

1 House BILL NO. 118
2 INTRODUCED BY Lester, McPherson

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
5 53-107, R.C.M. 1947, TO ESTABLISH THE PRESUMPTION THAT A
6 MOTOR VEHICLE IS HELD IN JOINT TENANCY WHEN THE NAME OF MORE
7 THAN ONE PERSON IS LISTED AS AN OWNER ON THE CERTIFICATE OF
8 TITLE."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 53-107, R.C.M. 1947, is amended to
12 read as follows:

13 "53-107. Certificates of registration and
14 ownership--contents, issuance, entry, assignment of
15 numbers--owner's registration receipt to be signed, carried
16 and exhibited on demand. Upon completion of the application
17 for registration, on forms furnished by the registrar of
18 motor vehicles, the county treasurer shall issue to the
19 applicant two (2) copies of the application marked "Owner's
20 Certificate of Registration and Tax Receipt," one (1) of
21 which shall be marked "File copy," and forward one (1) copy
22 of the application to the registrar of motor vehicles who
23 shall cause to be entered the information contained in said
24 application upon the corresponding records of his office and
25 shall furnish the applicant a certificate of ownership

1 subject to the provisions of section 53-110. Said
2 certificate of registration and ownership shall meet the
3 following requirements:

4 The certificate of registration and the certificate of
5 ownership shall each contain upon the face thereof: (1) the
6 date issued, (2) the registration number assigned to the
7 owner and the vehicle, (3) the name and complete address of
8 the owner, or the names and addresses of joint owners, and
9 the name and complete address of any conditional sales
10 vendor, and also the name and address of any other lienor as
11 shown by said application, (4) a description of the
12 registered vehicle including the year built and serial
13 number, if any, (5) any lien against such motor vehicle and
14 the amount due at the date of registration, and such other
15 statement of facts as may be determined by the registrar.

16 When the name and address of more than one owner is
17 listed on the certificate of ownership, joint ownership with
18 right of survivorship, and not as tenants in common, is
19 presumed.

20 Upon receipt of the application the registrar shall
21 make a recheck of the application and in the event that
22 there is any error in the application it may be returned to
23 the county treasurer to effectively secure the correction of
24 such error, who shall return the same to the registrar of
25 motor vehicles.

1 The certificate of ownership shall contain a form of
 2 notice to the registrar of a transfer of title or interest
 3 of the owner and such other statement on forms as may be
 4 determined by the registrar.

5 File copy of owner's certificate of registration
 6 receipt to be signed, carried, and exhibited on demand.
 7 Every owner, upon receiving a registration receipt shall
 8 write his signature thereon with pen and ink in the space
 9 provided. Every such registration receipt or a notarized
 10 photostatic copy thereof or a duplicate thereof furnished by
 11 the registrar of motor vehicles shall at all times be
 12 carried in the vehicle, to which it refers or shall be
 13 carried by the person driving or in control of such vehicle,
 14 who shall display the same upon demand of a police officer
 15 or any officer or employee of the registrar of motor
 16 vehicles or the highway department.

17 The term "motor vehicle" includes automobile, truck,
 18 motorcycle-type vehicle, and semitrailer, trailer and
 19 trailer-house.

20 Any trailer, semitrailer or trailer-house which does
 21 not have a manufacturer's or other identifying number
 22 thereon shall be assigned an identification number by the
 23 registrar upon registration of such motor vehicle. The owner
 24 or other person lawfully in possession of such motor vehicle
 25 shall stamp such number so assigned by the registrar upon

1 the principal right frame member of said motor vehicle near
 2 the front end thereof where it may be clearly and readily
 3 seen, and said stamping shall be promptly accomplished after
 4 notice of the assigned number by the registrar. The
 5 registrar may withhold registration until satisfactory proof
 6 by affidavit, of such stamping is filed with him.

7 Any person violating this section shall be deemed
 8 guilty of a misdemeanor and shall be punished by a fine of
 9 not exceeding twenty-five dollars (\$25.00)."

-End-

Approved by Committee
on Judiciary

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17 The term "motor vehicle" includes automobile, truck,
18 motorcycle-type vehicle, and semitrailer, trailer and
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March 6, 1975

SENATE COMMITTEE ON JUDICIARY
AMENDMENTS TO HOUSE BILL NO. 118

That House Bill No. 118, third reading, be amended as follows:

1. Amend page 2, section 1, line 16.
Following: "the"
Strike: "name"
Insert: "names"
2. Amend page 2, section 1, line 16.
Following: "and"
Strike: "address"
Insert: "addresses"
3. Amend page 2, section 1, line 16.
Following: "owner"
Strike: "is"
Insert: "who are members of the same immediate family are"

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2 INTRODUCED BY LESTER, MCKITTRICK

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