

HOUSE BILL 575

Introduced by O'Keefe, et al.

2/02	Introduced
2/02	Referred to Highways & Transportation
2/04	First Reading
2/04	Fiscal Note Requested
2/08	Fiscal Note Received
2/11	Fiscal Note Printed
3/07	Hearing
3/20	Tabled in Committee

1 House BILL NO. 575
 2 INTRODUCED BY [Signature]
 3 BY REQUEST OF THE DEPARTMENT OF JUSTICE
 4 HARP
 5 A BILL FOR AN ACT ENTITLED: "AN ACT ASSIGNING TO THE MOTOR
 6 VEHICLE DIVISION OF THE DEPARTMENT OF JUSTICE THOSE MOTOR
 7 VEHICLE TITLING AND REGISTRATION DUTIES NOW PERFORMED BY THE
 8 COUNTY TREASURERS; INCREASING TITLE AND LIEN FEES; CHANGING
 9 RECORDS RETENTION REQUIREMENTS FOR THE DEPARTMENT; ADDING
 10 TWO ADDITIONAL REGISTRATION PERIODS; PROVIDING THAT
 11 REREGISTRATIONS THAT HAVE A VALUE ESTABLISHED BY THE
 12 AUTOMATED MOTOR VEHICLE SYSTEM BE RENEWABLE ONLY BY MAIL;
 13 CHANGING THE METHODS USED TO COMPUTE AND DISTRIBUTE MOTOR
 14 VEHICLE TAXES; PROVIDING THAT CERTAIN FEES NOW COLLECTED BY
 15 THE COUNTIES FOR THE PURPOSE OF PERFORMING TITLE AND
 16 REGISTRATION DUTIES BE DIRECTED TO THE GENERAL FUND;
 17 PROVIDING THAT CERTAIN MOTOR VEHICLE FEES AND TAXES NOW
 18 COLLECTED BY THE COUNTIES BE COLLECTED BY THE MOTOR VEHICLE
 19 DIVISION AND DISTRIBUTED TO THE COUNTIES; PROVIDING THE
 20 DEPARTMENT A METHOD OF HIRING CERTAIN COUNTY EMPLOYEES
 21 DURING THE TRANSITION; CLARIFYING THE HOURS, TIME OF
 22 OPERATION, AND LOCATION OF MOTOR VEHICLE DIVISION OFFICES;
 23 AMENDING SECTIONS 2-89-302, 2-89-303, 7-14-2511, 23-2-508,
 24 23-2-509, 23-2-510, 23-2-611, 23-2-612, 23-2-613, 23-2-616,
 25 23-2-803, 23-2-804, 23-2-809, 23-2-811, 23-2-812, 23-2-817,

1 61-3-101, 61-3-103, 61-3-201, 61-3-202, 61-3-203, 61-3-207,
 2 61-3-303, 61-3-311, 61-3-314, 61-3-317, 61-3-321, 61-3-322,
 3 61-3-331, 61-3-335, 61-3-342, 61-3-406, 61-3-431, 61-3-433,
 4 61-3-467, 61-3-502, 61-3-503, 61-3-504, 61-3-508, 61-3-509,
 5 61-3-510, 61-3-524, 61-3-525, 61-3-535, 61-3-701, 61-4-111,
 6 61-4-112, 61-4-310, 61-6-302, 61-10-213, 61-10-225,
 7 61-10-227, 61-10-233, AND 80-7-810, MCA; AND PROVIDING AN
 8 EFFECTIVE DATE."

STATEMENT OF INTENT

11 A statement of intent is required for this bill because
 12 it grants additional rulemaking authority to the department
 13 of justice to create temporary rules to aid in the
 14 transition to state registration and titling of motor
 15 vehicles.

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

18 **Section 1.** Section 2-89-302, MCA, is amended to read:

19 "2-89-302. (Temporary) Commemorative centennial license
 20 plates. (1) Notwithstanding the 4-year period provided for
 21 in 61-3-332(2), the department of justice may issue
 22 commemorative centennial license plates for a different
 23 period if requested by the Montana statehood centennial
 24 office, at prices to be agreed upon by the department and
 25 the office as provided in 2-89-303.

1 (2) Commemorative license plates may be:

2 (a) collectors' license plates, intended to be
3 collectors' items only, distinctively marked or colored.
4 Such plates may be designated as not valid for the purpose
5 of licensing motor vehicles within the state; or

6 (b) special or limited duration license plates valid
7 for licensing motor vehicles in the state and carrying the
8 same general centennial design as regularly issued license
9 plates provided for in 2-89-301, except that they may differ
10 from such regular license plates by:

11 (i) color;

12 (ii) use of a distinctive series of registration numbers
13 or special prefixes or suffixes for the registration
14 numbers; and

15 (iii) by other details not distracting from legibility
16 or recognition of the license plate.

17 (3) (a) For all licenses sold before December 1, 1989,
18 proceeds from the sale of commemorative license plates,
19 after payment of the agreed price to the department, must be
20 used for centennial activities of the office as provided in
21 part 1 of this chapter. The proceeds for sales occurring
22 after November 30, 1989, must be deposited in the general
23 fund.

24 (b) ~~A--county~~ The department of justice shall assess an
25 additional fee of \$3 for each set of commemorative

1 centennial license plates issued ~~in-the-county~~ to defray the
2 costs incurred by the ~~county--treasurer-~~ motor vehicle
3 division, ~~The--county--treasurer--shall-collect-the-fee-and~~
4 which shall deposit the money in the county general fund.

5 (c) The issuance of commemorative license plates must
6 be made at no direct cost to the state.

7 (4) Commemorative license plates that are valid for
8 licensing a motor vehicle must carry the assigned county
9 number, as established in 61-3-332, either within the
10 registration numbers or by means of an affixed nonremovable
11 sticker bearing the appropriate county designation and used
12 in accordance with instructions by the department.
13 (Terminates July 1, 1996--sec. 4, Ch. 654, L. 1989.)"

14 **Section 2.** Section 2-89-303, MCA, is amended to read:

15 "2-89-303. (Temporary) Administration. (1) The
16 department of justice may by rule establish application
17 procedures for the issuance of license plates authorized by
18 this part. The rules may provide:

19 (a) for the issuance of regular license plates with a
20 centennial design to persons wishing to purchase such plates
21 to replace present plates;

22 (b) for the application for and issuance of
23 commemorative centennial license plates valid for licensing
24 motor vehicles, as authorized by 2-89-302;

25 (c) whether commemorative centennial license plates, if

1 issued under 2-89-302, may be issued as personalized plates
2 under the provisions of Title 61, chapter 3, part 4; and

3 (d) other procedures necessary for the proper
4 administration of this part.

5 (2) (a) The Montana statehood centennial office may
6 request classes and variations of commemorative license
7 plates, and each type or variation may be issued for a
8 different price.

9 (b) For the issuance of commemorative license plates,
10 the office shall contract with and provide for payment to
11 the department for the production of such license plates.
12 The contract must establish prices to be paid by the
13 ultimate purchaser for the issuance of commemorative
14 centennial license plates. The department of justice may
15 not, however, sell any commemorative license plates for less
16 than \$19.89, not including the county administrative fee
17 authorized in 2-89-302(3). (Terminates July 1, 1996--sec. 4,
18 Ch. 654, L. 1989.)"

19 **Section 3.** Section 7-14-2511, MCA, is amended to read:

20 "7-14-2511. Creation of county motor vehicle fund. When
21 ~~collected--by~~ remitted to the treasurer of the county in
22 which a motor vehicle is registered, all license and
23 registration fees for which there is no specific provision
24 as to disposition of the fee shall be credited to the county
25 motor vehicle fund."

1 **Section 4.** Section 23-2-616, MCA, is amended to read:

2 "23-2-616. Registration and decals -- application and
3 issuance -- use of certain fees. (1) No A snowmobile may not
4 be operated on public lands by any person in Montana unless
5 it has been registered and there is displayed in a
6 conspicuous place on both sides of the cowl a decal as
7 visual proof that the fee in lieu of property tax has been
8 paid on it for the current year and the immediately previous
9 year as required by 15-16-202.

10 (2) Application for registration shall be made ~~to--the~~
11 ~~county---treasurer~~ upon forms to be furnished by the
12 department of justice for this purpose, which may be
13 obtained at ~~the--county--treasurer's~~ any motor vehicle
14 division office ~~in-the-county-where-the-owner-resides~~. The
15 application shall contain the following information:

- 16 (a) name and address of the owner;
17 (b) certificate of ownership number;
18 (c) make of the snowmobile;
19 (d) model name of the snowmobile;
20 (e) year of manufacture;
21 (f) a statement evidencing payment of the fee in lieu
22 of property tax as required by 15-16-202; and
23 (g) such other information as the department of justice
24 may require.
25 (3) The application shall be accompanied by a decal fee

1 of \$2, a registration fee of 50 cents, and, if the
 2 snowmobile has previously been registered, by the
 3 registration certificate for the most recent year in which
 4 the snowmobile was registered. The ~~treasurer shall sign the~~
 5 ~~application--and~~ department of justice shall issue a
 6 registration receipt ~~which---shall---contain~~ containing
 7 information considered necessary by the department of
 8 justice and a listing of fees paid. The owner shall retain
 9 possession of the registration receipt until it is
 10 surrendered to the ~~county-treasurer~~ department of justice
 11 for reregistration or to a purchaser or subsequent owner
 12 pursuant to a transfer of ownership.

13 (4) The ~~county--treasurer--shall--forward--the--signed~~
 14 ~~application--to--the~~ department of justice and shall issue to
 15 the applicant a decal ~~in-the-style-and-design-prescribed--by~~
 16 ~~the--department-of-justice--and~~ of a different color than the
 17 preceding year, numbered in sequence.

18 (5) The ~~county-treasurer~~ department of justice may not
 19 accept any application under this section until the
 20 applicant has paid the decal and registration fees and the
 21 fee in lieu of property tax on the snowmobile for the
 22 current year and the immediately previous year as required
 23 by 15-16-202.

24 (6) All money collected from payment of the decal fees
 25 and all interest accruing from use of this money shall be

1 forwarded to the state treasurer and placed in the state
 2 special revenue fund to the credit of the department, with
 3 \$1 designated for use in enforcing the purposes of 23-2-601
 4 through 23-2-644 and \$1 designated for use in the
 5 development, maintenance, and operation of snowmobile
 6 facilities. All money collected from payment of the
 7 registration fee shall be forwarded to the state treasurer
 8 and deposited in the general fund.

9 (7) ~~The county-treasurer shall credit all~~ All fees in
 10 lieu of tax collected on snowmobiles must be remitted to the
 11 county motor vehicle suspense fund provided for in
 12 61-3-509."

13 **Section 5.** Section 23-2-803, MCA, is amended to read:

14 "23-2-803. Fee in lieu of tax on off-highway vehicles
 15 -- exception -- disposition of fees. (1) There is a fee in
 16 lieu of tax on off-highway vehicles, other than off-highway
 17 vehicles constituting the inventory of a dealership licensed
 18 under 23-2-818, to be paid to the department of justice and
 19 credited to the ~~county-treasurer-of-the~~ county in which the
 20 owner of the off-highway vehicle resides.

21 (a) The fee for an off-highway vehicle less than 3
 22 years old is \$19. In all other cases the fee is \$9.

23 (b) The age of an off-highway vehicle is determined by
 24 subtracting the manufacturer's designated model year from
 25 the current calendar year.

1 (2) (a) Except as provided in subsection (2)(b), the
2 county treasurer shall distribute all fees in lieu of tax
3 collected on off-highway vehicles pursuant to this section
4 in the relative proportions required by the levies for
5 state, county, school district, and municipal purposes in
6 the same manner as personal property taxes are distributed.

7 (b) The county treasurer shall remit \$1 of the fee in
8 lieu of tax collected on an off-highway vehicle to the
9 department of agriculture for deposit in the noxious weed
10 management trust fund provided for in 80-7-811."

11 **Section 6.** Section 23-2-804, MCA, is amended to read:

12 "23-2-804. Decal required -- fee -- disposition. (1)
13 Except as provided in 23-2-802, no an off-highway vehicle
14 may not be operated by any person for recreation on public
15 lands in Montana unless there is displayed in a conspicuous
16 place a decal, in a form prescribed issued by the department
17 of justice ~~and issued by the county treasurer~~, as visual
18 proof that the following fees have been paid for the current
19 year:

20 (a) (i) the fee in lieu of tax provided for in
21 23-2-803; and

22 (ii) the registration fee provided for in 23-2-817; or

23 (b) when the vehicle will be used as provided in this
24 section, the registration and taxation fees for motorcycles
25 and quadricycles subject to licensure under 61-3-321, as

1 evidenced by presentation of an owner's certificate of
2 registration and payment receipt; and

3 (c) the off-highway decal fee provided for in this
4 section.

5 (2) The decal ~~will~~ must be serially numbered and have
6 the expiration date of December 31 of the appropriate year
7 printed thereon.

8 (3) The off-highway decal fee is \$5, which the ~~county~~
9 treasurer department of justice shall collect and transmit
10 to the state treasurer, who shall deposit the money in an
11 interest-bearing account in the state special revenue fund
12 to the credit of the department of fish, wildlife, and
13 parks. The decal fee and the interest and income to the
14 account must be spent as follows:

15 (a) 40% must be used to enforce the provisions of this
16 section; and

17 (b) 60% must be spent to develop and implement a
18 comprehensive program and to plan appropriate off-highway
19 vehicle recreation use ~~except that:~~

20 ~~(i) no money may be spent for this purpose before~~
21 ~~January 17, 1991; and~~

22 ~~(ii) evaluation for development of a program plan must~~
23 ~~begin January 17, 1991."~~

24 **Section 7.** Section 23-2-809, MCA, is amended to read:

25 "23-2-809. Duplicate decal. If a decal required in

1 23-2-804 indicating that the off-highway vehicle fee has
 2 been paid for the current year is lost, mutilated, or
 3 becomes illegible, the person to whom it was issued shall
 4 immediately apply for and obtain a duplicate decal upon
 5 payment of a fee of \$5 to the county-treasurer department of
 6 justice, who which shall distribute the fee as provided in
 7 23-2-804(3)."

8 **Section 8.** Section 23-2-811, MCA, is amended to read:

9 "23-2-811. Certificate of ownership -- procedure --
 10 fee. (1) No An off-highway vehicle may not be operated upon
 11 any public lands, trails, easements, lakes, rivers, or
 12 streams unless a certificate of ownership has first been
 13 obtained from the department of justice.

14 (2) The owner of an off-highway vehicle shall apply for
 15 a certificate of ownership ~~to-the-county--treasurer--of--the~~
 16 ~~county--in--which--the-owner-resides~~, on a form furnished by
 17 the department of justice for that purpose. The form must
 18 include:

- 19 (a) the name of the owner;
- 20 (b) the residence of the owner, by town and county;
- 21 (c) the business address or home mailing address of the
 22 owner;
- 23 (d) the name and address of any lienholder;
- 24 (e) the amount due under any contract, mortgage, or
 25 lien;

- 1 (f) the name of the manufacturer;
- 2 (g) the model number or name;
- 3 (h) the identification number; and
- 4 (i) the name and address of the dealer or other person
 5 from whom the off-highway vehicle was acquired.

6 (3) The application must be signed by at least one
 7 owner or by a properly authorized agent of the owner.

8 (4) The application for a new certificate of ownership
 9 must be accompanied by the immediately previous certificate.
 10 This subsection does not apply to off-highway vehicles that
 11 are purchased as new and unused machines or that were
 12 operated before January 1, 1990.

