

MINUTES

MONTANA SENATE 54th LEGISLATURE - REGULAR SESSION

FREE CONFERENCE COMMITTEE ON SENATE BILL 163

Call to Order: By SENATOR REINY JABS, on March 30, 1995, at 4:02 p.m. in Room 331.

ROLL CALL

Members Present:

Sen. Reiny Jabs (R)
Sen. Mack Cole (R)
Sen. Linda J. Nelson (D)
Rep. Marian W. Hanson (R)
Rep. Charles R. Devaney (R)
Rep. Patrick G. Galvin (D)

Members Excused: None

Members Absent: None

Staff Present: Connie Erickson, Legislative Council
Carla Turk, Committee Secretary

Discussion:

CHAIRMAN REINY JABS asked for an explanation of amendment number (SB016303.ACE) which had been prepared for SB 163. SENATOR LINDA NELSON presented amendment number SB016303.ACE as a very simple correction for an oversight. She reported the change as occurring on page 1, line 17 and characterized it as replacing "for the original registration". She attested that Dean Roberts, Administrator of the Motor Vehicle Division of the Department of Justice, had suggested the language should state "for the original issuance". SENATOR NELSON affirmed the language as needing to be present because the ham radio operators paid a one time \$5.00 fee for the original issuance of their plate. She verbalized Mr. Roberts' concern that without the amendment people might think they had to pay \$5.00 every year and deemed that as increase to them. SENATOR NELSON clarified that Mr. Roberts had contacted her suggesting the change and attested that a Free Conference Committee was required to make a change within the Bill itself, once the Bill had passed from the Senate in its present form.

CO-CHAIRMAN MARIAN HANSON rendered that once amended, the Bill would read "license plates and shall pay an additional fee of \$5 for the original issuance" and the "PROVIDED IN 61-3-422" would not appear in the Bill. SENATOR NELSON clarified that the reference to 61-3-422 would remain.

Motion/Vote :

SENATOR NELSON MOVED AMENDMENT SB016303.ACE AND THE MOTION CARRIED UNANIMOUSLY.

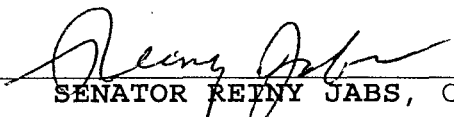
Motion/Vote:

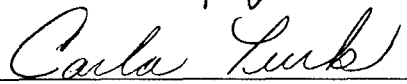
SENATOR NELSON MOVED SB 163 AS AMENDED AND THE MOTION CARRIED UNANIMOUSLY.

SENATOR NELSON WAS DESIGNATED TO CARRY THE BILL ON THE SENATE FLOOR AND CO-CHAIRMAN HANSON WAS ASSIGNED TO CARRY ON THE HOUSE FLOOR.

ADJOURNMENT

Adjournment: The meeting was adjourned at 4:09 p.m.


SENATOR REINY JABS, Chairman


CARLA TURK, Secretary

RJ/cmt

Amendments to Senate Bill No. 163
Reference Reading Copy

Requested by Senator Nelson
For the Free Conference Committee on SB 163

Prepared by Connie Erickson
March 21, 1995

1. Page 1, line 17.
Following: "~~registration~~"
Insert: "for the original issuance"



HOUSE STANDING COMMITTEE REPORT

March 7, 1995

Page 1 of 1

Mr. Speaker: We, the committee on Highways and Transportation report that Senate Bill 163 (third reading copy -- blue) be concurred in as amended.

Signed:

Kim Churrough
Shiell Anderson, Chair
Rep. Shiell Anderson

Carried by: Rep. Devaney

And, that such amendments read:

1. Page 2, lines 2 through 6.

Strike: "other" on line 2 through "veteran" on line 6

2. Page 2, line 8.

Following: "disability"

Insert: "unless the vehicle is lawfully displaying a parking permit issued under this part, a distinguishing license plate or placard for a person with a disability that was issued by a foreign jurisdiction conferring parking privileges similar to those conferred in subsection (1) of this section, or a specially inscribed license plate issued under 61-3-332(10)(c)(i)(A) or (10)(g) or [section 1(2)]"

-END-

SB 163

HOUSE

Committee Vote:

