

HOUSE BILL NO. 579

INTRODUCED BY DRISCOLL, MCCAFFREE, STANG, WHALEN, KEATING,  
HARDING, HARP, O'KEEFE, GRINDE, SVRCEK, D. BROWN, DAILY,  
MADISON, NATHE, BOHARSKI

IN THE HOUSE

FEBRUARY 2, 1991                   INTRODUCED AND REFERRED TO COMMITTEE  
ON HIGHWAYS & TRANSPORTATION.

FEBRUARY 4, 1991                   FIRST READING.

MARCH 23, 1991                    COMMITTEE RECOMMEND BILL  
DO PASS AS AMENDED. REPORT ADOPTED.

MARCH 25, 1991                    PRINTING REPORT.

APRIL 3, 1991                     SECOND READING, DO PASS.

                                      ON MOTION, RULES SUSPENDED. BILL  
                                      PLACED ON THIRD READING THIS DAY.

                                      THIRD READING, PASSED.  
                                      AYES, 92; NOES, 6.

APRIL 4, 1991                     ENGROSSING REPORT.

                                      TRANSMITTED TO THE SENATE.

IN THE SENATE

APRIL 4, 1991                     INTRODUCED AND REFERRED TO COMMITTEE  
ON HIGHWAYS & TRANSPORTATION.

                                      FIRST READING.

APRIL 11, 1991                    COMMITTEE RECOMMEND BILL BE  
CONCURRED IN. REPORT ADOPTED.

APRIL 15, 1991                    SECOND READING, CONCURRED IN.

APRIL 16, 1991                    THIRD READING, CONCURRED IN.  
AYES, 49; NOES, 0.

                                      RETURNED TO HOUSE.

IN THE HOUSE

APRIL 17, 1991                    RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *House* BILL NO. *579*  
 2 INTRODUCED BY *James McElroy, Doug Whalen, Terry*  
 3 *Harding, HARP, Rufe, Gervase, and Dave*  
 4 *Crutch, Madison, NATH* FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE  
 5 MOTOR VEHICLE LAWS; INCREASING THE NUMBER OF REGISTRATION  
 6 PERIODS FROM 10 TO 12; PROVIDING FOR MAIL RENEWAL CARDS FOR  
 7 LIGHT VEHICLES, MOTOR HOMES, CAMPERS, TRAVEL TRAILERS,  
 8 BOATS, SNOWMOBILES, MOTORCYCLES, QUADRICYCLES, AND  
 9 OFF-HIGHWAY VEHICLES; REQUIRING THAT MAIL RENEWAL CARDS  
 10 CONTAIN BAR CODING; REQUIRING THAT ALL TAXES AND FEES BE  
 11 PAID BEFORE A 60-DAY STICKER MAY BE ISSUED; PROVIDING THAT  
 12 ALL STATUTES AFFECTING MOTOR VEHICLES BE EFFECTIVE JANUARY 1  
 13 OF THE FOLLOWING YEAR; PROVIDING FOR THE DEVELOPMENT OF A  
 14 STATEWIDE COMPUTER SYSTEM; INCREASING THE REGISTRATION FEES  
 15 FOR MOTOR VEHICLES, BOATS, SNOWMOBILES, AND OFF-HIGHWAY  
 16 VEHICLES TO IMPLEMENT THE STATEWIDE COMPUTER SYSTEM;  
 17 ESTABLISHING A COUNTY MOTOR VEHICLE COMPUTER COMMITTEE;  
 18 APPROPRIATING MONEY TO THE COUNTY MOTOR VEHICLE COMPUTER  
 19 COMMITTEE; AMENDING SECTIONS 1-2-201, 61-3-314, 61-3-342,  
 20 AND 61-3-535, MCA; AND PROVIDING AN EFFECTIVE DATE, AN  
 21 APPLICABILITY PROVISION, AND A TERMINATION DATE."

STATEMENT OF INTENT

22  
23  
24 A statement of intent is required for this bill because  
25 it grants additional rulemaking authority to the department

1 of justice. The department shall adopt rules to develop a  
 2 procedure for the registration or reregistration of motor  
 3 vehicles, boats, snowmobiles, travel trailers, campers,  
 4 motor homes, and off-highway vehicles. The department shall  
 5 create a users' advisory group to assist the department in  
 6 creating and operating a county motor vehicle computer  
 7 system to be used jointly by the department and county  
 8 treasurers and their employees. The department shall make  
 9 policy decisions necessary to develop and implement the  
 10 computer system jointly with the users' advisory group. The  
 11 department may not adopt a computer system or make changes  
 12 to the computer system without approval by the users'  
 13 advisory group.  
 14

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

16 Section 1. Section 1-2-201, MCA, is amended to read:

17 "1-2-201. Statutes -- effective date. (1) (a) Except as  
 18 provided in subsection (1)(b) or (1)(c), Every every statute  
 19 adopted after January 1, 1981, except-these-that-provide-for  
 20 appropriation--by--the--legislature--of--public--funds--for--a  
 21 public-purpose, takes effect on the first day of October  
 22 following its passage and approval unless a different time  
 23 is prescribed therein.

24 (b) Every statute providing for appropriation as  
 25 specified--in--this-subsection by the legislature for public



1 funds for a public purpose takes effect on the first day of  
2 July following its passage and approval unless a different  
3 time is prescribed therein.

4 (c) Every statute providing for taxation or the  
5 imposition of a fee on motor vehicles takes effect on the  
6 first day of January following its passage and approval  
7 unless a different time is prescribed therein.

8 (2) "Passage", as used in subsection (1), means the  
9 enactment into law of a bill which has passed the  
10 legislature either with or without the approval of the  
11 governor, as provided in the constitution."

12 **Section 2.** Section 61-3-314, MCA, is amended to read:

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

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

- 23 (a) January 1 through January 31 1st period
- 24 (b) February 1 through February 28/29 2nd period
- 25 (c) March 1 through March 31 3rd period

- 1 (d) April 1 through April 30 4th period
- 2 (e) May 1 through May 31 5th period
- 3 (f) June 1 through June 30 6th period
- 4 (g) July 1 through July 31 7th period
- 5 (h) August 1 through August 31 8th period
- 6 (i) September 1 through September 30 9th period
- 7 (j) October 1 through October 31 10th period
- 8 (k) November 1 through November 30 11th period
- 9 (l) December 1 through December 31 12th period

10 ~~(3) For purposes of 61-3-313 through 61-3-316, the~~  
11 ~~period November 1 through November 30 shall be considered~~  
12 ~~the 10th period preceding and the period December 1 through~~  
13 ~~December 31 shall be considered the first period of the year~~  
14 ~~following."~~

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

16 "61-3-342. Temporary window sticker. Any purchaser of a  
17 motor vehicle who is unable to obtain license plates from  
18 the county treasurer at the time he makes application for  
19 registration or reregistration of the vehicle because the  
20 certificate of ownership is lost, in the possession of third  
21 parties, or in the process of reissuance in this state or  
22 elsewhere may, upon making affidavit to that effect upon a  
23 form prescribed by the department and upon the payment of a  
24 all applicable fees and taxes, plus an additional fee of \$2  
25 to be collected by the county treasurer and remitted to the

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

15 **Section 4.** Section 61-3-535, MCA, is amended to read:

16 "61-3-535. Vehicle reregistration by mail -- renewal  
 17 cards and reregistration notice by mail. (1) The--department  
 18 shall permit the reregistration of An owner of the following  
 19 types of motor vehicles may reregister by mail:

20 (a) light vehicles, motorcycles, quadricycles, and  
 21 other vehicles subject to tax under 61-3-504(2) with--the  
 22 county--treasurer--by-mail-at-the-option-of-the-owner-of-the  
 23 vehicle; and

24 (b) travel trailers, campers, and motor homes subject  
 25 to a fee in lieu of tax under 61-3-521.

1 (2) The option to reregister by mail need only be made  
 2 available for vehicles registered at the close of the  
 3 expiring registration period in the name of the applicant  
 4 for reregistration.

5 (3) The department shall develop a procedure to  
 6 facilitate the reregistration by mail of the vehicles listed  
 7 in subsection (1). The mail reregistration procedure  
 8 developed by the department must provide for a bar code on  
 9 the mail renewal card so that the county treasurer can scan  
 10 the mail renewal card for all relevant information when it  
 11 is received from the applicant.

12 (4) The form to be returned to the county treasurer  
 13 by the applicant, with the appropriate tax and fees, is to  
 14 contain a statement, to be subscribed to by the applicant,  
 15 stating compliance with the financial liability requirements  
 16 of 61-6-301.

17 (5) The procedure implemented by the department to  
 18 permit reregistration by mail shall provide for a written  
 19 reminder notice by mail to a light vehicle owner of the  
 20 requirement to reregister his vehicle with the county  
 21 treasurer.

22 (6) The department shall adopt rules to implement  
 23 the mail reregistration procedure."

24 NEW SECTION. Section 5. Mail renewal and  
 25 recertification. (1) The department of justice shall develop

1 a procedure for mail recertification of boats, the renewal  
2 of license decals, and the payment of the fee in lieu of  
3 tax.

4 (2) The option to recertify, renew, and pay the fee in  
5 lieu of tax by mail need only be made available for boats  
6 for which ownership has not changed since the last  
7 recertification or renewal period.

8 (3) The mail renewal procedure must provide for a bar  
9 code on the renewal or recertification card so that the  
10 county treasurer can scan the card for all relevant  
11 information upon its receipt.

12 (4) The department of justice may adopt rules to  
13 implement this section.

14 NEW SECTION. Section 6. Mail renewal and  
15 recertification. (1) The department of justice shall develop  
16 a procedure for mail recertification of snowmobiles, the  
17 renewal of license decals, and the payment of the fee in  
18 lieu of tax.

19 (2) The option to recertify, renew, and pay the fee in  
20 lieu of tax by mail need only be made available for  
21 snowmobiles for which ownership has not changed since the  
22 last recertification or renewal period.

23 (3) The mail renewal procedure must provide for a bar  
24 code on the renewal or recertification card so that the  
25 county treasurer can scan the card for all relevant

1 information upon its receipt.

2 (4) The department of justice may adopt rules to  
3 implement this section.

4 NEW SECTION. Section 7. Mail renewal and  
5 recertification. (1) The department of justice shall develop  
6 a procedure for mail recertification of off-highway  
7 vehicles, the renewal of license decals, and the payment of  
8 the fee in lieu of tax.

9 (2) The option to recertify, renew, and pay the fee in  
10 lieu of tax by mail need only be made available for  
11 off-highway vehicles for which ownership has not changed  
12 since the last recertification or renewal period.

13 (3) The mail renewal procedure must provide for a bar  
14 code on the renewal or recertification card so that the  
15 county treasurer can scan the card for all relevant  
16 information upon its receipt.

17 (4) The department of justice may adopt rules to  
18 implement this section.

19 NEW SECTION. Section 8. County motor vehicle computer  
20 system. (1) The department of justice, in consultation with  
21 a user advisory group representing county treasurers, shall  
22 develop an on-line computer system for the use of the  
23 counties of this state to be used to register and reregister  
24 motor vehicles, boats, snowmobiles, and off-highway  
25 vehicles.

1 (2) The department of justice shall establish the user  
2 advisory group provided for in subsection (1), to assist in  
3 the development and operation of the computer system  
4 provided for in subsection (1). The user advisory group must  
5 include county treasurers, employees of the county  
6 treasurer, and county data processing personnel in addition  
7 to representatives of the department.

8 (3) The policy decisions necessary to develop and  
9 implement the computer system provided for in subsection (1)  
10 must be made jointly by the department and the user advisory  
11 group. The computer system and any changes to that system  
12 must be approved by the user advisory group.

13 NEW SECTION. Section 9. County motor vehicle computer  
14 committee. (1) There is a county motor vehicle computer  
15 committee.

16 (2) The committee is allocated to the department of  
17 justice for administrative purposes only as provided in  
18 2-15-121.

19 (3) The committee consists of:

20 (a) an employee of the information service division of  
21 the department of administration, appointed by the director  
22 of the department of administration;

23 (b) two county treasurers, appointed by the Montana  
24 county treasurers association; and

25 (c) two employees of the department of justice,

1 appointed by the attorney general.

