

MINUTES OF THE MEETING OF THE HIGHWAYS AND TRANSPORTATION COMMITTEE
JANUARY 15, 1981

The House Highways and Transportation Committee convened in Room 437 of the Capitol Building on Thursday, January 15, 1981, at 12:35 p.m. with Chairman Paul Kropp presiding and fourteen members present (absent were Representatives Stobie and Fabrega).

CHAIRMAN KROPP opened the meeting to a hearing on HB 145.

HOUSE BILL 145 REP. DAN YARDLEY, sponsor, presented the bill. The existing law allows a private seller to give the buyer any type of bill of sale or form to use for 20 days until the vehicle should be properly licensed. People are badly misusing this form of identification. Buyer may currently drive for a 20-day period, provided that at all times during that period a bill of sale or other proof of purchase be displayed. Rep. Yardley's bill would state that the proof of purchase must be in a form prescribed by the division, issued and recorded by the county treasurer or by a law enforcement officer authorized by the division, upon payment of a fee of \$1. This means the buyer would have to buy a form to use. The forms would then be uniform. There is almost no way of enforcing the current law.

JOHN SCULLY spoke as a proponent and a representative of the Sheriff's and Police Officer's Association of the State. Some people will keep rewriting the bills of sale and avoid paying the taxes. Page 2, line 3 says recorded but it should probably read "of record". The fee goes to the state but the county sheriff or treasurer will be issuing the ticket and doing the recordkeeping. So the cost will be to both the state and to the county. Would like to see the fee raised with half going to the county and half to the state.

LARRY MAJERUS of the Motor Vehicle Division spoke as a proponent also. He said as more and more people found out you could not only drive around for 20 days but how easy it is to alter the bill of sale the more people took advantage of it. Law enforcement officers cannot do much about it. The form would look like the 20-day sticker used by car dealers. Would like the expiration date in large letters with two copies - one to the buyer for the window and one to the county treasurer for recording.

CAPT. WALT MILLER of the Montana Highway Patrol also spoke as a proponent. The new stickers could be used as a tool for enforcement.

There were no opponents.

Questions were then allowed from the committee. Rep. Iverson asked if a person would have to go to the courthouse to get the sticker or if one could be obtained from a law enforcement office. Rep. Yardley said one would probably have to go to the courthouse. Rep. Zabrocki stated that when you license your car now you need proof of purchase of insurance. Would you need that proof to get a sticker also? Rep. Yardley said the current law does not require any proof of purchase of insurance until you actually license the

vehicle. Before you register the vehicle you need that proof. Rep. Iverson asked why not just do it all at once. Simply go to the courthouse and acquire the license and everything. Mr. Majerus stated that sometimes it takes time to get lien problems taken care of with banks and such. Rep. Shontz said one thing he would hope could happen would be that peace officers could issue these stickers. In many areas of the state people live many miles from the courthouse and yet maybe not quite as far from a local police office. Mr. Majerus stated that he would hope whatever agency possible could do the job of issuing. Rep. Winslow asked how the stickers would be checked. Mr. Majerus answered that a local dispatcher could call the county treasurer for quick verification.

Rep. Brand asked how this affects the car dealers. The answer is that this bill does not involve dealer transactions.

Mr. Majerus said most states require some type of sticker. In Utah a cardboard license plate is issued. Also issue drive-away permits if buying in Montana and taking to another state. New stickers would be about the size of a business envelope with letters as large as possible.

Chairman Kropp closed the hearing on HB 145.

EXECUTIVE SESSION Rep. Iverson made a motion of do pass. Rep. Harp moved to amend the bill raising the \$1 fee to \$2 with \$1 going to the county and \$1 going to the state. Seconded by Rep. Metcalf. Motion passed with Rep. Anderson abstaining as he arrived at the meeting late.

Rep. Shontz moved to amend page 2, line 3, by striking "recorded" and adding "kept at record". Seconded by Rep. Harp and passed unanimously.

Rep. Shontz moved that on page 2, line 10 "\$10" be stricken and "\$20 with \$10 to the State of Montana General Fund and \$10 to the County General Fund" inserted. Seconded by Rep. Harp. Motion failed.

Rep. Iverson withdrew his do pass motion.

Rep. Brand moved that since there is another bill coming up that also deals with this topic the committee hold HB 145 until both bills can be considered together. Rep. Shontz seconded the motion and the committee concurred.

The meeting was adjourned at 1:05 p.m.

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Respectfully submitted,


PAUL KROPP, CHAIRMAN

Ellen Engstedt, Secretary

VISITORS' REGISTER

HOUSE HIGHWAYS & TRANSPORTATION COMMITTEE

145

ILL

Date 1/15/81

NSOR

YARDLEY

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.