

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 52nd LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HIGHWAYS & TRANSPORTATION**

**Call to Order:** By **CHAIRMAN BARRY STANG**, on March 20, 1991, at 3:00 p.m.

#### **ROLL CALL**

**Members Present:**

Barry "Spook" Stang, Chairman (D)  
Floyd "Bob" Gervais, Vice-Chairman (D)  
Ernest Bergsagel (R)  
Robert Clark (R)  
Jane DeBruycker (D)  
Alvin Ellis, Jr. (R)  
Gary Feland (R)  
Mike Foster (R)  
Patrick Galvin (D)  
Dick Knox (R)  
Don Larson (D)  
Scott McCulloch (D)  
Jim Madison (D)  
Linda Nelson (D)  
Don Steppler (D)  
Howard Toole (D)  
Rolph Tunby (R)

**Members Excused:** Rep. Howard Toole

**Staff Present:** Valencia Lane, Legislative Council  
Claudia Johnson, Committee Secretary

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

#### **EXECUTIVE ACTION ON HB 575**

**REP. MCCULLOCH** informed the committee what had taken place in the subcommittee on HB 575. They met with the representatives of the country treasurers office, the Motor Vehicle Division, and the Department of Justice. They formed a gray bill which is recommended by the subcommittee for the regular committee to adopt, and to table HB 575.

**Motion:** **REP. MCCULLOCH MOVED HB 575 BE TABLED.** Voice vote was taken. Motion **CARRIED** unanimously.

EXECUTIVE ACTION ON HB 579

**Motion:** REP. MCCULLOCH MOVED TO ADOPT GRAY BILL HB 579. (This replaces the original HB 579). EXHIBIT 1.

**Discussion:** Peter Funk, Attorney General office, Department of Justice, said in general what the bill provides for is the full automation of all counties in the state. There are 13 counties that are fully automated at this time for the vehicle and title registration. The funding that is necessary to do this is the \$1 add-on registration fee in the bill. The gray bill reflects the continuation of the \$1 fee beyond the 2 year biennium. It is a major change of the bill as drafted. The department has been adamant about this because of the duty to maintain the system once it is purchased. He said it is the department's feeling that the \$1 fee for the biennium be used to purchase and begin the set-up of the system, but allowed for no monies for continued maintenance or replacement of the system once it was in place. The \$1 fee will be unending under this bill. Other issues of importance to the department is who controls the system. In the original bill as drafted there was a Computer User Committee, which the language actually reflected that the appropriation was issued to that committee and that committee made the granting decision to the local governments where the equipment would be placed. This has been changed for the committee to have the approval right over the purchase of the equipment and the procedures which the department will develop to carry the plan forward. But the language grants that were in there have been changed, and the appropriation has been changed to go directly to the department and not to the committee. Mr. Funk said it more accurately reflects the system, and provides the level of input and control that some of the other users would like, i.e., county treasurers. There is an advisory group that is also built into the bill, but it is advisory only in terms of their authority. The membership of the advisory committee has been greatly expanded beyond the representatives of the county treasurers and the Department of Justice to include other people such as; representative from the Department of Administration for computer expertise, Montana Banker's Association, Montana Automobile Dealer's Association, and Triple A. He said these are the essential changes in the bill. He said they have been looking at in terms of appropriation, at different plans; the outright purchase of, the lease purchase of, and other options. The appropriation language that is reflected in the bill now on page 30, is based on a lease purchase plan for the computer equipment, so that the appropriation in the gray bill is fairly substantially reduced from the original fiscal note. The reasoning is to get the job done for less of an appropriation and create some excess for the general fund beyond the \$1 fee. The bill does not mandate mail reregistration. This bill leaves the mail reregistration in the same position it is in now. There is language that is built in that mandates that the department provide some sort of planning to local county treasurers concerning automated handling of mail reregistration. The county

treasurers were concerned if the mail reregistration wasn't automated that they would be overloaded.

**Cort Harrington, County Treasurer's Association**, said they have worked long and hard with the Motor Vehicles Division and the Department of Justice to come up with a solution that meets the needs of the county treasurers and the Department of Justice. He said amendments have been drafted that are contained in the gray bill. There are still technical flaws to the amendments that need to be corrected. A transposition in the figures that was placed in the appropriation should be \$639,000 rather than 693,000. The appropriation needs to be in a different place. He said that he and Peter Funk would be working with **Ms. Lane** to make additional amendments that aren't of any real substance, but will make the bill work.

**REP. FELAND** asked **Mr. Harrington** what the original disagreement was of the county treasurers with the other bill and is it being addressed in this bill. **Mr. Harrington** said the principle disagreement involved the state assuming the registering and reregistering of motor vehicles, this bill leaves that function to the counties.

**REP. FOSTER** said he is surprised at the continuation of the \$1 fee increase. Why is it going to cost as much to operate and maintain as it is to buy the system. **CHAIRMAN STANG** said it probably won't cost as much to operate and maintain, but the \$1 will be going into the state's general fund, instead of the fund that buys the computers. He said when the legislators return for each session, the county treasurers will have to come in to ask for an appropriation from the state in order to do this. It may not cost as much as they expect, and Legislature will either lower the fee to \$.50 or not give them anything. **CHAIRMAN STANG** said if they don't have the \$1 fee, it will prevent the department and the county treasurers from doing what they want to do in this bill. He said that is the decision the committee will have to make, to move forward on the automated system on a consistent basis that will take care of the problem that the auto dealers, treasurers and the Department of Justice have had, or stay with the system that is in place now and let the car thefts run rampant as they do now. He said that **Mr. Harrington** could inform the committee what will be lost if this bill isn't passed.

**Mr. Harrington** said when the bill was first introduced at the request of the county treasurers, it included the \$1 fee, which could be more than what is needed to purchase the equipment that the counties felt they needed. They also recognized that the Department of Justice will have an additional cost of operating the system. After the modern bill was introduced, the department felt they needed an additional funding source. Of the \$1.8 million that the \$1 fee would raise over the biennium, the treasurers may only need \$600,000 or \$700,000 of that for the equipment, the rest of the money will divert to the general fund as a source of revenue for the Department of Justice to take what

they need to operate. The only way to get that funding, was to place it in this bill.

**REP. CLARK** asked **Dean Roberts, Motor Vehicle Division**, about the \$2 fee for a 60 day sticker from the original 60 day sticker, if the registration isn't taken care of the first 60 days and an extension is needed, the fee is five times as much and he wanted to know why. **Mr. Roberts** said there are a lot of people that use the system, said puts the burden back on the individual that buys the car. The problem the county treasurers are having now, is the dealer uses the 20 days, than the person goes to the county treasurers office and they have to pay the taxes and fees on the 60 day sticker, they are driving on the roads and should pay that fee. He said in law that is all they can receive, but the people can call the Registrars Bureau and give them another 20 days and another 20 days and so on, because by law, they cannot be issued another 60 day sticker. What this bill does at the end of the 80 days, is to let this person know it is their responsibility to license their vehicle, and the reason for the \$10 fee.

**REP. DEBRUYCKER (Jane)** asked if the title and or registration is not ready at the end of the 60 days, what happens. **Mr. Roberts** said that is when his division goes to bat for the purchaser. This bill gives an individual an extra 60 days, presently it is 80 days to complete that transaction, 20 days if the paper work is in order and 60 more days if the paper work is not in order. After the 120 days, there is state and county cost in the process of trying to get the title for that individual. This bill will give an individual 140 days before they have to park a vehicle if the dealer or owner, the vehicle was purchased from, to get the title taken care of.

**REP. TUNBY** asked if the 13 counties that are already automated, receive the new equipment. **Mr. Roberts** said the present system that is in the 13 counties, was basically put together as a project by the counties involved and the Department of Justice. There was never any money allocated nor statutory authority allocated for that system. It was an older system that was out there and they just updated it about 4 or 5 years ago. The equipment that is in the counties now is in bad shape. The department owns about 80% of the equipment.

**REP. FOSTER** said the \$1 fee will be enough to buy equipment for all the counties, plus have some extra. During this 2 year period, there should be enough to cover the equipment and operating and maintenance costs. If the original language was left for the fee to sunset 2 years from now, it could be adjusted at the end of the sunset. He said the committee is raising taxes on a general fund basis.

**CHAIRMAN STANG** asked **Mr. Roberts** why the sunset was taken off. **Mr. Roberts** said operation maintenance does not mean, just that piece of terminal. They pay \$150 per month to the Department of Administration for every line charge that is out there. He said

there are 13 lines out there now, and they will be automating the rest of the counties at \$150 per unit per month. Maintaining a system that takes data programmers to do, every change that is made, i.e., Legislature, is a support system with a statewide computer system. The Motor Vehicle system with its present data, is the largest system in the state of Montana. People need to be maintaining this system. Maintenance costs that are paid to companies that keep the equipment fixed, e.g., if a computer or printer breaks down. There is always an ongoing process of operating a very massive system.

**CHAIRMAN STANG** spoke to **REP. FOSTER'S** concern. He said if the committee sunsets this, and the next Legislature decides that the \$1 fee isn't needed, they will have wasted \$2 million on a computer system that would be worthless. At this time, the commitment needs to be made to do this or not to do it. It isn't logical to go out and buy a computer system that costs \$1½ million and come back in 2 years and decide not to fund it anymore. He said this committee has to make the decision if they want to start that system. The fee increase is a tough decision to make, but if the decision is to go with the system, it is an ongoing process and the fee is needed.

**Motion/Vote:** **REP. FOSTER** moved to adopt amendment to sunset the \$1 fee in 2 years. Roll call vote was taken. **EXHIBIT 1-A.**  
**Motion FAILED 6 to 10.**

**Motion/Vote:** **REP. BERGSAGEL** called the question. Voice vote was taken.

**Vote:** **HB 579 DO PASS AS AMENDED.** Motion **CARRIED 13 to 3** with **REP. FOSTER, REP. BERGSAGEL** and **REP. FELANI** voting no.

#### **EXECUTIVE ACTION ON SB 164**

**Motion:** **REP. ELLIS** MOVED **SB 164** BE CONCURRED IN.

**Discussion:** This bill creates the Department of Transportation (DOT).

**CHAIRMAN STANG** proposed an amendment that will include transportation and motor carrier services.

**REP. TUNBY** moved to adopt amendment #1. Voice vote was taken. Motion **CARRIED** unanimously. **EXHIBIT 2**

**REP. MADISON** moved to adopt amendment #2. **EXHIBIT 3** **REP. MADISON** spoke to his motion. This amendment removes the Motor Fuels Tax Division from the Department of Highways. Motor fuels tax is a tax collecting agency. Tax collection agencies belong in the Department of Revenue.

**REP. TUNBY** asked if someone could speak to this request. **Jack Ellery, Department of Revenue,** said the main purpose of this

consolidation of functions is not necessarily the collecting of taxes, but to provide additional services to truckers, etc., a one stop service.

**Bill Salisbury, Department of Highways**, said the department collects over \$25 million in GVW taxes. Those same people also have motor fuel taxes. He said there would be a one stop auditing. The department collects \$120 million from the federal government, they have internal controls, and are audited every biennium. This is not a duplication of services, they are used to doing this type of work.

**REP. BERGSAGEL** called the question. Voice vote was taken. Motion on amendment #2 FAILED 2 to 14 with **REP. MADISON** and **REP. MCCULLOCH** voting yes.