13 (5) (a) After the owner completes the application form,
 14 the county--treasurer department of justice shall issue to
 15 the applicant two copies of the completed application, with
 16 one marked "file copy", ~~and shall forward one copy and the~~
 17 ~~original application--to--the--department--of--justice~~. The
 18 department of justice shall enter the information contained
 19 in the application upon the corresponding records of its
 20 office and shall send the applicant a certificate of
 21 ownership containing a permanent ownership number and
 22 information from the application considered necessary by the
 23 department of justice.

24 (b) The certificate of ownership is not required to be
 25 renewed annually and is valid as long as the person holding

1 it owns the off-highway vehicle.

2 (6) The owner shall at all times retain possession of
3 the certificate of ownership, except when it is being
4 transmitted to and from the department of justice for
5 endorsement or cancellation.

6 (7) Upon application for a certificate of ownership, a
7 fee of \$4 \$10 must be paid to--the--county--treasurer,--of
8 which: to the department of justice and deposited in the
9 general fund.

10 ~~{a)--\$3--must--be--forwarded--to--the--department--of--justice~~
11 ~~for--deposit--in--the--general--fund,--and~~

12 ~~{b)--\$1--must--be--retained--by--the--county--treasurer--for--the~~
13 ~~cost--of--administering--this--section."~~

14 **Section 9.** Section 23-2-812, MCA, is amended to read:

15 "23-2-812. Transfer of interest. (1) To transfer a
16 certificate of ownership for an off-highway vehicle
17 registered under 23-2-817, the person whose title or
18 interest is to be transferred shall endorse the certificate
19 of ownership in the appropriate space on the reverse side of
20 the certificate and have his signature acknowledged before a
21 notary public.

22 (2) (a) Within 20 calendar days after the date of
23 notarization, the transferee shall apply to the county
24 ~~treasurer--of--the--county--in--which--he--resides~~ department of
25 justice for:

- 1 (i) transfer of the endorsed certificate of ownership;
2 (ii) registration of the off-highway vehicle; and
3 (iii) issuance of a decal as required by 23-2-804.

4 ~~(b) The county-treasurer-shall-forward-the--application~~
5 ~~and--the--original--certificate--of--ownership--to--the~~ department
6 of justice, which shall file the application upon receipt.

7 (c) A certificate of ownership may not be issued by the
8 department until the outstanding certificates are
9 surrendered to that office or their loss is established.

10 ~~(d) The--county--treasurer~~ The department of justice
11 shall collect a fee of \$4 \$10 for each application for
12 transfer of ownership, of which: fee must be deposited in
13 the general fund.

14 ~~{i)--\$3--must--be--forwarded--to--the--department--of--justice~~
15 ~~for--deposit--in--the--general--fund,--and~~

16 ~~{ii)--\$1--must--be--retained--by--the--county--treasurer--for--the~~
17 ~~cost--of--administering--this--section."~~

18 (3) To effect by operation of law a transfer of
19 interest in an off-highway vehicle, the provisions of
20 61-3-201(3) are applicable.

21 (4) (a) A person who purchases a new or used
22 off-highway vehicle from an off-highway vehicle dealer
23 licensed under 23-2-818 shall, within 20 calendar days after
24 the purchase date, apply to the county--treasurer--of--the
25 county-in-which-he-resides department of justice for:

1 (i) a certificate of ownership;

2 (ii) registration of the off-highway vehicle; and

3 (iii) a decal as required by 23-2-804.

4 (b) During this period the sticker provided for in

5 subsection (6) must remain affixed to the off-highway

6 vehicle.

7 (5) It is not a violation of this part for a purchaser

8 to operate a newly acquired off-highway vehicle without a

9 certificate of ownership, a certificate of registration, and

10 a decal during the first 20 days of ownership.

11 (6) Prior to the delivery of the off-highway vehicle to

12 the purchaser, the dealer shall issue and affix to the

13 off-highway vehicle a sticker, in a form to be prescribed by

14 the department of justice, containing the name and address

15 of the purchaser, the date of sale, the name and address of

16 the dealer, and a description of the off-highway vehicle,

17 including its identification number. The dealer shall keep a

18 copy of the sticker for his records and shall send a copy of

19 the sticker to the department of justice.

20 (7) The provisions of subsection (2) do not apply to

21 the transfer of an off-highway vehicle to an off-highway

22 vehicle dealer licensed under 23-2-818 who intends to resell

23 the vehicle and who operates it only for demonstration

24 purposes. Every dealer, upon a transfer of interest, shall

25 deliver the certificate of ownership with an application for

1 a new certificate executed by the new owner in accordance

2 with the provisions of this part. The department of justice,

3 upon receipt of the certificate of ownership and application

4 for a new certificate, together with the conditional sales

5 contract or other lien, if any, shall issue a new

6 certificate of ownership showing the name of the lienholder

7 and the amount due under the contract, mortgage, or lien as

8 required by 23-2-811(2)(d) and (2)(e)."

9 **Section 10.** Section 23-2-817, MCA, is amended to read:

10 "23-2-817. Registration fee -- application and issuance

11 -- disposition. (1) Each off-highway vehicle is subject to

12 an annual registration fee of \$2 \$5.

13 (2) The county-treasurer department of justice shall

14 collect the annual fee when the fee in lieu of tax is

15 collected.

16 (3) Application for registration must be made to--the

17 ~~county--treasurer--of-the-county-in-which-the-owner-resides,~~

18 on a form furnished by the department of justice for that

19 purpose. The application must contain:

- 20 (a) the name and home mailing address of the owner;
- 21 (b) the certificate of ownership number;
- 22 (c) the name of the manufacturer of the off-highway
- 23 vehicle;
- 24 (d) the model number or name;
- 25 (e) the year of manufacture;

1 (f) a statement evidencing payment of the fee in lieu
2 of property tax; and

3 (g) such other information as the department of justice
4 may require.

5 (4) If the off-highway vehicle was previously
6 registered, the application must be accompanied by the
7 registration certificate for the most recent year in which
8 it was registered. Upon payment of the registration fee, the
9 ~~county--treasurer--shall--sign--the--application--and~~ department
10 of justice shall issue a registration receipt, which must
11 contain the information considered necessary by the
12 department of justice and a listing of the fees paid. The
13 owner shall retain possession of the registration receipt
14 until it is surrendered ~~to--the--county--treasurer~~ for
15 reregistration or to a purchaser or subsequent owner
16 pursuant to a transfer of ownership.

17 (5) All registration fees collected must be ~~forwarded~~
18 ~~to--the--department--of--justice--and~~ deposited in the general
19 fund."

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

21 "61-3-101. Duties of department -- records. (1) The
22 department shall keep a record as hereinafter specified of
23 all motor vehicles, trailers, and semitrailers of every
24 kind, and of certificates of registration and ownership
25 thereof, and of all manufacturers and dealers in motor

1 vehicles.

2 (2) ~~In--the--case--of--motor--vehicles,--trailers,--and~~
3 ~~semitrailers,--the~~ The record shall must show the following:

4 (a) name of owner, residence address by street or rural
5 route, town, and county, and business--address mailing
6 address if different than residence address;

7 (b) name and address of conditional sales vendor,
8 mortgagee, or other lienholder and amount due under contract
9 or lien;

10 (c) manufacturer of car;

11 (d) manufacturer's designation of style of car or
12 vehicle;

13 (e) identifying number;

14 (f) year of manufacture;

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

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

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

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

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

1 the vehicle owners thereof ~~in suitable books or on index~~
2 ~~cards~~, as 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.

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

17 (6) In order to prevent an accumulation of unneeded
18 records and files, regardless of any other statutory
19 requirements, the department ~~shall have the authority and it~~
20 ~~shall be its duty to~~ may destroy all records and files which
21 ~~have ceased to be of any value that relate to vehicles that~~
22 ~~have not been registered within the preceding 4 years and~~
23 ~~that do not have an active lien.~~

24 ~~(7) The department may establish and maintain a~~
25 ~~short wave radio station in order to report motor vehicle~~

1 ~~registration information to the highway patrol, to sheriffs,~~
2 ~~and to the chiefs of police of each incorporated city of the~~
3 ~~state who are able to communicate with such short wave radio~~
4 ~~station.~~

5 ~~(8)(7)~~ All records shall be open to inspection during
6 all reasonable business hours, and the department shall
7 furnish any information from the records upon payment by the
8 applicant of the cost of transcribing the information
9 requested. Prior to providing the information, the
10 department may require the applicant to provide
11 identification."

12 **Section 12.** Section 61-3-103, MCA, is amended to read:

13 "61-3-103. Filing of security interests, rights,
14 procedure, fees. (1) ~~No~~ A security interest in a motor
15 vehicle ~~shall be~~ is not valid as against creditors,
16 subsequent purchasers, or encumbrancers unless a lien
17 notice, on a form approved by the department, that shows a
18 security interest has been created, has been filed with the
19 department as provided in this section. The department ~~shall~~
20 may not file any security interest or other lien unless it
21 is accompanied by or specified in the application for a
22 certificate of ownership of the vehicle encumbered. If the
23 approved notice form is transmitted to the department, the
24 security agreement or other lien instrument that creates the
25 security interest must be retained by the secured party. A

1 copy of the security agreement is sufficient as a lien
 2 notice if it contains the name and address of the debtor and
 3 the secured party, the complete vehicle description, amount
 4 of lien, and is signed by the debtor. The department shall
 5 file the security interest or lien by entering the name and
 6 address of the secured party in its automated records system
 7 and upon the face of the certificate of ownership. The
 8 department shall mail a statement certifying to the filing
 9 of a security interest or lien to the secured party. The
 10 department shall mail the certificate of ownership to the
 11 owner at the address given on the certificate; however, if
 12 the transfer of ownership and filing of the security
 13 interest are paid for by a creditor or secured party, the
 14 department shall return the certificate of ownership to the
 15 county--treasurer motor vehicle division office where the
 16 vehicle is to be registered. The owner of a motor vehicle is
 17 the person entitled to operate and possess such motor
 18 vehicle.

19 (2) A security interest in a motor vehicle held as
 20 inventory by a dealer licensed under the provisions of
 21 61-4-101, must be perfected in accordance with Title 30,
 22 chapter 9, and no endorsement on the certificate of title is
 23 necessary for perfection.

24 (3) Whenever a security interest or lien is filed
 25 against a motor vehicle that is subject to two security

1 interests previously perfected by filing under this section,
 2 the department shall endorse the following on the face of
 3 the certificate of ownership: "~~NOTE~~. This motor vehicle
 4 is subject to additional security interests on file with the
 5 Department of Justice." No other information regarding such
 6 additional security interests need be endorsed on the
 7 certificate.

8 (4) Satisfactions or statements of release filed with
 9 the department under this chapter shall be retained by it
 10 for a period of 8 1/2 years after receipt, after which they
 11 may be destroyed.

12 (5) The filing of a security interest or other lien, as
 13 herein provided, perfects a security interest which has
 14 attached at the time the certificate-of-ownership noting
 15 such-interest-is-issued application is accepted and entered
 16 in the department's automated records system. Issuance of a
 17 certificate of ownership constitutes constructive notice to
 18 subsequent purchasers or encumbrancers, from the time of
 19 filing, of the existence of the security interest.

20 (6) Upon default under a chattel mortgage or
 21 conditional sales contract covering a motor vehicle, the
 22 mortgagee or vendor has the same remedies as in the case of
 23 other personal property. In case of attachment of motor
 24 vehicles all the provisions of 27-18-413, 27-18-414, and
 25 27-18 804 shall be applicable except that deposits must be

1 made with the department.

2 (7) A conditional sales vendor or chattel mortgagee or
3 assignee who fails to file a satisfaction of a chattel
4 mortgage, assignment, or conditional sales contract within
5 15 days after receiving final payment shall be required to
6 pay the department the sum of \$1 for each day thereafter
7 that he fails to file such satisfaction.

8 (8) Upon receipt of any liens, or notice of liens
9 dependent on possession, or attachments, etc., against the
10 record of any motor vehicle registered in this state, the
11 department shall within 24 hours mail to the owner,
12 conditional sale vendor, mortgagees, or assignees of any
13 thereof a notice showing the name and address of the lien
14 claimant, amount of the lien, date of execution of lien, and
15 in the case of attachment the full title of the court and
16 the action and the name of the attorneys for the plaintiff
17 and/or attaching creditor.

18 (9) It ~~shall~~ is not be necessary to refile with the
19 department any instruments on file in the offices of the
20 county clerk and recorders at the time this law takes
21 effect.

22 (10) A fee of \$4 \$10 must be paid to the department to
23 file any security interest or other lien against a motor
24 vehicle. The \$4 \$10 fee shall include and cover the cost of
25 filing a satisfaction or release of the security interest

1 and also the cost of entering such satisfaction or release
2 on the records of the department and deleting the
3 endorsement of the security interest from the face of the
4 certificate of ownership. A fee of \$4 \$10 must be paid the
5 department for issuing a certified copy of a certificate of
6 ownership subject to a security interest or other lien on
7 file in the office of the department, or for filing an
8 assignment of any security interest or other lien on file
9 with the department. All fees provided for in this section
10 must be paid to the ~~county-treasurer~~ department for deposit
11 in the state general fund ~~in accordance with 15-1-504.~~

12 **Section 13.** Section 61-3-201, MCA, is amended to read:
13 "61-3-201. Transfer of interest -- cancellation of
14 erroneous certificate of ownership or registration. (1) Upon
15 a transfer of any interest in a motor vehicle registered
16 under the provisions of this chapter, the person whose
17 interest is to be transferred shall write his signature with
18 pen and ink upon the certificate of ownership issued for the
19 vehicle in the appropriate space provided upon the reverse
20 side of the certificate, and the signature must be
21 acknowledged before the ~~county-treasurer,--a--deputy--county~~
22 treasurer, an elected official authorized to acknowledge
23 signatures, an employee of the department, or a notary
24 public.

25 (2) Within 20 calendar days after endorsement, the

1 transferee shall forward both the endorsed certificate of
 2 ownership with the odometer mileage statement required under
 3 61-3-206 and the certificate of registration, together with
 4 the information required under 61-3-202, to the county
 5 ~~treasurer, who shall forward them to the~~ department. The
 6 department may not issue a certificate of ownership or
 7 certificate of registration until the outstanding
 8 certificates are surrendered to that office or their loss is
 9 established to its reasonable satisfaction. Failure to make
 10 application within the 20-day grace period subjects the
 11 transferee to a penalty of \$10. The ~~county treasurer~~
 12 department shall collect the penalty at the time of
 13 registration. The penalty is in addition to the fees
 14 otherwise provided by law. If the transferee does not make
 15 application within 25 days, a creditor or secured party may
 16 pay the fees for the transfer of title and filing of
 17 security interest or lien in order to have title transferred
 18 to the transferee and have the security interest or lien
 19 filed. The creditor or secured party is not liable for the
 20 penalty, registration fees, or taxes. The department shall
 21 return the certificate of title to the ~~county treasurer~~
 22 motor vehicle division office as provided in 61-3-103(1).
 23 When the certificate of ownership is returned by the
 24 department to the ~~county treasurer~~ motor vehicle division
 25 office, that office ~~the treasurer~~ shall hold the certificate

1 of ownership until the vehicle is properly registered.
 2 (3) In the event of a transfer by operation of law of
 3 any interest in a motor vehicle as upon inheritance, devise,
 4 or bequest, order in bankruptcy or insolvency, execution
 5 sale, repossession upon default in the performance of the
 6 terms of a lease or executory sales contract, or otherwise
 7 than by voluntary act of the person whose title or interest
 8 is transferred, the executor, administrator, receiver,
 9 trustee, sheriff, or other representative or successor in
 10 interest of the person whose interest is transferred shall
 11 forward to the department an application for a certificate
 12 of ownership in the form required for an original
 13 application for a certificate of ownership, together with a
 14 verified or certified statement of the transfer of interest.
 15 The statement must set forth the reason for the involuntary
 16 transfer, the interest transferred, the name of the person
 17 to whom the interest is to be transferred, the process of
 18 procedure effecting the transfer, and other information
 19 requested by the department. Evidence and instruments
 20 otherwise required by law to effect a transfer of legal or
 21 equitable title to or an interest in chattels as may be
 22 required in such cases must be furnished with the statement.
 23 If the department is satisfied that the transfer is regular
 24 and that all formalities required by law have been complied
 25 with, it shall send to the owner, conditional sales vendor,

1 lessor, mortgagee, and other lienor, as shown by its
 2 records, notice of the intended transfer and, not less than
 3 5 days after sending notice, shall issue a new certificate
 4 of ownership and certificate of registration to the
 5 transferee. The notice required by this section is complied
 6 with by deposit in the ~~post-office-in-Beer-hodge-Montana~~
 7 U.S. mail of the notice, postage prepaid, addressed to the
 8 person at the respective address shown on its records.