Yes 12, No 7

McCulloch, Larson, McFee 530826SC.Hbk
Clark, Wells, Schwinden, Brainerd

SENATE BILL NO. 163

INTRODUCED BY L. NELSON

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE ISSUANCE OF COMBINED LICENSE PLATES FOR VETERANS OR PERSONS WITH A DISABILITY AND AMATEUR RADIO OPERATORS; AMENDING SECTIONS 49-4-302, 49-4-304, 61-3-424, 61-3-452, 61-3-453, 61-3-454, AND 61-3-504, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

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

NEW SECTION. **Section 1. Combined license plates.** (1) An application for license plates for amateur radio operators may be combined with an application for the special license plates issued to veterans of the armed services who comply with the provisions in 61-3-332(10)(d), (10)(e), and (10)(f) or with an application for special license plates issued to a person with a disability who complies with the provisions in 61-3-332(10)(g). The applicant for the combined license plates is liable for the payment of all taxes and fees applicable to regular motor vehicle license plates and shall pay an additional fee of \$5 ~~for the original registration~~ **AS PROVIDED IN 61-3-422.**

(2) An application for license plates for amateur radio operators may be combined with an application for license plates for disabled veterans as provided in 61-3-332(10)(c). ~~The fee FEES for original THE registration of the combined license plates is \$10, and the fee for each renewal is \$5 ARE THE FEES PROVIDED FOR IN 61-3-332(10)(C) AND IN 61-3-422.~~ The original and renewal fees are in lieu of all other fees and taxes for that vehicle under this chapter.

(3) The combined license plates must be stamped with the official amateur radio call letters of the owner as assigned to the owner by the federal communications commission. The plates must also be stamped with the design or decal provided for in 61-3-332(10)(c), (10)(d), (10)(e), (10)(f), or (10)(g).

Section 2. Section 49-4-302, MCA, is amended to read:

"49-4-302. Privileges of permitholder -- privilege for disabled veteran -- exemptions from time limits -- requirements for special parking spaces. (1) The parking permit issued under this part, when displayed, entitles a person to park a motor vehicle in a special parking space reserved for a person with a disability,

1 whether on public property or on private property available for public use.

2 (2) A vehicle ~~other than one lawfully displaying a parking permit issued under this part or one~~
3 ~~displaying a distinguishing license plate or placard for a person with a disability that was issued by a foreign~~
4 ~~jurisdiction conferring the same parking privileges as conferred in subsection (1) and conveying a person~~
5 ~~with a disability or one displaying a specially inscribed license plate issued under 61-3-332(10)(c)(i)(A) or~~
6 ~~[section 1(2)] and conveying a 100% disabled veteran~~ may not be parked in a parking space on public or
7 private property that is clearly identified by an official sign as being reserved for use by a person with a
8 disability UNLESS THE VEHICLE IS LAWFULLY DISPLAYING A PARKING PERMIT ISSUED UNDER THIS
9 PART, A DISTINGUISHING LICENSE PLATE OR PLACARD FOR A PERSON WITH A DISABILITY THAT WAS
10 ISSUED BY A FOREIGN JURISDICTION CONFERRING PARKING PRIVILEGES SIMILAR TO THOSE
11 CONFERRED IN SUBSECTION (1) OF THIS SECTION, OR A SPECIALLY INSCRIBED LICENSE PLATE ISSUED
12 UNDER 61-3-332(10)(C)(I)(A) OR (10)(G) OR [SECTION 1(2)].

13 (3) The governing body of a city, town, or county may exempt vehicles lawfully displaying parking
14 permits issued under this part and vehicles lawfully displaying specially inscribed license plates issued under
15 61-3-332(10)(c)(i)(A) or [section 1(2)] and parked in public places along public streets from any time
16 limitation imposed upon parking except in areas where:

17 (a) stopping, standing, or parking of all vehicles is prohibited;

18 (b) only special vehicles may be parked; or

19 (c) parking is not allowed during specific periods of the day in order to accommodate heavy traffic.

20 (4) In accordance with subsection (2), the governing body of a city, town, or county or appropriate
21 state agency may impose all, but not less than all, of the following requirements with respect to any special
22 parking space constructed after September 30, 1985, and reserved for a person with a disability or a
23 permitholder on ways of this state open to the public as defined in 61-8-101:

24 (a) The space must be located on a smooth, level surface as near as practicable to building
25 entrances or walkways that have curb cuts and appropriately designed ramps and access lanes to
26 accommodate wheelchairs.

27 (b) If parallel to curbside, the parking space must be separated from an adjacent space, either in
28 the front or the rear, by at least 5 feet of striped no-parking area.