**Motion/Vote:** **REP. CLARK** called the question. Voice vote was taken.

**Vote:** SB 164 BE CONCURRED IN AS AMENDED. Motion CARRIED unanimously.

#### EXECUTIVE ACTION ON SB 178

**Motion:** **REP. MCCULLOCH** MOVED SB 178 BE CONCURRED IN.

**Discussion:** This bill changes the vehicle length limit law to the recommendation made by the Western Association of State Highway Transportation Officials (WASHTO).

**Motion/Vote:** **REP. MCCULLOCH** moved to adopt amendments. EXHIBIT

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**CHAIRMAN STANG** explained the amendments. They strike the reference to the turn-pike doubles. He said it appeared to be the problem everyone had during the testimony. They did not like the double 45' length. In talking to the industry, he found out the good points of the bill; it places the Rocky Mountain doubles in conformity with the other western states; and cleans up language for the log trucking industry; and cleaned up some of the trailer laws in the state. The amendments allow the Department of Highways to continue the studies to find out which interchanges can handle the double 45' lengths. It will allow the committee to have the information needed if the bill comes back in the next Legislature.

**SEN. WILLIAMS** said the passage of this bill will mandate the Highway Department to do this study and to report the finding of their study to the next Legislature.

**CHAIRMAN STANG** said there will not be an additional cost to this, because it is something they are doing now. The study will be a continuation of what is done now, and it does not give them the authority to come back to Legislature to ask for money to do the

study.

**Motion/Vote:** REP. BERGSAGEL called the question to adopt the amendment. Voice vote was taken. Motion CARRIED 13 to 3 with REP. BERGSAGEL, REP. FELAND and REP. STEPIER voting no.

**Motion/Vote:** REP. KNOX MADE THE SUBSTITUTE MOTION THAT SB 178 BE CONCURRED IN AS AMENDED.

**Vote:** SB 178 BE CONCURRED IN AS AMENDED. Motion CARRIED unanimously.

**EXECUTIVE ACTION ON SB 191**

**Motion:** REP. LARSON MOVED SB 191 BE CONCURRED IN.

**Discussion:** Ms. Lane spoke to amendment #1. The amendment coordinates with REP. PHILLIPS bill regarding the veteran's disabled license plates. EXHIBIT 5

REP. BERGSAGEL called the question to adopt the coordination amendment. Voice vote was taken. Motion CARRIED unanimously.

REP. STEPPLER offered amendment #2. EXHIBIT 6 He divided his amendments into two sections: 1) amendments 1 through 5; and 2) amendment 6.

REP. BERGSAGEL called the question to adopt amendments 1 through 5. Question was called. Voice vote was taken. Motion FAILED 4 to 12 with REP. STEPPLER, REP. BERGSAGEL, REP. TUNBY and REP. GERVAIS voting yes.

REP. STEPPLER spoke to amendment 6. The new section on page 39, places the language back in that had previously been removed. It is not the treasurers responsibility to find out if a person that signs their signature stating they have car insurance, do or not.

REP. LARSON called the question to adopt amendment 6. EXHIBIT 6 Voice vote was taken. Motion CARRIED unanimously. EXHIBIT 7

**Motion/Vote:** REP. LARSON MADE A SUBSTITUTE MOTION THAT SB 191 BE CONCURRED IN AS AMENDED. Question was called. Voice vote was taken.

**Vote:** SB 191 BE CONCURRED IN AS AMENDED. Motion CARRIED 15 to 1 with REP. BERGSAGEL voting no.

**EXECUTIVE ACTION ON SB 273**

**Motion:** REP. LARSON MOVED SB 273 BE CONCURRED IN.

**Discussion:** REP. NELSON moved to adopt amendment #1. EXHIBIT 8

CHAIRMAN STANG said this amendment removes the chip trucks from

the bill. He said the testimony leaned towards the chip trucks doing the most damage to the roads. Deleting the chip trucks from the bill will require them to come into compliance with the law.

**CHAIRMAN STANG** asked **Ben Havdahl, Motor Vehicle Carrier's Association**, to explain the difference between the configurations of the log trucks and the chip trucks. He thought this was a clean up bill for the log trucks, because the chip trucks are the only ones that were overweight. **Mr. Havdahl** said this bill is a dilemma for them. Industry supports the method used in determining weights. This bill is kin to the seed potato bill, when an exception was made to avoid a cutback in the gross weight. This is along that same line and also true with the six axle log truck. The commitment made by the Highway Department, in the form of a written policy in both places, has led these truckers to make capital investments in their equipment. Operating the equipment on the strength of that policy, whether right or wrong in doing it, therefore, are stuck with it. Technically, it is a violation in the federal formula and the state formula. There were exceptions made in this Legislature on the five axle log trucks, by permitting the five axle log truck to go to 80,000 lbs, because under the formula it can only get to 78,000 lbs. When this happens, there is an illegal tandem combination weight, instead of 34,000 lbs on each tandem on a log truck, there is 35,000 lbs to get to the 80,000 lbs. These chip truck combinations are operating under the same special permit that the six axle log trucks use. **CHAIRMAN STANG** said if this bill passed, and the federal government states that Montana is in violation of the federal bridge formula standards, can they withhold federal money from the state whether the bill passed or not. **Mr. Havdahl** said he couldn't argue with that, because the federal law could do that now with the five axle log trucks hauling logs now, because of the violation of the statutory 34,000 lb tandem. He said the bill was asked to be amended to give the discretionary authority to the Highway Department to allow this. He said in the original drafting, the word "must" only considers the last axle and is discretionary, by taking it out, will give the department the authority to do that. **CHAIRMAN STANG** asked if the chip trucks were taken out of this bill and the log trucks left in, than technically, the state is still in violation of the federal formula. **Mr. Havdahl** said that was correct. **CHAIRMAN STANG** said his people would be favoring one industry over another. **Mr. Havdahl** said that is basically what it means.

**REP. LARSON** spoke in favor of the amendment. He said if the chip truck tires are lined up on axle singles as opposed to dual, there is more wear and tear on the highway. The truck is hauling 80,000 lbs and going down one single lane of the highway, there is a narrower track and causes more damage.

**REP. FELAND** asked why the chip trucks can't add another axle to handle the duels on their trailers. **Mr. Havdahl** said it is a



possibility. The configuration is a complex combination with several variations; truck with trailer; tractor with trailers. It is expensive to add a lift axle on a combination. He thought the approach should be to modified to permit everything under special permit to modify the gross weight. This would it take out of statutory authorization in a sense and place it in the same situation as a five axle log truck which is operating at 80,000 lbs. Unless the Federal Highway calls on this, they wouldn't automatically withhold the funds, but they certainly could. With the discretion of the Highway Department, they could put the word "may" in, and take the word "must" out, if it is a problem, it can be taken out. Then they would be back next session to modify this again.

REP. ELLIS said the beet trucks do the same thing as the chip trucks do with the single tires. He wanted an explanation of what the relationship is by carrying the same amount of weight on an axle whether it has a single tire or dual tires, and what is the width on the rubber. Mr. Havdahl said the statutes says 600 lbs per inch on a tire, when that is done on a single tire, there would be 12,000 lbs per tire. He said there is a restriction on single tires. If two tires are on a single axle there, is 20,000 lbs. The single tire with the 600 lbs per inch also applies. There is a recommendation in the WASHTO book on the single axle tires. It is a very controversial issue because the wood product industry all over the west uses that configuration, it isn't just in Montana. There is a standard for single tires to not exceed 600 lbs per inch of tire width.

REP. TUNBY asked how much would it affect the chip haulers if this amendment was passed. Mr. Havdahl said if it isn't passed, there would be a gross weight loss to a combination that is now hauling between 1,000 to 1,500 lbs, depending on how the configuration is put together. It would be a payload cut for the truckers.

CHAIRMAN STANG said the chip trucks are a commodity that can be regulated on how many chips go into the truck, therefore, it is easier to go with the 1,500 lbs less.

Question was called to adopt amendment #1. Roll call vote was taken. EXHIBIT 9 Motion CARRIED 13 to 3 with REP. FELAND, REP. MADISON and REP. STEPPLER voting no.

REP. STEPPLER moved to adopt amendment #2. EXHIBIT 10 On page 4, line 7, strike "must" and insert "may".

REP. BERGSAGEL called the question. Voice vote was taken. Motion CARRIED unanimously.

Motion/Vote: REP. LARSON MADE A SUBSTITUTE MOTION THAT SB 273 BE CONCURRED IN AS AMENDED. Question was called. Voice vote was taken. Motion CARRIED 15 to 1 with REP. FELAND voting no.

EXECUTIVE ACTION ON SB 318

Motion: REP. NELSON MOVED SB 318 BE CONCURRED IN.

Discussion: REP. NELSON moved to adopt amendment #1. EXHIBIT 11

Ms. Lane said these amendments are a coordination instruction with SB 415, which also sets a fee on campers. If both bills pass and this bill is amended, it will remove the \$2.50 increase and leave the existing fee at \$1 which will go to the county treasurers.

REP. LARSON asked if the removal of the \$2.50 means that the Parks Division part of the fee be eliminated if SB 415 passes.

Ms. Lane said it does, because SB 415 also has the \$2.50 fee assessment that will go to parks.

Question was called to adopt amendment #1. Voice vote was taken. Motion CARRIED unanimously.

REP. STEPPLER moved to adopt amendment #2. On page 4, lines 9 to 12, the fees are supposed to go to FWP, he wants the language put in that this money will be used only for parks.

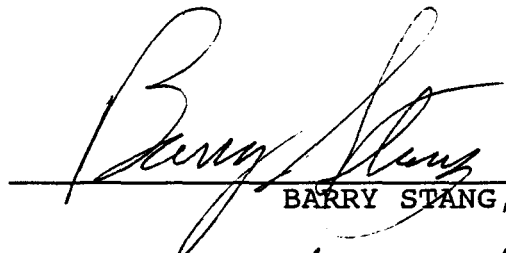
REP. NELSON called the question. Voice vote was taken. Motion CARRIED unanimously.


Motion/Vote: REP. NELSON MADE A SUBSTITUTE MOTION THAT SB 318 BE CONCURRED IN AS AMENDED. Question was called. Voice vote was taken.

Vote: SB 318 BE CONCURRED IN AS AMENDED. Motion CARRIED unanimously.

ADJOURNMENT

Adjournment: 5:30 p.m.

  
BARRY STANG, Chair

  
CLAUDIA JOHNSON, Secretary

BS/cj

## HOUSE OF REPRESENTATIVES

## HIGHWAYS AND TRANSPORTATION COMMITTEE

ROLL CALL

DATE 3-20-91

NAME	PRESENT	ABSENT	EXCUSED
REP. FLOYD "BOB" GERVAIS, V.-CHAIR	✓		
REP. ERNEST BERGSAGEL	✓		
REP. ROBERT CLARK	✓		
REP. JANE DEBRUYCKER	✓		
REP. ALVIN ELLIS, JR.	✓		
REP. GARY FELAND	✓		
REP. MIKE FOSTER	✓		
REP. PATRICK GALVIN	✓		
REP. DICK KNOX	✓		
REP. DON LARSON	✓		
REP. SCOTT MCCULLOCH	✓		
REP. JIM MADISON	✓		
REP. LINDA NELSON	✓		
REP. DON STEPPLER	✓		
REP. HOWARD TOOLE			✓
REP. ROLPH TUNBY	✓		
REP. BARRY "SPOOK" STANG, CHAIRMAN	✓		

HOUSE STANDING COMMITTEE REPORT

March 22, 1991

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Mr. Speaker: We, the committee on Highways and Transportation report that House Bill 579 (first reading copy -- white) do pass as amended.