9 (4) When the vehicle certificate of ownership that is
 10 involuntarily transferred is not registered in this state,
 11 the procedure in subsection (3) must be followed in applying
 12 for a new certificate of ownership and certificate of
 13 registration but the department need not send notice of
 14 intended transfer and shall issue a new certificate of
 15 ownership and a new certificate of registration to the
 16 person entitled to them.

17 (5) (a) If the owner of one or more motor vehicles,
 18 trailers, semitrailers, or housetrailers registered under
 19 this chapter and not exceeding a combined value of \$15,000
 20 dies without leaving other property necessitating the
 21 procuring of letters of administration or letters
 22 testamentary, the surviving spouse or other heir unless the
 23 property is by will otherwise bequeathed may secure transfer
 24 of the decedent's certificate of ownership and the
 25 certificate of registration for the vehicle.

1 (b) The person seeking transfer of the certificate of
 2 ownership shall file an affidavit with the department
 3 setting forth the fact of survivorship and the name and
 4 address of any other heirs and other facts as are necessary
 5 under subsection (5)(a) to entitle the affiant to a
 6 transfer.

7 (c) The department is authorized to transfer the
 8 certificate of ownership and certificate of registration,
 9 subject to all security interests shown by its records, upon
 10 receipt of an affidavit showing that the affiant is entitled
 11 to a transfer under the provisions of subsection (5)(a) of
 12 this section.

13 (6) Nothing in subsection (5) prevents any secured
 14 party from assigning his interest in a motor vehicle
 15 registered under the provisions of this chapter to any other
 16 person without the consent of and without affecting the
 17 interest of the holder of the certificate of ownership and
 18 certificate of registration. Upon any assignment by a
 19 secured party of his security interest in any motor vehicle
 20 registered under this chapter, a copy of the assignment must
 21 be filed with the department and a record of the assignment
 22 made upon its records.

23 (7) The certificate of ownership is valid until
 24 canceled by the department upon a transfer of any interest
 25 shown in the certificate, and annual renewal is not needed.

1 (8) (a) Upon its determination that a certificate of
 2 ownership or a registration receipt contains an error ~~caused~~
 3 ~~by the department~~, the department may cancel the certificate
 4 of ownership or receipt and issue a replacement for the
 5 erroneous certificate or receipt if the owner has returned
 6 the certificate or receipt to be canceled. If the owner
 7 fails to return to the department the certificate of
 8 ownership or the registration receipt, the department shall
 9 direct a peace officer or department employee to secure and
 10 return the certificate or receipt to the department.

11 (b) Any person who fails to return a certificate of
 12 ownership or registration receipt issued with containing an
 13 error ~~caused by the department~~ after receiving actual notice
 14 of the department's demand for the return of the certificate
 15 or receipt as required by subsection (8)(a) is guilty of a
 16 misdemeanor and upon conviction may be fined an amount not
 17 to exceed \$500."

18 **Section 14.** Section 61-3-202, MCA, is amended to read:

19 "61-3-202. Certificate of ownership -- issuance --
 20 contents -- joint ownership. (1) Upon completion of the
 21 application for certificate of ownership, on forms furnished
 22 by the department, ~~the county treasurer shall forward one~~
 23 ~~copy of the application to the department, which shall enter~~
 24 the information contained in the application upon the
 25 corresponding records of its office and, except as provided

1 in 61-3-103(1) and 61-3-201(2) concerning applications by
 2 creditors or secured parties, shall furnish the applicant a
 3 certificate of ownership subject to the provisions of
 4 61-3-103.

5 (2) The certificate of ownership shall contain upon the
 6 face thereof:

7 (a) the date issued;

8 (b) the name and complete mailing and residence address
 9 or addresses of the owner or the names and addresses of
 10 joint owners;

11 (c) except as provided in 61-3-103, the name and
 12 complete address of any holder of a perfected security
 13 interest in the registered vehicle;

14 (d) a description of the registered vehicle, including
 15 the year built and serial number;

16 (e) except as provided in 61-3-103, the filing date of
 17 any lien against such motor vehicle; and

18 (f) such other statement of facts as may be determined
 19 by the department.

20 (3) When the names and addresses of more than one owner
 21 who are members of the same immediate family are listed on
 22 the certificate of ownership, joint ownership with right of
 23 survivorship, and not as tenants in common, is presumed.

24 ~~(4) Upon receipt of the application, the department~~
 25 ~~shall recheck the application if there is any error in the~~

1 ~~application-it-may-be-retained-to-the-county-treasurer-to~~
2 ~~effectively-secure-the-correction-of-such-error,who-shall~~
3 ~~return-the-same-to-the-department:~~

4 (5)(4) The certificate of ownership shall contain a
5 notice to the department of a transfer of interest of the
6 owner and such other statements as may be determined by the
7 department."

8 **Section 15.** Section 61-3-203, MCA, is amended to read:

9 "61-3-203. Fee for original certificate of ownership
10 and transfer of registration -- disposition. A charge of \$5
11 must be made for issuance of an original certificate of
12 ownership of title and for a transfer of registration which
13 must be collected by the county-treasurer department. The
14 fees must be distributed as follows:

15 (1) ~~\$3.50--of--each--fee--must--be--remitted---to---the~~
16 ~~department-by-the-county-treasurer,as-provided-in-15-1-504,~~
17 ~~for--each--application-for-original-certificate-of-ownership~~
18 ~~or-transfer-of-registration. The fees collected must be~~
19 ~~retained by the department and deposited in the general~~
20 ~~fund, except that \$1.50 of the original motor vehicle fee~~
21 ~~must be forwarded to the county treasurer of the county in~~
22 ~~which the vehicle is registered.~~

23 (2) Each March the county commissioners of each county
24 shall divide the fees retained-by remitted to the county to:

25 (a) the city road fund of each city and town within the

1 county based on the number of motor vehicles registered
2 inside the corporate limits of each city or town; and

3 (b) the county road fund based on the number of motor
4 vehicles registered outside the corporate limits of cities
5 and towns."

6 **Section 16.** Section 61-3-207, MCA, is amended to read:

7 "61-3-207. Mobile home or housetrailer -- transfer of
8 interest. (1) Upon a transfer of any interest in a mobile
9 home or housetrailer under the provisions of this chapter,
10 the application for the transfer shall must be made through
11 the county-treasurer's motor vehicle division office in the
12 county in which the mobile home or housetrailer is located
13 at the time of the transfer or in the nearest motor vehicle
14 division office.

15 (2) When a mobile home or housetrailer is sold under
16 contract or under such conditions that title is not
17 immediately conveyed, the parties to the transaction shall
18 immediately file with the county clerk and recorder a notice
19 of intention to transfer title. The notice must indicate the
20 name of the party who is thereafter responsible for payment
21 of taxes upon the mobile home or housetrailer. The clerk and
22 recorder shall immediately notify the county assessor of the
23 information in the notice. The penalty provisions of
24 61-3-201(2) do not apply if the notice of intent to transfer
25 is filed with the county clerk and recorder within 20 days

1 after the transfer."

2 **Section 17.** Section 61-3-303, MCA, is amended to read:

3 "61-3-303. Application for registration. (1) Every
4 owner of a motor vehicle operated or driven upon the public
5 highways of this state shall for each motor vehicle owned,
6 except as herein otherwise expressly provided in this
7 section, file or cause to be filed ~~in the office of the~~
8 ~~county treasurer where the owner makes his permanent~~
9 ~~residence at the time of making the application or, if the~~
10 ~~vehicle is owned by a corporation or used primarily for~~
11 ~~commercial purposes, in the taxing jurisdiction of the~~
12 ~~county where the vehicle is permanently assigned,~~ an
13 application for registration or reregistration upon a blank
14 form to be prepared and furnished by the department. The
15 application shall contain:

16 (a) name and address of owner, giving county, school
17 district, and town or city within whose corporate limits the
18 motor vehicle is taxable, if taxable, or within whose
19 corporate limits the owner's residence is located if the
20 motor vehicle is not taxable;

21 (b) name and address of the holder of any security
22 interest in the motor vehicle;

23 (c) description of motor vehicle, including make, year
24 model, engine or serial number, manufacturer's model or
25 letter, gross weight, type of body, and if truck, the rated

1 capacity; and

2 ~~(d) in case of reregistration, the license number for~~
3 ~~the preceding year; and~~

4 ~~(e)~~(d) such other information as the department may
5 require.

6 (2) A person who files an application for registration
7 or reregistration of a motor vehicle, except of a mobile
8 home as defined in 15-1-101(1), shall upon the filing of the
9 application pay to the ~~county treasurer~~ department:

10 (a) the registration fee, as provided in 61-3-311 and
11 61-3-321; and

12 (b) unless it has been previously paid:

13 (i) the personal property taxes assessed against the
14 vehicle for the current year of registration and the
15 immediately previous year; or

16 (ii) the new motor vehicle sales tax against the vehicle
17 for the current year of registration.

18 (3) The application may not be accepted by the ~~county~~
19 ~~treasurer~~ department unless the payments required by
20 subsection (2) accompany the application. The department or
21 its agent may not assess and ~~the county treasurer~~ may not
22 collect taxes or fees for a period other than:

23 (a) the current year; and

24 (b) the immediately previous year, if the vehicle was
25 not registered or operated on the highways of the state,

1 regardless of the period of time since the vehicle was
2 previously registered or operated.

3 (4) (a) Upon its determination that a registration
4 receipt contains an error, the department may cancel the
5 registration receipt, demand the return of the erroneous
6 receipt, and issue a replacement for the erroneous receipt.
7 If the owner fails to return the registration receipt to the
8 department, the department shall direct a peace officer or
9 department employee to secure and return the receipt to the
10 department.

11 (b) A person who fails to return a registration receipt
12 containing an error after receiving actual notice of the
13 department's demand for its return as required by subsection
14 (4)(a) is guilty of a misdemeanor and upon conviction may be
15 fined an amount not to exceed \$500.

16 ~~†4~~(5) The department or its agent may make full and
17 complete investigation of the tax status of the vehicle. Any
18 applicant for registration or reregistration must submit
19 proof from the tax or other appropriate records of the
20 proper county at the request of the department or its
21 agent."

22 **Section 18.** Section 61-3-311, MCA, is amended to read:

23 "61-3-311. Time for making application. Registration
24 must be renewed annually and license fees paid annually.
25 Except as provided in 61-3-313 through 61-3-316 and

1 61-3-526, all registrations expire on December 31 of the
2 year in which they are issued and application for
3 registration, or reregistration, must be filed with the
4 county-treasurer department not later than February 15 of
5 each year. If the ownership of a motor vehicle is
6 transferred during the registration year, the motor vehicle
7 must be reregistered and relicensed as provided by statute."

8 **Section 19.** Section 61-3-314, MCA, is amended to read:

9 "61-3-314. Registration period. (1) ~~Notwithstanding any~~
10 ~~other provisions of this title regarding the registration of~~
11 ~~motor vehicles, commencing January 1, 1976, all All~~ vehicles
12 subject to the provisions of 61-3-313 through 61-3-316 shall
13 be registered for 12-month periods based upon the time they
14 are first registered in this state pursuant to 61-3-313
15 through 61-3-316.

16 (2) There shall be ~~ten~~ 12 registration periods, each of
17 which shall commence on the first day of a calendar month.
18 The periods are designated as follows:

19 (a) January 1 through January 31	1st period
20 (b) February 1 through February 28/29	2nd period
21 (c) March 1 through March 31	3rd period
22 (d) April 1 through April 30	4th period
23 (e) May 1 through May 31	5th period
24 (f) June 1 through June 30	6th period
25 (g) July 1 through July 31	7th period

1 (h) August 1 through August 31 8th period
 2 (i) September 1 through September 30 9th period
 3 (j) October 1 through October 31 10th period
 4 (k) November 1 through November 30 11th period
 5 (l) December 1 through December 31 12th period
 6 (3) ~~For purposes of 61-3-313 through 61-3-316, the~~
 7 ~~period November 1 through November 30 shall be considered~~
 8 ~~the 10th period preceding and the period December 1 through~~
 9 ~~December 31 shall be considered the first period of the year~~
 10 following. For the purpose of equalizing registrations in
 11 the periods designated in subsections (2)(k) and (2)(l), the
 12 department shall establish rules to transfer certain
 13 registrations now assigned to the periods designated in
 14 subsections (2)(j) and (2)(a) into the periods designated in
 15 subsections (2)(k) and (2)(l)."

16 **Section 20.** Section 61-3-317, MCA, is amended to read:

17 "61-3-317. New registration required for transferred
 18 vehicle -- grace period -- penalty -- display of proof of
 19 purchase. Except as otherwise provided herein, the new owner
 20 of a transferred motor vehicle shall have a grace period of
 21 20 calendar days from the date of purchase to make
 22 application and pay the taxes or fees, or both, provided by
 23 part 5 of this chapter, unless the tax or fee has been paid
 24 for the year, as if the vehicle were being registered for
 25 the first time in that registration year. If the motor

1 vehicle was not purchased from a duly licensed motor vehicle
 2 dealer as provided in this chapter, it is not a violation of
 3 this chapter or any other law for the purchaser to operate
 4 the vehicle upon the streets and highways of this state
 5 without a certificate of registration during the 20-day
 6 period, provided that at all times during that period a
 7 vehicle purchase sticker in a form prescribed and furnished
 8 by the department, obtained from the county treasurer, the
 9 department, or a law enforcement officer as authorized by
 10 the department, reciting the date of purchase is clearly
 11 displayed in the rear window of the motor vehicle.
 12 Registration and license fees collected under 61-3-321 are
 13 not required to be paid when a license plate is transferred
 14 under this section and 61-3-335. Failure to make application
 15 within the time provided herein subjects the purchaser to a
 16 penalty of \$10. The penalty ~~shall~~ must be collected by the
 17 ~~county treasurer~~ department at the time of registration and
 18 ~~shall be~~ is in addition to the fees otherwise provided by
 19 law."