29 (c) If at an angle to curbside, the parking space must be at least 8 feet wide and free of obstruction
30 if located at the end of a line of angle parking spaces, and each other angle parking space designated for

1 a person with a disability must be at least 13 feet wide.

2 (d) A parking space reserved for a person with a disability must be designated by a sign showing
3 the international symbol of accessibility, indicating that a permit is required, and stating the penalty for a
4 violation. In order to meet the penalty statement requirement, signs existing on October 1, 1993, must have
5 attached a decal stating the penalty for a violation. The sign must be attached to a wall or post in such a
6 way that it is not obscured by a vehicle parked in the space."

7
8 **Section 3.** Section 49-4-304, MCA, is amended to read:

9 **"49-4-304. Special license plate or card to be provided and displayed -- additional cards allowed**
10 **for owners of more than one vehicle.** (1) The department of justice shall provide a special license plate
11 under 61-3-332(10)(f) (10)(g) or [section 1(1)] or a card to be displayed on or in a motor vehicle to indicate
12 a parking privilege granted under this part. The special license plate must be affixed to the vehicle according
13 to 61-3-301, or the card must be prominently displayed in the windshield of a vehicle when the parking
14 privilege is being used by the person with a disability in a vehicle other than the one to which a special
15 license plate is affixed.

16 (2) Subject to the provisions of 49-4-301 through 49-4-305, a person who is eligible to receive a
17 special parking permit and who owns more than one motor vehicle may request and the department of
18 justice shall provide additional cards described in subsection (1) to equal the number of motor vehicles,
19 other than commercial vehicles, owned by the person.

20 (3) Upon application under 49-4-303, a person with a disability who does not hold a driver's license
21 or does not own a vehicle may receive a card described in subsection (1) to be displayed in a vehicle in
22 which the person with a disability is being conveyed when the parking privilege is being used.

23 (4) The card must bear a representation of a wheelchair as the symbol of a person with a
24 disability."

25
26 **Section 4.** Section 61-3-424, MCA, is amended to read:

27 **"61-3-424. List of radio operators' special plates -- distribution to public officials.** The department
28 shall, on or before July 1 of each year, furnish to the chief of the state highway patrol, to the director of
29 civil defense, to the sheriff of each county in the state, to the chief of police of each incorporated city in
30 the state, and to other public officials as the department ~~shall deem~~ considers necessary, an alphabetically

1 arranged list of the names, addresses, and license plate numbers and letters of each person to whom a
2 special license plate or a combined license plate has been issued, and it ~~shall be~~ is the duty of the
3 department, sheriffs, and chiefs of police to maintain and keep current ~~such the~~ lists for public information
4 and inquiry, particularly in relation to public emergencies."

5
6 **Section 5.** Section 61-3-452, MCA, is amended to read:

7 **"61-3-452. Disabled veterans' plates nontransferable.** The special license plates for disabled
8 veterans issued pursuant to 61-3-332(10)(c)(i)(A) or [section 1(2)] are not transferable."

9
10 **Section 6.** Section 61-3-453, MCA, is amended to read:

11 **"61-3-453. Disabled veterans' plates limited to one automobile or truck -- personalized plates. (1)**
12 A disabled veteran is not entitled to special license plates for disabled veterans under 61-3-332(10)(c)(i)(A)
13 or [section 1(2)] for more than one passenger automobile or one truck up to and including 1 ton GVW-rated
14 capacity.

15 (2) Upon submitting the application provided for in 61-3-405 and payment of the \$25 fee provided
16 for in 61-3-406, a disabled veteran must receive personalized disabled veteran license plates."

17
18 **Section 7.** Section 61-3-454, MCA, is amended to read:

19 **"61-3-454. Special parking privilege.** A vehicle lawfully displaying specially inscribed license plates
20 issued under 61-3-332(10)(c)(i)(A) or [section 1(2)] and conveying a 100% disabled veteran is entitled to
21 the parking privileges allowed a handicapped person's vehicle under 49-4-302."

22
23 **Section 8.** Section 61-3-504, MCA, is amended to read:

24 **"61-3-504. Computation of tax. (1)** The amount of taxes on a motor vehicle, other than an
25 automobile, truck having a rated capacity of 1 ton or less, motorcycle, quadricycle, motor home, travel
26 trailer, camper, or mobile home, is computed and determined by the county treasurer on the basis of the
27 levy of the year preceding the current year of application for registration or reregistration.