Signed: Barry Stang, Chairman

And, that such amendments read:

1. Title, line 9.

Strike: "THAT"

Insert: "PROCEDURES FOR AUTOMATED HANDLING OF"

2. Title, line 10.

Strike: "CONTAIN BAR CODING"

3. Title, line 11.

Following: "ISSUED"

Insert: "AND AUTHORIZING AN ADDITIONAL 60-DAY PERIOD"

4. Title, lines 18 and 19.

Following: "THE" on line 18

Strike: remainder of line 18 through "COMMITTEE" on line 19

Insert: "DEPARTMENT OF JUSTICE"

5. Title, line 19.

Following: "1-2-201,"

Insert: "61-3-101, 61-3-201, 61-3-202,"

Following: "61-3-342,"

Insert: "61-3-503,"

6. Title, line 20.

Following: "DATE"

Strike: ", "

Insert: "AND"

7. Title, line 21.

Strike: ", AND A TERMINATION DATE"

8. Page 2, line 10.

Following: "the"

Strike: "users' advisory group"

Insert: "county motor vehicle computer committee"

9. Page 2, lines 10 through 13.

Following: "." on line 10

Strike: remainder of line 10 through "group." on line 13

10. Page 3, line 12.

Following: line 11

Insert: "Section 2. Section 61-3-101, MCA, is amended to read:

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

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

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

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

(c) manufacturer of car;  
(d) manufacturer's designation of style of car or vehicle;  
(e) identifying number;  
(f) year of manufacture;  
(g) character of motive power and shipping weight of car as shown by the manufacturer;  
(h) the distinctive license number assigned to the vehicle;

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

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

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

(a) under the distinctive license number assigned to the vehicle by the county treasurer;

(b) alphabetically under the name of the owner;

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

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

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

(5) In the case of dealers, the records shall show the

information contained in the application for dealer's license as required by 61-4-101 through 61-4-105, as well as the distinctive license number assigned to the dealer.

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

~~(7) The department may establish and maintain a short wave radio station in order to report motor vehicle registration information to the highway patrol, to sheriffs, and to the chiefs of police of each incorporated city of the state who are able to communicate with such short wave radio station.~~

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

Section 3. Section 61-3-201, MCA, is amended to read:

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

(2) Within 20 calendar days after endorsement, the transferee shall forward both the endorsed certificate of ownership with the odometer mileage statement required under 61-3-206 and the certificate of registration, together with the information required under 61-3-202, to the county treasurer, who shall forward them to the department. The department may not issue a certificate of ownership or certificate of registration until the outstanding certificates are surrendered to that office or their loss is established to its reasonable satisfaction. Failure to make application within the 20-day grace period subjects the transferee to a penalty of \$10. The county treasurer shall collect the penalty at the time of registration. The penalty is in addition to the fees otherwise provided by law. If the transferee does not make application within 25 days, a creditor or secured party may pay the fees for the transfer of title and filing of security interest or lien in order to have

title transferred to the transferee and have the security interest or lien filed. The creditor or secured party is not liable for the penalty, registration fees, or taxes. The department shall return the certificate of title to the county treasurer as provided in 61-3-103(1). When the certificate of ownership is returned by the department to the county treasurer, the treasurer shall hold the certificate of ownership until the vehicle is properly registered.

(3) In the event of a transfer by operation of law of any interest in a motor vehicle as upon inheritance, devise, or bequest, order in bankruptcy or insolvency, execution sale, repossession upon default in the performance of the terms of a lease or executory sales contract, or otherwise than by voluntary act of the person whose title or interest is transferred, the executor, administrator, receiver, trustee, sheriff, or other representative or successor in interest of the person whose interest is transferred shall forward to the department an application for a certificate of ownership in the form required for an original application for a certificate of ownership, together with a verified or certified statement of the transfer of interest. The statement must set forth the reason for the involuntary transfer, the interest transferred, the name of the person to whom the interest is to be transferred, the process of procedure effecting the transfer, and other information requested by the department. Evidence and instruments otherwise required by law to effect a transfer of legal or equitable title to or an interest in chattels as may be required in such cases must be furnished with the statement. If the department is satisfied that the transfer is regular and that all formalities required by law have been complied with, it shall send to the owner, conditional sales vendor, lessor, mortgagee, and other lienor, as shown by its records, notice of the intended transfer and, not less than 5 days after sending notice, shall issue a new certificate of ownership and certificate of registration to the transferee. The notice required by this section is complied with by deposit in the ~~post office in Deer Lodge, Montana~~ U.S. mail of the notice, postage prepaid, addressed to the person at the respective address shown on its records.

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

(5) (a) If the owner of one or more motor vehicles, trailers, semitrailers, or house trailers registered under this chapter and not exceeding a combined value of \$15,000 dies without leaving other property necessitating the procuring of

letters of administration or letters testamentary, the surviving spouse or other heir unless the property is by will otherwise bequeathed may secure transfer of the decedent's certificate of ownership and the certificate of registration for the vehicle.

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

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

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

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

(8) (a) Upon its determination that a certificate of ownership or a registration receipt contains an error caused by the department, or that the applicant has paid the required fees and taxes with an insufficient funds check and if the department has been notified of that fact by the county attorney, the department may cancel the certificate of ownership or receipt and, in the case of an error, issue a replacement for the erroneous certificate or receipt if the owner has returned the certificate or receipt to be canceled. If the owner fails to return to the department the certificate of ownership, the registration receipt, or the license plate, the department shall direct a peace officer or department employee to secure and return the certificate, receipt, or license plate to the department.

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



Section 4. Section 61-3-202, MCA, is amended to read:  
"61-3-202. Certificate of ownership -- issuance -- contents -- joint ownership. (1) Upon completion of the application for certificate of ownership, on forms furnished by the department, the county treasurer shall forward one copy of the application to the department, which shall enter the information contained in the application upon the corresponding records of its office and, except as provided in 61-3-103(1) and 61-3-201(2) concerning applications by creditors or secured parties, shall furnish the applicant a certificate of ownership subject to the provisions of 61-3-103.

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

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

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

(4) Upon receipt of the application, the department shall recheck the application. If there is an error in the application, it may be returned to the owner or to the county treasurer to effectively secure the correction of such error, who shall return the same to the department.

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

Renumber: subsequent sections

11. Page 4, line 16.  
Following: "sticker."  
Insert: "(1)"

12. Page 4, lines 17 and 18.  
Following: "to" on line 17  
Strike: remainder of line 17 through "treasurer" on line 18  
Insert: "fully complete the process of applying for a Montana title"

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13. Page 5, line 15.

Following: line 14

Insert: "(2) A vehicle for which an application for title cannot be completed may not be registered by the county treasurer nor may license plates for the vehicle be issued by the county treasurer until the completed certificate of ownership or application for title is presented for the purpose of transferring ownership.

(3) In the event an unusual circumstance prevents the owner of a vehicle from presenting the certificate of ownership within the 60-day period permitted under subsection (1), the owner may apply to the motor vehicle division for an extended temporary window sticker on an application form provided by the division. The form must be accompanied by the title application.

(4) Upon receipt of an application for an extended temporary window sticker and title as designated in subsection (3), the motor vehicle division or the county treasurer, with the authorization of the motor vehicle division, may issue an extended temporary window sticker, valid for an additional 60 days, upon payment of a fee of \$10 that must be deposited in the general fund. At the end of the extended 60-day period or in the event the request for extension is rejected by the department for cause, the owner may obtain a certificate of ownership by the method provided in 61-3-208.

Section 7. Section 61-3-503, MCA, is amended to read:

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

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

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

(c) Vehicles subject to the provisions of 61-3-313 through 61-3-316 ~~shall~~ must be assessed as of the first day

of the registration period, using the average trade-in or wholesale value as of January 1 of the year of assessment of the vehicle as contained in the most recent volume of the Mountain States Edition of the National Automobile Dealers Association (N.A.D.A.) Official Used Car Guide, the National Edition of N.A.D.A. Appraisal Guides Official Older Used Car Guide, or another nationally published used vehicle or appraisal guide approved by the department of revenue or, for a vehicle that was never listed in any edition of the preceding guides, the retail value of the vehicle as determined by the county assessor, and thereafter depreciated 10% per year until a value of \$500 is reached, not including additions or deductions for options and mileage but including additions or deductions, whether or not one of the preceding guides is used, for diesel engines; and a lien for taxes and fees due on the vehicle shall occur on the anniversary date of the registration and shall continue until the fees and taxes have been paid. If the value shown in any of the appraisal guides listed in this section is less than \$500, the department shall value the vehicle at \$500.

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

(i) \$250; or

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

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

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

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

by subtracting the manufacturer's model year of the vehicle from the calendar year of assessment.

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

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

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

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

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

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

(c) Vehicles subject to the provisions of 61-3-313 through 61-3-316 shall must be assessed as of the first day of the registration period, using the average trade-in or wholesale value as of January 1 of the year of assessment of the vehicle as contained in the most recent volume of the Mountain States Edition of the National Automobile Dealers Association (N.A.D.A.) Official Used Car Guide, the National Edition of N.A.D.A. Appraisal Guides Official Older Used Car Guide, or another nationally published used vehicle or appraisal guide approved by the department of revenue or, for a vehicle that was never listed in any edition of the preceding guides, the retail value of the vehicle as

determined by the county assessor, and thereafter depreciated 10% per year until a value of \$500 is reached, not including additions or deductions for options and mileage but including additions or deductions, whether or not one of the preceding guides is used, for diesel engines; and a lien for taxes and fees due on the vehicle shall occur on the anniversary date of the registration and shall continue until the fees and taxes have been paid. If the value shown in any of the appraisal guides listed in this section is less than \$500, the department shall value the vehicle at \$500.

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

(i) \$250; or

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

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

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

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

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

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

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remain at that amount so long as the vehicle is registered.

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

Renumber: subsequent sections

14. Page 5, line 18.

Following: "of"

Strike: "An"

Insert: "Except as provided in subsection (2), an"

15. Page 6, line 4.

Following: "reregistration"

Insert: "and only if the value, age, length, or other criteria used to determine the tax or fee is available to the department"

16. Page 6, lines 8 through 11.

Following: "must" on line 8

Strike: remainder of line 8 through "applicant" on line 11

Insert: "include a procedure to facilitate automated handling of mail reregistration or recertification"

17. Page 6, line 14.

Following: "statement"

Strike: ", to be subscribed to by"

Insert: "that"

Following: "applicant"

Strike: ", "

18. Page 6, line 15.

Strike: "stating"

Insert: "is in"

19. Page 6, line 25 through page 7, line 13.

Following: "recertification." on line 25

Strike: remainder of line 25 through page 7, line 13

Insert: "The mail renewal procedure developed by the department of justice pursuant to 61-3-535 may be used for mail recertification of boats, the renewal of license decals, and the payment of the fee in lieu of tax."