20 **Section 21.** Section 61-3-321, MCA, is amended to read:

21 "61-3-321. Registration fees of vehicles --
 22 public-owned vehicles exempt from license or registration
 23 fees -- disposition of fees. (1) Registration or license
 24 fees must be paid upon registration or reregistration of
 25 motor vehicles, trailers, housetrailer, and semitrailers,

1 in accordance with this chapter, as follows:

2 (a) motor vehicles weighing 2,850 pounds or under
3 (other than motortrucks), \$5;

4 (b) motor vehicles weighing over 2,850 pounds (other
5 than motortrucks), \$10;

6 (c) electrically driven passenger vehicles, \$10;

7 (d) all motorcycles and quadricycles, \$2;

8 (e) tractors and/or trucks, \$10;

9 (f) buses are classed as motortrucks and licensed
10 accordingly;

11 (g) trailers and semitrailers less than 2,500 pounds
12 maximum gross loaded weight and housetrailers of all
13 weights, \$2;

14 (h) trailers and semitrailers over 2,500 up to 6,000
15 pounds maximum gross loaded weight (except housetrailers),
16 \$5;

17 (i) trailers and semitrailers over 6,000 pounds maximum
18 gross loaded weight, \$10;

19 (j) trailers used exclusively in the transportation of
20 logs in the forest or in the transportation of oil and gas
21 well machinery, road machinery, or bridge materials, new and
22 secondhand, \$15 annually, regardless of size or capacity.

23 (2) All rates are 25% higher for motor vehicles,
24 trailers, and semitrailers not equipped with pneumatic
25 tires.

1 (3) "Tractor", as specified in this section, means any
2 motor vehicle, except passenger cars, used for towing a
3 trailer or semitrailer.

4 (4) If any motor vehicle, housetrailer, trailer, or
5 semitrailer is originally registered 6 months after the time
6 of registration as set by law, the registration or license
7 fee for the remainder of the year is one-half of the regular
8 fee.

9 (5) An additional fee of \$5.25 per year for each
10 registration of a vehicle must be collected as a
11 registration fee. Revenue from this fee must be forwarded by
12 the ~~respective-county-treasurers~~ department to the state
13 treasurer for deposit in the general fund. The department of
14 justice shall distribute 25 cents from each fee collected to
15 the highway patrol retirement fund.

16 (6) A fee of \$2 for each set of new number plates must
17 be collected when number plates provided for under
18 61-3-332(3) are issued. Revenue from this fee must be
19 deposited as provided in subsection (5).

20 (7) The provisions of this part with respect to the
21 payment of registration fees do not apply to and are not
22 binding upon motor vehicles, trailers or semitrailers, or
23 tractors owned or controlled by the United States of America
24 or any state, county, or city.

25 (8) The provisions of this section relating to the

1 payment of registration fees or new number plate fees do not
2 apply when number plates are transferred to a replacement
3 vehicle under 61-3-317, 61-3-332, or 61-3-335."

4 **Section 22.** Section 61-3-322, MCA, is amended to read:

5 "61-3-322. Certificates of registration -- issuance.

6 (1) Upon completion of the application for registration, ~~on~~
7 ~~forms--furnished--by--the--department,--the--county--treasurer~~
8 ~~shall file one copy in his office and issue to the applicant~~
9 ~~must be issued~~ two copies of the application marked "Owner's
10 Certificate of Registration and Payment Receipt", one of
11 which shall be marked "file copy".

12 (2) The certificate of registration shall contain upon
13 the face thereof the information described in 61-3-202(2).

14 (3) Every owner, upon receiving a registration receipt,
15 shall write his signature on the receipt with pen and ink in
16 the space provided. The registration receipt, ~~a--photostatic~~
17 ~~copy--of--the--receipt--acknowledged--by--the--county--treasurer--or~~
18 ~~a--deputy--county--treasurer, a notarized photostatic copy, or~~
19 a duplicate furnished by the department shall at all times
20 be carried in the vehicle to which it refers or shall be
21 carried by the person driving or in control of the vehicle,
22 who shall display it upon demand of a police officer or any
23 officer or employee of the department or the highway
24 department.

25 ~~(4)--The--county--treasurer--shall--daily--forward--to--the~~

1 ~~department one copy of--all--applications--for--registration~~
2 ~~received--that--day;~~

3 ~~(5)--It--is--not--necessary--for--the--county--treasurer--to~~
4 ~~segregate--the--amount--of--taxes--or--fees--for--state,--county,~~
5 ~~school--district,--and--municipal--purposes--in--the--receipt;"~~

6 **Section 23.** Section 61-3-331, MCA, is amended to read:

7 "61-3-331. Assignment of number plates. The county
8 treasurer department shall, at the time of issuing a
9 registration receipt under 61-3-322, assign such the motor
10 vehicle a distinctive number, ~~viz,--the~~ license plate
11 number, and deliver to the applicant two license plates, ~~as~~
12 ~~received--from--the--department, which shall bear such bearing~~
13 the distinctive numbers. ~~The--department--shall--ship--said~~
14 ~~license--plates--to--the--various--county--treasurers--by--freight,~~
15 ~~so--that--they--will--be--received--by--the--county--treasurer--on--or~~
16 ~~before--January--1--of--each--year;"~~

17 **Section 24.** Section 61-3-335, MCA, is amended to read:

18 "61-3-335. Transfer of license plates to another motor
19 vehicle. (1) Should the transferor make application for the
20 registration of another motor vehicle at any time during the
21 remainder of the current registration year as shown on the
22 original certificate of registration, he may file an
23 application ~~in--the--office--of--the--county--treasurer--where--the~~
24 ~~motor--vehicle--is--registered, upon a form to be prepared and~~
25 furnished by the department, accompanied by the original

1 certificate of registration, for the transfer of the license
 2 plates. The application for transfer of the license plates
 3 from the motor vehicle for which originally issued to a
 4 motor vehicle acquired by the same person in whose name the
 5 original license plates were issued ~~shall~~ must be made
 6 within 20 days from date of acquiring the vehicle. The use
 7 of the license plates ~~shall~~ may not be legalized until
 8 proper transfer of license plates has been made.

9 (2) License plates may be transferred pursuant to this
 10 section without transferring ownership of the first vehicle.

11 (3) Upon transfer of the license plates, the
 12 registration of the motor vehicle from which the license
 13 plates were transferred expires. The certificate of
 14 registration for such the vehicle must be surrendered to the
 15 ~~county--treasurer~~ department with the application for
 16 transfer."

17 **Section 25.** Section 61-3-342, MCA, is amended to read:

18 "61-3-342. Temporary window sticker ~~-- fee.~~ Any
 19 purchaser of a motor vehicle who is unable to obtain license
 20 plates ~~from-the--county--treasurer~~ at the time he makes
 21 application for registration or reregistration of the
 22 vehicle because the certificate of ownership is lost, in the
 23 possession of third parties, or in the process of reissuance
 24 in this state or elsewhere may, upon making affidavit to
 25 that effect upon a form prescribed by the department and

1 upon the payment of ~~a~~ the applicable fees and taxes plus an
 2 additional fee of \$2, ~~to--be--collected--by--the--county~~
 3 ~~treasurer--and--remitted--to--the--department,--obtain--from--the~~
 4 ~~county--treasurer--of--the--county--in--which--the--vehicle--is--to--be~~
 5 ~~registered~~ obtain a temporary window sticker that is of such
 6 a size, color, and design as prescribed by the department
 7 ~~may--prescribe,--to--be--validated--by--the--county--treasurer~~ and
 8 that is valid for a period of 60 days from the date of
 9 issuance. The purchaser, upon displaying the sticker on the
 10 upper left-hand corner of the rear window of the motor
 11 vehicle, may operate the vehicle during the period for which
 12 the window sticker ~~has--been--validated~~ is valid without
 13 displaying the registration certificate or number plates or
 14 plate for the current year. The ~~county--treasurer~~ department
 15 may not sell, and ~~no~~ a person may not purchase, more than
 16 one 60-day temporary window sticker for any vehicle, if the
 17 ownership ~~of--which~~ has not changed since the issuance of the
 18 previous 60-day window sticker."

19 **Section 26.** Section 61-3-406, MCA, is amended to read:

20 "61-3-406. Fees for personalized plates -- disposition.
 21 (1) In addition to all other fees and taxes imposed by law,
 22 the applicant for a personalized license plate shall pay a
 23 fee of \$25 for the original personalized license plate and a
 24 fee of \$10 for each transfer or renewal thereof.

25 (2) The revenue derived from the ~~fee-as-provided--herein~~

1 fees provided in subsection (1) must be deposited as
 2 follows; in the state general fund.

3 ~~(a)--\$5-of-the-application-fee-and-\$5-of-the-transfer-or~~
 4 ~~renewal-fee-in-the-county-general-fund;and~~

5 ~~(b)--\$20-of-the-application-fee-and-\$5-of--the--transfer~~
 6 ~~or-renewal-fee-in-the-state-general-fund;"~~

7 **Section 27.** Section 61-3-431, MCA, is amended to read:

8 "61-3-431. Special mobile equipment -- exemption from
 9 registration and payment of fees and charges --
 10 identification plate -- publicly owned special mobile
 11 equipment. (1) A person, firm, partnership, or corporation
 12 who owns, leases, or rents special mobile equipment as
 13 defined in 61-1-104 and occasionally moves that equipment
 14 on, over, or across the highways of the state is not subject
 15 to registration of that equipment or required to pay the
 16 fees and charges provided for in 61-3-502, 61-4-301 through
 17 61-4-308, or part 2 of chapter 10. Prior to movement on the
 18 highways, however, each piece of equipment shall display an
 19 equipment identification plate or a dealer's license plate
 20 attached to the equipment.

21 (2) Annual application for the identification plate
 22 ~~shall~~ must be made to the county treasurer before any piece
 23 of equipment is moved on the highways. Application shall be
 24 made on a form furnished by the department ~~of-justice,~~
 25 together with the payment of a fee of \$5. The equipment for

1 which a special mobile equipment plate is sought is subject
 2 to the assessment of personal property taxes on the date
 3 application is made for the plate. The personal property
 4 taxes assessed against the special mobile equipment must be
 5 paid before the issuance of a special mobile equipment plate
 6 that the department shall furnish to the county. The fees
 7 collected under this section belong to the county road fund.

8 (3) The identification plate expires on December 31 of
 9 each year. If the expired identification plate is displayed,
 10 an owner of special mobile equipment registered under the
 11 provisions of this section is entitled to operate the
 12 equipment between January 1 and February 15 following
 13 expiration without displaying the identification plate or
 14 receipt of the current year.

15 (4) Publicly owned special mobile equipment and
 16 implements of husbandry used exclusively by an owner in the
 17 conduct of his own farming operations are exempt from this
 18 section."

19 **Section 28.** Section 61-3-433, MCA, is amended to read:

20 "61-3-433. Issuance of identification plate and receipt
 21 -- contents. The ~~county-treasurer~~ department shall issue to
 22 an applicant for an equipment identification plate a single
 23 metal plate with a distinguishing number and a receipt for
 24 the fee collected, which receipt ~~shall~~ must contain the name
 25 and address of the applicant, the number of the plate

1 issued, the serial number of the equipment, and a brief
2 description of that equipment."

3 **Section 29.** Section 61-3-467, MCA, is amended to read:

4 "61-3-467. Authorization to receive and transmit
5 donations. As provided in 61-3-465 and notwithstanding any
6 other provisions of Title 7, Title 17, or this title:

7 (1) the county-treasurer department shall receive the
8 annual scholarship donations provided for in 61-3-465 and
9 once each month transmit those donations to the state
10 treasurer; and

11 (2) the state treasurer shall accept the annual
12 scholarship donations and once each month distribute the
13 accumulated proceeds to the beneficiary institutions
14 specified by and according to the totals contained in the
15 county treasurers' reports."

16 **Section 30.** Section 61-3-502, MCA, is amended to read:

17 "61-3-502. Sales tax on new motor vehicles --
18 exemptions. (1) In consideration of the right to use the
19 highways of the state, there is imposed a tax upon all sales
20 of new motor vehicles, excluding trailers, semitrailers, and
21 housetrailers, for which a license is sought and an original
22 application for title is made. The tax must be paid by the
23 purchaser when he applies for his original Montana license
24 through the county-treasurer department.

25 (2) Except as provided in subsections (4) and (5), the

1 sales tax is:

2 (a) 1 1/2% of the f.o.b. factory list price or f.o.b.
3 port-of-entry list price, during the first quarter of the
4 year or for a registration period other than a calendar year
5 or calendar quarter;

6 (b) 1 1/8% of the list price during the second quarter
7 of the year;

8 (c) 3/4 of 1% during the third quarter of the year;

9 (d) 3/8 of 1% during the fourth quarter of the year.

10 (3) If the manufacturer or importer fails to furnish
11 the f.o.b. factory list price or f.o.b. port-of-entry list
12 price, the department may use published price lists.

13 (4) The new car sales tax on vehicles subject to the
14 provisions of 61-3-313 through 61-3-316 is 1 1/2% of the
15 f.o.b. factory list price or f.o.b. port-of-entry list price
16 regardless of the month in which the new vehicle is
17 purchased.

18 (5) The sales tax on new motor vehicles registered as
19 part of a fleet under 61-3-318 is 3/4 of 1% of the f.o.b.
20 factory list price or f.o.b. port-of-entry list price.

21 (6) The proceeds from this tax must be remitted to the
22 state treasurer every 30 days for credit to the state
23 highway account of the state special revenue fund.

24 (7) The new vehicle is not subject to any other
25 assessment, fee in lieu of tax, or tax during the calendar

1 year in which the original application for title is made.

2 (8) (a) The applicant for original registration of any
3 new and unused motor vehicle, or a new motor vehicle
4 furnished without charge by a dealer to a school district
5 for use as a traffic education motor vehicle by a school
6 district operating a state-approved traffic education
7 program within the state, whether or not previously licensed
8 or titled to the school district (except a mobile home as
9 defined in 15-1-101(1)), acquired by original contract after
10 January 1 of any year, is required, whenever the vehicle has
11 not been otherwise assessed, to pay the motor vehicle sales
12 tax provided by this section irrespective of whether the
13 vehicle was in the state of Montana on January 1 of the
14 year.

15 (b) No A motor vehicle may not be registered or
16 licensed under the provisions of this subsection unless the
17 application for registration is accompanied by a statement
18 of origin to be furnished by the dealer selling the vehicle,
19 showing that the vehicle has not previously been registered
20 or owned, except as otherwise provided herein, by any
21 person, firm, corporation, or association that is not a new
22 motor vehicle dealer holding a franchise or distribution
23 agreement from a new car manufacturer, distributor, or
24 importer.

25 (9) (a) Motor vehicles operating exclusively for

1 transportation of persons for hire within the limits of
2 incorporated cities or towns and within 15 miles from such
3 limits are exempt from subsection (1).

4 (b) Motor vehicles brought or driven into Montana by a
5 nonresident, migratory, bona fide agricultural worker
6 temporarily employed in agricultural work in this state
7 where those motor vehicles are used exclusively for
8 transportation of agricultural workers are also exempt from
9 subsection (1).

10 (c) Vehicles lawfully displaying a licensed dealer's
11 plate as provided in 61-4-103 are exempt from subsection (1)
12 when moving to or from a dealer's place of business when
13 unloaded or loaded with dealer's property only, and in the
14 case of vehicles having a gross loaded weight of less than
15 24,000 pounds, while being demonstrated in the course of the
16 dealer's business."

