LC 0272

Zauce BILL NO. 118 INTRODUCED BY Liester MS Prod. L 1 2 3 "AN ACT AMENDING SECTION A BILL FOR AN ACT ENTITLED: 4 53-107, R.C.M. 1947, TO ESTABLISH THE PRESUMPTION THAT A 5 MOTOR VEHICLE IS HELD IN JOINT TENANCY WHEN THE NAME OF MORE 6 THAN ONE PERSON IS LISTED AS AN OWNER ON THE CERTIFICATE OF 7 TITLE." 8 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 10 Section 1. Section 53-107, R.C.M. 1947, is amended to 11 read as follows: 12 "53-107. Certificates of registration and 13 issuance, entry, assignment of ownership--contents, 14 numbers--owner's registration receipt to be signed, carried 15 and exhibited on demand. Upon completion of the application 16 for registration, on forms furnished by the registrar of 17 motor vehicles, the county treasurer shall issue to the 18 applicant two (2) copies of the application marked "Owner's 19 Certificate of Registration and Tax Receipt," one (1) of 20 which shall be marked "File copy," and forward one (1) copy 21 of the application to the registrar of motor vehicles who 22 shall cause to be entered the information contained in said 23

23 shall cause to be entered the information contained in sale
24 application upon the corresponding records of his office and
25 shall furnish the applicant a certificate of ownership

INTRODUCED BILL

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

The certificate of registration and the certificate of 4 ownership shall each contain upon the face thereof: (1) the ñ date issued. (2) the registration number assigned to the 6 7 owner and the vehicle, (3) the name and complete address of 8 the owner, or the names and addresses of joint owners, and the name and complete address of any conditional sales Э yendor, and also the name and address of any other lienor as 10 shown by said application, (4) a description of 11 the registered vehicle including the year built and serial 12 13 number, if any. (5) any lien against such motor vehicle and 14 the amount due at the date of registration, and such other statement of facts as may be determined by the registrar. 15 When the name and address of more than one owner is 16

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 mctor vehicles.

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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.

File copy of owner's certificate of registration 5 receipt to be signed, carried, and exhibited on demand. 6 Every owner, upon receiving a registration receipt shall 7 write his signature thereon with pen and ink in the space 8 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 or any officer or employee of the registrar of motor 15 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.

Any trailer, semitrailer or trailer-house which does not have a manufacturer's or other identifying number thereon shall be assigned an identification number by the registrar upon registration of such motor vehicle. The owner or other person lawfully in possession of such motor vehicle shall stamp such number so assigned by the registrar upon the principal right frame member of said motor vehicle near the front end thereof where it may be clearly and readily seen, and said stamping shall be promptly accomplished after notice of the assigned number by the registrar. The registrar may withhold registration until satisfactory proof by affidavit, of such stamping is filed with him.

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

-End-

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Approved by Committee on Judiciary

INTRODUCED BY Lester M: But . L 1 2 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."

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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:

"53-107. Certificates of registration and 3.3 14 ownership--contents, issuance, entry, assignment of numbers--owner's registration receipt to be signed, carried 15 and exhibited on demand. Upon completion of the application 16 for registration, on forms furnished by the registrar of 17 motor vehicles, the county treasurer shall issue to the 18 19 applicant two (2) copies of the application marked "Owner's Certificate of Registration and Tax Receipt, "one (1) of 20 which shall be marked "File copy," and forward one (1) copy 21 of the application to the registrar of motor vehicles who 22 shall cause to be entered the information contained in said 23 24 application upon the corresponding records of his office and shall furnish the applicant a certificate of ownership 25

SECOND READING

subject to the provisions of section 53-110. Said
 certificate of registration and ownership shall meet the

3 following requirements:

motor vehicles.

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The certificate of registration and the certificate of 4 ownership shall each contain upon the face thereof: (1) the 5 date issued. (2) the registration number assigned to the 6 owner and the vehicle. (3) the name and complete address of 7 the owner, or the names and addresses of joint owners, 8 and the name and complete address of any conditional sales 9 vendor, and also the name and address of any other lienor as 10 shown by said application. (4) a description of the 11 12 registered vehicle including the year built and serial number, if any, (5) any lien against such motor vehicle and 13 the amount due at the date of registration, and such other 14 statement of facts as may be determined by the registrar. 15 When the name and address of more than one owner is 16 listed on the certificate of ownership, joint ownership with 17 18 right of survivorship, and not as tenants in common, is 19 presumed. 20 Upon receipt of the application the registrar shall make a recheck of the application and in the event that 21 there is any error in the application it may be returned to 22 23 the county treasurer to effectively secure the correction of such error, who shall return the same to the registrar of 24

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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.