20. Page 7, line 15 through page 8, line 3.

Following: "recertification." on line 15

Strike: remainder of line 15 through page 8, line 3

Insert: "The mail renewal procedure developed by the department of justice pursuant to 61-3-535 may be used for mail recertification of snowmobiles, the renewal of license decals, and the payment of the fee in lieu of tax."

21. Page 8, lines 5 through 18.

Following: "recertification." on line 5

Strike: remainder of line 5 through line 18

Insert: "The mail renewal procedure developed by the department of justice pursuant to 61-3-535 may be used for mail recertification of off-highway vehicles, the renewal of license decals, and the payment of the fee in lieu of tax."

22. Page 8, lines 20 through 22.

Following: "department" on line 20

Strike: remainder of line 20 through "a1" on line 22

Insert: "shall maintain a statewide"

23. Page 8, lines 22 and 23.

Following: "system" on line 22

Strike: remainder of line 22 through "state" on line 23

24. Page 9, line 1.

Following: "department"

Strike: "of justice"

25. Page 9, line 2.

Following: "group"

Strike: "provided for in subsection (1),"

26. Page 9, lines 3 and 4.

Following: "development" on line 3

Strike: remainder of line 3 through "(1)" on line 4

Insert: "of policies governing the registration and reregistration of motor vehicles, boats, snowmobiles, and off-highway vehicles"

27. Page 9, lines 5 through 12.

Following: line 4

Strike: line 5 through "group." on line 12

Insert: "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 employee members shall serve at the pleasure of the attorney general.

(4) Travel and per diem expenses for the committee must be charged to the motor vehicle division.

(5) Secretarial and support services for the committee must be provided by the motor vehicle division.

(6) The committee shall meet no more than four times a year unless specifically called by the attorney general."

28. Page 10, lines 5 and 6.

Following: "(a)" on line 5

Strike: remainder of line 5 through "peripherals," on line 6

Insert: "establish the requirements and specifications for the county motor vehicle computer system to be"

29. Page 10, lines 9 and 10.

Following: "(b)" on line 9

Strike: remainder of line 9 through "purchase" on line 10

Insert: "approve the purchase of"

30. Page 10, lines 14 and 15.

Following: "(c)" on line 14

Strike: remainder of line 14 through "justice" on line 15

Insert: "approve the procedures"

31. Page 10, line 16.

Strike: "8"

Insert: "12"

32. Page 10, lines 18 through 21.

Strike: subsection (2) in its entirety

Insert: "(2) As used in this section, "computer system" means the county motor vehicle application system and does not include the central computer centers or imply that the department of administration is responsible for establishing policy and operating and maintaining central computer



centers."

33. Page 11, line 11.  
Strike: "county motor vehicle computer"  
Insert: "state general"

34. Page 11, lines 12 through 20.  
Strike: section 12 in its entirety  
Insert: "NEW SECTION. Section 16. Appropriation. There is appropriated from the general fund to the department of justice \$639,300 in fiscal year 1992 and \$837,900 in fiscal year 1993 to fund the continued development and operation of the statewide motor vehicle computer system."

35. Page 11, line 22.  
Following: "applicability"  
Strike: "-- termination"  
Following: "."  
Strike: "(1)"

36. Page 12, line 1.  
Strike: subsection (2) in its entirety

37. Page 12, line 3.  
Strike: "5"  
Insert: "9"

38. Page 12, line 5.  
Strike: "5"  
Insert: "9"

39. Page 12, line 6.  
Strike: "6"  
Insert: "10"

40. Page 12, line 9.  
Strike: "6"  
Insert: "10"

41. Page 12, line 10.  
Strike: "7"  
Insert: "11"

42. Page 12, line 13.  
Strike: "7"  
Insert: "11"

43. Page 12, line 14.  
Insert: "(4) [Sections 12 through 14] are intended to be

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March 22, 1991  
Page 15 of 15

codified as an integral part of Title 61, chapter 3, part 3, and the provisions of Title 61, chapter 3, part 3, apply to [sections 12 through 14].

(5) [Section 15] is intended to be codified as an integral part of Title 61, chapter 3, part 5, and the provisions of Title 61, chapter 3, part 5, apply to [section 15]."

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HOUSE STANDING COMMITTEE REPORT

March 21, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Highways and Transportation report that Senate Bill 164 (third reading copy -- blue) be concurred in as amended.

Signed: \_\_\_\_\_  
Barry Stang, Chairman

Carried by: Rep. Stang

And, that such amendments read:

1. Page 4, line 15.  
Strike: "and"

2. Page 4, line 16.  
Following: "TRANSIT"  
Insert: "; and"

3. Page 4, line 17.  
Following: line 16  
Insert: "(5) motor carrier services"

*Cluska*

HOUSE STANDING COMMITTEE REPORT

March 21, 1991

Page 1 of 2

Mr. Speaker: We, the committee on Highways and Transportation report that Senate Bill 178 (third reading copy -- blue) be concurred in as amended.

Signed: Barry Stang, Chairman

Carried by: Rep. Wanzienried

And, that such amendments read:

1. Title, line 5.  
Following: "CONFORM"  
Strike: "THE"  
Insert: "CERTAIN"

2. Title, line 9.  
Following: "COMBINATIONS;"  
Insert: "TO REQUIRE A STUDY OF TURNPIKE DOUBLES;"

3. Page 1, lines 12 through 25.  
Following: line 11  
Strike: Statement of Intent in its entirety

4. Page 2, lines 18 and 19.  
Following: "combinations" on line 18  
Strike: remainder of line 18 through "double," on line 19

5. Page 4, lines 22 through 24.  
Strike: subsection (e) in its entirety

6. Page 6, line 25.  
Following: "vehicles"  
Strike: "a turnpike double"  
Insert: "any combination of vehicles"

7. Page 7, line 1.  
Following: "but"  
Insert: "exceeds 95 feet in length but"  
Strike: "110"  
Insert: "100"

8. Page 7, lines 10 through 15.

Following: "\$125" on line 10

Strike: remainder of line 10 through "(6)(d)." on line 15

Insert: ", except a truck-trailer-trailer or a truck tractor-semitrailer-trailer-trailer combination, for travel only on highways that are part of the federal-aid interstate system, as defined in 60-1-103, or on other highways within a 2-mile radius of an interchange on the interstate system in order to obtain necessary services or to load or unload at a terminal. When a terminal is beyond a 2-mile radius, the department may authorize travel between the terminal and the interchange. The fee for this permit is \$125."

9. Page 8, line 19.

Following: "~~interchange.~~"

Insert: "When a terminal is beyond a 2-mile radius, the department may authorize travel between the terminal and the interchange."

10. Page 9, line 25.

Following: line 24

Insert: "NEW SECTION. Section 4. Turnpike doubles -- study.

(1) The department of highways shall conduct a study over the next 2 years of:

(a) all interchanges in Montana and the ability of the interchanges to accommodate twin 45s as turnpike doubles;

(b) the impact on highways of permitting twin 45s as turnpike doubles;

(c) terminal positions to interchanges; and

(d) the concept of permitting twin 45s as turnpike doubles.

(2) The department of highways shall report its finding of the study to the 53rd legislature."

2:35  
3-21-91  
JDB

HOUSE STANDING COMMITTEE REPORT

March 21, 1991

Page 1 of 2

Mr. Speaker: We, the committee on Highways and Transportation report that Senate Bill 191 (third reading copy -- blue) be concurred in as amended.

Signed: Barry Stang, Chairman

Carried by: Rep. Stepler

And, that such amendments read:

1. Title, line 12.

Following: "PURPOSE,"

Insert: "PROVIDING THAT A DISABLED VETERAN HAS THE OPTION OF RECEIVING A HANDICAPPED LICENSE PLATE OR, IF QUALIFIED, AN EX-PRISONER OF WAR LICENSE PLATE;"

2. Page 22, line 9.

Following: "'DV'"

Insert: "or the handicapped license plate provided for in 61-3-445"

3. Page 22, line 14.

Following: "chapter."

Insert: "A disabled veteran who meets the requirements for issuance of a "DV" license plate and who also qualifies for the issuance of an ex-prisoner of war license plate may obtain the ex-prisoner of war license plate upon payment of the same \$5 fee."

4. Page 41, line 11 through page 45, line 10.

Strike: section 15 in its entirety

Insert: "Section 15. Section 61-6-302, MCA, is amended to read:

"61-6-302. Proof of compliance. (1) ~~Except as provided in subsection (2), before any applicant required to register his motor vehicle may do so, the applicant must certify to the county treasurer that he possesses an automobile liability insurance policy, a certificate of self insurance, or a posted indemnity bond or that he is eligible for an exemption under 61-6-203 covering the motor vehicle. The certification shall be on a form prescribed by the department. The department may immediately cancel the registration and license plates of the vehicle upon~~

~~notification that the insurance certification was not correctly represented. Any person who intentionally provides false information on an insurance certification is guilty of unsworn falsification to authorities, punishable as provided in 45-7-203.~~

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

(3) An owner of a motor vehicle who ceases to maintain the insurance or bond required under 61-6-301 or whose certificate of self-insurance is canceled or whose vehicle ceases to be exempt under 61-6-303 shall immediately surrender the registration and license plates for the vehicle to the county treasurer for delivery to the department and may not operate or permit operation of the vehicle in Montana until insurance has again been furnished as required and the vehicle is again registered and licensed.

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

HOUSE STANDING COMMITTEE REPORT

3-21-91  
JDR  
March 21, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Highways and Transportation report that Senate Bill 273 (third reading copy -- blue) be concurred in as amended.

Signed: Barry Stang, Chairman

Carried by: Rep. Larson

And, that such amendments read:

1. Page 4, lines 5 and 6.

Following: "trucks" on line 5

Strike: remainder of line 5 through "chips," on line 6

2. Page 4, line 7.

Strike: "61-10-107, must"

Insert: "subsection (2), may"



KPO  
2-22-91  
TDT

HOUSE STANDING COMMITTEE REPORT

March 21, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Highways and Transportation report that Senate Bill 318 (third reading copy -- blue) be concurred in as amended .

Signed:   
Barry Stang, Chairman

Carried by: Rep. Stepller

And, that such amendments read:

1. Title, line 10.

Following: "FEE,"

Insert: "PROVIDING THAT A PORTION OF THE FEE PROCEEDS BE  
EARMARKED FOR STATE PARKS,"

2. Page 4, line 12.

Following: "parks."

Insert: "The funds may be used only for the operation,  
development, and maintenance of the state park system."

3. Page 5, line 25.

Following: line 24

Insert: "NEW SECTION. Section 9. Coordination instruction. If  
Senate Bill No. 415 is passed and approved and if it  
includes a fee on campers, then [section 4 of this act],  
amending 61-3-524, is amended as follows:

(1) the fee assessed in 61-3-524(2) is reduced from  
\$3.50 to \$1; and

(2) 61-3-524(4) as it appears in [this act] is void  
and 61-3-524(4) is amended to read:

"(4) The county treasurer shall deposit the fee  
collected under subsection (2) in the county general fund."

Renumber: subsequent sections

EXHIBIT 1.