17 **Section 31.** Section 61-3-503, MCA, is amended to read:

18 **"61-3-503. (Temporary) Assessment -- duties of owner.**
19 (1) Except as provided in 61-3-520 and subsection (2) of
20 this section, the following apply to the taxation of motor
21 vehicles:

22 (a) Except as provided in subsections (1)(c) through
23 ~~(1)(e)~~ (1)(f), a person who files an application for
24 registration or reregistration of a motor vehicle shall
25 before filing the application with the county-treasurer

1 department submit the application to the county assessor.
 2 The county assessor shall enter on the application in a
 3 space to be provided for that purpose the market value and
 4 taxable value of the vehicle as of January 1 of the year for
 5 which the application for registration is made.

6 (b) Except as provided in subsection (1)(c), motor
 7 vehicles are assessed for taxes on January 1 in each year
 8 irrespective of the time fixed by law for the assessment of
 9 other classes of personal property and irrespective of
 10 whether the levy and tax may be a lien upon real property
 11 within the state. A motor vehicle is not subject to
 12 assessment, levy, and taxation more than once in each year.

13 (c) Vehicles subject to the provisions of 61-3-313
 14 through 61-3-316 ~~shall~~ must be assessed as of the first day
 15 of the registration period, using the average trade-in or
 16 wholesale value as of January 1 of the year of assessment of
 17 the vehicle as contained in the most recent volume of the
 18 Mountain States Edition of the National Automobile Dealers
 19 Association (N.A.D.A.) Official Used Car Guide, the National
 20 Edition of N.A.D.A. Appraisal Guides Official Older Used Car
 21 Guide, or another nationally published used car or appraisal
 22 guide approved by the department, or, for a vehicle that was
 23 never listed in any edition of the preceding guides, the
 24 retail value of the vehicle as determined by the county
 25 assessor, and thereafter depreciated 10% per year until a

1 value of \$500 is reached, not including additions or
 2 deductions for options and mileage but including additions
 3 or deductions, whether or not one of the preceding guides is
 4 used, for diesel engines; and a lien for taxes and fees due
 5 on the vehicle shall occur on the anniversary date of the
 6 registration and shall continue until the fees and taxes
 7 have been paid. If the value shown in any of the appraisal
 8 guides listed in this section is less than \$500, the
 9 department shall value the vehicle at \$500.

10 (d) Motorcycles and quadricycles ~~shall~~ must be
 11 assessed, using the greater of the following:

12 (i) \$250; or
 13 (ii) the average trade-in or wholesale value as of
 14 January 1 of the year of assessment of the vehicle as
 15 contained in the most recent volume of the applicable
 16 National Edition of the N.A.D.A. Motorcycle/Moped/ATV
 17 Appraisal Guide or N.A.D.A. Recreational Vehicle Appraisal
 18 Guide, not including additions or deductions for options and
 19 mileage.

20 (e) If a vehicle assessed under subsection (1)(c) or
 21 (1)(d) is not originally listed in the applicable N.A.D.A.
 22 guide or other approved guide, the department of revenue or
 23 its agent shall depreciate the original f.o.b. factory list
 24 price, f.o.b. port-of-entry list price, or the
 25 manufacturer's suggested list price, using the following

1 methods:

2 (i) if the new car sales tax has been previously paid
3 and the vehicle is less than 1 year in age, the depreciation
4 percentage shall be 20%; or

5 (ii) if the vehicle is 1 year or older in age and it is
6 not listed in any of the appraisal guides listed in this
7 section, the department of revenue shall determine the
8 depreciation percentage to approximate the average wholesale
9 or trade-in values in the current N.A.D.A. guides referred
10 to in this subsection. For purposes of this subsection (1),
11 the age of the vehicle is determined by subtracting the
12 manufacturer's model year of the vehicle from the calendar
13 year of assessment.

14 (f) The owner of a vehicle whose value has been
15 established under this section and who has received a
16 registration renewal reminder with that value indicated on
17 the renewal reminder shall complete the reregistration of
18 the vehicle by mail as directed by the department on the
19 renewal form.

20 ~~(f)(g)~~ When a minimum value of \$500 is reached, the
21 value shall remain at that minimum so long as the vehicle is
22 registered.

23 ~~(g)(h)~~ If a previously registered vehicle is no longer
24 listed in the applicable N.A.D.A. guide or other approved
25 guide, the department or its agent shall depreciate the

1 value of the vehicle at the rate of 10% a year until a
2 minimum amount of \$500 is attained, and the value shall
3 remain at that amount so long as the vehicle is registered.

4 (2) The provisions of subsections (1)(a) through ~~(1)(g)~~
5 (1)(h) do not apply to motor homes, travel trailers,
6 campers, or mobile homes as defined in 15-1-101(1).
7 (Terminates December 31, 1993--sec. 11, Ch. 525, L. 1989.)

8 **61-3-503. (Effective January 1, 1994) Assessment. (1)**
9 Except as provided in subsection (2), the following apply to
10 the taxation of motor vehicles:

11 (a) Except as provided in subsections (1)(c) through
12 ~~(1)(e)~~ (1)(f), a person who files an application for
13 registration or reregistration of a motor vehicle shall
14 before filing such application with the ~~county--treasurer~~
15 department submit the application to the county assessor.
16 The county assessor shall enter on the application in a
17 space to be provided for that purpose the market value and
18 taxable value of the vehicle as of January 1 of the year for
19 which the application for registration is made.

20 (b) Except as provided in subsection (1)(c), motor
21 vehicles are assessed for taxes on January 1 in each year
22 irrespective of the time fixed by law for the assessment of
23 other classes of personal property and irrespective of
24 whether the levy and tax may be a lien upon real property
25 within the state. In no event may any motor vehicle be

1 subject to assessment, levy, and taxation more than once in
2 each year.

3 (c) Vehicles subject to the provisions of 61-3-313
4 through 61-3-316 ~~shall~~ must be assessed as of the first day
5 of the registration period, using the average trade-in or
6 wholesale value as of January 1 of the year of assessment of
7 the vehicle as contained in the most recent volume of the
8 Mountain States Edition of the National Automobile Dealers
9 Association (N.A.D.A.) Official Used Car Guide, the National
10 Edition of N.A.D.A. Appraisal Guides Official Older Used Car
11 Guide, or another nationally published used car or appraisal
12 guide approved by the department, or, for a vehicle that was
13 never listed in any edition of the preceding guides, the
14 retail value of the vehicle as determined by the county
15 assessor, and thereafter depreciated 10% per year until a
16 value of \$500 is reached, not including additions or
17 deductions for options and mileage but including additions
18 or deductions, whether or not one of the preceding guides is
19 used, for diesel engines; and a lien for taxes and fees due
20 on the vehicle shall occur on the anniversary date of the
21 registration and shall continue until the fees and taxes
22 have been paid. If the value shown in any of the appraisal
23 guides listed in this section is less than \$500, the
24 department shall value the vehicle at \$500.

25 (d) Motorcycles and quadricycles shall be assessed,

1 using the greater of the following:

2 (i) \$250; or

3 (ii) the average trade-in or wholesale value as of
4 January 1 of the year of assessment of the vehicle as
5 contained in the most recent volume of the applicable
6 National Edition of the N.A.D.A. Motorcycle/Moped/ATV
7 Appraisal Guide or N.A.D.A. Recreational Vehicle Appraisal
8 Guide, not including additions or deductions for options and
9 mileage.

10 (e) If a vehicle assessed under subsection (1)(c) or
11 (1)(d) is not originally listed in the applicable N.A.D.A.
12 guide or other approved guide, the department of revenue or
13 its agent shall depreciate the original f.o.b. factory list
14 price, f.o.b. port-of-entry list price, or the
15 manufacturer's suggested list price, using the following
16 methods:

17 (i) if the new car sales tax has been previously paid
18 and the vehicle is less than 1 year in age, the depreciation
19 percentage shall be 20%; or

20 (ii) if the vehicle is 1 year or older in age and it is
21 not listed in any of the appraisal guides listed in this
22 section, the department of revenue shall determine the
23 depreciation percentage to approximate the average wholesale
24 or trade-in values in the current N.A.D.A. guides referred
25 to in this subsection. For purposes of this subsection (1),

1 the age of the vehicle is determined by subtracting the
2 manufacturer's model year of the vehicle from the calendar
3 year of assessment.

4 (f) The owner of a vehicle whose value has been
5 established under this section and who has received a
6 registration renewal reminder with that value indicated on
7 the renewal reminder shall complete the reregistration of
8 the vehicle by mail as directed by the department on the
9 renewal reminder form.

10 (f)(g) When a minimum value of \$500 is reached, the
11 value shall remain at that minimum so long as the vehicle is
12 registered.

13 (g)(h) If a previously registered vehicle is no longer
14 listed in the applicable N.A.D.A. guide or other approved
15 guide, the department or its agent shall depreciate the
16 value of the vehicle at the rate of 10% a year until a
17 minimum amount of \$500 is attained, and the value shall
18 remain at that amount so long as the vehicle is registered.

19 (2) The provisions of subsections (1)(a) through (1)(g)
20 (1)(h) do not apply to motor homes, travel trailers,
21 campers, or mobile homes as defined in 15-1-101(1)."

22 **Section 32.** Section 61-3-504, MCA, is amended to read:

23 "61-3-504. Computation of tax. (1) (a) The amount of
24 taxes on a motor vehicle, other than an automobile, truck
25 having a rated capacity of 1 ton or less, motorcycle,

1 quadricycle, motor home, travel trailer, camper, or mobile
2 home, is computed and determined ~~by the county treasurer~~ on
3 the basis of the countywide average levy of the year
4 preceding the current year of application for registration
5 or reregistration.

6 (b) On or before December 1 of each year, the county
7 treasurer of each county shall compute the countywide
8 average levy for the preceding year and report that average
9 levy to the department.

10 (2) The amount of tax on an automobile or truck having
11 a rated capacity of 1 ton or less, except for vehicles owned
12 by disabled veterans qualifying for special license plates
13 under 61-3-451, and on a motorcycle or quadricycle is 2% of
14 the value determined under 61-3-503.

15 (3) The amount of tax on fleet vehicles subject to the
16 provisions of 61-3-318 is 1% of the value determined under
17 61-3-503.

18 (4) For all taxable motor vehicles, the amount of tax
19 is entered on the application form in a space provided
20 therefor."

21 **Section 33.** Section 61-3-508, MCA, is amended to read:

22 "61-3-508. Junk vehicle disposal fee. A special junk
23 vehicle disposal fee ~~shall~~ must be assessed on each new
24 application for a motor vehicle title and on each transfer
25 of a motor vehicle title in the amount of \$1.50 on passenger

1 cars and trucks under 8,001 pounds GVW. An additional
 2 special junk vehicle disposal fee shall must be assessed in
 3 the amount of 50 cents on each passenger car and truck under
 4 8,001 pounds GVW registered for licensing. The fees shall
 5 must be collected by the county--treasurer department.

6 However, the following are exempt from payment of the fees:

7 (1) vehicles leased or owned by the state or by a
 8 county or municipality;

9 (2) vehicles used for transportation by nonresident,
 10 migratory workers temporarily employed in agricultural work
 11 in this state;

12 (3) vehicles displaying dealer's license plates, as
 13 provided in 61-4-103, while owned by a dealer; and

14 (4) housetrailers or equipment which is not
 15 self-propelled or which requires towing upon a highway of
 16 this state."

17 **Section 34.** Section 61-3-509, MCA, is amended to read:

18 **"61-3-509. Disposition of taxes.** (1) Except The
 19 department shall remit all taxes collected on motor vehicles
 20 to the county in which the vehicle is registered and, except
 21 as provided in subsection (2), the county treasurer shall,
 22 upon receipt and after deducting the district court fee,
 23 credit all taxes on motor vehicles and fees in lieu of tax
 24 on motor homes, travel trailers, and campers collected under
 25 61-3-504, 61-3-521, and 61-3-537 to a motor vehicle suspense

1 fund, and at some time between March 1 and March 10 of each
 2 year and every 60 days thereafter, the county treasurer
 3 shall determine the relative proportion of residential real
 4 property taxes billed in each taxing entity in the previous
 5 year to the total residential real property tax billed
 6 within the county as a percentage and shall distribute the
 7 money in the motor vehicle suspense fund to each taxing
 8 entity in the relative-proportions-required-by--the--levies
 9 for--state--county--school-district--and-municipal-purposes
 10 in--the--same--manner--as--personal---property---taxes---are
 11 distributed percentage amount derived above, in the same
 12 manner as real property taxes are distributed.

13 (2) The county treasurer shall deduct as a district
 14 court fee 7% of the amount of the 2% tax collected on an
 15 automobile or truck having a rated capacity of
 16 three-quarters of a ton or less. The county treasurer shall
 17 credit the fee for district courts to a separate suspense
 18 account and shall forward the amount in the account to the
 19 state treasurer at the time the county treasurer distributes
 20 the motor vehicle suspense fund. The state treasurer shall
 21 credit amounts received under this subsection to the general
 22 fund to be used for purposes of state funding of the
 23 district court expenses as provided in 3-5-901. Any amount
 24 forwarded to the state treasurer under this subsection that
 25 is not used for district court expenses must be refunded to

1 the counties in the proportion that the amount collected
2 from each county bears to the total amount collected."

3 **Section 35.** Section 61-3-510, MCA, is amended to read:

4 "61-3-510. **Weed control fee.** (1) A special weed control
5 fee of \$1.50 must be assessed on the annual registration or
6 reregistration of each motor vehicle subject to
7 registration. The fee must be collected by the county
8 treasurer department.

9 (2) For purposes of this section, motor vehicle
10 includes:

- 11 (a) motor vehicle as defined in 61-1-102;
12 (b) motorcycle as defined in 61-1-105;
13 (c) motor-driven cycle as defined in 61-1-106; and
14 (d) quadricycle as defined in 61-1-133.
15 (3) The following vehicles are exempt from the fee:
16 (a) vehicles owned or controlled by the United States
17 or a state, county, or city;
18 (b) vehicles exempt from payment of registration fees
19 by 61-3-321(7); and
20 (c) vehicles or equipment which is not self-propelled
21 or which requires towing when moved upon a highway of this
22 state."

23 **Section 36.** Section 61-3-524, MCA, is amended to read:

24 "61-3-524. **Tax-paid decal required on camper --**
25 **application for decal -- application fee -- issuance.** (1) No

1 A camper, subject to taxation in Montana, may not be
2 operated by any person on the public highways or streets in
3 this state unless there is displayed in a conspicuous place
4 thereon a decal as visual proof that the tax has been paid
5 thereon for the current year.

6 (2) Application for the issuance of the decal shall be
7 made to the department of revenue or the county-treasurer
8 department of justice upon forms to be furnished for this
9 purpose, which may be obtained from the department of
10 revenue or at the county-treasurer's department of justice's
11 office in the county wherein the owner resides, and is to
12 provide for substantially the following information:

- 13 (a) name of owner;
14 (b) address;
15 (c) name of manufacturer;
16 (d) model number;
17 (e) make;
18 (f) year of manufacture;
19 (g) statement evidencing payment of the property tax;
20 and
21 (h) such other information as the department of justice
22 may require.

23 (3) The application must be signed--by--the--county
24 treasurer--and--transmitted--by--him---to---the---department
25 accompanied by an application fee of \$1. Upon receipt of the

1 application in approved form, the department of justice or
2 county-treasurer shall issue to the applicant a decal in the
3 style and design prescribed by the department and of a
4 different color than the preceding year, numbered
5 numerically."