2 NEW SECTION. Section 10. Duties of county motor  
3 vehicle computer committee. (1) The county motor vehicle  
4 computer committee shall:

5 (a) set the standard for the computer equipment,  
6 including peripherals, used by county treasurers and the  
7 department of justice to register and reregister motor  
8 vehicles, boats, snowmobiles, and off-highway vehicles;

9 (b) make grants to counties and the department of  
10 justice to purchase computer equipment, including  
11 peripherals, to be used for the registration and  
12 reregistration of motor vehicles, boats, snowmobiles, and  
13 off-highway vehicles;

14 (c) make grants to counties and the department of  
15 justice for the development of the county motor vehicle  
16 computer system provided for in [section 8] and for training  
17 in the use of that system.

18 (2) An amount of \$1,200,000 is appropriated to the  
19 county motor vehicle computer committee from the county  
20 motor vehicle computer fund for the biennium beginning July  
21 1, 1991.

22 NEW SECTION. Section 11. County motor vehicle computer  
23 fee. (1) A county motor vehicle computer fee of \$1 must be  
24 assessed on the annual registration or reregistration for  
25 each of the following:

1 (a) motor vehicles subject to registration or  
2 reregistration under Title 61, chapter 3;

3 (b) boats subject to registration or reregistration  
4 under Title 23, chapter 2, part 5;

5 (c) snowmobiles subject to registration or  
6 reregistration under Title 23, chapter 2, part 6; and

7 (d) off-highway vehicles subject to registration or  
8 reregistration under Title 23, chapter 2, part 8.

9 (2) The fee must be collected by the county treasurer  
10 and forwarded to the state treasurer for deposit in the  
11 county motor vehicle computer fund.

12 NEW SECTION. Section 12. County motor vehicle computer  
13 fund. There is a county motor vehicle computer fund into  
14 which the fees provided for in [section 11] are deposited.  
15 The fees are to be used by the county motor vehicle computer  
16 committee to carry out its duties as provided in [section  
17 10]. Any funds in the county motor vehicle computer fund  
18 that have not been committed by the county motor vehicle  
19 computer committee as of June 30, 1993, revert to the  
20 general fund.

21 NEW SECTION. Section 13. Effective date --  
22 applicability -- termination. (1) [This act] is effective  
23 July 1, 1991, and applies to motor vehicles, boats,  
24 snowmobiles, and off-highway vehicles that must be  
25 registered or reregistered on or after July 1, 1991.

1 (2) [Sections 9 through 12] terminate June 30, 1993.

2 NEW SECTION. Section 14. Codification instruction. (1)

3 [Section 5] is intended to be codified as an integral part  
4 of Title 23, chapter 2, part 5, and the provisions of Title  
5 23, chapter 2, part 5, apply to [section 5].

6 (2) [Section 6] is intended to be codified as an  
7 integral part of Title 23, chapter 2, part 6, and the  
8 provisions of Title 23, chapter 2, part 6, apply to [section  
9 6].

10 (3) [Section 7] is intended to be codified as an  
11 integral part of Title 23, chapter 2, part 8, and the  
12 provisions of Title 23, chapter 2, part 8, apply to [section  
13 7].

-End-



STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0579, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to generally revise the motor vehicle laws.


ASSUMPTIONS:

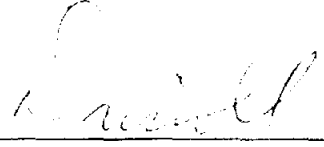
1. All funds collected by the special fee during the biennium will be appropriated to the county motor vehicle computer committee, although Section 10 of the bill specifies an amount of \$1,200,000 for the biennium. It is assumed that the appropriation will be allocated to the Registrar's Bureau of the Department of Justice.
2. There are 917,000 vehicles that qualify for the special \$1 fee.
3. The current motor vehicle system could be modified to accommodate the new needs of the counties.
4. Each county would require an average of 3 terminals and 2 printers to go on-line.
5. The special motor vehicle computer fees will be accounted for in the state special revenue fund.
6. Current law is represented by the executive budget recommendation for the Registrar's Bureau of the Department of Justice.

FISCAL IMPACT:

Department of Justice-Registrar's Bureau

	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>
<u>Expenditures:</u>						
FTE	73.00	85.00	12.00	73.00	85.00	12.00
Personal Services	1,480,200	1,808,800	328,600	1,480,200	1,826,200	346,000
Operating Expense	808,700	947,800	139,100	816,300	1,136,600	320,300
Equipment	7,200	845,200	838,000	7,200	7,200	0
Total	2,296,100	3,601,800	1,305,700	2,303,700	2,970,000	666,300
<u>Funding:</u>						
General Fund (01)	2,296,100	2,684,800	388,700	2,303,700	2,053,000	(250,700)
Vehicle Computer Fee (02)	0	917,000	917,000	0	917,000	917,000
Total	2,296,100	3,601,800	1,305,700	2,303,700	2,970,000	666,300
<u>Revenues:</u>						
Vehicle Computer Fee (02)			917,000			917,000
General Fund Impact			(388,700)			250,700

  
 \_\_\_\_\_  
 ROD SUNDSTED, BUDGET DIRECTOR      DATE  
 Office of Budget and Program Planning      2-8-91

  
 \_\_\_\_\_  
 JERRY L. DRISCOLL, PRIMARY SPONSOR      DATE  
 Fiscal Note for HB0579, as introduced      **HB 579**

Fiscal Note Request, HB0579, as introduced  
Form BD-15  
Page 2

EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

None.

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

The revenue source to fund this bill ends on June 30, 1993. Most of the FY93 expenses would be ongoing expenses in future years funded by the general fund. When the system becomes fully operational, up to 5 data-entry operators (Grade 6) at the Registrar's Bureau could be eliminated to reduce some of the expenses.

TECHNICAL NOTES:

Section 12 of the bill specifies that fees are to be deposited in a county motor vehicle computer fund without identifying the fund type.

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0579, as introduced, amended.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to generally revise the motor vehicle laws.

ASSUMPTIONS:

1. As amended, the bill provides for a \$1 special fee to be deposited in the general fund and general fund appropriations to the Department of Justice of \$639,300 in FY92 and \$837,900 in FY93 to fund the continued development and operation of the statewide motor vehicle computer system.
2. There are 917,000 vehicles that qualify for the special \$1 fee.
3. The current motor vehicle system and hardware can be modified to accommodate the new needs.
4. Each county would require an average of 3 terminals and 2 printers to go on-line.
5. The new data processing equipment necessary to install an on-line vehicle registration system with the 56 counties would be acquired over a five-year lease period and future funding for the lease payments will be available.
6. Current law is represented by the executive budget recommendation for the Registrar's Bureau of the Department of Justice.


FISCAL IMPACT:

Department of Justice-Registrar's Bureau

	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>
<u>Expenditures:</u>						
FTE	73.00	83.00	10.00	73.00	85.00	12.00
Personal Services	1,480,200	1,808,800	328,600	1,480,200	1,826,200	346,000
Operating Expense	808,700	947,800	139,100	816,300	1,136,600	320,300
Equipment	7,200	178,800	171,600	7,200	178,800	171,600
Total	2,296,100	2,935,400	639,300	2,303,700	3,141,600	837,900
<u>Funding:</u>						
General Fund (01)	2,296,100	2,935,400	639,300	2,303,700	3,141,600	837,900
<u>Revenues:</u>						
General Fund-computer fee(01)	0	917,000	917,000	0	917,000	917,000
General Fund Impact			277,700			79,100

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

Most of the FY93 expenses would be ongoing expenses in future years funded by the general fund. When the system becomes fully operational, up to 5.00 FTE data-entry operators (Grade 6) at the Registrar's Bureau could be eliminated to reduce some of the expenses.

 3-23-91  
 ROD SUNDSTED, BUDGET DIRECTOR                      DATE  
 Office of Budget and Program Planning

\_\_\_\_\_  
 JERRY L. DRISCOLL, PRIMARY SPONSOR                      DATE

Fiscal Note for HB0579, as introduced, as amended **HB579-**

APPROVED BY COMMITTEE  
ON HIGHWAYS & TRANSPORTATION

HOUSE BILL NO. 579

INTRODUCED BY DRISCOLL, MCCAFFREE, STANG, WHALEN, KEATING,  
HARDING, HARP, O'KEEFE, GRINDE, SVRCEK, D. BROWN, DAILY,  
MADISON, NATHE, BOHARSKI

A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE  
MOTOR VEHICLE LAWS; INCREASING THE NUMBER OF REGISTRATION  
PERIODS FROM 10 TO 12; PROVIDING FOR MAIL RENEWAL CARDS FOR  
LIGHT VEHICLES, MOTOR HOMES, CAMPERS, TRAVEL TRAILERS,  
BOATS, SNOWMOBILES, MOTORCYCLES, QUADRICYCLES, AND  
OFF-HIGHWAY VEHICLES; REQUIRING THAT PROCEDURES FOR  
AUTOMATED HANDLING OF MAIL RENEWAL CARDS CONTAIN BAR-CODING;  
REQUIRING THAT ALL TAXES AND FEES BE PAID BEFORE A 60-DAY  
STICKER MAY BE ISSUED AND AUTHORIZING AN ADDITIONAL 60-DAY  
PERIOD; PROVIDING THAT ALL STATUTES AFFECTING MOTOR VEHICLES  
BE EFFECTIVE JANUARY 1 OF THE FOLLOWING YEAR; PROVIDING FOR  
THE DEVELOPMENT OF A STATEWIDE COMPUTER SYSTEM; INCREASING  
THE REGISTRATION FEES FOR MOTOR VEHICLES, BOATS,  
SNOWMOBILES, AND OFF-HIGHWAY VEHICLES TO IMPLEMENT THE  
STATEWIDE COMPUTER SYSTEM; ESTABLISHING A COUNTY MOTOR  
VEHICLE COMPUTER COMMITTEE; APPROPRIATING MONEY TO THE  
COUNTY--MOTOR--VEHICLE--COMPUTER--COMMITTEE DEPARTMENT OF  
JUSTICE; AMENDING SECTIONS 1-2-201, 61-3-101, 61-3-201,  
61-3-202, 61-3-314, 61-3-342, 61-3-503, AND 61-3-535, MCA;  
AND PROVIDING AN EFFECTIVE DATE, AND AN APPLICABILITY

~~PROVISION AND A TERMINATION DATE."~~

STATEMENT OF INTENT

A statement of intent is required for this bill because  
it grants additional rulemaking authority to the department  
of justice. The department shall adopt rules to develop a  
procedure for the registration or reregistration of motor  
vehicles, boats, snowmobiles, travel trailers, campers,  
motor homes, and off-highway vehicles. The department shall  
create a users' advisory group to assist the department in  
creating and operating a county motor vehicle computer  
system to be used jointly by the department and county  
treasurers and their employees. The department shall make  
policy decisions necessary to develop and implement the  
computer system jointly with the ~~users' advisory group~~  
COUNTY MOTOR VEHICLE COMPUTER COMMITTEE. ~~The department may~~  
~~not adopt a computer system or make changes to the computer~~  
~~system without approval by the users' advisory group.~~

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

**Section 1.** Section 1-2-201, MCA, is amended to read:

"1-2-201. Statutes -- effective date. (1) (a) Except as  
provided in subsection (1)(b) or (1)(c), Every every statute  
adopted after January 1, 1981, ~~except those that provide for~~  
~~appropriation by the legislature of public funds for a~~

1 ~~public-purpose~~7 takes effect on the first day of October  
 2 following its passage and approval unless a different time  
 3 is prescribed therein.

4 (b) Every statute providing for appropriation ~~as~~  
 5 ~~specified--in--this-subsection~~ by the legislature for public  
 6 ~~funds for a public purpose~~ takes effect on the first day of  
 7 July following its passage and approval unless a different  
 8 time is prescribed therein.

9 (c) Every statute providing for taxation or the  
 10 imposition of a fee on motor vehicles takes effect on the  
 11 first day of January following its passage and approval  
 12 unless a different time is prescribed therein.

13 (2) "Passage", as used in subsection (1), means the  
 14 enactment into law of a bill which has passed the  
 15 legislature either with or without the approval of the  
 16 governor, as provided in the constitution."