HB 0579/gray

DP AA  
3/20 HB 579

VALENZUELA

Review  
Title

2. 231/11

3. 230/220

4. 231/11

5. 230/220

6. 231/11

7. 230/220

8. 231/11

9. 230/220

10. 231/11

11. 230/220

12. 231/11

13. 230/220

14. 231/11

15. 230/220

16. 231/11

17. 230/220

18. 231/11

19. 230/220

20. 231/11

21. 230/220

22. 231/11

## HOUSE BILL NO. 579

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

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 <sup>procedure for instant study of</sup> THAT MAIL RENEWAL CARDS ?

~~CONTAIN BAR CODING~~; REQUIRING THAT ALL TAXES AND FEES BE  
PAID BEFORE A 60-DAY STICKER MAY BE ISSUED; 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; 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, AN APPLICABILITY PROVISION,

AND A TERMINATION DATE."

## 1 STATEMENT OF INTENT

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

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

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

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

1 is prescribed therein.

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

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

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

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

16 "61-3-101. Duties of department -- records. (1) The  
 17 department shall keep a record as hereinafter specified of  
 18 all motor vehicles, trailers, and semitrailers of every  
 19 kind, and of certificates of registration and ownership  
 20 thereof, and of all manufacturers and dealers in motor  
 21 vehicles.

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

24 (a) name of owner, residence address by street or rural  
 25 route, town, and county, and ~~business--address~~ mailing

1 address if different than residence address;

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

5 (c) manufacturer of car;

6 (d) manufacturer's designation of style of car or  
7 vehicle;

8 (e) identifying number;

9 (f) year of manufacture;

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

12 (h) the distinctive license number assigned to the  
13 vehicle;

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

16 (j) such other information as may from time to time be  
17 found desirable.

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

23 (a) under the distinctive license number assigned to  
24 the vehicle by the county treasurer;

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

1 (c) numerically under make and identifying number of  
2 the vehicle;

3 (d) such other index of registration as the department  
4 considers expedient.

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

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

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

19 ~~{7}--The---department---may--establish--and--maintain--a~~  
20 ~~short-wave-radio-station-in-order-to--report--motor--vehicle~~  
21 ~~registration-information-to-the-highway-patrol,-to-sheriffs,~~  
22 ~~and-to-the-chiefs-of-police-of-each-incorporated-city-of-the~~  
23 ~~state-who-are-able-to-communicate-with-such-short-wave-radio~~  
24 ~~station-~~

25 ~~{8}~~(7) All records shall be open to inspection during

1 all reasonable business hours, and the department shall  
2 furnish any information from the records upon payment by the  
3 applicant of the cost of transcribing the information  
4 requested. Prior to providing the information, the  
5 department may require the applicant to provide  
6 identification."

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

8 "61-3-201. Transfer of interest -- cancellation of  
9 erroneous certificate of ownership or registration. (1) Upon  
10 a transfer of any interest in a motor vehicle registered  
11 under the provisions of this chapter, the person whose  
12 interest is to be transferred shall write his signature with  
13 pen and ink upon the certificate of ownership issued for the  
14 vehicle in the appropriate space provided upon the reverse  
15 side of the certificate, and the signature must be  
16 acknowledged before the county treasurer, a deputy county  
17 treasurer, an elected official authorized to acknowledge  
18 signatures, an employee of the department, or a notary  
19 public.

20 (2) Within 20 calendar days after endorsement, the  
21 transferee shall forward both the endorsed certificate of  
22 ownership with the odometer mileage statement required under  
23 61-3-206 and the certificate of registration, together with  
24 the information required under 61-3-202, to the county  
25 treasurer, who shall forward them to the department. The

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

21 (3) In the event of a transfer by operation of law of  
22 any interest in a motor vehicle as upon inheritance, devise,  
23 or bequest, order in bankruptcy or insolvency, execution  
24 sale, repossession upon default in the performance of the  
25 terms of a lease or executory sales contract, or otherwise



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

1 U.S. mail of the notice, postage prepaid, addressed to the  
2 person at the respective address shown on its records.

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

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

20 (b) The person seeking transfer of the certificate of  
21 ownership shall file an affidavit with the department  
22 setting forth the fact of survivorship and the name and  
23 address of any other heirs and other facts as are necessary  
24 under subsection (5)(a) to entitle the affiant to a  
25 transfer.

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

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

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

20      (8) (a) Upon its determination that a certificate of  
21      ownership or a registration receipt contains an error caused  
22      ~~by the department,~~ or the applicant has paid the required  
23      fees and taxes with an insufficient funds check, and the  
24      department has been notified of that fact by the county  
25      attorney, the department may cancel the certificate of

1 ownership or receipt and in the case of an error issue a  
2 replacement for the erroneous certificate or receipt if the  
3 owner has returned the certificate or receipt to be  
4 canceled. If the owner fails to return to the department the  
5 certificate of ownership or the registration receipt, the  
6 department shall direct a peace officer or department  
7 employee to secure and return the certificate or receipt to  
8 the department.

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

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

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

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

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

7 (a) the date issued;

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

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

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

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

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

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

23 (4) Upon receipt of the application, the department  
24 shall recheck the application. If there is any error in the  
25 application it may be returned to the owner or to the county

1 treasurer to effectively secure the correction of such  
2 error, who shall return the same to the department.

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

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

8 "61-3-314. Registration period. (1) Notwithstanding any  
9 other provisions of this title regarding the registration of  
10 motor vehicles, ~~commencing January--17--1976,~~ all vehicles  
11 subject to the provisions of 61-3-313 through 61-3-316 shall  
12 be registered for 12-month periods based upon the time they  
13 are first registered in this state pursuant to 61-3-313  
14 through 61-3-316.

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

18 (a) January 1 through January 31	1st period
19 (b) February 1 through February 28/29	2nd period
20 (c) March 1 through March 31	3rd period
21 (d) April 1 through April 30	4th period
22 (e) May 1 through May 31	5th period
23 (f) June 1 through June 30	6th period
24 (g) July 1 through July 31	7th period
25 (h) August 1 through August 31	8th period

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

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

11           "61-3-342. Temporary window sticker. (1) Any purchaser  
 12           of a motor vehicle who is unable to obtain ~~license plates~~  
 13           ~~from the county treasurer~~ FULLY COMPLETE THE PROCESS OF  
 14           APPLYING FOR A MONTANA TITLE at the time he makes  
 15           application for registration or reregistration of the  
 16           vehicle because the certificate of ownership is lost, in the  
 17           possession of third parties, or in the process of reissuance  
 18           in this state or elsewhere may, upon making affidavit to  
 19           that effect upon a form prescribed by the department and  
 20           upon the payment of a all applicable fees and taxes, plus an  
 21           additional fee of \$2 to be collected by the county treasurer  
 22           and remitted to the department, obtain from the county  
 23           treasurer of the county in which the vehicle is to be  
 24           registered a temporary window sticker of such size, color,  
 25           and design as the department may prescribe, to be validated

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

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

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



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

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

11       "61-3-503. (Temporary) Assessment. (1) Except as  
12       provided in 61-3-520 and subsection (2) of this section, the  
13       following apply to the taxation of motor vehicles:

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

23       (b) Except as provided in subsection (1)(c), motor  
24       vehicles are assessed for taxes on January 1 in each year  
25       irrespective of the time fixed by law for the assessment of

1 other classes of personal property and irrespective of  
2 whether the levy and tax may be a lien upon real property  
3 within the state. A motor vehicle is not subject to  
4 assessment, levy, and taxation more than once in each year.

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

1 section is less than \$500, the department shall value the  
2 vehicle at \$500.

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

5 (i) \$250; or

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

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

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

24 (ii) if the vehicle is 1 year or older in age and it is  
25 not listed in any of the appraisal guides listed in this

1 section, the department of revenue shall determine the  
2 depreciation percentage to approximate the average wholesale  
3 or trade-in values in the current N.A.D.A. guides or other  
4 approved guides referred to in this subsection. For purposes  
5 of this subsection (1), the age of the vehicle is determined  
6 by subtracting the manufacturer's model year of the vehicle  
7 from the calendar year of assessment.

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

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

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

21 61-3-503. (Effective January 1, 1994) Assessment. (1)  
22 Except as provided in subsection (2), the following apply to  
23 the taxation of motor vehicles:

24 (a) Except as provided in subsections (1)(c) through  
25 (1)(e), a person who files an application for registration

1 or reregistration of a motor vehicle shall before filing  
2 such application with the county treasurer submit the  
3 application to the county assessor. The county assessor  
4 shall enter on the application in a space to be provided for  
5 that purpose the market value and taxable value of the  
6 vehicle as of January 1 of the year for which the  
7 application for registration is made.

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

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

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

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

16 (i) \$250; or

17 (ii) the average trade-in or wholesale value as of  
18 January 1 of the year of assessment of the vehicle as  
19 contained in the most recent volume of the applicable  
20 National Edition of the N.A.D.A. Motorcycle/Moped/ATV  
21 Appraisal Guide or N.A.D.A. Recreational Vehicle Appraisal  
22 Guide, or another nationally published used vehicle or  
23 appraisal guide approved by the department of revenue, not  
24 including additions or deductions for options and mileage.

25 (e) If a vehicle assessed under subsection (1)(c) or

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

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

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

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

22 (g) If a previously registered vehicle is no longer  
23 listed in the applicable N.A.D.A. guide or other approved  
24 guide, the department or its agent shall depreciate the  
25 value of the vehicle at the rate of 10% a year until a

1 minimum amount of \$500 is attained, and the value shall  
2 remain at that amount so long as the vehicle is registered.

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

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

7 "61-3-535. Vehicle reregistration by mail -- renewal  
8 cards and reregistration notice by mail. (1) ~~The--department~~  
9 ~~shall--permit-the-reregistration-of~~ An EXCEPT AS PROVIDED IN  
10 SUBSECTION (2), AN owner of the following types of motor  
11 vehicles may reregister by mail:

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

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

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

24 (3) The department shall develop a procedure to  
25 facilitate the reregistration by mail of the vehicles listed



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

8       (2)(4) The form to be returned to the county treasurer  
 9 by the applicant, with the appropriate tax and fees, is to  
 10 contain a statement,--to--be--subscribed--to--by THAT the  
 11 applicant,--stating IS IN compliance with the financial  
 12 liability requirements of 61-6-301.

13       (3)(5) The procedure implemented by the department to  
 14 permit reregistration by mail shall provide for a written  
 15 reminder notice by mail to a light vehicle owner of the  
 16 requirement to reregister his vehicle with the county  
 17 treasurer.

18       (4)(6) The department shall adopt rules to implement  
 19 the mail reregistration procedure."

20       NEW SECTION. Section 9. Mail renewal and  
 21 recertification. (1)-The-department-of-justice-shall-develop  
 22 a--procedure--for-mail-recertification-of-boats, the-renewal  
 23 of-license-decals, and-the-payment-of-the--fee--in--lieu--of  
 24 tax.

25       (2)--The--option-to-recertify, renew, and pay the fee in

lieu-of-tax-by-mail-need-only-be-made--available--for--boats  
for---which---ownership--has--not--changed--since--the--last  
recertification-or-renewal-period.

{3}--The-mail-renewal-procedure-must-provide-for-a-bar  
code-on-the-renewal-or-recertification-card-so-that-the  
county-treasurer-can-scan-the-card-for-all-relevant  
information-upon-its-receipt.

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

NEW SECTION. Section 10. Mail renewal and  
recertification. {1}-The-department-of-justice-shall-develop  
a-procedure-for-mail-recertification-of-snowmobiles, the  
renewal-of-license-decals, and-the-payment-of-the-fee-in  
lieu-of-tax.

