 fee must be deposited into the county general fund.

18 (ii) If the fees are collected by the department, the
19 amount provided for in subsection (1)(b)(i) must be
20 deposited into the state special revenue fund for use by the
21 department to defray the costs of issuing licenses or
22 duplicate licenses.

23 (c) (i) If the fee is collected by a county treasurer
24 or other agent of the department, the amount of 5% of each
25 motorcycle endorsement must be deposited into the county



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1 general fund.

2 (ii) If the fee is collected by the department, the
3 amount provided for in subsection (1)(c)(i) must be
4 deposited into the state special revenue fund for use by the
5 department to defray the costs of issuing motorcycle
6 endorsements.

7 (d) The amount of 23 1/3% of each driver's license fee
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10 into the state traffic education account.

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25 and (1)(g)."

LC 1559/01

1 NEW SECTION. **Section 3.** Effective date. [This act] is
2 effective July 1, 1991.

-End-

1 ~~House~~-BILL NO. 560
 2 INTRODUCED BY Stanley
 3 Cochranella Kelly Grube
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CREDIT REVENUE FROM
 5 THE DRIVER'S LICENSE MOTORCYCLE ENDORSEMENT FEE TO THE
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 18 credited to this account.

19 (2) The money in the motorcycle safety training account
 20 is statutorily appropriated, as provided in 17-7-502, to the
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 22 motorcycle safety training. (Terminates June 30, 1993--sec.
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24 **Section 2.** Section 61-5-121, MCA, is amended to read:

25 *61-5-121. Disposition of fees. (1) The disposition of

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 2 61-5-111(7)(a), motorcycle endorsements provided for in
 3 61-5-111(7)(b), commercial vehicle operator's endorsements
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 5 licenses provided for in 61-5-114 is as follows:

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 10 Montana highway patrol officers' retirement pension trust
 11 fund as provided in 19-6-404. Funds transferred from the
 12 account are statutorily appropriated, as provided in
 13 17-7-502, to the pension trust fund.

14 (b) (i) If the fees are collected by a county treasurer
 15 or other agent of the department, the amount of 5% of each
 16 driver's license fee and of each duplicate driver's license
 17 fee must be deposited into the county general fund.

18 (ii) If the fees are collected by the department, the
 19 amount provided for in subsection (1)(b)(i) must be
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 21 department to defray the costs of issuing licenses or
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23 (c) (i) If the fee is collected by a county treasurer
 24 or other agent of the department, the amount of 5% of each
 25 motorcycle endorsement must be deposited into the county



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 THIRD READING
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1 general fund.

2 (ii) If the fee is collected by the department, the
3 amount provided for in subsection (1)(c)(i) must be
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12 and of each duplicate driver's license fee ~~and the amount of~~
13 ~~60% of each motorcycle endorsement fee~~ must be deposited
14 into the state general fund.

15 (f) If the fee is collected by the county treasurer or
16 other agent of the department, the amount of 5% of each
17 commercial vehicle operator's endorsement fee must be
18 deposited into the county general fund, otherwise all of the
19 fee must be deposited in the state general fund.

20 (g) The amount of 95% of each motorcycle endorsement
21 fee must be deposited into the motorcycle safety training
22 account in the state special revenue fund.

23 (2) (a) If fees from driver's licenses, commercial
24 vehicle operator's endorsements, motorcycle endorsements,
25 and duplicate driver's licenses are collected by a county

1 treasurer or other agent of the department, he shall deposit
2 the amounts provided for in subsections (1)(b)(i) and
3 (1)(c)(i) into the county general fund. He shall then remit
4 to the state treasurer all remaining fees, together with a
5 statement indicating what portion of each fee is to be
6 deposited into the account in the state special revenue fund
7 as provided in subsection (1)(a), the state traffic
8 education account, the motorcycle safety training account,
9 and the state general fund. The state treasurer, upon
10 receipt of the fees and statement, shall deposit the fees as
11 provided in subsections (1)(a), (1)(d), (1)(e), and (1)(f),
12 and (1)(g).

13 (b) If fees from driver's licenses, commercial vehicle
14 operator's endorsements, motorcycle endorsements, and
15 duplicate driver's licenses are collected by the department,
16 it shall remit all fees to the state treasurer, together
17 with a statement indicating what portion of each fee is to
18 be deposited into the account in the state special revenue
19 fund as provided in subsection (1)(a), the state special
20 revenue fund, the state traffic education account, the
21 motorcycle safety training account, and the state general
22 fund. The state treasurer, upon receipt of the fees and
23 statement, shall deposit the fees as provided in subsections
24 (1)(a), (1)(b)(ii), (1)(c)(ii), (1)(d), (1)(e), and (1)(f),
25 and (1)(g)."

LC 1559/01

1 NEW SECTION. **Section 3.** Effective date. [This act] is
2 effective July 1, 1991.

-End-

1 HOUSE BILL NO. 560

2 INTRODUCED BY STANG, COCCHIARELLA, DAILY, SVRCEK

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO CREDIT REVENUE FROM
5 THE DRIVER'S LICENSE MOTORCYCLE ENDORSEMENT FEE TO THE
6 MOTORCYCLE SAFETY TRAINING ACCOUNT ADMINISTERED BY THE
7 SUPERINTENDENT OF PUBLIC INSTRUCTION; AMENDING SECTIONS
8 61-2-406 AND 61-5-121, MCA; AND PROVIDING AN EFFECTIVE
9 DATE."