6 **Section 37.** Section 61-3-525, MCA, is amended to read:

7 "61-3-525. Annual application for decals. Application
8 may be made to the department of revenue or county-treasurer
9 department of justice for the issuance of camper decals
10 annually when the motor vehicle to which the camper is
11 customarily attached is registered."

12 **Section 38.** Section 61-3-535, MCA, is amended to read:

13 "61-3-535. Vehicle reregistration by mail --
14 reregistration notice by mail. (1) ~~The--department--shall~~
15 ~~permit--the--reregistration--of--light--vehicles--and--other~~
16 ~~vehicles--subject--to--tax--under--61-3-504(2)--with--the--county~~
17 ~~treasurer--by--mail--at--the--option--of--the--owner--of--the--vehicle.~~
18 ~~The--option--to--reregister--by--mail--need--only--be--made--available~~
19 ~~for--vehicles--registered--at--the--close--of--the--expiring~~
20 ~~registration--period--in--the--name--of--the--applicant--for~~
21 ~~reregistration. Reregistration of light vehicles and other~~
22 vehicles is required by mail if the form received by the
23 registered owner has a value assigned to the vehicle and if
24 the taxes, fees in lieu of tax, and other fees have been
25 calculated.

1 ~~{2}--The--form--to--be--returned--to--the--county--treasurer--by~~
2 ~~the--applicant,--with--the--appropriate--tax--and--fees,--is--to~~
3 ~~contain--a--statement,--to--be--subscribed--to--by--the--applicant,~~
4 ~~stating--compliance--with--the--financial--liability--requirements~~
5 ~~of--61-6-301.~~

6 ~~{3}{2}~~ The procedure implemented by the department to
7 permit require reregistration by mail shall must provide for
8 a written reminder notice by mail to a light vehicle owner
9 owners of the requirement to reregister his the vehicle with
10 the county---treasurer department and must provide
11 instructions for the procedure to be followed.

12 ~~{4}{3}~~ The department shall adopt rules to implement
13 the mail reregistration procedure."

14 **Section 39.** Section 61-3-701, MCA, is amended to read:

15 "61-3-701. Foreign vehicles used in gainful occupation
16 to be registered -- reciprocity. (1) Before any foreign
17 licensed motor vehicle may be operated on the highways of
18 this state for hire, compensation, or profit or before the
19 owner and/or or user thereof uses operates the vehicle if
20 such the owner and/or or user is engaged in gainful
21 occupation or business enterprise in the state, including
22 highway work, the owner of the vehicle shall make
23 application apply to a county-treasurer the department for
24 registration upon ~~an--application--form--furnished--by--the~~
25 department. Upon receiving satisfactory evidence of

1 ownership ~~submitted to the county treasurer~~ and the payment
2 of property taxes, if appropriate, as required by 15-8-201,
3 15-8-202, 15-24-301, 61-3-504, or 61-3-537, which must be
4 returned by the department to the county in which the
5 vehicle is registered, the treasurer department shall accept
6 the application for registration and shall collect the
7 regular license fee required for the vehicle.

8 (2) The treasurer department shall thereupon issue to
9 the applicant a copy of the certificate entitled "Owner's
10 Certificate of Registration and Payment Receipt" ~~and forward~~
11 ~~a duplicate copy of the certificate to the department~~. The
12 treasurer department shall at the same time issue to the
13 applicant the proper license plates or other identification
14 markers, which shall at all times be displayed upon the
15 vehicle when operated or driven upon roads and highways of
16 this state during the period of the life of the license.

17 (3) The registration receipt ~~shall~~ does not constitute
18 evidence of ownership but ~~shall~~ may be used only for
19 registration purposes. ~~No A~~ Montana certificate of ownership
20 ~~shall~~ may not be issued for this type of registration.

21 (4) This section is not applicable to any vehicle
22 covered by a valid and existing reciprocal agreement or
23 declaration entered into under the provisions of the laws of
24 Montana."

25 **Section 40.** Section 61-4-111, MCA, is amended to read:

1 "61-4-111. Used motor vehicles -- transfer to and from
2 dealers. (1) The provisions of 61-3-201(2) ~~shall~~ do not
3 apply in the event of the transfer of a motor vehicle to a
4 duly licensed automobile dealer intending to resell such the
5 vehicle and who operates the same vehicle only for
6 demonstration purposes. In such those cases, the dealer
7 ~~shall~~ may not be required to make application for a new
8 certificate of ownership or for registration during the
9 period of his ownership of ~~said the~~ the vehicle, but upon his
10 transfer of ownership thereof to a person other than a
11 licensed motor vehicle dealer, the following acts shall be
12 required of the dealer on or before the times herein set
13 forth:

14 (a) Prior to his delivery of the vehicle to the
15 purchaser, the dealer shall issue and affix to the rear
16 window of ~~said the~~ the vehicle a sticker in form to be
17 prescribed by the department and containing the name and
18 address of the purchaser, date of sale, name and address of
19 the dealer, and a description of the vehicle, including its
20 serial number. There ~~shall~~ must be imprinted upon ~~said the~~ the
21 sticker in bold letters the following statement: "IT IS
22 UNLAWFUL TO PLACE LICENSE PLATES UPON THIS VEHICLE UNTIL
23 REGISTERED AT THE ~~OFFICE OF THE COUNTY TREASURER~~ MOTOR
24 VEHICLE DIVISION OFFICE". One copy of ~~said the~~ the sticker
25 ~~shall~~ must be delivered by the dealer to the county

1 treasurer motor vehicle division office in the manner
2 prescribed in subsection (1)(b) hereof, and a copy shall
3 must be retained by the dealer for his file. It is unlawful
4 for the dealer to issue more than one sticker per vehicle
5 sale.

6 (b) Within 4 working days following the date of
7 delivery of said the vehicle, the dealer shall forward to
8 the county-treasurer-of motor vehicle division office in the
9 county where the purchaser resides the certificate of
10 ownership and certificate of registration (if the they same
11 are then in his possession), with an application for
12 registration executed by the new owner in accordance with
13 the provisions of 61-3-322, and a copy of the sticker
14 affixed to said the vehicle by the dealer, ~~and--the~~ The
15 department, upon receipt of said the documents ~~from--the~~
16 county--treasurer, together with the conditional sales
17 contract or other lien, if any, shall issue a new
18 certificate of ownership and certificate of registration
19 together with a statement of any conditional sales contract,
20 mortgage, or other lien as provided in 61-3-202.
21 Transmission of said the documents by the dealer to the
22 county--treasurer motor vehicle division office may be
23 accomplished either by personal delivery or by first class
24 mail, in which event ~~they--shall--be--deemed~~ the documents are
25 considered to have been delivered at the time of mailing.

1 (c) If the dealer is unable to forward the certificate
2 of ownership ~~and/or~~ or the certificate of registration
3 within the time set forth in subsection (1)(b) hereof,
4 because the ~~same~~ certificates are lost, are in the
5 possession of third parties, or are in process of reissuance
6 in this state or elsewhere, ~~he~~ the dealer shall comply in
7 all other respects with the provisions of subsection (1)(b)
8 and shall forward the missing document or documents to the
9 county--treasurer motor vehicle division office, either
10 personally or by ~~first-class~~ first-class mail, within 3 days
11 after their receipt.

12 (2) Upon compliance by the dealer with the requirements
13 set forth in this section, title to said the motor vehicle
14 ~~shall--be--deemed~~ is considered to have passed to the
15 purchaser as of the date of the delivery of said the vehicle
16 to him by the dealer, and the dealer ~~shall--have~~ has no
17 further liability or responsibility with respect to the
18 processing of registration."

19 **Section 41.** Section 61-4-112, MCA, is amended to read:
20 "61-4-112. New motor vehicles -- transfers by dealers.
21 (1) When a motor vehicle dealer transfers a new motor
22 vehicle to a purchaser or other recipient, the dealer shall:
23 (a) issue and affix a sticker as prescribed in
24 61-4-111(1)(a) for transfers of used motor vehicles and
25 retain a copy of the sticker;

1 (b) within 4 working days following the date of
2 delivery of the new motor vehicle, forward to the county
3 treasurer--of motor vehicle division office in the county
4 where the purchaser or recipient resides:

5 (i) one copy of the sticker issued under subsection
6 (1)(a);

7 (ii) an application for certificate of title with a
8 notice of security interest, if any, executed by the
9 purchaser or recipient; and

10 (iii) a statement of origin as prescribed in
11 61-3-502(8)(b).

12 (2) Upon receipt from--the--county--treasurer of the
13 documents required under subsection (1), the department
14 shall issue a certificate of ownership and certificate of
15 registration together with a statement of lien as provided
16 in 61-3-202."

17 **Section 42.** Section 61-4-310, MCA, is amended to read:

18 "61-4-310. Single movement permit -- fee -- limitation
19 -- county--treasurer department to issue. (1) A vehicle,
20 subject to license under this title, may be moved unladen
21 upon the highways of this state from a point within the
22 state to a point of destination. The county-treasurer motor
23 vehicle division office at the point of the origin of the
24 movement shall issue a special permit therefor in lieu of
25 fees required under 61-3-321 and part 2 of chapter 10 of

1 this title, upon application presented to-him in such the
2 form ~~as--shall-be-provided~~ prescribed by the department and
3 upon exhibiting to-said-county-treasurer proof of ownership
4 and evidence that the personal property taxes on such the
5 vehicle, if any are due thereon, have been paid and upon
6 payment therefor of a fee of \$5. Such The permit shall may
7 not be in lieu of fees and permits required under 61-4-301
8 and 61-4-302.

9 (2) Such The permit shall must be for the transit of
10 the vehicle only, and the vehicle shall may not at the time
11 of such transit be used for the transportation of any
12 persons, except the driver, or property whatsoever for
13 compensation or otherwise, and shall must be for one transit
14 only between the points of origin and destination as set
15 forth in the application and shown on the permit.

16 (3) A junk vehicle as defined in part 5, chapter 10,
17 Title 75, being driven or towed to an auto wrecking
18 graveyard for disposal is exempt from the provisions of this
19 section."

20 **Section 43.** Section 61-6-302, MCA, is amended to read:

21 "61-6-302. Proof of compliance. (1) Except as provided
22 in subsection (2), before any applicant required to register
23 his motor vehicle may do so, the applicant must shall
24 certify to the county-treasurer department that he possesses
25 an automobile liability insurance policy, a certificate of

1 self-insurance, or a posted indemnity bond or that he is
 2 eligible for an exemption under 61-6-303 covering the motor
 3 vehicle. The certification ~~shall~~ must be on a form
 4 prescribed by the department. The department may immediately
 5 cancel the registration and license plates of the vehicle
 6 upon notification that the insurance certification was not
 7 correctly represented. Any person who intentionally provides
 8 false information on an insurance certification is guilty of
 9 unsworn falsification to authorities, punishable as provided
 10 in 45-7-203.

11 (2) An applicant for registration of a motor vehicle
 12 who wishes to register the vehicle by mail ~~must~~ shall sign a
 13 statement on the application stating that the applicant is
 14 in compliance with the financial liability requirements of
 15 61-6-301.

16 (3) An owner of a motor vehicle who ceases to maintain
 17 the insurance or bond required or whose certificate of
 18 self-insurance is canceled or whose vehicle ceases to be
 19 exempt shall immediately surrender the registration and
 20 license plates for the vehicle to the ~~county--treasurer--for~~
 21 ~~delivery--to--the~~ department and may not operate or permit
 22 operation of the vehicle in Montana until insurance has
 23 again been furnished as required and the vehicle is again
 24 registered and licensed.

25 (4) Every person shall carry in a motor vehicle being

1 operated by him an insurance card approved by the department
 2 but issued by the insurance carrier to the motor vehicle
 3 owner as proof of compliance with 61-6-301. A motor vehicle
 4 operator shall exhibit the insurance card upon demand of a
 5 justice of the peace, a city or municipal judge, a peace
 6 officer, a highway patrol officer, or a field deputy or
 7 inspector of the department. However, ~~no~~ a person charged
 8 with violating this subsection may not be convicted if he
 9 produces in court or the office of the arresting officer
 10 proof of insurance valid at the time of his arrest."

11 **Section 44.** Section 61-10-213, MCA, is amended to read:

12 "61-10-213. Time for payment of fees by nonresidents --
 13 disposition. A nonresident owner or operator of a
 14 motortruck, truck tractor, trailer, or semitrailer shall,
 15 immediately upon arrival in the state, contact the nearest
 16 highway patrol office, any department office, the county
 17 sheriff, or the ~~county-treasurer's~~ motor vehicle division
 18 office to pay the fee and secure the permit prescribed. All
 19 fees collected ~~shall~~ must immediately be remitted to the
 20 county treasurer."

21 **Section 45.** Section 61-10-225, MCA, is amended to read:

22 "61-10-225. Disposition of fees collected by county
 23 ~~treasurer~~ department. At the time of collecting the fees
 24 provided for in 61-10-222, ~~each--county--treasurer~~ the
 25 department shall retain 5% of the fees collected ~~by-him~~ for

1 the cost of administration and for deposit in the general
 2 fund ~~of the county~~. The remaining 95% shall must be remitted
 3 ~~monthly~~ to the state treasurer for deposit to the credit of
 4 the department of highways. ~~The remittance shall be made on~~
 5 ~~forms furnished to the county treasurer by the department.~~"

6 **Section 46.** Section 61-10-227, MCA, is amended to read:

7 "61-10-227. Blank forms furnished ~~county--treasurers~~
 8 motor vehicle division. The department shall furnish ~~all~~
 9 ~~county--treasurers~~ the motor vehicle division with the
 10 following:

11 (1) blank application forms and affidavit forms
 12 outlining and providing for the information needed in each
 13 classification of license required;

14 (2) GVW licenses in a form determined most suitable by
 15 the department;

16 (3) the other forms, stickers, certificates, or blanks
 17 the department considers necessary to carry out this part."

18 **Section 47.** Section 61-10-233, MCA, is amended to read:

19 "61-10-233. Excess weight -- penalties. (1) The
 20 operator is subject to the penalties stated in 61-10-232
 21 whenever the gross loaded weight of any trucks, truck
 22 tractor, trailer, or semitrailer operated upon any highway
 23 in this state exceeds the gross vehicle weight shown on:

24 (a) the owner's certificate of registration and payment
 25 receipt issued under 61-3-322; or

1 (b) the gross vehicle weight receipt issued under
 2 61-10-227.

3 (2) In addition, the operator shall immediately pay to
 4 the nearest county-treasurer motor vehicle division office
 5 or to the department the difference between the fee already
 6 paid and that applicable to the gross weight of his vehicle
 7 before unloading the excess, provided that it does not
 8 exceed the legal axle weight."

9 **Section 48.** Section 80-7-810, MCA, is amended to read:

10 "80-7-810. Disposition of proceeds. Three percent of
 11 the proceeds from the fee imposed in 61-3-510 may be
 12 retained by the county-treasurer department of justice for
 13 costs of collection, and the money retained must be
 14 deposited in the general fund. The remainder must be
 15 deposited in the special revenue fund and must be expended
 16 as provided in 80-7-814(2) and (3). Twenty-five percent of
 17 the money deposited in the special revenue fund under this
 18 section must be used for research and development of
 19 nonchemical methods of weed management."

20 NEW SECTION. **Section 49.** Transition -- hiring
 21 procedures. Beginning July 1, 1991, and ending June 30,
 22 1992, the department of justice may, for hiring purposes
 23 only, consider those county employees who are performing
 24 motor vehicle duties on July 1, 1991, and who have been
 25 continuously employed in that function until the

1 transitional hiring begins, to be the equivalent of
2 department of justice employees and may fill vacancies under
3 procedures normal for internal recruitment.