17 **SECTION 2. SECTION 61-3-101, MCA, IS AMENDED TO READ:**

18 "61-3-101. Duties of department -- records. (1) The  
 19 department shall keep a record as hereinafter specified of  
 20 all motor vehicles, trailers, and semitrailers of every  
 21 kind, and of certificates of registration and ownership  
 22 thereof, and of all manufacturers and dealers in motor  
 23 vehicles.

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

1 (a) name of owner, residence address by street or rural  
 2 route, town, and county, and ~~business--address~~ mailing  
 3 address if different than residence address;

4 (b) name and address of conditional sales vendor,  
 5 mortgagee, or other lienholder and amount due under contract  
 6 or lien;

7 (c) manufacturer of car;

8 (d) manufacturer's designation of style of car or  
 9 vehicle;

10 (e) identifying number;

11 (f) year of manufacture;

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

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

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

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

20 (3) The department shall file applications for  
 21 registration received by it from the county treasurers of  
 22 the state and register the vehicles ~~therein--described~~ and  
 23 the vehicle owners ~~thereof--in-suitable-books-or-on-index~~  
 24 ~~cards,~~ as follows:

25 (a) under the distinctive license number assigned to

1 the vehicle by the county treasurer;

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

3 (c) numerically under make and identifying number of  
4 the vehicle;

5 (d) such other index of registration as the department  
6 considers expedient.

7 (4) Vehicle registration records and indexes and  
8 driver's license records and indexes may be maintained by  
9 electronic recording and storage media.

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

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

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

1 ~~station-~~

2 ~~{8}{7}~~ All records shall be open to inspection during  
3 all reasonable business hours, and the department shall  
4 furnish any information from the records upon payment by the  
5 applicant of the cost of ~~transcribing~~ the information  
6 requested. Prior to providing the information, the  
7 department may require the applicant to provide  
8 identification."

9 **SECTION 3.** SECTION 61-3-201, MCA, IS AMENDED TO READ:  
10 "61-3-201. Transfer of interest -- cancellation of  
11 erroneous certificate of ownership or registration. (1) Upon  
12 a transfer of any interest in a motor vehicle registered  
13 under the provisions of this chapter, the person whose  
14 interest is to be transferred shall write his signature with  
15 pen and ink upon the certificate of ownership issued for the  
16 vehicle in the appropriate space provided upon the reverse  
17 side of the certificate, and the signature must be  
18 acknowledged before the county treasurer, a deputy county  
19 treasurer, an elected official authorized to acknowledge  
20 signatures, an employee of the department, or a notary  
21 public.

22 (2) Within 20 calendar days after endorsement, the  
23 transferee shall forward both the endorsed certificate of  
24 ownership with the odometer mileage statement required under  
25 61-3-206 and the certificate of registration, together with

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

23 (3) In the event of a transfer by operation of law of  
 24 any interest in a motor vehicle as upon inheritance, devise,  
 25 or bequest, order in bankruptcy or insolvency, execution

1 sale, repossession upon default in the performance of the  
 2 terms of a lease or executory sales contract, or otherwise  
 3 than by voluntary act of the person whose title or interest  
 4 is transferred, the executor, administrator, receiver,  
 5 trustee, sheriff, or other representative or successor in  
 6 interest of the person whose interest is transferred shall  
 7 forward to the department an application for a certificate  
 8 of ownership in the form required for an original  
 9 application for a certificate of ownership, together with a  
 10 verified or certified statement of the transfer of interest.  
 11 The statement must set forth the reason for the involuntary  
 12 transfer, the interest transferred, the name of the person  
 13 to whom the interest is to be transferred, the process of  
 14 procedure effecting the transfer, and other information  
 15 requested by the department. Evidence and instruments  
 16 otherwise required by law to effect a transfer of legal or  
 17 equitable title to or an interest in chattels as may be  
 18 required in such cases must be furnished with the statement.  
 19 If the department is satisfied that the transfer is regular  
 20 and that all formalities required by law have been complied  
 21 with, it shall send to the owner, conditional sales vendor,  
 22 lessor, mortgagee, and other lienor, as shown by its  
 23 records, notice of the intended transfer and, not less than  
 24 5 days after sending notice, shall issue a new certificate  
 25 of ownership and certificate of registration to the

1 transferee. The notice required by this section is complied  
 2 with by deposit in the ~~post-office-in-Beer--Hodge--Montana,~~  
 3 U.S. mail of the notice, postage prepaid, addressed to the  
 4 person at the respective address shown on its records.

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

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

22 (b) The person seeking transfer of the certificate of  
 23 ownership shall file an affidavit with the department  
 24 setting forth the fact of survivorship and the name and  
 25 address of any other heirs and other facts as are necessary

1 under subsection (5)(a) to entitle the affiant to a  
 2 transfer.

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

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

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

22 (8) (a) Upon its determination that a certificate of  
 23 ownership or a registration receipt contains an error caused  
 24 by the department, or that the applicant has paid the  
 25 required fees and taxes with an insufficient funds check and



1 if the department has been notified of that fact by the  
 2 county attorney, the department may cancel the certificate  
 3 of ownership or receipt and, in the case of an error, issue  
 4 a replacement for the erroneous certificate or receipt if  
 5 the owner has returned the certificate or receipt to be  
 6 canceled. If the owner fails to return to the department the  
 7 certificate of ownership, the registration receipt, or the  
 8 license plate, the department shall direct a peace officer  
 9 or department employee to secure and return the certificate,  
 10 receipt, or license plate to the department.

11 (b) Any person who fails to return a certificate of  
 12 ownership or a registration receipt issued--with that  
 13 contains an error caused-by-the-department or that has been  
 14 canceled by the department due to an insufficient funds  
 15 check, as provided in subsection (8)(a), after receiving  
 16 actual notice of the department's demand for the return of  
 17 the certificate or receipt, as required by subsection  
 18 (8)(a), is guilty of a misdemeanor and upon conviction may  
 19 be fined an amount not to exceed \$500."

20 **SECTION 4. SECTION 61-3-202, MCA, IS AMENDED TO READ:**

21 "61-3-202. Certificate of ownership -- issuance --  
 22 contents -- joint ownership. (1) Upon completion of the  
 23 application for certificate of ownership, on forms furnished  
 24 by the department, the county treasurer shall forward one  
 25 copy of the application to the department, which shall enter

1 the information contained in the application upon the  
 2 corresponding records of its office and, except as provided  
 3 in 61-3-103(1) and 61-3-201(2) concerning applications by  
 4 creditors or secured parties, shall furnish the applicant a  
 5 certificate of ownership subject to the provisions of  
 6 61-3-103.

7 (2) The certificate of ownership shall contain upon the  
 8 face thereof:

- 9 (a) the date issued;
- 10 (b) the name and complete mailing and residence address  
 11 of the owner or the names and addresses of joint owners;
- 12 (c) except as provided in 61-3-103, the name and  
 13 complete address of any holder of a perfected security  
 14 interest in the registered vehicle;
- 15 (d) a description of the registered vehicle, including  
 16 the year built and serial number;
- 17 (e) except as provided in 61-3-103, the filing date of  
 18 any lien against such motor vehicle; and
- 19 (f) such other statement of facts as may be determined  
 20 by the department.

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

25 (4) Upon receipt of the application, the department

1 shall recheck the application. If there is any error in the  
 2 application, it may be returned to the owner or to the  
 3 county treasurer to effectively secure the correction of  
 4 such error, who shall return the same to the department.

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

9 **Section 5.** Section 61-3-314, MCA, is amended to read:

10 "61-3-314. **Registration period.** (1) Notwithstanding any  
 11 other provisions of this title regarding the registration of  
 12 motor vehicles, ~~commencing--January--17--1976,~~ all vehicles  
 13 subject to the provisions of 61-3-313 through 61-3-316 shall  
 14 be registered for 12-month periods based upon the time they  
 15 are first registered in this state pursuant to 61-3-313  
 16 through 61-3-316.

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

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

- 1 (g) July 1 through July 31 7th period
- 2 (h) August 1 through August 31 8th period
- 3 (i) September 1 through September 30 9th period
- 4 (j) October 1 through October 31 10th period
- 5 (k) November 1 through November 30 11th period
- 6 (l) December 1 through December 31 12th period
- 7 ~~(3)--For--purposes--of--61-3-313--through--61-3-316--the~~  
 8 ~~period--November--1--through--November--30--shall--be--considered~~  
 9 ~~the--10th--period--preceding--and--the--period--December--1--through~~  
 10 ~~December--31--shall--be--considered--the--first--period--of--the--year~~  
 11 ~~following."~~

12 **Section 6.** Section 61-3-342, MCA, is amended to read:

13 "61-3-342. **Temporary window sticker.** (1) Any purchaser  
 14 of a motor vehicle who is unable to ~~obtain--license--plates~~  
 15 ~~from--the--county--treasurer~~ FULLY COMPLETE THE PROCESS OF  
 16 APPLYING FOR A MONTANA TITLE at the time he makes  
 17 application for registration or reregistration of the  
 18 vehicle because the certificate of ownership is lost, in the  
 19 possession of third parties, or in the process of reissuance  
 20 in this state or elsewhere may, upon making affidavit to  
 21 that effect upon a form prescribed by the department and  
 22 upon the payment of a all applicable fees and taxes, plus an  
 23 additional fee of \$2 to be collected by the county treasurer  
 24 and remitted to the department, obtain from the county  
 25 treasurer of the county in which the vehicle is to be

1 registered a temporary window sticker of such size, color,  
 2 and design as the department may prescribe, to be validated  
 3 by the county treasurer for a period of 60 days from the  
 4 date of issuance. The purchaser, upon displaying the sticker  
 5 on the upper left-hand corner of the rear window of the  
 6 motor vehicle, may operate the vehicle during the period for  
 7 which the window sticker has been validated without  
 8 displaying the registration certificate or number plates or  
 9 plate for the current year. The county treasurer may not  
 10 sell, and no person may purchase, more than one 60-day  
 11 temporary window sticker for any vehicle, the ownership of  
 12 which has not changed since the issuance of the previous  
 13 60-day window sticker.

14 (2) A VEHICLE FOR WHICH AN APPLICATION FOR TITLE CANNOT  
 15 BE COMPLETED MAY NOT BE REGISTERED BY THE COUNTY TREASURER  
 16 NOR MAY LICENSE PLATES FOR THE VEHICLE BE ISSUED BY THE  
 17 COUNTY TREASURER UNTIL THE COMPLETED CERTIFICATE OF  
 18 OWNERSHIP OR APPLICATION FOR TITLE IS PRESENTED FOR THE  
 19 PURPOSE OF TRANSFERRING OWNERSHIP.

20 (3) IN THE EVENT AN UNUSUAL CIRCUMSTANCE PREVENTS THE  
 21 OWNER OF A VEHICLE FROM PRESENTING THE CERTIFICATE OF  
 22 OWNERSHIP WITHIN THE 60-DAY PERIOD PERMITTED UNDER  
 23 SUBSECTION (1), THE OWNER MAY APPLY TO THE MOTOR VEHICLE  
 24 DIVISION FOR AN EXTENDED TEMPORARY WINDOW STICKER ON AN  
 25 APPLICATION FORM PROVIDED BY THE DIVISION. THE FORM MUST BE

1 ACCOMPANIED BY THE TITLE APPLICATION.

2 (4) UPON RECEIPT OF AN APPLICATION FOR AN EXTENDED  
 3 TEMPORARY WINDOW STICKER AND TITLE AS DESIGNATED IN  
 4 SUBSECTION (3), THE MOTOR VEHICLE DIVISION OR THE COUNTY  
 5 TREASURER, WITH THE AUTHORIZATION OF THE MOTOR VEHICLE  
 6 DIVISION, MAY ISSUE AN EXTENDED TEMPORARY WINDOW STICKER,  
 7 VALID FOR AN ADDITIONAL 60 DAYS, UPON PAYMENT OF A FEE OF  
 8 \$10 THAT MUST BE DEPOSITED IN THE GENERAL FUND. AT THE END  
 9 OF THE EXTENDED 60-DAY PERIOD OR IN THE EVENT THE REQUEST  
 10 FOR EXTENSION IS REJECTED BY THE DEPARTMENT FOR CAUSE, THE  
 11 OWNER MAY OBTAIN A CERTIFICATE OF OWNERSHIP BY THE METHOD  
 12 PROVIDED IN 61-3-208."