10

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

12 **Section 1.** Section 61-2-406, MCA, is amended to read:

13 **"61-2-406. (Temporary) Motorcycle safety training**
14 **account -- source of funds -- statutory appropriation. (1)**
15 **There is a motorcycle safety training account in the special**
16 **revenue fund of the state treasury. All revenue collected**
17 **pursuant to 61-2-404 and, 61-2-405, and 61-5-121 must be**
18 **credited to this account.**

19 (2) The money in the motorcycle safety training account
20 is statutorily appropriated, as provided in 17-7-502, to the
21 superintendent of public instruction to administer
22 motorcycle safety training. (Terminates June 30, 1993--sec.
23 10, Ch. 324, L. 1989.)"

24 **Section 2.** Section 61-5-121, MCA, is amended to read:25 **"61-5-121. Disposition of fees. (1) The disposition of**

1 the fees from driver's licenses provided for in
2 61-5-111(7)(a), motorcycle endorsements provided for in
3 61-5-111(7)(b), commercial vehicle operator's endorsements
4 provided for in 61-5-111(7)(c), and duplicate driver's
5 licenses provided for in 61-5-114 is as follows:

6 (a) The amount of 33 1/3% of each driver's license fee
7 and of each duplicate driver's license fee must be deposited
8 into an account in the state special revenue fund. The
9 department shall transfer the funds from this account to the
10 Montana highway patrol officers' retirement pension trust
11 fund as provided in 19-6-404. Funds transferred from the
12 account are statutorily appropriated, as provided in
13 17-7-502, to the pension trust fund.

14 (b) (i) If the fees are collected by a county treasurer
15 or other agent of the department, the amount of 5% of each
16 driver's license fee and of each duplicate driver's license
17 fee must be deposited into the county general fund.

18 (ii) If the fees are collected by the department, the
19 amount provided for in subsection (1)(b)(i) must be
20 deposited into the state special revenue fund for use by the
21 department to defray the costs of issuing licenses or
22 duplicate licenses.

23 (c) (i) If the fee is collected by a county treasurer
24 or other agent of the department, the amount of 5% of each
25 motorcycle endorsement must be deposited into the county

1 general fund.

2 (ii) If the fee is collected by the department, the
3 amount provided for in subsection (1)(c)(i) must be
4 deposited into the state special revenue fund for use by the
5 department to defray the costs of issuing motorcycle
6 endorsements.

7 (d) The amount of 23 1/3% of each driver's license fee
8 and of each duplicate driver's license fee ~~and the amount of~~
9 ~~35% of each motorcycle endorsement fee~~ must be deposited
10 into the state traffic education account.

11 (e) The amount of 38 1/3% of each driver's license fee
12 and of each duplicate driver's license fee ~~and the amount of~~
13 ~~60% of each motorcycle endorsement fee~~ must be deposited
14 into the state general fund.

15 (f) If the fee is collected by the county treasurer or
16 other agent of the department, the amount of 5% of each
17 commercial vehicle operator's endorsement fee must be
18 deposited into the county general fund, otherwise all of the
19 fee must be deposited in the state general fund.

20 (g) The amount of 95% of each motorcycle endorsement
21 fee must be deposited into the motorcycle safety training
22 account in the state special revenue fund.

23 (2) (a) If fees from driver's licenses, commercial
24 vehicle operator's endorsements, motorcycle endorsements,
25 and duplicate driver's licenses are collected by a county

1 treasurer or other agent of the department, he shall deposit
2 the amounts provided for in subsections (1)(b)(i) and
3 (1)(c)(i) into the county general fund. He shall then remit
4 to the state treasurer all remaining fees, together with a
5 statement indicating what portion of each fee is to be
6 deposited into the account in the state special revenue fund
7 as provided in subsection (1)(a), the state traffic
8 education account, the motorcycle safety training account,
9 and the state general fund. The state treasurer, upon
10 receipt of the fees and statement, shall deposit the fees as
11 provided in subsections (1)(a), (1)(d), (1)(e), and (1)(f),
12 and (1)(g).

13 (b) If fees from driver's licenses, commercial vehicle
14 operator's endorsements, motorcycle endorsements, and
15 duplicate driver's licenses are collected by the department,
16 it shall remit all fees to the state treasurer, together
17 with a statement indicating what portion of each fee is to
18 be deposited into the account in the state special revenue
19 fund as provided in subsection (1)(a), the state special
20 revenue fund, the state traffic education account, the
21 motorcycle safety training account, and the state general
22 fund. The state treasurer, upon receipt of the fees and
23 statement, shall deposit the fees as provided in subsections
24 (1)(a), (1)(b)(ii), (1)(c)(ii), (1)(d), (1)(e), and (1)(f),
25 and (1)(g)."

HB 0560/02

1 NEW SECTION. **Section 3.** effective date. [This act] is
2 effective July 1, 1991.

-End-