4 NEW SECTION. Section 50. Motor vehicle division
5 offices. (1) Motor vehicle division offices, except those
6 located in Helena and Deer Lodge, must be located within the
7 county seat of each county being served unless the division
8 determines that a larger portion of the county population
9 could be better served by locating the office in another
10 community within the county.

11 (2) Motor vehicle division offices must be open
12 continuously from 8 a.m. until 5 p.m. each day of the year
13 except holidays and Saturdays. However, if the division has
14 determined by an analysis of the number of transactions to
15 be completed in a county that a lesser level of service is
16 reasonable, the division may establish hours of business
17 suitable to that county. The division shall provide a
18 schedule of hours of service for each county so affected.

19 (3) The county commissioners of the various counties
20 shall provide office space in the county courthouse for use
21 by the motor vehicle division if space is reasonably
22 available. If space is not available, it must be contracted
23 for, and the department shall pay the costs.

24 NEW SECTION. Section 51. Transition procedures --
25 county accommodations -- fees -- department rules. (1) To

1 provide an orderly transition from county to state operation
2 of the field operations of the motor vehicle registration
3 and titling system, the department of justice shall develop
4 a transition schedule that indicates the timeframes within
5 which each county can expect to be relieved of all or a
6 portion of the registration and titling duties now required
7 by law. The department shall notify each county scheduled
8 for transition at least 3 months prior to the effective date
9 of the transition and shall make every reasonable effort to
10 conform to scheduled dates.

11 (2) On and after July 1, 1991, county treasurers shall
12 continue to provide the motor vehicle registration and
13 titling services required by law, acting as agents of the
14 department until the scheduled transition date or dates, and
15 shall accommodate to the best of their ability any
16 unavoidable delays in transition by continuing such services
17 until the transition is complete.

18 (3) Prior to and during the transition periods, the
19 department may temporarily assign personnel to county
20 treasurers' offices to support the function of registering
21 and titling motor vehicles if required.

22 (4) During the transition, county treasurers will be
23 entitled to retain a portion of certain fees collected as
24 reimbursement of the cost of the duties involved, in the
25 following amounts or percentages:

1 (a) for each set of centennial commemorative plates
 2 issued under the provisions of 2-89-302, \$3;

3 (b) for each motorboat certificate of ownership
 4 application issued under the provisions of 23-2-508 or
 5 23-2-510, \$1.50;

6 (c) for each snowmobile certificate of ownership
 7 application issued under 23-2-611 or 23-2-612, \$1.50;

8 (d) for each off-highway vehicle certificate of
 9 ownership application issued under 23-2-811 or 23-2-812, \$1;

10 (e) for each late filing penalty provided for by
 11 61-3-317, \$10;

12 (f) for each application for or transfer of a
 13 personalized plate as provided in 61-3-406, \$5;

14 (g) 5% of the gross vehicle weight fees as provided for
 15 in 61-10-222;

16 (h) 3% of the weed fees provided in 61-3-510;

17 (i) 5% of the sales tax required by 61-3-502; and

18 (j) for each single movement permit issued as provided
 19 in 61-4-310, \$5.

20 (5) The fees and percentages listed in subsection (4)
 21 above must be reported to the state treasurer by category on
 22 treasurer's monthly reports. Upon completion of the
 23 transition of titling and registration functions to the
 24 department of justice, the counties will no longer be
 25 entitled to the fees unless otherwise specified in (sections

1 1 through 57].

2 (6) The department may adopt temporary rules to
 3 facilitate the transition process.

4 **Section 52.** Section 23-2-508, MCA, is amended to read:

5 "23-2-508. Certificate of ownership -- filing of
 6 security interests. (1) Except as provided in subsection
 7 (9), a motorboat or sailboat 12 feet in length or longer may
 8 not be operated upon the waters of the state unless a
 9 certificate of ownership has first been obtained from the
 10 department of justice in accordance with the laws of this
 11 state.

12 (2) The owner of a motorboat or sailboat 12 feet in
 13 length or longer shall apply for a certificate of ownership
 14 and a certificate of number with ~~the county treasurer of the~~
 15 ~~county--in--which--the--owner--resides, upon forms furnished by~~
 16 the department of justice. The forms must require the
 17 following information:

- 18 (a) name of the owner;
- 19 (b) residence of the owner, by town or county;
- 20 (c) business or home address of the owner;
- 21 (d) name and address of any lienholder;
- 22 (e) amount due under any contract or lien;
- 23 (f) name of the manufacturer;
- 24 (g) model number or name;
- 25 (h) identification number;

1 (i) name and address of the dealer or other person from
2 whom acquired, if known; and

3 (j) such other information as the department of justice
4 may require.

5 (3) The application is to be accompanied by
6 documentation of ownership, such as an invoice, bill of
7 sale, foreign title, official certificate of boat number,
8 fee in lieu of tax receipt, or a certificate of ownership of
9 a trailer purchased with the motorboat or sailboat. An
10 applicant who fails to provide such proof of ownership shall
11 provide a certified statement describing how the motorboat
12 or sailboat 12 feet in length or longer was acquired, from
13 whom acquired if known, and other information requested by
14 the department of justice.

15 (4) If a certificate of ownership has previously been
16 issued under the provisions of this part, the application
17 for a new certificate must be accompanied by the immediately
18 previous certificate. This subsection does not apply to
19 motorboats or sailboats 12 feet in length or longer that are
20 purchased as new and unused vessels or that were operated
21 when the provisions of this part were not in force and
22 effect.

23 (5) Any motorboat or sailboat 12 feet in length or
24 longer that does not have a manufacturer's or other
25 identifying number thereon must be assigned an

1 identification number by the department of fish, wildlife,
2 and parks. A fee of \$1 must be paid to the department for an
3 assignment of number.

4 (6) Upon completion of the application, the county
5 ~~treasurer~~ department of justice shall issue to the applicant
6 two copies of the certificate of number application, one of
7 which must be marked "file copy". The ~~treasurer--shall~~
8 ~~forward---one---copy---and---the---original---application---for---a~~
9 ~~certificate-of-ownership-to-the~~ department of justice, which
10 shall enter the information contained in the application
11 upon the corresponding records of its office, and shall
12 furnish the applicant a certificate of ownership containing
13 that information in the application considered necessary by
14 the department and a permanent boat number. The certificate
15 of ownership need not be renewed annually and is valid as
16 long as the person holding it owns the vessel.

17 (7) The owner shall at all times retain possession of
18 the certificate of ownership, except when it is being
19 transmitted to and from the department of justice for
20 endorsement or cancellation.

21 (8) Upon application for a certificate of ownership, a
22 fee of \$5 \$10 must be paid to the ~~county-treasurer,~~ \$3.50-of
23 which department of justice and must be ~~forwarded--by--the~~
24 ~~county--treasurer-to-the-department-of-justice-and~~ deposited
25 in the general fund, except that \$1.50 of the original boat

1 title fee must be forwarded to the county treasurer of the
2 county in which the boat is registered.

3 (9) A person who, on July 1, 1988, is the owner of a
4 motorboat or sailboat 12 feet in length or longer with a
5 valid certificate of number issued by the state is not
6 required to file an application for a certificate of
7 ownership for the motorboat or sailboat unless he transfers
8 a part of his interest in the motorboat or sailboat or he
9 renews the certificate of number for the motorboat or
10 sailboat.

11 (10) A security interest in a boat is not valid as
12 against creditors, subsequent purchasers, or encumbrancers
13 unless a lien notice, showing that a security interest has
14 been created, has been filed with the department of justice
15 as provided in this section. The lien notice must be filed
16 on a form approved by the department [of justice]. The
17 department of justice may not file a security interest or
18 other lien unless it is accompanied by or specified in the
19 application for a certificate of ownership of the boat
20 encumbered. If the lien notice is transmitted to the
21 department of justice, the security agreement or other lien
22 instrument that creates the security interest must be
23 retained by the secured party. A copy of the security
24 agreement is sufficient as a lien notice if it contains the
25 name and address of the debtor and the secured party, the

1 complete boat description, the amount of the lien, and the
2 signature of the debtor. The department of justice shall
3 file the security interest or lien by entering the name and
4 address of the secured party upon the face of the
5 certificate of ownership. The department of justice shall
6 mail a statement certifying the filing of a security
7 interest or lien to the secured party. The department of
8 justice shall mail the certificate of ownership to the owner
9 at the address given on the certificate; however, if the
10 transfer of ownership and filing of the security interest
11 are paid for by a creditor or secured party, the department
12 of justice shall return the certificate of ownership to the
13 county treasurer of the county where the boat is to be
14 registered. The owner of a boat is the person entitled to
15 operate and possess the boat.

16 (11) A security interest in a boat held as inventory by
17 a dealer must be perfected in accordance with Title 30,
18 chapter 9, and no endorsement on the certificate of title is
19 necessary for perfection.

20 (12) Whenever a security interest or lien is filed
21 against a boat that is subject to two security interests
22 previously perfected by filing under this section, the
23 department of justice shall endorse on the face of the
24 certificate of ownership: "NOTICE. This boat is subject to
25 additional security interest on file with the Department of

1 Justice." No other information regarding the additional
2 security interests need be endorsed on the certificate.

3 (13) Satisfactions or statements of release filed with
4 the department of justice under this part must be retained
5 for a period of 8 years after receipt, after which they may
6 be destroyed.

7 (14) The filing of a security interest or other lien as
8 herein provided perfects a security interest that has
9 attached at the time the certificate of ownership noting the
10 interest is issued. Issuance of a certificate of ownership
11 constitutes constructive notice to subsequent purchasers or
12 encumbrancers, from the time of filing, of the existence of
13 the security interest.

14 (15) Upon default under a chattel mortgage or
15 conditional sales contract covering a boat, the mortgagee or
16 vendor has the same remedies as in the case of other
17 personal property. In case of attachment of a boat all the
18 provisions of 27-18-413, 27-18-414, and 27-18-804 are
19 applicable, except that deposits must be made with the
20 department of justice.

21 (16) A conditional sales vendor or chattel mortgagee or
22 assignee who fails to file a satisfaction of a chattel
23 mortgage, assignment, or conditional sales contract within
24 15 days after receiving final payment is required to pay the
25 department of justice the sum of \$1 for each day that he

1 fails to file the satisfaction.

2 (17) Upon receipt of any liens, notice of liens
3 dependent on possession, or attachments against the record
4 of any boat registered in this state, the department of
5 justice shall within 24 hours mail to the owner, conditional
6 sales vendor, mortgagee, or their assignee a notice showing
7 the name and address of the lien claimant, the amount of the
8 lien, the date of execution of the lien, and, in the case of
9 attachment, the full title of the court, the action, and the
10 name of the attorney for the plaintiff or the name of the
11 attaching creditor, or both.

12 (18) It is not necessary to refile with the department
13 of justice any instruments on file in the office of any
14 county clerk and recorder on October 1, 1989.

15 (19) A fee of \$4 \$10 must be paid to the department of
16 justice to file any security interest or other lien against
17 a boat. The \$4 \$10 fee must cover the cost of filing a
18 satisfaction or release of the security interest and the
19 cost of entering the satisfaction or release on the records
20 of the department of justice and deleting the endorsement of
21 the security interest from the face of the certificate of
22 ownership. A fee of \$4 \$10 must be paid to the department of
23 justice for issuing a certified copy of a certificate of
24 ownership subject to a security interest or other lien on
25 file with the department of justice or for filing an

1 assignment of any security interest or other lien on file
 2 with the department of justice. All fees provided for in
 3 this section must be ~~paid--to--the--county--treasurer--for~~
 4 ~~deposit deposited~~ in the general fund ~~in--accordance--with~~
 5 ~~15-1-504.~~"

6 **Section 53.** Section 23-2-509, MCA, is amended to read:

7 "23-2-509. Lost or mutilated certificate. (1) If a
 8 certificate of ownership is lost or mutilated or becomes
 9 illegible, the person to whom it was issued shall
 10 immediately make application for and obtain a duplicate,
 11 upon payment of a fee of ~~\$3~~ \$10.

12 (2) The duplicate certificate of ownership must be
 13 plainly marked "duplicate" across its face and be mailed or
 14 delivered to the applicant."

15 **Section 54.** Section 23-2-510, MCA, is amended to read:

16 "23-2-510. Transfer of interest. (1) Except as provided
 17 in subsection (3), upon a transfer of a certificate of
 18 ownership to a motorboat or sailboat 12 feet in length or
 19 longer registered as required under the provisions of this
 20 part, the person whose title or interest is to be
 21 transferred shall sign the certificate of ownership issued
 22 for the motorboat or sailboat in the appropriate space
 23 provided on the reverse side of the certificate, and the
 24 signature must be acknowledged before the county treasurer,
 25 a deputy county treasurer, an elected official authorized to

1 acknowledge signatures, an employee of the department of
 2 justice, or a notary public.

3 (2) Within 20 calendar days after endorsement, the
 4 transferee shall make application for transfer of the
 5 certificate of ownership with the ~~county--treasurer--of--the~~
 6 ~~county-in-which-the-transferee-resides~~ department of justice
 7 and also make application for registration of the motorboat
 8 or sailboat. The ~~county--treasurer--shall--forward--the~~
 9 ~~application--to--the~~ department of justice, ~~which~~ shall file
 10 the application upon receipt. A certificate of ownership may
 11 not be issued by the department until any outstanding
 12 certificate is surrendered to the department or its loss is
 13 established to the department's reasonable satisfaction. The
 14 ~~county-treasurer~~ department shall collect a fee of ~~\$5~~ \$10
 15 for each application for transfer of ownership, of which
 16 ~~\$3-50~~ must be ~~forwarded-to-the--department--of--justice--for~~
 17 ~~deposit deposited~~ in the general fund, except that \$1.50 of
 18 the original boat title fee must be forwarded to the county
 19 treasurer of the county in which the boat is registered.

20 (3) A purchaser of a new or used motorboat or sailboat
 21 12 feet in length or longer from a licensed dealer has a
 22 grace period of 20 calendar days from the date of purchase
 23 to register the motorboat or sailboat, make application for
 24 a certificate of ownership, and obtain a decal indicating
 25 that the fee in lieu of property tax has been paid on the

1 vessel for the current year. It is not a violation of this
 2 part or any other law for the purchaser to operate a newly
 3 acquired motorboat or sailboat 12 feet in length or longer
 4 without a certificate of ownership, certificate of
 5 registration, and decal during the 20-day grace period.
 6 During this period the sticker provided for in subsection
 7 (4) must remain affixed to the motorboat or sailboat.

8 (4) Prior to the delivery of a motorboat or sailboat 12
 9 feet in length or longer to the purchaser, the dealer shall
 10 issue and affix to a motorboat or sailboat constructed after
 11 October 31, 1972, a sticker as prescribed by the department
 12 of justice. The sticker must contain the name and address of
 13 the purchaser, the date of sale, the name and address of the
 14 dealer, and a description of the motorboat or sailboat,
 15 including its serial number. The dealer shall keep a copy of
 16 the sticker for his records and shall send a copy of the
 17 sticker to the department of justice.