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

{3}--The-mail-renewal-procedure-must-provide-for-a-bar  
code-on-the-renewal-or-recertification-card-so-that-the  
county-treasurer-can-scan-the-card-for-all-relevant  
information-upon-its-receipt.

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

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

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

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

19      ~~(4)---The---department---of---justice---may---adopt---rules---to~~  
 20      ~~implement-this-section.~~ THE MAIL RENEWAL PROCEDURE DEVELOPED  
 21      ~~BY THE DEPARTMENT OF JUSTICE PURSUANT TO 61-3-535 MAY BE~~  
 22      ~~USED FOR MAIL RECERTIFICATION OF OFF-HIGHWAY VEHICLES, THE~~  
 23      ~~RENEWAL OF LICENSE DECALS, AND THE PAYMENT OF THE FEE IN~~  
 24      ~~LIEU OF TAX.~~

25      NEW SECTION.   Section 12.   County motor vehicle computer

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

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

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

22 (A) AN EMPLOYEE OF THE DEPARTMENT OF ADMINISTRATION,  
 23 DATA PROCESSING DIVISION, SELECTED BY THE DIVISION  
 24 ADMINISTRATOR;

25 (B) TWO COUNTY TREASURERS, SELECTED BY THE MONTANA

1 COUNTY TREASURERS ASSOCIATION;

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

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

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

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

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

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

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

18 (J) A MEMBER OR EMPLOYEE OF AAA MONTANA, SELECTED BY  
19 THE ASSOCIATION DIRECTOR.

20 (3) COMMITTEE MEMBERS WHO ARE NOT EMPLOYEES OF THE  
21 STATE OF MONTANA SHALL SERVE A TERM OF TWO YEARS, STATE  
22 EMPLOYEES MEMBERS SHALL SERVE AT THE PLEASURE OF THE  
23 ATTORNEY GENERAL.

24 (4) TRAVEL AND PER DIEM EXPENSES FOR THE COMMITTEE  
25 SHALL BE CHARGED TO THE MOTOR VEHICLE DIVISION.

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

(6) THE COMMITTEE SHALL MEET NO MORE THAN 4 TIMES PER YEAR, UNLESS SPECIFICALLY CALLED BY THE ATTORNEY GENERAL.

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

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

(3) The committee consists of:

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

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

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

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

(a) ~~set---the--standard--for--the--computer--equipment,~~  
~~including--peripherals,~~ ESTABLISH THE REQUIREMENTS AND SPECIFICATIONS FOR THE COUNTY MOTOR VEHICLE COMPUTER SYSTEM  
TO BE used by county treasurers and the department of

1 justice to register and reregister motor vehicles, boats,  
 2 snowmobiles, and off-highway vehicles<sup>7</sup>. AS USED IN THIS  
 3 SECTION, "COMPUTER SYSTEM" MEANS THE COUNTY MOTOR VEHICLE  
 4 APPLICATION SYSTEM AND DOES NOT IMPLY OR INCLUDE THE CENTRAL  
 5 COMPUTER CENTERS OR THE DEPARTMENT OF ADMINISTRATION'S  
 6 RESPONSIBILITY TO ESTABLISH POLICY AND TO OPERATE AND  
 7 MAINTAIN CENTRAL COMPUTER CENTERS.

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

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

17 (2) ~~An--amount--of--\$17,200,000--is--appropriated--to--the~~  
 18 ~~county-motor-vehicle--computer--committee--from--the--county~~  
 19 ~~motor--vehicle-computer-fund-for-the-biennium-beginning-July~~  
 20 ~~17-1991-~~ THERE IS APPROPRIATED FROM THE <sup>STATE?</sup> GENERAL FUND TO THE  
 21 DEPARTMENT OF JUSTICE \$693,300 IN FY 1992 AND \$837,900 IN FY  
 22 1993 TO FUND THE CONTINUED DEVELOPMENT AND OPERATION OF THE  
 23 STATEWIDE MOTOR VEHICLE COMPUTER SYSTEM.

24 NEW SECTION. **Section 15.** County motor vehicle computer  
 25 fee. (1) A county motor vehicle computer fee of \$1 must be

1 assessed on the annual registration or reregistration for  
2 each of the following:

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

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

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

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

11 (2) The fee must be collected by the county treasurer  
12 and forwarded to the state treasurer for deposit in the  
13 ~~county motor vehicle computer~~ <sup>state general</sup> fund.

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

23 NEW SECTION. **Section 17.** Effective date --  
24 applicability -- termination. ~~{1}~~ [This act] is effective  
25 July 1, 1991, and applies to motor vehicles, boats,



1 snowmobiles, and off-highway vehicles that must be  
2 registered or reregistered on or after July 1, 1991.

3 ~~(2)--{Sections 9 through 12}--terminate--June 30, 1993--~~

4 NEW SECTION. **Section 18.** Codification instruction. (1)

5 [Section 5 9] is intended to be codified as an integral part  
6 of Title 23, chapter 2, part 5, and the provisions of Title  
7 23, chapter 2, part 5, apply to [section 5 9].

8 (2) [Section 6 10] is intended to be codified as an  
9 integral part of Title 23, chapter 2, part 6, and the  
10 provisions of Title 23, chapter 2, part 6, apply to [section  
11 6 10].

12 (3) [Section 7 11] is intended to be codified as an  
13 integral part of Title 23, chapter 2, part 8, and the  
14 provisions of Title 23, chapter 2, part 8, apply to [section  
15 7 11].

-End-

EXHIBIT 1-A  
DATE 3-20-91  
HB 579

HOUSE OF REPRESENTATIVES

HIGHWAYS AND TRANSPORTATION COMMITTEE

ROLL CALL VOTE

DATE 3-20-91 BILL NO. HB 579 NUMBER \_\_\_\_\_

MOTION: Rep. Foster Moved \$1 to sunset in 2 years  
on grey Bill.

Motion FAILED 6-10

NAME	AYE	NO
REP. FLOYD "BOB" GERVAIS, VICE-CHAIRMAN		✓
REP. ERNEST BERGSAGEL	✓	
REP. ROBERT CLARK	✓	
REP. JANE DEBRUYCKER		✓
REP. ALVIN ELLIS, JR.		✓
REP. GARY FELAND	✓	
REP. MIKE FOSTER	✓	
REP. PATRICK GALVIN		✓
REP. DICK KNOX		✓
REP. DON LARSON		✓
REP. SCOTT MCCULLOCH		✓
REP. JIM MADISON		✓
REP. LINDA NELSON	✓	
REP. DON STEPPLER	✓	
REP. HOWARD TOOLE		
REP. ROLPH TUNBY		✓
REP. BARRY "SPOOK" STANG, CHAIRMAN		✓
TOTAL	6	10

AMENDMENT # 1.

EXHIBIT 2  
DATE 3-20-91  
HB SB 164

Amendments to Senate Bill No. 164  
Third Reading Copy

Requested by Representative Stang  
For the Committee on Highways

Prepared by Greg Petesch  
March 19, 1991

1. Page 4, line 15.  
Strike: "and"

2. Page 4, line 16.  
Following: "TRANSIT"  
Insert: "; and"

3. Page 4, line 17.  
Following: line 16  
Insert: "(5) motor carrier services"

AMENDMENT # 2.

EXHIBIT 3  
DATE 3-20-91  
HB SB 164

Amendments to Senate Bill No. 164  
Third Reading Copy

Requested by Representative Madison  
For the Committee on Highways

Prepared by Greg Petesch  
March 19, 1991

1. Title, line 8.  
Strike: "AND THE DEPARTMENT OF REVENUE"
2. Title, line 13.  
Following: "2-15-2501,"  
Insert: "AND"  
Following: "2-15-2502,"  
Strike: "15-1-701, AND 60-3-201,"
3. Page 3, line 25.  
Strike: "14"  
Insert: "10"
4. Page 6, line 20.  
Strike: "14"  
Insert: "10"
5. Page 8, line 7 through page 12, line 5.  
Strike: sections 8 through 11 in their entirety  
Renumber: subsequent sections
6. Page 12, lines 8 and 9.  
Following: "highways" on line 8  
Strike: ", "  
Insert: "or"  
Following: "commerce"  
Strike: remainder of line 8 through "revenue" on line 9
7. Page 12, line 10.  
Strike: "14"  
Insert: "10"
8. Page 12, line 11.  
Strike: "14"  
Insert: "10"
9. Page 12, line 17.  
Strike: "departments"  
Insert: "department"  
Following: "commerce"  
Strike: remainder of line 17 in its entirety
10. Page 12, line 18.  
Strike: "14"  
Insert: "10"

11. Page 12, line 20.

Strike: "14"

Insert: "10"

12. Page 12, line 23.

Strike: "14"

Insert: "10"

13. Page 13, lines 4 and 5.

Strike: subsection (2) in its entirety

ReNUMBER: subsequent subsection

14. Page 13, lines 21 through 24.

Strike: subsection (2) in its entirety

ReNUMBER: subsequent subsection

Amendments to Senate Bill No. 178  
Third Reading Copy (BLUE)

Requested by Rep. Stang  
For the Committee on Highways and Transportation

Prepared by Valencia Lane  
March 20, 1991

(unedited)

1. Title, line 5.  
Following: "CONFORM"  
Strike: "THE"  
Insert: "CERTAIN"
2. Page 1, lines 12 through 25.  
Following: line 11  
Strike: Statement of Intent in its entirety
3. Page 2, lines 18 and 19.  
Following: "combinations" on line 18  
Strike: remainder of line 18 through "double," on line 19
4. Page 4, lines 22 through 24.  
Strike: subsection (e) in its entirety
5. Page 6, line 25.  
Following: "~~vehicles~~"  
Strike: "a turnpike double"  
Insert: "any combination of vehicles"
6. Page 7, line 1.  
Following: "~~but~~"  
Insert: "exceeds 95 feet in length but"  
Strike: "110"  
Insert: "100"
7. Page 7, lines 10 through 15.  
Following: "~~\$125~~" on line 10  
Strike: remainder of line 10 through "(6)(d)." on line 15  
Insert: ", except a truck-trailer-trailer or a truck tractor-semitrailer-trailer-trailer combination, for travel only on highways that are part of the federal-aid interstate system, as defined in 60-1-103, or on other highways within a 2-mile radius of an interchange on the interstate system in order to obtain necessary services or to load or unload at a terminal. When a terminal is beyond a 2-mile radius, the department may authorize travel between the terminal and the interchange. The fee for this permit is \$125."
8. Page 8, line 19.  
Following: "~~interchange.~~"  
Insert: "When a terminal is beyond a 2-mile radius, the department may authorize travel between the terminal and the interchange."

9. Page 9, line 25.

Following: line 24

Insert: "NEW SECTION. Section 4. Turnpike doubles -- study.

(1) The department of highways shall conduct a study over the next 2 years of:

(a) all interchanges in Montana and the ability of the interchanges to accommodate twin 45's as turnpike doubles;

(b) the impact on highways of permitting twin 45's as turnpike doubles;

(c) terminal positions to interchanges; and

(d) the concept of permitting twin 45's as turnpike doubles.

(2) The department of highways shall report its finding of the study to the 53rd Legislature."