13 SECTION 7. SECTION 61-3-503, MCA, IS AMENDED TO READ:

14 "61-3-503. (Temporary) Assessment. (1) Except as  
 15 provided in 61-3-520 and subsection (2) of this section, the  
 16 following apply to the taxation of motor vehicles:

17 (a) Except as provided in subsections (1)(c) through  
 18 (1)(e), a person who files an application for registration  
 19 or reregistration of a motor vehicle shall before filing the  
 20 application with the county treasurer submit the application  
 21 to the county assessor. The county assessor shall enter on  
 22 the application in a space to be provided for that purpose  
 23 the market value and taxable value of the vehicle as of  
 24 January 1 of the year for which the application for  
 25 registration is made.

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

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

1 on the anniversary date of the registration and shall  
 2 continue until the fees and taxes have been paid. If the  
 3 value shown in any of the appraisal guides listed in this  
 4 section is less than \$500, the department shall value the  
 5 vehicle at \$500.

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

8 (i) \$250; or  
 9 (ii) the average trade-in or wholesale value as of  
 10 January 1 of the year of assessment of the vehicle as  
 11 contained in the most recent volume of the applicable  
 12 National Edition of the N.A.D.A. Motorcycle/Moped/ATV  
 13 Appraisal Guide or N.A.D.A. Recreational Vehicle Appraisal  
 14 Guide or another nationally published used vehicle or  
 15 appraisal guide approved by the department of revenue, not  
 16 including additions or deductions for options and mileage.

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

24 (i) if the new car sales tax has been previously paid  
 25 and the vehicle is less than 1 year in age, the depreciation

1 percentage shall be 20%; or

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

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

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

20 (2) The provisions of subsections (1)(a) through (1)(g)  
21 do not apply to motor homes, travel trailers, campers, or  
22 mobile homes as defined in 15-1-101(1). (Terminates December  
23 31, 1993--sec. 11, Ch. 525, L. 1989.)

24 61-3-503. (Effective January 1, 1994) Assessment. (1)  
25 Except as provided in subsection (2), the following apply to

1 the taxation of motor vehicles:

2 (a) Except as provided in subsections (1)(c) through  
3 (1)(e), a person who files an application for registration  
4 or reregistration of a motor vehicle shall before filing  
5 such application with the county treasurer submit the  
6 application to the county assessor. The county assessor  
7 shall enter on the application in a space to be provided for  
8 that purpose the market value and taxable value of the  
9 vehicle as of January 1 of the year for which the  
10 application for registration is made.

11 (b) Except as provided in subsection (1)(c), motor  
12 vehicles are assessed for taxes on January 1 in each year  
13 irrespective of the time fixed by law for the assessment of  
14 other classes of personal property and irrespective of  
15 whether the levy and tax may be a lien upon real property  
16 within the state. In no event may any motor vehicle be  
17 subject to assessment, levy, and taxation more than once in  
18 each year.

19 (c) Vehicles subject to the provisions of 61-3-313  
20 through 61-3-316 shall must be assessed as of the first day  
21 of the registration period, using the average trade-in or  
22 wholesale value as of January 1 of the year of assessment of  
23 the vehicle as contained in the most recent volume of the  
24 Mountain States Edition of the National Automobile Dealers  
25 Association (N.A.D.A.) Official Used Car Guide, the National

1 Edition of N.A.D.A. Appraisal Guides Official Older Used Car  
 2 Guide, or another nationally published used vehicle or  
 3 appraisal guide approved by the department of revenue or,  
 4 for a vehicle that was never listed in any edition of the  
 5 preceding guides, the retail value of the vehicle as  
 6 determined by the county assessor, and thereafter  
 7 depreciated 10% per year until a value of \$500 is reached,  
 8 not including additions or deductions for options and  
 9 mileage but including additions or deductions, whether or  
 10 not one of the preceding guides is used, for diesel engines;  
 11 and a lien for taxes and fees due on the vehicle shall occur  
 12 on the anniversary date of the registration and shall  
 13 continue until the fees and taxes have been paid. If the  
 14 value shown in any of the appraisal guides listed in this  
 15 section is less than \$500, the department shall value the  
 16 vehicle at \$500.

17 (d) Motorcycles and quadricycles shall be assessed,  
 18 using the greater of the following:

- 19 (i) \$250; or
- 20 (ii) the average trade-in or wholesale value as of  
 21 January 1 of the year of assessment of the vehicle as  
 22 contained in the most recent volume of the applicable  
 23 National Edition of the N.A.D.A. Motorcycle/Moped/ATV  
 24 Appraisal Guide or N.A.D.A. Recreational Vehicle Appraisal  
 25 Guide or another nationally published used vehicle or

1 appraisal guide approved by the department of revenue, not  
 2 including additions or deductions for options and mileage.

3 (e) If a vehicle assessed under subsection (1)(c) or  
 4 (1)(d) is not originally listed in the applicable N.A.D.A.  
 5 guide or other approved guide, the department of revenue or  
 6 its agent shall depreciate the original f.o.b. factory list  
 7 price, f.o.b. port-of-entry list price, or the  
 8 manufacturer's suggested list price, using the following  
 9 methods:

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

13 (ii) if the vehicle is 1 year or older in age and it is  
 14 not listed in any of the appraisal guides listed in this  
 15 section, the department of revenue shall determine the  
 16 depreciation percentage to approximate the average wholesale  
 17 or trade-in values in the current N.A.D.A. guides or other  
 18 approved guide referred to in this subsection. For purposes  
 19 of this subsection (1), the age of the vehicle is determined  
 20 by subtracting the manufacturer's model year of the vehicle  
 21 from the calendar year of assessment.

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

25 (g) If a previously registered vehicle is no longer

1 listed in the applicable N.A.D.A. guide or other approved  
2 guide, the department or its agent shall depreciate the  
3 value of the vehicle at the rate of 10% a year until a  
4 minimum amount of \$500 is attained, and the value shall  
5 remain at that amount so long as the vehicle is registered.

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

9 **Section 8.** Section 61-3-535, MCA, is amended to read:

10 "61-3-535. Vehicle reregistration by mail -- renewal  
11 cards and reregistration notice by mail. (1) ~~The department~~  
12 ~~shall permit the reregistration of~~ AN EXCEPT AS PROVIDED IN  
13 SUBSECTION (2), AN owner of the following types of motor  
14 vehicles may reregister by mail:

15 (a) light vehicles, motorcycles, quadricycles, and  
16 other vehicles subject to tax under 61-3-504(2) ~~with the~~  
17 ~~county treasurer by mail at the option of the owner of the~~  
18 ~~vehicle;~~ and

19 (b) travel trailers, campers, and motor homes subject  
20 to a fee in lieu of tax under 61-3-521.

21 (2) The option to reregister by mail need only be made  
22 available for vehicles registered at the close of the  
23 expiring registration period in the name of the applicant  
24 for reregistration AND ONLY IF THE VALUE, AGE, LENGTH, OR  
25 OTHER CRITERIA USED TO DETERMINE THE TAX OR FEE IS AVAILABLE

1 TO THE DEPARTMENT.

2 (3) The department shall develop a procedure to  
3 facilitate the reregistration by mail of the vehicles listed  
4 in subsection (1). The mail reregistration procedure  
5 developed by the department must ~~provide for a bar code on~~  
6 ~~the mail renewal card so that the county treasurer can scan~~  
7 ~~the mail renewal card for all relevant information when it~~  
8 ~~is received from the applicant~~ INCLUDE A PROCEDURE TO  
9 FACILITATE AUTOMATED HANDLING OF MAIL REREGISTRATION OR  
10 RECERTIFICATION.

11 (4) The form to be returned to the county treasurer  
12 by the applicant, with the appropriate tax and fees, is to  
13 contain a statement, ~~to be subscribed to by~~ THAT the  
14 applicant, ~~stating~~ IS IN compliance with the financial  
15 liability requirements of 61-6-301.

16 (5) The procedure implemented by the department to  
17 permit reregistration by mail shall provide for a written  
18 reminder notice by mail to a light vehicle owner of the  
19 requirement to reregister his vehicle with the county  
20 treasurer.

21 (6) The department shall adopt rules to implement  
22 the mail reregistration procedure."

23 NEW SECTION. Section 9. Mail renewal and  
24 recertification. (1) ~~The department of justice shall develop~~  
25 a procedure for mail recertification of boats, the renewal

1 of license decals, and the payment of the fee in lieu of  
2 tax.

3 (2) The option to recertify, renew, and pay the fee in  
4 lieu of tax by mail need only be made available for boats  
5 for which ownership has not changed since the last  
6 recertification or renewal period.

7 (3) The mail renewal procedure must provide for a bar  
8 code on the renewal or recertification card so that the  
9 county treasurer can scan the card for all relevant  
10 information upon its receipt.

11 (4) The department of justice may adopt rules to  
12 implement this section. THE MAIL RENEWAL PROCEDURE DEVELOPED  
13 BY THE DEPARTMENT OF JUSTICE PURSUANT TO 61-3-535 MAY BE  
14 USED FOR MAIL RECERTIFICATION OF BOATS, THE RENEWAL OF  
15 LICENSE DECALS, AND THE PAYMENT OF THE FEE IN LIEU OF TAX.

16 NEW SECTION. Section 10. Mail renewal and  
17 recertification. (1) The department of justice shall develop  
18 a procedure for mail recertification of snowmobiles, the  
19 renewal of license decals, and the payment of the fee in  
20 lieu of tax.

21 (2) The option to recertify, renew, and pay the fee in  
22 lieu of tax by mail need only be made available for  
23 snowmobiles for which ownership has not changed since the  
24 last recertification or renewal period.

25 (3) The mail renewal procedure must provide for a bar

1 code on the renewal or recertification card so that the  
2 county treasurer can scan the card for all relevant  
3 information upon its receipt.

4 (4) The department of justice may adopt rules to  
5 implement this section. THE MAIL RENEWAL PROCEDURE DEVELOPED  
6 BY THE DEPARTMENT OF JUSTICE PURSUANT TO 61-3-535 MAY BE  
7 USED FOR MAIL RECERTIFICATION OF SNOWMOBILES, THE RENEWAL OF  
8 LICENSE DECALS, AND THE PAYMENT OF THE FEE IN LIEU OF TAX.

9 NEW SECTION. Section 11. Mail renewal and  
10 recertification. (1) The department of justice shall develop  
11 a procedure for mail recertification of off-highway  
12 vehicles, the renewal of license decals, and the payment of  
13 the fee in lieu of tax.

14 (2) The option to recertify, renew, and pay the fee in  
15 lieu of tax by mail need only be made available for  
16 off-highway vehicles for which ownership has not changed  
17 since the last recertification or renewal period.

18 (3) The mail renewal procedure must provide for a bar  
19 code on the renewal or recertification card so that the  
20 county treasurer can scan the card for all relevant  
21 information upon its receipt.

22 (4) The department of justice may adopt rules to  
23 implement this section. THE MAIL RENEWAL PROCEDURE DEVELOPED  
24 BY THE DEPARTMENT OF JUSTICE PURSUANT TO 61-3-535 MAY BE  
25 USED FOR MAIL RECERTIFICATION OF OFF-HIGHWAY VEHICLES, THE



RENEWAL OF LICENSE DECALS, AND THE PAYMENT OF THE FEE IN LIEU OF TAX.

**NEW SECTION. Section 12.** County motor vehicle computer system. (1) ~~The department of justice, in consultation with a user advisory group representing county treasurers, shall develop an~~ SHALL MAINTAIN A STATEWIDE on-line computer system ~~for the use of the counties of this state~~ to be used to register and reregister motor vehicles, boats, snowmobiles, and off-highway vehicles.