18 (5) The provisions of subsection (2) do not apply in
 19 the event of the transfer of a motorboat or sailboat 12 feet
 20 in length or longer to a duly licensed dealer intending to
 21 resell the motorboat or sailboat and who operates it only
 22 for demonstration purposes, but every dealer, upon
 23 transferring his interest, shall deliver the certificate of
 24 ownership with an application for a new certificate executed
 25 by the new owner in accordance with the provisions of this

1 part. The department of justice, upon receipt of the
 2 certificate of ownership and application for a new
 3 certificate containing notice of a security interest, if
 4 any, shall issue a new certificate of ownership, together
 5 with a statement of any conditional sales contract,
 6 mortgage, or other lien.

7 (6) When the names and addresses of more than one owner
 8 who are members of the same immediate family are listed on
 9 the certificate of ownership, joint ownership with right of
 10 survivorship, and not as tenants in common, is presumed.

11 (7) The provisions of 61-3-201(3) through (7) that
 12 apply to motor vehicles also apply to any certificate of
 13 ownership transferred under this section."

14 **Section 55.** Section 23-2-611, MCA, is amended to read:

15 "23-2-611. Certificate of ownership -- filing of
 16 security interests. (1) A snowmobile may not be operated
 17 upon any public lands, trails, easements, lakes, rivers,
 18 streams, roadways or shoulders of roadways, streets, or
 19 highways unless a certificate of ownership has first been
 20 obtained from the department of justice in accordance with
 21 the laws of this state.

22 (2) The owner of a snowmobile shall apply for a
 23 certificate of ownership with the ~~county-treasurer-of-the~~
 24 ~~county-in-which-the-owner-resides,~~ department of justice,
 25 upon forms to be furnished for this purpose. The forms must

1 require the following information:

- 2 (a) name of the owner;
- 3 (b) residence of the owner, by town and county;
- 4 (c) business or home mail address of the owner;
- 5 (d) name and address of any lienholder;
- 6 (e) amount due under any contract or lien;
- 7 (f) name of the manufacturer;
- 8 (g) model number or name;
- 9 (h) identification number; and
- 10 (i) name and address of the dealer or other person from
11 whom acquired.

12 (3) The application must be signed by at least one
13 owner or by a properly authorized officer or representative
14 of the owner.

15 (4) If a certificate of ownership has previously been
16 issued under the provisions of 23-2-601 through 23-2-644,
17 the application for a new certificate must be accompanied by
18 the immediately previous certificate. This subsection does
19 not apply to snowmobiles that are purchased as new and
20 unused machines or that were operated when the provisions of
21 23-2-601 through 23-2-644 were not in force and effect.

22 (5) Upon completion of the application, ~~on---forms~~
23 ~~furnished by~~ the department of justice, ~~the county treasurer~~
24 shall issue to the applicant two copies of the application,
25 one of which shall be marked "file copy". The treasurer

1 ~~shall---forward---one copy and the original application to the~~
2 department of justice, ~~which~~ shall enter the information
3 contained in the application upon the corresponding records
4 of its office and shall furnish the applicant a certificate
5 of ownership, which shall contain that information in the
6 application considered necessary by the department of
7 justice, and a permanent ownership number. The certificate
8 of ownership is not to be renewed annually and is valid as
9 long as the person holding it owns the snowmobile.

10 (6) The owner shall at all times retain possession of
11 the certificate of ownership, except when it is being
12 transmitted to and from the department of justice for
13 endorsement or cancellation.

14 (7) Upon application for a certificate of ownership, a
15 fee of \$5--~~shall~~ \$10 must be paid to the ~~county treasurer,~~
16 ~~\$3.50 of which shall be forwarded by the county treasurer to~~
17 ~~the department of justice and deposited in the general fund,~~
18 except that \$1.50 of the original snowmobile title fee must
19 be forwarded to the county treasurer of the county in which
20 the snowmobile is registered.

21 (8) A security interest in a snowmobile is not valid as
22 against creditors, subsequent purchasers, or encumbrancers
23 unless a lien notice, showing that a security interest has
24 been created, has been filed with the department of justice
25 as provided in this section. The lien notice must be filed

1 on a form approved by the department [of justice]. The
 2 department of justice may not file a security interest or
 3 other lien unless it is accompanied by or specified in the
 4 application for a certificate of ownership of the snowmobile
 5 encumbered. If the lien notice is transmitted to the
 6 department of justice, the security agreement or other lien
 7 instrument that creates the security interest must be
 8 retained by the secured party. A copy of the security
 9 agreement is sufficient as a lien notice if it contains the
 10 name and address of the debtor and the secured party, the
 11 complete snowmobile description, the amount of the lien, and
 12 the signature of the debtor. The department of justice shall
 13 file the security interest or lien by entering the name and
 14 address of the secured party upon the face of the
 15 certificate of ownership. The department of justice shall
 16 mail a statement certifying the filing of a security
 17 interest or lien to the secured party. The department of
 18 justice shall mail the certificate of ownership to the owner
 19 at the address given on the certificate; however, if the
 20 transfer of ownership and filing of the security interest
 21 are paid for by a creditor or secured party, the department
 22 of justice shall return the certificate of ownership to the
 23 county treasurer of the county where the snowmobile is to be
 24 registered. The owner of a snowmobile is the person entitled
 25 to operate and possess the snowmobile.

1 (9) A security interest in a snowmobile held as
 2 inventory by a dealer must be perfected in accordance with
 3 Title 30, chapter 9, and no endorsement on the certificate
 4 of title is necessary for perfection.

5 (10) Whenever a security interest or lien is filed
 6 against a snowmobile that is subject to two security
 7 interests previously perfected by filing under this section,
 8 the department of justice shall endorse on the face of the
 9 certificate of ownership: "NOTICE. This snowmobile is
 10 subject to additional security interest on file with the
 11 Department of Justice". No other information regarding the
 12 additional security interests need be endorsed on the
 13 certificate.

14 (11) Satisfactions or statements of release filed with
 15 the department of justice under this part must be retained
 16 for a period of 8 years after receipt, after which they may
 17 be destroyed.

18 (12) The filing of a security interest or other lien as
 19 herein provided perfects a security interest that has
 20 attached at the time the certificate of ownership noting the
 21 interest is issued. Issuance of a certificate of ownership
 22 constitutes constructive notice to subsequent purchasers or
 23 encumbrancers, from the time of filing, of the existence of
 24 the security interest.

25 (13) Upon default under a chattel mortgage or

1 conditional sales contract covering a snowmobile, the
2 mortgagee or vendor has the same remedies as in the case of
3 other personal property. In case of attachment of a
4 snowmobile all the provisions of 27-18-413, 27-18-414, and
5 27-18-804 are applicable, except that deposits must be made
6 with the department of justice.

7 (14) A conditional sales vendor or chattel mortgagee or
8 assignee who fails to file a satisfaction of a chattel
9 mortgage, assignment, or conditional sales contract within
10 15 days after receiving final payment is required to pay the
11 department of justice the sum of \$1 for each day that he
12 fails to file the satisfaction.

13 (15) Upon receipt of any liens, notice of liens
14 dependent on possession, or attachments against the record
15 of any snowmobile registered in this state, the department
16 of justice shall within 24 hours mail to the owner,
17 conditional sales vendor, mortgagee, or their assignee a
18 notice showing the name and address of the lien claimant,
19 the amount of the lien, the date of execution of the lien,
20 and, in the case of attachment, the full title of the court,
21 the action, and the name of the attorney for the plaintiff
22 or the name of the attaching creditor, or both.

23 (16) It is not necessary to refile with the department
24 of justice any instruments on file in the office of the
25 county clerk and recorder on October 1, 1989.

1 (17) A fee of \$4 \$10 must be paid to the department of
2 justice to file any security interest or other lien against
3 a snowmobile. The \$4 \$10 fee must cover the cost of filing a
4 satisfaction or release of the security interest and the
5 cost of entering the satisfaction or release on the records
6 of the department of justice and deleting the endorsement of
7 the security interest from the face of the certificate of
8 ownership. A fee of \$4 \$10 must be paid to the department of
9 justice for issuing a certified copy of a certificate of
10 ownership subject to a security interest or other lien on
11 file with the department of justice or for filing an
12 assignment of a security interest or other lien on file with
13 the department of justice. All fees provided for in this
14 section must be ~~paid to the county treasurer for deposit~~
15 deposited in the general fund ~~in accordance with 15-1-504.~~

16 **Section 56.** Section 23-2-612, MCA, is amended to read:
17 "23-2-612. Transfer of interest. (1) Except as provided
18 in subsection (3), upon a transfer of any certificate of
19 ownership to a snowmobile registered as required under the
20 provisions of 23-2-601 through 23-2-644, the person whose
21 title or interest is to be transferred shall write his
22 signature with pen and ink upon the certificate of ownership
23 issued for the snowmobile in the appropriate space provided
24 upon the reverse side of the certificate, and the signature
25 shall be acknowledged before the county treasurer, a deputy

1 county treasurer, an elected official authorized to
 2 acknowledge signatures, an employee of the department of
 3 justice, or a notary public.

4 (2) Within 20 calendar days after endorsement, the
 5 transferee shall make application for transfer of the
 6 certificate of ownership with the ~~county-treasurer-of-the~~
 7 ~~county-in-which-the-transferee-resides~~ department of justice
 8 and also make application for registration of the
 9 snowmobile. The ~~county---treasurer---shall---forward---the~~
 10 ~~application-to-the~~ department of justice, which shall file
 11 the application upon receipt. A certificate of ownership may
 12 not be issued by the department of justice until the
 13 outstanding certificates are surrendered to that office or
 14 their loss is established to its reasonable satisfaction.
 15 The ~~county-treasurer~~ department of justice shall collect a
 16 fee of \$5 \$10 for each application for transfer of
 17 ownership, ~~of which \$3.50 must be forwarded to the~~
 18 ~~department of justice~~ for deposit in the general fund,
 19 except that \$1.50 of the original snowmobile title fee must
 20 be forwarded to the county treasurer of the county in which
 21 the snowmobile is registered.

22 (3) A purchaser of a new or used snowmobile from a
 23 licensed snowmobile dealer has a grace period of 20 calendar
 24 days from the date of purchase to register the snowmobile,
 25 make application for a certificate of ownership, and obtain

1 a decal indicating that the fee in lieu of property tax has
 2 been paid on the snowmobile for the current year. It is not
 3 a violation of 23-2-601 through 23-2-644 or any other law
 4 for the purchaser to operate a newly acquired snowmobile
 5 without a certificate of ownership, certificate of
 6 registration, and a decal during the 20-day period. During
 7 this period the sticker provided for in subsection (4) shall
 8 remain affixed to the snowmobile.

9 (4) Prior to the delivery of the snowmobile to the
 10 purchaser, the dealer shall issue and affix to the
 11 snowmobile a sticker (in a form to be prescribed by the
 12 department of justice). The sticker shall contain the name
 13 and address of the purchaser, the date of sale, the name and
 14 address of the dealer, and a description of the snowmobile,
 15 including its serial number. The dealer shall keep a copy of
 16 the sticker for his records and shall send a copy of the
 17 sticker to the department of justice.

18 (5) The provisions of subsection (2) do not apply in
 19 the event of the transfer of a snowmobile to a duly licensed
 20 snowmobile dealer intending to resell the snowmobile and who
 21 operates it only for demonstration purposes, but every
 22 dealer, upon transferring his interest, shall deliver the
 23 certificate of ownership with an application for a new
 24 certificate executed by the new owner in accordance with the
 25 provisions of 23-2-601 through 23-2-644. The department of

1 justice, upon receipt of the certificate of ownership and
2 application for a new certificate containing notice of a
3 security interest, if any, shall issue a new certificate of
4 ownership, together with a statement of any conditional
5 sales contract, mortgage, or other lien.

6 (6) When the names and addresses of more than one owner
7 who are members of the same immediate family are listed on
8 the certificate of ownership, joint ownership with right of
9 survivorship, and not as tenants in common, is presumed.

10 (7) The provisions of 61-3-201(3) through (7) that
11 apply to motor vehicles also apply to any certificate of
12 ownership transferred under this section."

13 **Section 57.** Section 23-2-613, MCA, is amended to read:

14 "23-2-613. Lost or mutilated certificates. If any
15 certificate of ownership is lost, mutilated, or becomes
16 illegible, the person to whom it was issued shall
17 immediately make application for and obtain a duplicate
18 certificate, upon payment of a fee of ~~3~~ \$10."

19 NEW SECTION. **Section 58.** Codification instruction.

20 [Sections 49, 50, and 51] are intended to be codified as an
21 integral part of Title 61, chapter 3, and the provisions of
22 Title 61, chapter 3, apply to [sections 49, 50, and 51].

23 NEW SECTION. **Section 59.** Effective date. [This act] is
24 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 HB0575, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act assigning to the Motor Vehicle Division of the Department of Justice, those motor vehicle titling and registration duties now performed by county treasurers.

ASSUMPTIONS:

1. The number of motor vehicle liens processed in FY90 will remain the same in the 1993 biennium. Lien fees will increase from \$4 to \$10.
2. The fees currently allocated to the counties for the purpose of performing certain registration and titling duties will continue to generate \$1,300,000 per year. But due to the phase-in of state assumption, 40% will be available to the general fund in FY92 and 100% in FY93.
3. Registration fees for off-highway vehicles (OHV) will increase from \$2 to \$5.
4. Additional FTE will be added to the Driver Services Bureau of the Department of Justice to implement the provisions of this bill. Approximately 77.00 FTE will be added on a staggered hiring schedule during FY92 and approximately 148.00 FTE will be hired by the beginning of FY93.
5. Current law is represented by the executive budget recommendation for the Driver Services Bureau of the Department of Justice.

FISCAL IMPACT:Department of Justice-Driver Services BureauExpenditures:

	FY '92			FY '93		
	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>
FTE	86.05	163.05	77.00	86.05	234.05	148.00
Personal Services	2,001,700	3,364,400	1,362,700	2,000,300	4,262,300	2,262,000
Operating Costs	656,300	1,263,400	607,100	651,400	1,360,800	709,400
Equipment	56,500	175,200	118,700	56,300	189,300	133,000
Total	2,714,500	4,803,000	2,088,500	2,708,000	5,812,400	3,104,400

Funding:

General Fund	2,714,500	4,803,000	2,088,500	2,708,000	5,812,400	3,104,400
--------------	-----------	-----------	-----------	-----------	-----------	-----------


Revenues:

Lien Fees (01)	540,000	1,350,000	810,000	540,000	1,350,000	810,000
OHV Reg. Fees (01)	14,000	35,000	21,000	14,000	35,000	21,000
County Fees Transferred (01)	0	520,000	520,000	0	1,300,000	1,300,000
Total	554,000	1,905,000	1,351,000	554,000	2,685,000	2,131,000

Net Impact to General Fund


(737,500)

(973,400)


 ROD SUNDSTED, BUDGET DIRECTOR
 Office of Budget and Program Planning

DATE

2-8-91


 MARK O'KEEFE, PRIMARY SPONSOR

DATE

2/11/91

Fiscal Note for HB0575, as introduced

HB 575

EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

County revenues would be reduced by up to \$1,300,000 per year by the provisions of this act transferring to the state general fund those fees currently allocated by law to the counties for the purpose of performing titling and registration duties. County expenditures would be reduced due to a reduction in staff and facilities currently necessary to perform the duties of titling and registration.

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

The ongoing expenses of the proposed changes would not be expected to change significantly from the 1993 biennium. The establishment of a single statewide management system and data network may provide for future cost savings or revenue increases through system enhancements.

TECHNICAL NOTES:

The bill contains several sections where fees were increased above the level intended and other sections where fees were not increased, as intended, in the bill draft request.