## SENATE BILL NO. 178

INTRODUCED BY WILLIAMS, WEEDEING, TVEIT,

NOBLE, T. BECK, DEVLIN, WANZENRIED, GILBERT

**CERTAIN**  
 A BILL FOR AN ACT ENTITLED: "AN ACT TO CONFORM ~~THE~~ A VEHICLE  
 LENGTH LIMIT LAWS TO THE RECOMMENDATIONS OF THE WESTERN  
 ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS;  
 TO INCREASE THE ALLOWABLE LENGTH FOR CERTAIN VEHICLES AND  
 VEHICLE COMBINATIONS; AND AMENDING SECTIONS 61-10-104,  
 61-10-124, AND 61-10-129, MCA."

STATEMENT OF INTENT

A STATEMENT OF INTENT IS REQUIRED FOR THIS BILL BECAUSE  
 61-10-129 GRANTS RULEMAKING AUTHORITY TO THE DEPARTMENT OF  
 HIGHWAYS. IT IS THE INTENT OF THE LEGISLATURE THAT THE  
 RULES ADOPTED FOR TURNPIKE DOUBLES INCLUDE ALL THE RULES  
 ADOPTED FOR THE OPERATION OF TRIPLE TRAILERS. IN ADDITION,  
 IT IS INTENDED THAT THE DEPARTMENT AUDIT ALL INTERCHANGES  
 AND RESTRICT ACCESS ROUTES ON AND OFF THE INTERSTATE SYSTEM  
 BY TURNPIKE DOUBLES AS A RESULT OF THE DEPARTMENT'S  
 ASSESSMENT OF INTERCHANGES AND ROUTES TO THE INTERCHANGES TO  
 BE FOLLOWED. THE DEPARTMENT SHALL REQUIRE, WHEN NECESSARY,  
 TRANSPORTATION OF THE TRAILERS IN A TURNPIKE DOUBLE  
 CONFIGURATION SEPARATELY TO A POINT NEAR THE INTERCHANGE OF  
 THE INTERSTATE FOR COUPLING PRIOR TO INGRESS AND EGRESS.

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

**Section 1.** Section 61-10-104, MCA, is amended to read:

"61-10-104. Length -- definitions. (1) A single truck,  
 bus, or any self-propelled vehicle, unladen or with load,  
 may not have an overall length, inclusive of front and rear  
 bumpers, in excess of 40 45 feet.

(2) (a) When used in a truck tractor-semitrailer  
 combination, the semitrailer may not exceed 53 feet in  
 length, excluding those portions not designed to carry a  
 load, except as provided by 61-10-124. When used in a truck  
 tractor-semitrailer-trailer or a truck  
 tractor-semitrailer-semitrailer combination, the semitrailer  
 and trailer or the two semitrailers may not exceed 28 1/2  
 feet each in length, excluding those portions not designed  
 to carry a load, except as provided by 61-10-124. Truck  
 tractor-semitrailer, truck tractor-semitrailer-trailer, and  
 truck tractor-semitrailer-semitrailer combinations ~~shall~~  
~~then-a turnpike double~~ are not subject to an overall  
 combination length limit.

(b) A stinger-steered automobile or boat transporter  
 may not exceed 75 feet in length plus a maximum 3 feet  
 front overhang and 4 feet of rear overhang except as  
 provided by 61-10-124. "Stinger-steered automobile or boat  
 transporter" means a truck tractor-semitrailer combination

EXHIBIT

 DATE 3-20-91  
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THIRD READING



1 that has a fifth wheel on a drop frame located behind and  
 2 below the rear axle of the truck tractor and that is  
 3 designed and used for the transportation of vehicles or  
 4 assembled boats or boat hulls.

5 (c) All other combinations of vehicles may not have an  
 6 overall a combination length, inclusive of front and rear  
 7 bumpers in excess of 75 feet, except as provided by  
 8 61-10-124. If the combination consists of more than two  
 9 units, the rear units of the combination shall be equipped  
 10 with breakaway brakes.

11 (3) A motor vehicle may not tow more than one motor  
 12 vehicle, and a motor vehicle may not draw more than three  
 13 motor vehicles attached to it by the triple saddle-mount  
 14 method (that is, by mounting the front wheels of one vehicle  
 15 on the bed of another, leaving only the rear wheels of the  
 16 vehicle in contact with the roadway), nor may this  
 17 combination have an overall a combination length, inclusive  
 18 of front and rear bumpers in excess of 65 feet.

19 (4) A passenger vehicle or truck of less than 2,000  
 20 pounds "manufacturers' rated capacity" may not tow more than  
 21 one trailer or semitrailer, nor may this combination have an  
 22 overall a length, inclusive of front and rear bumpers in  
 23 excess of 65 feet.

24 (5) As used in this chapter, the following definitions  
 25 apply:

1 (a) "Combination length" means the total length of a  
 2 combination of vehicles, such as a truck  
 3 tractor-semitrailer-trailer combination, measured from the  
 4 front bumper of the motor vehicle to the back bumper or rear  
 5 extremity of the last trailer, including the connection  
 6 tongues.

7 (b) "Combined trailer length" means the total length of  
 8 a combination of trailers measured from the front of the  
 9 first trailer to the back of the last trailer, including the  
 10 connection tongues AND LOADS.

11 (c) "Length" means the total longitudinal dimension of  
 12 a single vehicle, a trailer, or a semitrailer. The length of  
 13 a trailer or semitrailer is measured from the front of the  
 14 cargo-carrying unit to its rear, exclusive of safety or  
 15 energy efficiency devices, air-conditioning units, air  
 16 compressors, flexible fender extensions, splash and spray  
 17 suppressant devices, bolsters, mechanical fastening devices,  
 18 and hydraulic lift gates.

19 (d) "Rocky mountain double" means a combination of  
 20 vehicles that includes a truck tractor pulling a long  
 21 semitrailer and a shorter trailer.

22 ~~(e) "Triple double" means a combination of vehicles~~  
 23 ~~that includes a truck tractor pulling a long semitrailer and~~  
 24 ~~an additional long trailer."~~

Section 2. Section 61-10-124, MCA, is amended to read:

1 "61-10-124. Special permits -- fee -- cranes. (1) As  
2 used in this section, "crane" means a self-propelled  
3 single-unit vehicle consisting of not more than four axles  
4 and used for raising, shifting, and lowering heavy weights  
5 by means of a projecting swinging arm.

6 (2) Except as provided in subsections (3)(b), (3)(d),  
7 and (6), in addition to the regular registration and gross  
8 vehicle weight fees, a fee of \$10 for each trip permit and a  
9 fee of \$75 for each term permit issued for size and weight  
10 in excess of that specified in 61-10-101 through 61-10-110  
11 must be paid for all movements under special permits on the  
12 public highways under the jurisdiction of the department of  
13 highways.

14 (3) (a) Except as provided in subsections (3)(b),  
15 (3)(d), and (6), term or blanket permits may not be issued  
16 for an overwidth vehicle, combination of vehicles, load, or  
17 other thing in excess of 15 feet; an overlength vehicle,  
18 combination of vehicles, load, object, or other thing in  
19 excess of 95 feet; and an overheight vehicle, combination of  
20 vehicles, load, or other thing in excess of 14 feet, or of a  
21 limit determined by the department. A vehicle, combination  
22 of vehicles, load, or other thing in excess of these  
23 dimensions is limited to trip permits. A rocky mountain  
24 double may not exceed 81 feet in combined trailer length,  
25 the long semitrailer cargo unit of the combination may not

1 exceed 48 feet in length, and the shorter cargo unit may not  
2 exceed 28-1/2 feet in length. A rocky mountain double is not  
3 subject to a combination length limit. Special permits for  
4 vehicle combinations of more than two trailers or more than  
5 two units designed for or used to carry a load are not  
6 permitted except as provided in subsection (6). Special  
7 permits for vehicle combinations may specify and special  
8 permits under subsection (6) must specify highway routing  
9 and otherwise limit or prescribe conditions of operation of  
10 the vehicle or combination, including but not limited to  
11 required equipment, speed, stability, operational  
12 procedures, and insurance.

13 (b) A term permit may be issued to a dealer in  
14 implements of husbandry and self-propelled machinery for  
15 overwidth or overlength vehicle referred to in subsection  
16 (3)(a). The fee for this permit is \$75. This permit covers a  
17 period of 1 year and expires on December 31 of each year  
18 with no grace period.

19 (c) With payment of the appropriate gross weight  
20 fees required by 61-10-203 61-10-201 and 61-10-202 and  
21 payment of the fee prescribed in subsection (2), allowable  
22 gross weight of a five-axle combination logging vehicle is  
23 80,000 pounds.

24 (d) A term permit may be issued for any combination--of  
25 vehicles ~~any combination of vehicles~~ that exceeds 95 feet in length

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, except a truck-trailer-trailer or a truck tractor-semitrailer-trailer-trailer combination, for travel only on highways that are part of the federal-aid interstate system, as defined in 60-1-103, or on other highways within a 2-mile radius of an interchange on the interstate system in order to obtain necessary services or to load or unload at a terminal. When a terminal is beyond a 2-mile radius, the department may authorize travel between the terminal and the interchange. The fee for this permit is \$125."

SB 0178/02

*adds 95 feet in length but*

1 but does not exceed 100 feet in combination length  
2 except-----a-----truck-trailer-trailer-----or-----a-----truck  
3 tractor-semitrailer-trailer-trailer-combination-for-travel  
4 only-on-highways-that-are-part-of-the-federal-aid-interstate  
5 system-as-defined-in-60-1-103-or-on-other-highways-within  
6 a-2-mile-radius-of-an-interchange-on-the-interstate-system  
7 in-order-to-obtain-necessary-services-or-to-load-or-unload  
8 at-a-terminal-When-a-terminal-is-beyond-a-2-mile-radius  
9 the-department-may-authorize-travel-between-the-terminal-and  
10 the-interchange-The-fee-for-this-permit-is-\$125-A-turnpike  
11 double may not exceed 110 feet in combination length and an  
12 individual cargo unit of the combination may not exceed 45  
13 feet in length. The combination of vehicles composing a  
14 turnpike double must comply with the provisions of  
15 subsection (6) except the length limit in subsection (6) (b)  
16 (4) Except as provided in subsection (3)(b), a permit  
17 may not be issued for a period of time greater than the  
18 period for which the GVW license is valid as provided in  
19 this title, including grace periods allowed by this title.  
20 Owners of vehicles licensed in other jurisdictions may, at  
21 the discretion of the department of highways, purchase  
22 permits to expire with their registration. A license  
23 required by the state governs the issuance of a special  
24 permit.  
25 (5) The owner or operator of a crane with a gross

1 vehicle weight of less than 80,000 pounds may purchase a  
2 30-day special permit for overweight if the crane has a  
3 current special mobile equipment identification plate and if  
4 the department of highways has approved the configuration of  
5 the crane through a weight analysis completed within the  
6 same calendar year. The permit is not transferable, and the  
7 fee for the permit is \$200.  
8 (6) The department may issue special permits to the  
9 operating company for a truck-trailer-trailer or truck  
10 tractor-semitrailer-trailer-trailer combination of vehicles  
11 under the following conditions:  
12 (a) the combination may be operated only on highways  
13 that are part of the federal-aid interstate system as  
14 defined in 60-1-103 and within a 2-mile radius of an  
15 interchange on the interstate system on other highways only  
16 in order to obtain necessary services or to load or unload  
17 at a terminal. When a terminal is beyond a 2-mile radius  
18 the department may authorize travel between the terminal and  
19 the interchange.  
20 (b) a combination of vehicles powered by a cab-over  
21 (tilt cab) type truck-tractor or a truck may not exceed  
22 overall length of 105 feet, inclusive of front and rear  
23 bumpers and overhang;  
24 (c) a combination of vehicles powered by a conventional  
25 truck-tractor may not exceed overall length of 110 feet,

When a terminal is beyond a 2-mile radius, the department may authorize travel between the terminal and the interchange.

