

MINUTES OF THE MEETING  
HIGHWAY AND TRANSPORTATION  
MONTANA STATE SENATE

March 7, 1981

The Fifteenth meeting of the Highways and Transportation Committee was called to order on the above date in Room 410 of the State Capitol Building by Chairman Mark Etchart at 1:00 p.m.

ROLL CALL:

Present: Senator Mark Etchart, Senator Tom Hager, Senator Frank Hazelbaker, Senator Elliott, Senator Tveit, Senator Manning, Senator Graham, Senator Healy, Senator Stimatz.

CONSIDERATION OF HOUSE BILL NO. 421:

Representative Waldron, Chief Sponsor of HB421, told the committee this is an act making it unlawful for a motor vehicle dealer to issue more than one sticker per vehicle sale, and providing a penalty for improper use thereof. The present code does not provide for specific penalties for misuse of the 20 day window sticker. When you purchase a motor vehicle from a dealer, you have 20 days to get that vehicle licensed. During this 20 day period, you are issued a sticker from the dealer. We have received many complaints that more than one sticker is being issued per vehicle. A person will get the 20 day sticker and when that sticker time is used up, he will go back and get another 20 day sticker from the dealer. On page 2, line 11, the bill provides; "It is unlawful for the dealer to issue more than one sticker per vehicle sale."

Also, Representative Waldron, told the committee the bill adds a new section. Section 2 of the bill provides for any person violating the provisions of 61-4-111 or 61-4-112 is guilty of a misdemeanor and subject to a fine of not less than \$25 and not more than \$100. Every violation is considered a separate offense. I have talked to the Automobile Dealers Association and they support this bill. That's essentially what the bill does and I urge your support.

Senator Etchart asked if there were any other proponents to HB421.

Larry Majerus, Motor Vehicle Division, told the committee they requested this bill because of the problems we are having with dealers issuing more than one permit. Also, sometimes a dealer will go out of business, or loan their permit to someone else. One of the biggest problems we have had is we don't know what to site violators under. The courts have been confused. Under the present law, it is not clear.

March 7, 1981

Senator Etchart asked if there were any other proponents to HB421.

Dean Mansfield, representing the Montana Automobile Dealers Association told the committee they understand, and that this has been quite a problem in the past. Because we believe in self-policing, we go on record as in support of this bill.

Senator Etchart asked if there were any other proponents. There were none. Senator Etchart asked if there were any opponents. There were none. Senator Etchart asked if there were questions from the Committee:

Senator Graham asked Mr. Majerus about the person who has problems getting the title papers on his vehicle, and their 20 day sticker runs out. What does this person do.

Mr. Majerus told the committee there is a provision in the law where this person could get a temporary 60 day sticker to operate that vehicle. You would get this sticker from the County Treasurer. Then it is on record with the county.

Senator Graham asked about sale of vehicle between private individuals.

Mr. Majerus said this only applies to sale of vehicles from a dealership. He further stated that when an individual gets a 60 day permit from the County Treasurer, they make him fill out application for title, so the process at least starts. Sometimes the County Treasurer has to help them get the title from the lien holder in other states. Some states will not give the lien to an individual, but will work with the County Treasurer.

Senator Hager asked Mr. Majerus if this only applies to used vehicles sold from a dealership.

Mr. Majerus said it also applies to new motor vehicles. Presently, a new motor vehicle is sold the same way. It applies to all motor vehicles transferred from dealers. This is the only place in the law, where it refers to that sticker.

Senator Hager asked Mr. Majerus what would happen if the 20 day sticker was lost or stolen.

Mr. Majerus said that person should go to the County Treasurer and ask for a duplicate sticker and explain the circumstances why he needs one.

Senator Etchart asked Representative Waldron if he would like to close.

March 7, 1981

In closing, Representative Waldron told the committee he had purchased a truck and had problems getting the title. He got a 60 day sticker, and found there were no problems in obtaining this sticker from the courthouse. He asked the committee for a do pass.

ACTION ON HOUSE BILL NO. 421:

Senator Hager made the motion that HB421 be concurred in. With all Senators present voting aye, the motion passed.

Senator Hager will carry HB421 on the floor of the Senate.

ADJOURNMENT:

There being no further business of the Highways and Transportation Committee the meeting adjourned.

  
\_\_\_\_\_  
Senator Mark Etchart  
Chairman

ROLL CALL

SENATE HIGHWAYS & TRANSPORTATION COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date 3/7

NAME	PRESENT	ABSENT	EXCUSED
SENATOR MARK ETCHART	✓		
SENATOR TOM HAGER	✓		
SENATOR FRANK W. HAZELBAKER	✓		
SENATOR ROGER H. ELLIOTT	✓		
SENATOR LARRY J. TVEIT	✓		
SENATOR DAVE MANNING	✓ <i>via</i>		
SENATOR CARROLL GRAHAM	✓		
SENATOR JACK HEALY	✓ <i>via</i>		
SENATOR LAWRENCE G. STIMATZ	✓		
VERDON - Legislative Council			

Each day attach to minutes.



NAME: Dean Marshall DATE: 2/19/51

ADDRESS: 501 N. Sedgewick

PHONE: 408-1233

REPRESENTING WHOM? Monte A. Little, 1110 N. Nichols Ave.

APPEARING ON WHICH PROPOSAL: 41-421

DO YOU: SUPPORT? y AMEND? \_\_\_\_\_ OPPOSE? \_\_\_\_\_

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

# STANDING COMMITTEE REPORT

March 7

19 31

MR. **President:**

We, your committee on **Highways and Transportation**

having had under consideration **House** Bill No. **421**

**WALDRON (HAGER)**

Respectfully report as follows: That **House** Bill No. **421**

**BE CONCURRED IN**

SENATE COMMITTEE HIGHWAYS AND TRANSPORTATION

Date 3/7/81 House Bill No. 421 Time 1:15 pm

NAME	YES	NO
Senator Mart Etchart	/	
Senator Tom Hager	/	
Senator Frank Hazelbaker	/	
Senator Elliott	/	
Senator Tveit	/	
Senator Manning	/	
Senator Graham	/	
Senator Healy	/	
Senator Stimatz	/	

Carol Doyle Frasier Mark Etchart  
 CAROL DOYLE FRASIER SENATOR MARK ETCHART  
 Secretary Chairman

Motion: Re P

"Be Concurred In"

(include enough information on motion—put with yellow copy of committee report.)