28 (2) The amount of tax on an automobile or truck having a rated capacity of 1 ton or less, except
29 for vehicles owned by disabled veterans qualifying for special license plates under 61-3-332(10)(c)(i)(A) or
30 [section 1(2)], and on a motorcycle or quadricycle is 2% of the value determined under 61-3-503.

1 (3) The amount of tax on fleet vehicles subject to the provisions of 61-3-318 is 1% of the value
2 determined under 61-3-503.

3 (4) For all taxable motor vehicles, the amount of tax is entered on the application form in a space
4 provided ~~therefor~~ for that amount."

5
6 NEW SECTION. Section 9. Codification instruction. [Section 1] is intended to be codified as an
7 integral part of Title 61, chapter 3, part 4, and the provisions of Title 61, chapter 3, part 4, apply to
8 [section 1].

9
10 NEW SECTION. Section 10. Effective date. [This act] is effective January 1, 1996.

11 -END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for SB0163, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

A bill allowing the issuance of combined license plates for veterans or persons with a disability and amateur radio operators.

ASSUMPTIONS:

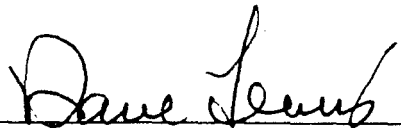
Dept. of Corrections and Human Services:

1. This bill would allow an application for license plates for amateur radio operators to be combined with an application for the special license plates issued to veterans of the armed services who comply with the provisions in 61-3-332 (10)(d.), (10)(e.), and (10)(f.), MCA, or with an application for special license plates issued to a person with a disability who complies with the provisions in 61-3-332 (10)(g.), MCA.
2. The combined license plate is to be stamped with the official amateur radio call letters of the owner as assigned to the owner by the Federal Communications Commission. The plates must also be stamped with the design or decal provided for in 61-3-332 (10)(c.), (10)(d.), (10)(e.), (10)(f.), or (10)(g.), MCA.
3. Due to the current method of manufacturing the individual license plates involved with this bill, the insignia and design will be silk screened on the plate. No special scotchlite will be used.
4. In order to manufacture the plate as specified in this bill one space on the plate for either letters or numbers will be lost if the handicapped insignia is required.
5. Estimate of an initial issue of 2,000 plates is being made for this special license plate.
6. All additional costs associated with this plate will be incurred by the Montana State Prison (MSP) License Plate Factory general fund. Costs of approximately \$.35 per plate will be incurred for the additional silk screening required for this plate. All other costs are included within the proposed Executive Budget for this program.

Dept. of Justice:

7. The same percentage of special license plates addressed in SB163 to total passenger cars and light truck license plates would apply to the "new" combined amateur radio license plates purchased each year.
8. The same percentage of new applications for amateur radio license plates would be purchased in the 1997 biennium.
9. A new plate fee of \$2 is assessed for new application/registration to cover the cost of manufacturing the vehicle license plates. New plate issue fee revenues in FY96 is \$42 and in FY97 is \$4.

(Continued)

 1-25-95
DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

 1-25-95
LINDA NELSON, PRIMARY SPONSOR DATE

Fiscal Note for SB0163, as introduced

SB 163

Fiscal Note for SB0163, as introduced

Page 2

(continued)

FISCAL IMPACT:

DCHS:

	<u>FY96</u> <u>Difference</u>	<u>FY97</u> <u>Difference</u>
<u>Expenditures:</u>		
Operating Expenses	700	
<u>Funding:</u>		
General Fund	700	
<u>Revenues:</u>		
General Fund (01)	137	14
<u>Net Impact:</u>		
General Fund (01)	(563)	14

Free Conference Committee
on SB 163
Report No. 1, March 30, 1995

Page 1 of 1

Mr. President and Mr. Speaker:

We, your Free Conference Committee on SB 163, met and considered:
SB 163 in its entirety

We recommend that SB 163 (reference copy - salmon) be amended as
follows:

1. Page 1, line 17.
Following: "~~registration~~"
Insert: "for the original issuance"

And that this Free Conference Committee report be adopted.

For the Senate:

Reiny Jabs

Reiny Jabs
Chair

Mack Cole

Mack Cole

Linda Nelson

Linda Nelson
PV

Amd. Coord.

Rosana Skelton
Sec. of Senate

For the House:

Marion Hanson

Marion Hanson
Chair

Charles Devaney

Charles Devaney

Patrick G. Galvin

Patrick G. Galvin

ADOPT

REJECT

731623CC.SPV