NEW SECTION.

Section 4. Turnpike doubles -- study.  
The department of highways shall conduct a study over the next 2 years of:

- (a) all interchanges in Montana and the ability of the interchanges to accommodate twin 45's as turnpike doubles;
- (b) the impact on highways of permitting twin 45's as turnpike doubles;
- (c) terminal positions to interchanges; and
- (d) the concept of permitting twin 45's as turnpike doubles.

(2) The department of highways shall report its finding of the study to the 53rd Legislature.

1 inclusive of front and rear bumpers and overhang;

2 (d) no individual cargo unit of the combination may  
3 exceed 28 1/2 feet in length and 102 inches in width;

4 (e) gross weight fees under 61-10-203 must be paid on  
5 the truck or truck tractor for the declared registered gross  
6 weight of the special vehicle combination, but not to exceed  
7 the formula in 61-10-107;

8 (f) the combination must have a restricted route permit  
9 under 61-10-107(3) and a special overlength permit issued at  
10 a fee of \$200 for a term permit or \$20 for each trip permit;

11 (g) travel of the combination may be restricted to  
12 specific routes, hours of operation, specific days, or  
13 seasonal periods; and

14 (h) the department may enforce any other restrictions  
15 determined by the department to be necessary. The permit is  
16 not transferable, and the fee for the permit is \$200."

17 Section 3. Section 61-10-129, MCA, is amended to read:

18 "61-10-129. Rules regarding overlength vehicles. The  
19 department of highways may adopt rules to implement  
20 61-10-124(4) and may by rule prescribe standards for the  
21 qualifications of drivers operating special vehicle  
22 combinations under 61-10-124(4) and for the equipping and  
23 operation of such combinations to enhance highway traffic  
24 safety."

-End-

EXHIBIT

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EXHIBIT

5

DATE 3-20-91

HB SB191

*advised 3/20 stepped #6*  
*BCIAA*

Amendments to Senate Bill No. 191  
Third Reading Copy (BLUE)

Requested by Rep. Stang  
For the Committee on Judiciary

Prepared by Valencia Lane  
March 18, 1991

1. Title, line 12.

Following: "PURPOSE;"

Insert: "PROVIDING THAT A DISABLED VETERAN HAS THE OPTION OF  
RECEIVING A HANDICAPPED LICENSE PLATE OR, IF QUALIFIED, AN  
EX-PRISONER OF WAR LICENSE PLATE;"

2. Page 22, line 9.

Following: "'DV'"

Insert: "or the handicapped license plate provided for in 61-3-  
445"

3. Page 22, line 14.

Following: "chapter."

Insert: "A disabled veteran who meets the requirements for  
issuance of a "DV" license plate and who also qualifies for  
the issuance of an ex-prisoner of war license plate may  
obtain the ex-prisoner of war license plate upon payment of  
the same \$5 fee."

Amendments to Senate Bill No. 191  
Third Reading Copy

Requested by Representative Steppler  
For the Committee on Highways

Prepared by Greg Petesch  
March 19, 1991

1. Title, lines 21 and 22.

Strike: lines 21 and 22 in their entirety

2. Title, line 23.

Strike: "15-70-101."

3. Title, page 2, line 1.

Strike: "AND"

Following: "7"

Insert: "AND 61-6-302," *petesch*

4. Page 34, line 23.

Following: "and"

Insert: "for a first conviction"

Following: "fine"

Insert: "of"

5. Page 34, line 24.

Strike: "exceeding"

Insert: "less than \$10 or more than \$100 or by imprisonment for not more than 10 days. For a second conviction within 1 year after a first conviction, a person is punishable by a fine of not less than \$25 or more than \$200, by imprisonment for not more than 20 days, or by both a fine and imprisonment. Upon a third or subsequent conviction within 1 year after the first conviction, a person is punishable by a fine of not less than \$50 or more than"

Following: "\$500"

Insert: ", imprisonment for not more than 6 months, or by both a fine and imprisonment"

6. Page 41, line 11 through page 45,, line 10.

Strike: section 15 in its entirety

Insert: "Section 15. Section 61-6-302, MCA, is amended to read:

"61-6-302. Proof of compliance. (1) ~~Except as provided in subsection (2), before any applicant required to register his motor vehicle may do so, the applicant must certify to the county treasurer that he possesses an automobile liability insurance policy, a certificate of self insurance, or a posted indemnity bond or that he is eligible for an exemption under 61-6-303 covering the motor vehicle. The certification shall be on a form prescribed by the department. The department may immediately cancel the registration and license plates of the vehicle upon notification that the insurance certification was not correctly represented. Any person who intentionally provides false information on an insurance certification is guilty of unsworn~~

~~falsification to authorities, punishable as provided in 45-7-203.~~

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

(3) An owner of a motor vehicle who ceases to maintain the insurance or bond required under 61-6-301 or whose certificate of self-insurance is canceled or whose vehicle ceases to be exempt under 61-6-303 shall immediately surrender the registration and license plates for the vehicle to the county treasurer for delivery to the department and may not operate or permit operation of the vehicle in Montana until insurance has again been furnished as required and the vehicle is again registered and licensed.

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

Amendments to Senate Bill No. 191  
Third Reading Copy (BLUE)

For the Committee on Highways and Transportation

Prepared by Valencia Lane  
March 21, 1991

1. Title, line 12.

Following: "PURPOSE;"

Insert: "PROVIDING THAT A DISABLED VETERAN HAS THE OPTION OF  
RECEIVING A HANDICAPPED LICENSE PLATE OR, IF QUALIFIED, AN  
EX-PRISONER OF WAR LICENSE PLATE;"

2. Page 22, line 9.

Following: "DV"

Insert: "or the handicapped license plate provided for in 61-3-  
445"

3. Page 22, line 14.

Following: "chapter."

Insert: "A disabled veteran who meets the requirements for  
issuance of a "DV" license plate and who also qualifies for  
the issuance of an ex-prisoner of war license plate may  
obtain the ex-prisoner of war license plate upon payment of  
the same \$5 fee."

4. Page 41, line 11 through page 45,, line 10.

Strike: section 15 in its entirety

Insert: "Section 15. Section 61-6-302, MCA, is amended to read:

"61-6-302. Proof of compliance. (1) ~~Except as provided in  
subsection (2), before any applicant required to register his  
motor vehicle may do so, the applicant must certify to the county  
treasurer that he possesses an automobile liability insurance  
policy, a certificate of self-insurance, or a posted indemnity  
bond or that he is eligible for an exemption under 61-6-303  
covering the motor vehicle. The certification shall be on a form  
prescribed by the department. The department may immediately  
cancel the registration and license plates of the vehicle upon  
notification that the insurance certification was not correctly  
represented. Any person who intentionally provides false  
information on an insurance certification is guilty of unsworn  
falsification to authorities, punishable as provided in 45-7-203.~~

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

(3) An owner of a motor vehicle who ceases to maintain the  
insurance or bond required under 61-6-301 or whose certificate of  
self-insurance is canceled or whose vehicle ceases to be exempt  
under 61-6-303 shall immediately surrender the registration and  
license plates for the vehicle to the county treasurer for  
delivery to the department and may not operate or permit



EXHIBIT 1

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operation of the vehicle in Montana until insurance has again been furnished as required and the vehicle is again registered and licensed.

~~(4)(2)~~ Every A person shall carry in a motor vehicle being operated by him an insurance card approved by the department but issued by the insurance carrier to the motor vehicle owner as proof of compliance with 61-6-301. A motor vehicle operator shall exhibit the insurance card upon demand of a justice of the peace, a city or municipal judge, a peace officer, a highway patrol officer, or a field deputy or inspector of the department.

~~However, no~~ A person charged with violating this subsection may not be convicted if he produces in court or the office of the arresting officer proof of insurance valid at the time of his arrest.""

EXHIBIT

8

DATE

3-20-91

HB

SB 273

Amendments to Senate Bill No. 273  
Third Reading Copy

Requested by Representative Stang  
For the Committee on Highways

Prepared by Greg Petesch  
March 19, 1991

1. Page 4, lines 5 and 6.

Following: "trucks" on line 5

Strike: remainder of line 5 through "chips," on line 6

2. Page 4, line 7.

Following: "61-10-107"

Strike: "1"

EXHIBIT 9  
DATE 3-20-91  
HB SB273

HOUSE OF REPRESENTATIVES

HIGHWAYS AND TRANSPORTATION COMMITTEE

ROLL CALL VOTE

DATE 3-20-91 BILL NO. SB273 NUMBER \_\_\_\_\_

MOTION: Rep. Nelson Moved to Adopt Amendment  
Motion CARRIED 13-3

NAME	AYE	NO
REP. FLOYD "BOB" GERVAIS, VICE-CHAIRMAN	✓	
REP. ERNEST BERGSAGEL	✓	
REP. ROBERT CLARK	✓	
REP. JANE DEBRUYCKER	✓	
REP. ALVIN ELLIS, JR.	✓	
REP. GARY FELAND		✓
REP. MIKE FOSTER	✓	
REP. PATRICK GALVIN	✓	
REP. DICK KNOX	✓	
REP. DON LARSON	✓	
REP. SCOTT MCCULLOCH	✓	
REP. JIM MADISON		✓
REP. LINDA NELSON	✓	
REP. DON STEPPLER		✓
REP. HOWARD TOOLE		
REP. ROLPH TUNBY	✓	
REP. BARRY "SPOOK" STANG, CHAIRMAN	✓	
TOTAL	13	3

EXHIBIT 10  
DATE 3-20-91  
~~HB~~ SB 273

Amendments to Senate Bill No. 273  
Third Reading Copy

Requested by Senator Swift  
For the Committee on Highways

Prepared by Greg Petesch  
March 19, 1991

1. Page 4, line 7.  
Strike: "61-10-107, must"  
Insert: "subsection (2), may"

EXHIBIT 11  
DATE 3-20-91  
HB SB 318

Amendments to Senate Bill No. 318  
Third Reading Copy (BLUE)

Requested by Senator Weeding  
For the Committee on Highways and Transportation

Prepared by Valencia Lane  
March 12, 1991

1. Page 5, line 25.  
Following: line 24

Insert: "NEW SECTION. Section 9. Coordination instruction. If Senate Bill No. 415 is passed and approved and if it includes a fee on campers, then [section 4 of this act], amending 61-3-524, is amended as follows:  
(1) the fee assessed in 61-3-524(2) is reduced from \$3.50 to \$1; and  
(2) 61-3-524(4) as it appears in [this act] is void and 61-3-524(4) is amended to read:  
"(4) The county treasurer shall deposit the fee collected under subsection (2) in the county general fund."  
Renumber: subsequent sections