(2) The department of justice shall establish the user advisory group ~~provided for in subsection (1)~~, to assist in the development and ~~operation of the computer system provided for in subsection (1)~~ OF POLICIES GOVERNING THE REGISTRATION AND REREGISTRATION OF MOTOR VEHICLES, BOATS, SNOWMOBILES, AND OFF-HIGHWAY VEHICLES. The user advisory group must ~~include county treasurers, employees of the county treasurer, and county data processing personnel in addition to representatives of the department.~~

~~(3) The policy decisions necessary to develop and implement the computer system provided for in subsection (1) must be made jointly by the department and the user advisory group. The computer system and any changes to that system must be approved by the user advisory group.~~ BE APPOINTED BY THE ATTORNEY GENERAL AND MUST INCLUDE:

- (A) AN EMPLOYEE OF THE DEPARTMENT OF ADMINISTRATION,

DATA PROCESSING DIVISION, SELECTED BY THE DIVISION ADMINISTRATOR;

(B) TWO COUNTY TREASURERS, SELECTED BY THE MONTANA COUNTY TREASURERS ASSOCIATION;

(C) ONE COUNTY MOTOR VEHICLE SECTION SUPERVISOR, SELECTED BY THE MONTANA COUNTY TREASURERS ASSOCIATION;

(D) A COUNTY ASSESSOR, SELECTED BY THE DIRECTOR OF THE DEPARTMENT OF REVENUE;

(E) AN EMPLOYEE OF THE DEPARTMENT OF JUSTICE, DATA PROCESSING DIVISION, SELECTED BY THE DIVISION ADMINISTRATOR;

(F) AN EMPLOYEE OF THE DEPARTMENT OF JUSTICE, MOTOR VEHICLE DIVISION, REGISTRAR'S BUREAU, SELECTED BY THE DIVISION ADMINISTRATOR;

(G) AN EMPLOYEE OF THE DEPARTMENT OF JUSTICE, MOTOR VEHICLE DIVISION, DRIVER SERVICES BUREAU, SELECTED BY THE DIVISION ADMINISTRATOR;

(H) A MEMBER OF THE MONTANA BANKERS' ASSOCIATION, SELECTED BY THE ASSOCIATION DIRECTOR;

(I) A MEMBER OF THE MONTANA AUTOMOBILE DEALERS ASSOCIATION, SELECTED BY THE ASSOCIATION DIRECTOR; AND

(J) A MEMBER OR EMPLOYEE OF THE MONTANA AMERICAN AUTOMOBILE ASSOCIATION, SELECTED BY THE ASSOCIATION DIRECTOR.

(3) COMMITTEE MEMBERS WHO ARE NOT EMPLOYEES OF THE STATE OF MONTANA SHALL SERVE A TERM OF 2 YEARS, AND STATE

1 EMPLOYEE MEMBERS SHALL SERVE AT THE PLEASURE OF THE ATTORNEY  
 2 GENERAL.

3 (4) TRAVEL AND PER DIEM EXPENSES FOR THE COMMITTEE MUST  
 4 BE CHARGED TO THE MOTOR VEHICLE DIVISION.

5 (5) SECRETARIAL AND SUPPORT SERVICES FOR THE COMMITTEE  
 6 MUST BE PROVIDED BY THE MOTOR VEHICLE DIVISION.

7 (6) THE COMMITTEE SHALL MEET NO MORE THAN FOUR TIMES A  
 8 YEAR UNLESS SPECIFICALLY CALLED BY THE ATTORNEY GENERAL.

9 NEW SECTION. Section 13. County motor vehicle computer  
 10 committee. (1) There is a county motor vehicle computer  
 11 committee.

12 (2) The committee is allocated to the department of  
 13 justice for administrative purposes only as provided in  
 14 2-15-121.

15 (3) The committee consists of:

16 (a) an employee of the information service division of  
 17 the department of administration, appointed by the director  
 18 of the department of administration;

19 (b) two county treasurers, appointed by the Montana  
 20 county treasurers association; and

21 (c) two employees of the department of justice,  
 22 appointed by the attorney general.

23 NEW SECTION. Section 14. Duties of county motor  
 24 vehicle computer committee. (1) The county motor vehicle  
 25 computer committee shall:

1 (a) ~~set the standard for the computer equipment,~~  
 2 ~~including peripherals,~~ ESTABLISH THE REQUIREMENTS AND  
 3 SPECIFICATIONS FOR THE COUNTY MOTOR VEHICLE COMPUTER SYSTEM  
 4 TO BE used by county treasurers and the department of  
 5 justice to register and reregister motor vehicles, boats,  
 6 snowmobiles, and off-highway vehicles;

7 (b) ~~make grants to counties and the department of~~  
 8 ~~justice to purchase~~ APPROVE THE PURCHASE OF computer  
 9 equipment, including peripherals, to be used for the  
 10 registration and reregistration of motor vehicles, boats,  
 11 snowmobiles, and off-highway vehicles;

12 (c) ~~make grants to counties and the department of~~  
 13 ~~justice~~ APPROVE THE PROCEDURES for the development of the  
 14 county motor vehicle computer system provided for in  
 15 [section 8 12] and for training in the use of that system.

16 ~~(2) An amount of \$1,200,000 is appropriated to the~~  
 17 ~~county motor vehicle computer committee from the county~~  
 18 ~~motor vehicle computer fund for the biennium beginning July~~  
 19 ~~17, 1991.~~

20 (2) AS USED IN THIS SECTION, "COMPUTER SYSTEM" MEANS  
 21 THE COUNTY MOTOR VEHICLE APPLICATION SYSTEM AND DOES NOT  
 22 INCLUDE THE CENTRAL COMPUTER CENTERS OR IMPLY THAT THE  
 23 DEPARTMENT OF ADMINISTRATION IS RESPONSIBLE FOR ESTABLISHING  
 24 POLICY AND OPERATING AND MAINTAINING CENTRAL COMPUTER  
 25 CENTERS.

1 NEW SECTION. Section 15. County motor vehicle computer  
 2 fee. (1) A county motor vehicle computer fee of \$1 must be  
 3 assessed on the annual registration or reregistration for  
 4 each of the following:

- 5 (a) motor vehicles subject to registration or
- 6 reregistration under Title 61, chapter 3;
- 7 (b) boats subject to registration or reregistration
- 8 under Title 23, chapter 2, part 5;
- 9 (c) snowmobiles subject to registration or
- 10 reregistration under Title 23, chapter 2, part 6; and
- 11 (d) off-highway vehicles subject to registration or
- 12 reregistration under Title 23, chapter 2, part 8.

13 (2) The fee must be collected by the county treasurer  
 14 and forwarded to the state treasurer for deposit in the  
 15 county-motor-vehicle-computer STATE GENERAL fund.

16 ~~NEW-SECTION---Section-12---County-motor-vehicle-computer~~  
 17 ~~fund---There-is-a-county-motor-vehicle-computer-fund-into~~  
 18 ~~which-the-fees-provided-for-in-[section-11]---are---deposited-~~  
 19 ~~The-fees-are-to-be-used-by-the-county-motor-vehicle-computer~~  
 20 ~~committee---to---carry---out-its-duties-as-provided-in-[section~~  
 21 ~~10]---Any-funds-in-the-county---motor---vehicle---computer---fund~~  
 22 ~~that---have---not---been---committed-by-the-county-motor-vehicle~~  
 23 ~~computer-committee-as---of---June--30,--1993,---revert---to---the~~  
 24 ~~general-fund;~~

25 NEW SECTION. SECTION 16. APPROPRIATION. THERE IS

1 APPROPRIATED FROM THE GENERAL FUND TO THE DEPARTMENT OF  
 2 JUSTICE \$639,300 IN FISCAL YEAR 1992 AND \$837,900 IN FISCAL  
 3 YEAR 1993 TO FUND THE CONTINUED DEVELOPMENT AND OPERATION OF  
 4 THE STATEWIDE MOTOR VEHICLE COMPUTER SYSTEM.

5 NEW SECTION. Section 17. Effective date --  
 6 applicability ---termination. {1} [This act] is effective  
 7 July 1, 1991, and applies to motor vehicles, boats,  
 8 snowmobiles, and off-highway vehicles that must be  
 9 registered or reregistered on or after July 1, 1991.

10 ~~{2}---[Sections-9-through-12]---terminate-June-30,--1993-~~

11 NEW SECTION. Section 18. Codification instruction. (1)  
 12 [Section 5 9] is intended to be codified as an integral part  
 13 of Title 23, chapter 2, part 5, and the provisions of Title  
 14 23, chapter 2, part 5, apply to [section 5 9].

15 (2) [Section 6 10] is intended to be codified as an  
 16 integral part of Title 23, chapter 2, part 6, and the  
 17 provisions of Title 23, chapter 2, part 6, apply to [section  
 18 6 10].

19 (3) [Section 7 11] is intended to be codified as an  
 20 integral part of Title 23, chapter 2, part 8, and the  
 21 provisions of Title 23, chapter 2, part 8, apply to [section  
 22 7 11].

23 (4) [SECTIONS 12 THROUGH 14] ARE INTENDED TO BE  
 24 CODIFIED AS AN INTEGRAL PART OF TITLE 61, CHAPTER 3, PART 3,  
 25 AND THE PROVISIONS OF TITLE 61, CHAPTER 3, PART 3, APPLY TO

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1 [SECTIONS 12 THROUGH 14].  
2 (5) [SECTION 15] IS INTENDED TO BE CODIFIED AS AN  
3 INTEGRAL PART OF TITLE 61, CHAPTER 3, PART 5, AND THE  
4 PROVISIONS OF TITLE 61, CHAPTER 3, PART 5, APPLY TO [SECTION  
5 15].

-End-

## 1 HOUSE BILL NO. 579

2 INTRODUCED BY DRISCOLL, MCCAFFREE, STANG, WHALEN, KEATING,  
 3 HARDING, HARP, O'KEEFE, GRINDE, SVRCEK, D. BROWN, DAILY,  
 4 MADISON, NATHE, BOHARSKI

5  
 6 A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE THE  
 7 MOTOR VEHICLE LAWS; INCREASING THE NUMBER OF REGISTRATION  
 8 PERIODS FROM 10 TO 12; PROVIDING FOR MAIL RENEWAL CARDS FOR  
 9 LIGHT VEHICLES, MOTOR HOMES, CAMPERS, TRAVEL TRAILERS,  
 10 BOATS, SNOWMOBILES, MOTORCYCLES, QUADRICYCLES, AND  
 11 OFF-HIGHWAY VEHICLES; REQUIRING THAT PROCEDURES FOR  
 12 AUTOMATED HANDLING OF MAIL RENEWAL CARDS CONTAIN-BAR-CODING;  
 13 REQUIRING THAT ALL TAXES AND FEES BE PAID BEFORE A 60-DAY  
 14 STICKER MAY BE ISSUED AND AUTHORIZING AN ADDITIONAL 60-DAY  
 15 PERIOD; PROVIDING THAT ALL STATUTES AFFECTING MOTOR VEHICLES  
 16 BE EFFECTIVE JANUARY 1 OF THE FOLLOWING YEAR; PROVIDING FOR  
 17 THE DEVELOPMENT OF A STATEWIDE COMPUTER SYSTEM; INCREASING  
 18 THE REGISTRATION FEES FOR MOTOR VEHICLES, BOATS,  
 19 SNOWMOBILES, AND OFF-HIGHWAY VEHICLES TO IMPLEMENT THE  
 20 STATEWIDE COMPUTER SYSTEM; ESTABLISHING A COUNTY MOTOR  
 21 VEHICLE COMPUTER COMMITTEE; APPROPRIATING MONEY TO THE  
 22 ~~COUNTY--MOTOR--VEHICLES--COMPUTER--COMMITTEE~~ DEPARTMENT OF  
 23 JUSTICE; AMENDING SECTIONS 1-2-201, 61-3-101, 61-3-201,  
 24 61-3-202, 61-3-314, 61-3-342, 61-3-503, AND 61-3-535, MCA;  
 25 AND PROVIDING AN EFFECTIVE DATE, AND AN APPLICABILITY

There are no changes in this bill,  
 and will not be reprinted. Please  
 refer to yellow copy for complete  
 text.

