

VOLUME NO. 35

Opinion No. 13

MOTOR VEHICLES — Application for new title, junk vehicle fee; MOTOR VEHICLES — Transfer of title, junk vehicle fee; MOTOR VEHICLES — Registration, junk vehicle fee; MOTOR VEHICLES — Junk vehicle, fees for. Chapter 410, Session Laws of 1973.

- HELD:**
- 1. Commencing July 1, 1973, a \$4.00 fee for junk vehicle disposal, in addition to all other fees presently assessed, will be charged for each new application for title and for each transfer of title on passenger cars and trucks under 8001 pounds.**
 - 2. Commencing January 1, 1974, a fee of \$1.00 for junk vehicle disposal, in addition to all other fees presently assessed, will be charged for licensing each passenger vehicle and truck under 8001 pounds.**

May 22, 1973

Mr. Harold F. Hanser
 County Attorney
 Yellowstone County
 Billings, Montana 59101

Dear Mr. Hanser:

This is in response to your letter concerning the application of chapter 410, Session Laws of 1973. Your letter deals specifically with the provisions of section 7 of that chapter concerning fees for junked vehicle disposal. Section 7 (2) states in pertinent part:

There is assessed a special junk vehicle disposal fee commencing on July 1, 1973, on each new application for a motor vehicle title and on each transfer of motor vehicle title in the amount of four dollars (\$4), on passenger cars and trucks under 8001 pounds GVW, which shall be collected by the county treasurer, and commencing with the year 1974,

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there shall be assessed an additional special junk vehicle disposal fee in the amount of one dollar (\$1) on each passenger car and truck under 8001 pounds GVW registered for licensing. The one dollar (\$1) fee shall be collected by the county treasurer. However, the following are exempt from payment of the fees: ...

The aforementioned fees are separate and distinct from those fees presently collected by the county treasurer for application or transfer of title and for registration. Thus, the special junk vehicle fee must be collected in addition to all other fees currently required.

THEREFORE, IT IS MY OPINION:

1. That the \$4.00 fee for junk vehicle disposal will be assessed, beginning July 1, 1973, for each new application for motor vehicle title and for each transfer of title in addition to all other fees presently assessed, for each passenger vehicle and truck under 8001 pounds.
2. That a \$1.00 fee will be assessed, beginning January 1, 1974, in addition to all other fees presently assessed, for junk vehicle disposal when licensing each passenger vehicle or truck under 8001 pounds.

Very truly yours,

ROBERT L. WOODAHL
Attorney General