Any trailer, semitrailer or trailer-house which does not have a manufacturer's or other identifying number thereon shall be assigned an identification number by the registrar upon registration of such motor vehicle. The owner or other person lawfully in possession of such motor vehicle shall stamp such number so assigned by the registrar upon the principal right frame member of said motor vehicle near the front end thereof where it may be clearly and readily seen, and said stamping shall be promptly accomplished after notice of the assigned number by the registrar. The registrar may withhold registration until satisfactory proof by affidavit, of such stamping is filed with him.

7 Any person violating this section shall be deemed
3 guilty of a misdemeanor and shall be punished by a fine of

9 not exceeding twenty-five dollars (\$25.00)."

-End-

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44th Legislature

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LC 0272

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Zause BILL NO. 118 INTRODUCED BY Linter M. Kith .!

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

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
Section 1. Section 53-107, R.C.M. 1947, is amended to
read as follows:

registration 13 *53-107. Certificates of and 14 ownership--contents, issuance, entry, assignment of numbers--owner's registration receipt to be signed, carried 15 and exhibited on demand. Upon completion of the application 16 for registration, on forms furnished by the registrar of 17 motor vehicles, the county treasurer shall issue to the 18 19 applicant two (2) copies of the application marked "Owner's Certificate of Registration and Tax Receipt," one (1) of 20 which shall be marked "File copy," and forward one (1) copy 21 of the application to the registrar of motor vehicles who 22 shall cause to besentered the information contained in said 23 24 application upon the corresponding records of his office and 25 shall furnish the applicant a certificate of ownership LC 0272

subject to the provisions of section 53-110. Said certificate of registration and ownership shall meet the 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 the owner, or the names and addresses of joint owners, 8 and íg., the name and complete address of any conditional sales vendor, and also the name and address of any other lienor as 10 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.

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THIRD READING

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

File copy of owner's certificate of registration 5 receipt to be signed, carried, and exhibited on demand. 6 Every owner, upon receiving a registration receipt shall 7 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, who shall display the same upon demand of a police officer 14 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

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the principal right frame member of said motor vehicle near the front end thereof where it may be clearly and readily seen, and said stamping shall be promptly accomplished after notice of the assigned number by the registrar. The registrar may withhold registration until satisfactory proof 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-

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"

1	HOUSE BILL NO. 118	1	subject to
2	INTRODUCED BY LESTER, MCKITTRICK	2	certificate c
3		3	following req
4	A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION	4	The cer
5	53-107, R.C.M. 1947, TO ESTABLISH THE PRESUMPTION THAT A	5	ownership sha
6	MOTOR VEHICLE IS HELD IN JOINT TENANCY WHEN THE NAME OF MORE	б	date issued,
7	THAN ONE PERSON IS LISTED AS AN OWNER ON THE CERTIFICATE OF	7	owner and the
8	TITLE."	8	the owner <u>, o</u>
9		9	the name and
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	10	vendor, and a
11	Section 1. Section 53-107, R.C.M. 1947, is amended to	11	shown by s
12	read as follows:	12	registered ve
13	*53-107. Certificates of registration and ownership	13	number, if a
14	contents, issuance, entry, assignment of numbers owner's	14	the amount du
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16	demand. Upon completion of the application for registration,	16	When the
17	on forms furnished by the registrar of motor vehicles, the	17	one owner is
18	county treasurer shall issue to the applicant two (2) copies	18	ARE listed of
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20	Registration and Tax Receipt," one (1) of which shall be	20	presumed.
21	marked "File copy," and forward one (1) copy of the	21	Upon rea
22	application to the registrar of motor vehicles who shall	22	make a recl
23	cause to be entered the information contained in said	23	there is any
24	application upon the corresponding records of his office and	24	the county to
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REFERENCE BILL

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HB 118

1 motor venicles.

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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 4 seen, and said stamping shall be promptly accomplished after notice of the assigned number by the registrar. 5 The 6 registrar may withhold registration until satisfactory proof by affidavit, of such stamping is filed with him. 7 8 Any person violating this section shall be deemed

9 guilty of a misdemeanor and shall be punished by a fine of 10 not exceeding twenty-five dollars (\$25.00)."

-End-

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HB 0118/02