## 1 HOUSE BILL NO. 579

2 INTRODUCED BY DRISCOLL, MCCAFFREE, STANG, WHALEN, KEATING,  
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11 OFF-HIGHWAY VEHICLES; REQUIRING THAT PROCEDURES FOR  
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13 REQUIRING THAT ALL TAXES AND FEES BE PAID BEFORE A 60-DAY  
14 STICKER MAY BE ISSUED AND AUTHORIZING AN ADDITIONAL 60-DAY  
15 PERIOD; PROVIDING THAT ALL STATUTES AFFECTING MOTOR VEHICLES  
16 BE EFFECTIVE JANUARY 1 OF THE FOLLOWING YEAR; PROVIDING FOR  
17 THE DEVELOPMENT OF A STATEWIDE COMPUTER SYSTEM; INCREASING  
18 THE REGISTRATION FEES FOR MOTOR VEHICLES, BOATS,  
19 SNOWMOBILES, AND OFF-HIGHWAY VEHICLES TO IMPLEMENT THE  
20 STATEWIDE COMPUTER SYSTEM; ESTABLISHING A COUNTY MOTOR  
21 VEHICLE COMPUTER COMMITTEE; APPROPRIATING MONEY TO THE  
22 COUNTY--MOTOR--VEHICLE--COMPUTER--COMMITTEE DEPARTMENT OF  
23 JUSTICE; AMENDING SECTIONS 1-2-201, 61-3-101, 61-3-201,  
24 61-3-202, 61-3-314, 61-3-342, 61-3-503, AND 61-3-535, MCA;  
25 AND PROVIDING AN EFFECTIVE DATE, AND AN APPLICABILITY

1 ~~PROVISION, AND A TERMINATION DATE.~~"

## 3 STATEMENT OF INTENT

4 A statement of intent is required for this bill because  
5 it grants additional rulemaking authority to the department  
6 of justice. The department shall adopt rules to develop a  
7 procedure for the registration or reregistration of motor  
8 vehicles, boats, snowmobiles, travel trailers, campers,  
9 motor homes, and off-highway vehicles. The department shall  
10 create a users' advisory group to assist the department in  
11 creating and operating a county motor vehicle computer  
12 system to be used jointly by the department and county  
13 treasurers and their employees. The department shall make  
14 policy decisions necessary to develop and implement the  
15 computer system jointly with the ~~users' advisory group~~  
16 COUNTY MOTOR VEHICLE COMPUTER COMMITTEE. ~~The department may~~  
17 ~~not adopt a computer system or make changes to the computer~~  
18 ~~system without approval by the users' advisory group.~~

19  
20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:21 **Section 1.** Section 1-2-201, MCA, is amended to read:

22 "1-2-201. Statutes -- effective date. (1) (a) Except as  
23 provided in subsection (1)(b) or (1)(c), Every every statute  
24 adopted after January 1, 1981, except those that provide for  
25 appropriation by the legislature of public funds for a

1 ~~public-purpose~~, takes effect on the first day of October  
 2 following its passage and approval unless a different time  
 3 is prescribed therein.

4 (b) Every statute providing for appropriation ~~as~~  
 5 ~~specified in this subsection~~ by the legislature for public  
 6 funds for a public purpose takes effect on the first day of  
 7 July following its passage and approval unless a different  
 8 time is prescribed therein.

9 (c) Every statute providing for taxation or the  
 10 imposition of a fee on motor vehicles takes effect on the  
 11 first day of January following its passage and approval  
 12 unless a different time is prescribed therein.

13 (2) "Passage", as used in subsection (1), means the  
 14 enactment into law of a bill which has passed the  
 15 legislature either with or without the approval of the  
 16 governor, as provided in the constitution."

17 **SECTION 2. SECTION 61-3-101, MCA, IS AMENDED TO READ:**

18 "61-3-101. Duties of department -- records. (1) The  
 19 department shall keep a record as hereinafter specified of  
 20 all motor vehicles, trailers, and semitrailers of every  
 21 kind, and of certificates of registration and ownership  
 22 thereof, and of all manufacturers and dealers in motor  
 23 vehicles.

24 (2) ~~in the case of motor vehicles, trailers, and~~  
 25 ~~semitrailers, the~~ The record shall must show the following:

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

4 (b) name and address of conditional sales vendor,  
 5 mortgagee, or other lienholder and amount due under contract  
 6 or lien;

7 (c) manufacturer of car;

8 (d) manufacturer's designation of style of car or  
 9 vehicle;

10 (e) identifying number;

11 (f) year of manufacture;

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

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

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

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

20 (3) The department shall file applications for  
 21 registration received by it from the county treasurers of  
 22 the state and register the vehicles ~~therein--described~~ and  
 23 the vehicle owners thereof--in suitable books or on index  
 24 cards, as follows:

25 (a) under the distinctive license number assigned to

1 the vehicle by the county treasurer;

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

3 (c) numerically under make and identifying number of  
4 the vehicle;

5 (d) such other index of registration as the department  
6 considers expedient.

7 (4) Vehicle registration records and indexes and  
8 driver's license records and indexes may be maintained by  
9 electronic recording and storage media.

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

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

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

1 station;

2 ~~{8}~~{7} All records shall be open to inspection during  
3 all reasonable business hours, and the department shall  
4 furnish any information from the records upon payment by the  
5 applicant of the cost of ~~transcribing~~ the information  
6 requested. Prior to providing the information, the  
7 department may require the applicant to provide  
8 identification."

9 **SECTION 3. SECTION 61-3-201, MCA, IS AMENDED TO READ:**

10 "61-3-201. Transfer of interest -- cancellation of  
11 erroneous certificate of ownership or registration. (1) Upon  
12 a transfer of any interest in a motor vehicle registered  
13 under the provisions of this chapter, the person whose  
14 interest is to be transferred shall write his signature with  
15 pen and ink upon the certificate of ownership issued for the  
16 vehicle in the appropriate space provided upon the reverse  
17 side of the certificate, and the signature must be  
18 acknowledged before the county treasurer, a deputy county  
19 treasurer, an elected official authorized to acknowledge  
20 signatures, an employee of the department, or a notary  
21 public.

22 (2) Within 20 calendar days after endorsement, the  
23 transferee shall forward both the endorsed certificate of  
24 ownership with the odometer mileage statement required under  
25 61-3-205 and the certificate of registration, together with



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

23 (3) In the event of a transfer by operation of law of  
 24 any interest in a motor vehicle as upon inheritance, devise,  
 25 or bequest, order in bankruptcy or insolvency, execution

1 sale, repossession upon default in the performance of the  
 2 terms of a lease or executory sales contract, or otherwise  
 3 than by voluntary act of the person whose title or interest  
 4 is transferred, the executor, administrator, receiver,  
 5 trustee, sheriff, or other representative or successor in  
 6 interest of the person whose interest is transferred shall  
 7 forward to the department an application for a certificate  
 8 of ownership in the form required for an original  
 9 application for a certificate of ownership, together with a  
 10 verified or certified statement of the transfer of interest.  
 11 The statement must set forth the reason for the involuntary  
 12 transfer, the interest transferred, the name of the person  
 13 to whom the interest is to be transferred, the process of  
 14 procedure effecting the transfer, and other information  
 15 requested by the department. Evidence and instruments  
 16 otherwise required by law to effect a transfer of legal or  
 17 equitable title to or an interest in chattels as may be  
 18 required in such cases must be furnished with the statement.  
 19 If the department is satisfied that the transfer is regular  
 20 and that all formalities required by law have been complied  
 21 with, it shall send to the owner, conditional sales vendor,  
 22 lessor, mortgagee, and other lienor, as shown by its  
 23 records, notice of the intended transfer and, not less than  
 24 5 days after sending notice, shall issue a new certificate  
 25 of ownership and certificate of registration to the

1 transferee. The notice required by this section is complied  
 2 with by deposit in the ~~post-office-in-Deer--Bodge7--Montana7~~  
 3 U.S. mail of the notice, postage prepaid, addressed to the  
 4 person at the respective address shown on its records.

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

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

22 (b) The person seeking transfer of the certificate of  
 23 ownership shall file an affidavit with the department  
 24 setting forth the fact of survivorship and the name and  
 25 address of any other heirs and other facts as are necessary

1 under subsection (5)(a) to entitle the affiant to a  
 2 transfer.

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

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

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

22 (8) (a) Upon its determination that a certificate of  
 23 ownership or a registration receipt contains an error caused  
 24 by the department or that the applicant has paid the  
 25 required fees and taxes with an insufficient funds check and

1 if the department has been notified of that fact by the  
 2 county attorney, the department may cancel the certificate  
 3 of ownership or receipt and, in the case of an error, issue  
 4 a replacement for the erroneous certificate or receipt if  
 5 the owner has returned the certificate or receipt to be  
 6 canceled. If the owner fails to return to the department the  
 7 certificate of ownership, the registration receipt, or the  
 8 license plate, the department shall direct a peace officer  
 9 or department employee to secure and return the certificate,  
 10 receipt, or license plate to the department.

11 (b) Any person who fails to return a certificate of  
 12 ownership or a registration receipt issued--with that  
 13 contains an error caused-by-the-department or that has been  
 14 canceled by the department due to an insufficient funds  
 15 check, as provided in subsection (8)(a), after receiving  
 16 actual notice of the department's demand for the return of  
 17 the certificate or receipt, as required by subsection  
 18 (8)(a), is guilty of a misdemeanor and upon conviction may  
 19 be fined an amount not to exceed \$500."

20 **SECTION 4. SECTION 61-3-202, MCA, IS AMENDED TO READ:**

21 "61-3-202. Certificate of ownership -- issuance --  
 22 contents -- joint ownership. (1) Upon completion of the  
 23 application for certificate of ownership, on forms furnished  
 24 by the department, the county treasurer shall forward one  
 25 copy of the application to the department, which shall enter

1 the information contained in the application upon the  
 2 corresponding records of its office and, except as provided  
 3 in 61-3-103(1) and 61-3-201(2) concerning applications by  
 4 creditors or secured parties, shall furnish the applicant a  
 5 certificate of ownership subject to the provisions of  
 6 61-3-103.

7 (2) The certificate of ownership shall contain upon the  
 8 face thereof:

- 9 (a) the date issued;
- 10 (b) the name and complete mailing and residence address  
 11 of the owner or the names and addresses of joint owners;
- 12 (c) except as provided in 61-3-103, the name and  
 13 complete address of any holder of a perfected security  
 14 interest in the registered vehicle;
- 15 (d) a description of the registered vehicle, including  
 16 the year built and serial number;
- 17 (e) except as provided in 61-3-103, the filing date of  
 18 any lien against such motor vehicle; and
- 19 (f) such other statement of facts as may be determined  
 20 by the department.

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

25 (4) Upon receipt of the application, the department

1 shall recheck the application. If there is any error in the  
 2 application, it may be returned to the owner or to the  
 3 county treasurer to effectively secure the correction of  
 4 such error, who shall return the same to the department.

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

9 **Section 5.** Section 61-3-314, MCA, is amended to read:

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

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

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

- 1 (g) July 1 through July 31 7th period
- 2 (h) August 1 through August 31 8th period
- 3 (i) September 1 through September 30 9th period
- 4 (j) October 1 through October 31 10th period
- 5 ~~(k) November 1 through November 30 11th period~~
- 6 ~~(l) December 1 through December 31 12th period~~

7 ~~(3)--For--purposes--of--61-3-313--through--61-3-316,--the~~  
 8 ~~period--November--1--through--November--30--shall--be--considered~~  
 9 ~~the--10th--period--preceding--and--the--period--December--1--through~~  
 10 ~~December--31--shall--be--considered--the--first--period--of--the--year~~  
 11 ~~following:"~~

12 **Section 6.** Section 61-3-342, MCA, is amended to read:

13 **"61-3-342. Temporary window sticker.** (1) Any purchaser  
 14 of a motor vehicle who is unable to ~~obtain--license--plates~~  
 15 ~~from--the--county--treasurer~~ FULLY COMPLETE THE PROCESS OF  
 16 APPLYING FOR A MONTANA TITLE at the time he makes  
 17 application for registration or reregistration of the  
 18 vehicle because the certificate of ownership is lost, in the  
 19 possession of third parties, or in the process of reissuance  
 20 in this state or elsewhere may, upon making affidavit to  
 21 that effect upon a form prescribed by the department and  
 22 upon the payment of ~~a~~ all applicable fees and taxes, plus an  
 23 additional fee of \$2 to be collected by the county treasurer  
 24 and remitted to the department, obtain from the county  
 25 treasurer of the county in which the vehicle is to be

1 registered a temporary window sticker of such size, color,  
 2 and design as the department may prescribe, to be validated  
 3 by the county treasurer for a period of 60 days from the  
 4 date of issuance. The purchaser, upon displaying the sticker  
 5 on the upper left-hand corner of the rear window of the  
 6 motor vehicle, may operate the vehicle during the period for  
 7 which the window sticker has been validated without  
 8 displaying the registration certificate or number plates or  
 9 plate for the current year. The county treasurer may not  
 10 sell, and no person may purchase, more than one 60-day  
 11 temporary window sticker for any vehicle, the ownership of  
 12 which has not changed since the issuance of the previous  
 13 60-day window sticker.

14 (2) A VEHICLE FOR WHICH AN APPLICATION FOR TITLE CANNOT  
 15 BE COMPLETED MAY NOT BE REGISTERED BY THE COUNTY TREASURER  
 16 NOR MAY LICENSE PLATES FOR THE VEHICLE BE ISSUED BY THE  
 17 COUNTY TREASURER UNTIL THE COMPLETED CERTIFICATE OF  
 18 OWNERSHIP OR APPLICATION FOR TITLE IS PRESENTED FOR THE  
 19 PURPOSE OF TRANSFERRING OWNERSHIP.

20 (3) IN THE EVENT AN UNUSUAL CIRCUMSTANCE PREVENTS THE  
 21 OWNER OF A VEHICLE FROM PRESENTING THE CERTIFICATE OF  
 22 OWNERSHIP WITHIN THE 60-DAY PERIOD PERMITTED UNDER  
 23 SUBSECTION (1), THE OWNER MAY APPLY TO THE MOTOR VEHICLE  
 24 DIVISION FOR AN EXTENDED TEMPORARY WINDOW STICKER ON AN  
 25 APPLICATION FORM PROVIDED BY THE DIVISION. THE FORM MUST BE

1 ACCOMPANIED BY THE TITLE APPLICATION.

2 (4) UPON RECEIPT OF AN APPLICATION FOR AN EXTENDED  
 3 TEMPORARY WINDOW STICKER AND TITLE AS DESIGNATED IN  
 4 SUBSECTION (3), THE MOTOR VEHICLE DIVISION OR THE COUNTY  
 5 TREASURER, WITH THE AUTHORIZATION OF THE MOTOR VEHICLE  
 6 DIVISION, MAY ISSUE AN EXTENDED TEMPORARY WINDOW STICKER,  
 7 VALID FOR AN ADDITIONAL 60 DAYS, UPON PAYMENT OF A FEE OF  
 8 \$10 THAT MUST BE DEPOSITED IN THE GENERAL FUND. AT THE END  
 9 OF THE EXTENDED 60-DAY PERIOD OR IN THE EVENT THE REQUEST  
 10 FOR EXTENSION IS REJECTED BY THE DEPARTMENT FOR CAUSE, THE  
 11 OWNER MAY OBTAIN A CERTIFICATE OF OWNERSHIP BY THE METHOD  
 12 PROVIDED IN 61-3-208."

13 SECTION 7. SECTION 61-3-503, MCA, IS AMENDED TO READ:

14 "61-3-503. (Temporary) Assessment. (1) Except as  
 15 provided in 61-3-520 and subsection (2) of this section, the  
 16 following apply to the taxation of motor vehicles:

17 (a) Except as provided in subsections (1)(c) through  
 18 (1)(e), a person who files an application for registration  
 19 or reregistration of a motor vehicle shall before filing the  
 20 application with the county treasurer submit the application  
 21 to the county assessor. The county assessor shall enter on  
 22 the application in a space to be provided for that purpose  
 23 the market value and taxable value of the vehicle as of  
 24 January 1 of the year for which the application for  
 25 registration is made.

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

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

1 on the anniversary date of the registration and shall  
 2 continue until the fees and taxes have been paid. If the  
 3 value shown in any of the appraisal guides listed in this  
 4 section is less than \$500, the department shall value the  
 5 vehicle at \$500.

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

8 (i) \$250; or  
 9 (ii) the average trade-in or wholesale value as of  
 10 January 1 of the year of assessment of the vehicle as  
 11 contained in the most recent volume of the applicable  
 12 National Edition of the N.A.D.A. Motorcycle/Moped/ATV  
 13 Appraisal Guide or N.A.D.A. Recreational Vehicle Appraisal  
 14 Guide or another nationally published used vehicle or  
 15 appraisal guide approved by the department of revenue, not  
 16 including additions or deductions for options and mileage.

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

24 (i) if the new car sales tax has been previously paid  
 25 and the vehicle is less than 1 year in age, the depreciation

1 percentage shall be 20%; or

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

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

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

20 (2) The provisions of subsections (1)(a) through (1)(g)  
21 do not apply to motor homes, travel trailers, campers, or  
22 mobile homes as defined in 15-1-101(1). (Terminates December  
23 31, 1993--sec. 11, Ch. 525, L. 1989.)

24 61-3-503. (Effective January 1, 1994) Assessment. (1)  
25 Except as provided in subsection (2), the following apply to

1 the taxation of motor vehicles:

2 (a) Except as provided in subsections (1)(c) through  
3 (1)(e), a person who files an application for registration  
4 or reregistration of a motor vehicle shall before filing  
5 such application with the county treasurer submit the  
6 application to the county assessor. The county assessor  
7 shall enter on the application in a space to be provided for  
8 that purpose the market value and taxable value of the  
9 vehicle as of January 1 of the year for which the  
10 application for registration is made.

11 (b) Except as provided in subsection (1)(c), motor  
12 vehicles are assessed for taxes on January 1 in each year  
13 irrespective of the time fixed by law for the assessment of  
14 other classes of personal property and irrespective of  
15 whether the levy and tax may be a lien upon real property  
16 within the state. In no event may any motor vehicle be  
17 subject to assessment, levy, and taxation more than once in  
18 each year.

19 (c) Vehicles subject to the provisions of 61-3-313  
20 through 61-3-316 ~~shall~~ must be assessed as of the first day  
21 of the registration period, using the average trade-in or  
22 wholesale value as of January 1 of the year of assessment of  
23 the vehicle as contained in the most recent volume of the  
24 Mountain States Edition of the National Automobile Dealers  
25 Association (N.A.D.A.) Official Used Car Guide, the National

1 Edition of N.A.D.A. Appraisal Guides Official Older Used Car  
 2 Guide, or another nationally published used vehicle or  
 3 appraisal guide approved by the department of revenue or,  
 4 for a vehicle that was never listed in any edition of the  
 5 preceding guides, the retail value of the vehicle as  
 6 determined by the county assessor, and thereafter  
 7 depreciated 10% per year until a value of \$500 is reached,  
 8 not including additions or deductions for options and  
 9 mileage but including additions or deductions, whether or  
 10 not one of the preceding guides is used, for diesel engines;  
 11 and a lien for taxes and fees due on the vehicle shall occur  
 12 on the anniversary date of the registration and shall  
 13 continue until the fees and taxes have been paid. If the  
 14 value shown in any of the appraisal guides listed in this  
 15 section is less than \$500, the department shall value the  
 16 vehicle at \$500.

17 (d) Motorcycles and quadricycles shall be assessed,  
 18 using the greater of the following:

19 (i) \$250; or

20 (ii) the average trade-in or wholesale value as of  
 21 January 1 of the year of assessment of the vehicle as  
 22 contained in the most recent volume of the applicable  
 23 National Edition of the N.A.D.A. Motorcycle/Moped/ATV  
 24 Appraisal Guide or N.A.D.A. Recreational Vehicle Appraisal  
 25 Guide or another nationally published used vehicle or

1 appraisal guide approved by the department of revenue, not  
 2 including additions or deductions for options and mileage.

3 (e) If a vehicle assessed under subsection (1)(c) or  
 4 (1)(d) is not originally listed in the applicable N.A.D.A.  
 5 guide or other approved guide, the department of revenue or  
 6 its agent shall depreciate the original f.o.b. factory list  
 7 price, f.o.b. port-of-entry list price, or the  
 8 manufacturer's suggested list price, using the following  
 9 methods:

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

13 (ii) if the vehicle is 1 year or older in age and it is  
 14 not listed in any of the appraisal guides listed in this  
 15 section, the department of revenue shall determine the  
 16 depreciation percentage to approximate the average wholesale  
 17 or trade-in values in the current N.A.D.A. guides or other  
 18 approved guide referred to in this subsection. For purposes  
 19 of this subsection (1), the age of the vehicle is determined  
 20 by subtracting the manufacturer's model year of the vehicle  
 21 from the calendar year of assessment.

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

25 (g) If a previously registered vehicle is no longer



1 listed in the applicable N.A.D.A. guide or other approved  
 2 guide, the department or its agent shall depreciate the  
 3 value of the vehicle at the rate of 10% a year until a  
 4 minimum amount of \$500 is attained, and the value shall  
 5 remain at that amount so long as the vehicle is registered.

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

9 **Section 8.** Section 61-3-535, MCA, is amended to read:

10 \*61-3-535. Vehicle reregistration by mail -- renewal  
 11 cards and reregistration notice by mail. (1) ~~The department~~  
 12 ~~shall permit the reregistration of~~ AN EXCEPT AS PROVIDED IN  
 13 SUBSECTION (2), AN owner of the following types of motor  
 14 vehicles may reregister by mail:

15 (a) light vehicles, motorcycles, quadricycles, and  
 16 other vehicles subject to tax under 61-3-504(2) with the  
 17 county treasurer by mail at the option of the owner of the  
 18 vehicle; and

19 (b) travel trailers, campers, and motor homes subject  
 20 to a fee in lieu of tax under 61-3-521.

21 (2) The option to reregister by mail need only be made  
 22 available for vehicles registered at the close of the  
 23 expiring registration period in the name of the applicant  
 24 for reregistration AND ONLY IF THE VALUE, AGE, LENGTH, OR  
 25 OTHER CRITERIA USED TO DETERMINE THE TAX OR FEE IS AVAILABLE

1 TO THE DEPARTMENT.

2 (3) The department shall develop a procedure to  
 3 facilitate the reregistration by mail of the vehicles listed  
 4 in subsection (1). The mail reregistration procedure  
 5 developed by the department must ~~provide for a bar code on~~  
 6 ~~the mail renewal card so that the county treasurer can scan~~  
 7 ~~the mail renewal card for all relevant information when it~~  
 8 ~~is received from the applicant~~ INCLUDE A PROCEDURE TO  
 9 FACILITATE AUTOMATED HANDLING OF MAIL REREGISTRATION OR  
 10 RECERTIFICATION.

11 (4) The form to be returned to the county treasurer  
 12 by the applicant, with the appropriate tax and fees, is to  
 13 contain a statement, ~~to be subscribed to by~~ THAT the  
 14 applicant, ~~stating~~ IS IN compliance with the financial  
 15 liability requirements of 61-6-301.

16 (5) The procedure implemented by the department to  
 17 permit reregistration by mail shall provide for a written  
 18 reminder notice by mail to a light vehicle owner of the  
 19 requirement to reregister his vehicle with the county  
 20 treasurer.

21 (6) The department shall adopt rules to implement  
 22 the mail reregistration procedure."

23 **NEW SECTION. Section 9.** Mail renewal and  
 24 recertification. ~~(1) The department of justice shall develop~~  
 25 ~~a procedure for mail recertification of boats, the renewal~~

1 of license decals, and the payment of the fee in lieu of  
2 tax.

3 (2) The option to recertify, renew, and pay the fee in  
4 lieu of tax by mail need only be made available for boats  
5 for which ownership has not changed since the last  
6 recertification or renewal period.

7 (3) The mail renewal procedure must provide for a bar  
8 code on the renewal or recertification card so that the  
9 county treasurer can scan the card for all relevant  
10 information upon its receipt.

11 (4) The department of justice may adopt rules to  
12 implement this section: THE MAIL RENEWAL PROCEDURE DEVELOPED  
13 BY THE DEPARTMENT OF JUSTICE PURSUANT TO 61-3-535 MAY BE  
14 USED FOR MAIL RECERTIFICATION OF BOATS, THE RENEWAL OF  
15 LICENSE DECALS, AND THE PAYMENT OF THE FEE IN LIEU OF TAX.

16 NEW SECTION. Section 10. Mail renewal and  
17 recertification. (1) The department of justice shall develop  
18 a procedure for mail recertification of snowmobiles, the  
19 renewal of license decals, and the payment of the fee in  
20 lieu of tax.

21 (2) The option to recertify, renew, and pay the fee in  
22 lieu of tax by mail need only be made available for  
23 snowmobiles for which ownership has not changed since the  
24 last recertification or renewal period.

25 (3) The mail renewal procedure must provide for a bar

1 code on the renewal or recertification card so that the  
2 county treasurer can scan the card for all relevant  
3 information upon its receipt.

4 (4) The department of justice may adopt rules to  
5 implement this section: THE MAIL RENEWAL PROCEDURE DEVELOPED  
6 BY THE DEPARTMENT OF JUSTICE PURSUANT TO 61-3-535 MAY BE  
7 USED FOR MAIL RECERTIFICATION OF SNOWMOBILES, THE RENEWAL OF  
8 LICENSE DECALS, AND THE PAYMENT OF THE FEE IN LIEU OF TAX.

9 NEW SECTION. Section 11. Mail renewal and  
10 recertification. (1) The department of justice shall develop  
11 a procedure for mail recertification of off-highway  
12 vehicles, the renewal of license decals, and the payment of  
13 the fee in lieu of tax.

14 (2) The option to recertify, renew, and pay the fee in  
15 lieu of tax by mail need only be made available for  
16 off-highway vehicles for which ownership has not changed  
17 since the last recertification or renewal period.

18 (3) The mail renewal procedure must provide for a bar  
19 code on the renewal or recertification card so that the  
20 county treasurer can scan the card for all relevant  
21 information upon its receipt.

22 (4) The department of justice may adopt rules to  
23 implement this section: THE MAIL RENEWAL PROCEDURE DEVELOPED  
24 BY THE DEPARTMENT OF JUSTICE PURSUANT TO 61-3-535 MAY BE  
25 USED FOR MAIL RECERTIFICATION OF OFF-HIGHWAY VEHICLES, THE

1 RENEWAL OF LICENSE DECALS, AND THE PAYMENT OF THE FEE IN  
 2 LIEU OF TAX.

3 NEW SECTION. Section 12. County motor vehicle computer  
 4 system. (1) The department of justice, in consultation with  
 5 a user advisory group representing county treasurers, shall  
 6 develop--an SHALL MAINTAIN A STATEWIDE on-line computer  
 7 system for the use of the counties of this state to be used  
 8 to register and reregister motor vehicles, boats,  
 9 snowmobiles, and off-highway vehicles.

10 (2) The department of justice shall establish the user  
 11 advisory group provided for in subsection (1); to assist in  
 12 the development and operation of the computer system  
 13 provided for in subsection (1) OF POLICIES GOVERNING THE  
 14 REGISTRATION AND REREGISTRATION OF MOTOR VEHICLES, BOATS,  
 15 SNOWMOBILES, AND OFF-HIGHWAY VEHICLES. The user advisory  
 16 group must include county treasurers, employees of the  
 17 county treasurer, and county data processing personnel in  
 18 addition to representatives of the department.

19 (3) ~~The policy decisions necessary to develop and~~  
 20 ~~implement the computer system provided for in subsection (1)~~  
 21 ~~must be made jointly by the department and the user advisory~~  
 22 ~~group. The computer system and any changes to that system~~  
 23 ~~must be approved by the user advisory group. BE APPOINTED BY~~  
 24 THE ATTORNEY GENERAL AND MUST INCLUDE:

25 (A) AN EMPLOYEE OF THE DEPARTMENT OF ADMINISTRATION,

1 DATA PROCESSING DIVISION, SELECTED BY THE DIVISION  
 2 ADMINISTRATOR;

3 (B) TWO COUNTY TREASURERS, SELECTED BY THE MONTANA  
 4 COUNTY TREASURERS ASSOCIATION;

5 (C) ONE COUNTY MOTOR VEHICLE SECTION SUPERVISOR,  
 6 SELECTED BY THE MONTANA COUNTY TREASURERS ASSOCIATION;

7 (D) A COUNTY ASSESSOR, SELECTED BY THE DIRECTOR OF THE  
 8 DEPARTMENT OF REVENUE;

9 (E) AN EMPLOYEE OF THE DEPARTMENT OF JUSTICE, DATA  
 10 PROCESSING DIVISION, SELECTED BY THE DIVISION ADMINISTRATOR;

11 (F) AN EMPLOYEE OF THE DEPARTMENT OF JUSTICE, MOTOR  
 12 VEHICLE DIVISION, REGISTRAR'S BUREAU, SELECTED BY THE  
 13 DIVISION ADMINISTRATOR;

14 (G) AN EMPLOYEE OF THE DEPARTMENT OF JUSTICE, MOTOR  
 15 VEHICLE DIVISION, DRIVER SERVICES BUREAU, SELECTED BY THE  
 16 DIVISION ADMINISTRATOR;

17 (H) A MEMBER OF THE MONTANA BANKERS' ASSOCIATION,  
 18 SELECTED BY THE ASSOCIATION DIRECTOR;

19 (I) A MEMBER OF THE MONTANA AUTOMOBILE DEALERS  
 20 ASSOCIATION, SELECTED BY THE ASSOCIATION DIRECTOR; AND

21 (J) A MEMBER OR EMPLOYEE OF THE MONTANA AMERICAN  
 22 AUTOMOBILE ASSOCIATION, SELECTED BY THE ASSOCIATION  
 23 DIRECTOR.

24 (3) COMMITTEE MEMBERS WHO ARE NOT EMPLOYEES OF THE  
 25 STATE OF MONTANA SHALL SERVE A TERM OF 2 YEARS, AND STATE

1 EMPLOYEE MEMBERS SHALL SERVE AT THE PLEASURE OF THE ATTORNEY  
 2 GENERAL.

3 (4) TRAVEL AND PER DIEM EXPENSES FOR THE COMMITTEE MUST  
 4 BE CHARGED TO THE MOTOR VEHICLE DIVISION.

5 (5) SECRETARIAL AND SUPPORT SERVICES FOR THE COMMITTEE  
 6 MUST BE PROVIDED BY THE MOTOR VEHICLE DIVISION.

7 (6) THE COMMITTEE SHALL MEET NO MORE THAN FOUR TIMES A  
 8 YEAR UNLESS SPECIFICALLY CALLED BY THE ATTORNEY GENERAL.

9 NEW SECTION. Section 13. County motor vehicle computer  
 10 committee. (1) There is a county motor vehicle computer  
 11 committee.

12 (2) The committee is allocated to the department of  
 13 justice for administrative purposes only as provided in  
 14 2-15-121.

15 (3) The committee consists of:

16 (a) an employee of the information service division of  
 17 the department of administration, appointed by the director  
 18 of the department of administration;

19 (b) two county treasurers, appointed by the Montana  
 20 county treasurers association; and

21 (c) two employees of the department of justice,  
 22 appointed by the attorney general.

23 NEW SECTION. Section 14. Duties of county motor  
 24 vehicle computer committee. (1) The county motor vehicle  
 25 computer committee shall:

1 (a) ~~set the standard for the computer equipment~~  
 2 ~~including peripherals;~~ ESTABLISH THE REQUIREMENTS AND  
 3 SPECIFICATIONS FOR THE COUNTY MOTOR VEHICLE COMPUTER SYSTEM  
 4 TO BE used by county treasurers and the department of  
 5 justice to register and reregister motor vehicles, boats,  
 6 snowmobiles, and off-highway vehicles;

7 (b) ~~make grants to counties and the department of~~  
 8 ~~justice to purchase~~ APPROVE THE PURCHASE OF computer  
 9 equipment, including peripherals, to be used for the  
 10 registration and reregistration of motor vehicles, boats,  
 11 snowmobiles, and off-highway vehicles;

12 (c) ~~make grants to counties and the department of~~  
 13 ~~justice~~ APPROVE THE PROCEDURES for the development of the  
 14 county motor vehicle computer system provided for in  
 15 [section 8 12] and for training in the use of that system.

16 ~~(2) An amount of \$1,200,000 is appropriated to the~~  
 17 ~~county motor vehicle computer committee from the county~~  
 18 ~~motor vehicle computer fund for the biennium beginning July~~  
 19 ~~1, 1991.~~

20 (2) AS USED IN THIS SECTION, "COMPUTER SYSTEM" MEANS  
 21 THE COUNTY MOTOR VEHICLE APPLICATION SYSTEM AND DOES NOT  
 22 INCLUDE THE CENTRAL COMPUTER CENTERS OR IMPLY THAT THE  
 23 DEPARTMENT OF ADMINISTRATION IS RESPONSIBLE FOR ESTABLISHING  
 24 POLICY AND OPERATING AND MAINTAINING CENTRAL COMPUTER  
 25 CENTERS.

1        NEW SECTION. Section 15. County motor vehicle computer  
 2 fee. (1) A county motor vehicle computer fee of \$1 must be  
 3 assessed on the annual registration or reregistration for  
 4 each of the following:

5        (a) motor vehicles subject to registration or  
 6 reregistration under Title 61, chapter 3;

7        (b) boats subject to registration or reregistration  
 8 under Title 23, chapter 2, part 5;

9        (c) snowmobiles subject to registration or  
 10 reregistration under Title 23, chapter 2, part 6; and

11        (d) off-highway vehicles subject to registration or  
 12 reregistration under Title 23, chapter 2, part 8.

13        (2) The fee must be collected by the county treasurer  
 14 and forwarded to the state treasurer for deposit in the  
 15 ~~county-motor-vehicle-computer~~ STATE GENERAL fund.

16        ~~NEW SECTION. Section 12. County motor vehicle computer~~  
 17 ~~fund. There is a county motor vehicle computer fund into~~  
 18 ~~which the fees provided for in section 11 are deposited.~~  
 19 ~~The fees are to be used by the county motor vehicle computer~~  
 20 ~~committee to carry out its duties as provided in section~~  
 21 ~~10. Any funds in the county motor vehicle computer fund~~  
 22 ~~that have not been committed by the county motor vehicle~~  
 23 ~~computer committee as of June 30, 1993, revert to the~~  
 24 ~~general fund.~~

25        NEW SECTION. SECTION 16. APPROPRIATION. THERE IS

1        APPROPRIATED FROM THE GENERAL FUND TO THE DEPARTMENT OF  
 2 JUSTICE \$639,300 IN FISCAL YEAR 1992 AND \$837,900 IN FISCAL  
 3 YEAR 1993 TO FUND THE CONTINUED DEVELOPMENT AND OPERATION OF  
 4 THE STATEWIDE MOTOR VEHICLE COMPUTER SYSTEM.

5        NEW SECTION. Section 17. Effective date --  
 6 applicability ----termination. ~~{}~~ (This act) is effective  
 7 July 1, 1991, and applies to motor vehicles, boats,  
 8 snowmobiles, and off-highway vehicles that must be  
 9 registered or reregistered on or after July 1, 1991.

10        ~~{}~~~~Sections 9 through 12 terminate June 30, 1993.~~

11        NEW SECTION. Section 18. Codification instruction. (1)  
 12 [Section 5 9] is intended to be codified as an integral part  
 13 of Title 23, chapter 2, part 5, and the provisions of Title  
 14 23, chapter 2, part 5, apply to [section 5 9].

15        (2) [Section 6 10] is intended to be codified as an  
 16 integral part of Title 23, chapter 2, part 6, and the  
 17 provisions of Title 23, chapter 2, part 6, apply to [section  
 18 6 10].

19        (3) [Section 7 11] is intended to be codified as an  
 20 integral part of Title 23, chapter 2, part 8, and the  
 21 provisions of Title 23, chapter 2, part 8, apply to [section  
 22 7 11].

23        (4) [SECTIONS 12 THROUGH 14] ARE INTENDED TO BE  
 24 CODIFIED AS AN INTEGRAL PART OF TITLE 61, CHAPTER 3, PART 3,  
 25 AND THE PROVISIONS OF TITLE 61, CHAPTER 3, PART 3, APPLY TO

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1 [SECTIONS 12 THROUGH 14].

2 {5} {SECTION 15} IS INTENDED TO BE CODIFIED AS AN  
3 INTEGRAL PART OF TITLE 61, CHAPTER 3, PART 5, AND THE  
4 PROVISIONS OF TITLE 61, CHAPTER 3, PART 5, APPLY TO {SECTION  
5 15}.

-End-