

1 filing of said application (1) pay to the county treasurer
 2 the registration fee, as provided in section 53-122 and
 3 section 53-115, and shall also at such time (2) pay the
 4 personal property taxes assessed on the new motor vehicle
 5 sales tax against said vehicle for the current year of
 6 registration (unless the same shall have been theretofore
 7 paid for said year) before the application for registration
 8 or reregistration may be accepted by the county treasurer.
 9 The county treasurer is hereby empowered to make full and
 10 complete investigation of the tax status of said vehicle and
 11 any applicant for registration or reregistration must submit
 12 proof with respect thereto from the tax records of the
 13 proper county at the request of the county treasurer.

14 (4) The amount of taxes on said motor vehicle, except
 15 a mobile home as defined in section 84-101, R. C. M., 1947,
 16 shall be computed and determined by the county treasurer on
 17 the basis of the levy of the year preceding the current year
 18 of application for registration or reregistration and such
 19 determination shall be entered on the application form in a
 20 space provided therefor.

21 (5) Motor vehicles, except mobile homes as defined in
 22 section 84-101, R.C.M., 1947, are hereby declared to be
 23 assessable for taxation as of and on the first day of
 24 January in each year irrespective of the time fixed by law
 25 for the assessment of other classes of personal property,

1 and irrespective of whether or not the levy and tax may be a
 2 lien upon real property within the state of Montana,
 3 provided that in no event shall any motor vehicle be subject
 4 to assessment, levy and taxation more than once in each
 5 year.

6 (6) (a) The applicant for original registration of any
 7 wholly new and unused motor vehicle except a mobile home as
 8 defined in section 84-101, R.C.M., 1947, acquired by
 9 original contract after the first day of January of any year
 10 shall be required, whenever such vehicle has not been
 11 otherwise assessed, to pay the motor vehicle sales tax
 12 provided by section 32-3315, R.C.M., 1947, irrespective of
 13 whether or not such vehicle was in the state of Montana on
 14 the first day of January of such year.

15 ~~(b) No such motor vehicle may be registered or licensed~~
 16 ~~under the provisions of this subsection unless the~~
 17 ~~application for registration is accompanied by a statement~~
 18 ~~of origin to be furnished by the dealer selling the vehicle,~~
 19 ~~showing that the vehicle has not previously been registered~~
 20 ~~or owned, except as otherwise provided herein, by any~~
 21 ~~person, firm, corporation, or association that is not a new~~
 22 ~~motor vehicle dealer holding a franchise or distribution~~
 23 ~~agreement from a new car manufacturer, distributor, or~~
 24 ~~importer for the same make and model of motor vehicles as~~
 25 ~~the dealer selling the vehicle.~~

1 (7) Upon accepting application for registration or
2 reregistration of any motor vehicle which is subject to
3 taxation in this state on January 1 in any year, and upon
4 payment of taxes, the county treasurer shall stamp on said
5 application: "taxes on this vehicle due January 1 of current
6 year paid by applicant, prior applicant or owner and this
7 vehicle is eligible for registration."

8 Upon accepting application for registration of any
9 motor vehicle which was not subject to taxation in this
10 state on January 1st in any year, the county treasurer shall
11 indicate such fact by proper entry on said application.

12 (8) The registrar of motor vehicles shall have
13 authority to make proper entry on any certificate of title
14 to any motor vehicle respecting payment of taxes in accord
15 with the facts.

16 (9) Motor vehicles subject to anniversary date
17 registration as provided in sections 53-154 through 53-162
18 are exempt from the provisions of (5)~~-(6)~~ and (7) of this
19 section."

-End-

Approved by Committee
on Highways & Transportation

Bunting
W. Baugh
Callum
Conrad
F. J. ...
Harold ...
John ...
Ken ...
Mark ...
Paul ...
Robert ...
William ...
Yvonne ...

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H. BILL NO. 276

INTRODUCED BY

A BILL FOR AN ACT ENTITLED "AN ACT AMENDING SECTION

53-114, R.C.M., 1947, TO REQUIRE A STATEMENT OF ORIGIN BEFORE LICENSING OF NEW MOTOR VEHICLES."

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

Section 1. Section 53-114, R.C.M., 1947, is amended to read as follows:

"53-114. Application for registration of motor vehicles and payment of license fees thereon — requirement of statement of origin — assessment of motor vehicles in the stock of licensed motor vehicle dealers as merchandise.

(1) Every owner of a motor vehicle operated or driven upon the public highways of this state shall, for each motor vehicle owned, except as herein otherwise expressly provided, file, or cause to be filed, in the office of the county treasurer wherein such motor vehicle is owned or taxable, an application for registration, or reregistration, upon blank form to be prepared and furnished by the registrar of motor vehicles, which application shall contain:

(a) Name and address of owner, giving county, school district, and town or city within whose corporate limits the

1 motor vehicle is taxable.

2 (b) Name and address of conditional sales vendor,
3 mortgagee or holder of other lien against said motor
4 vehicle, with statement of amount owing under such contract
5 or lien.

6 (c) Description of motor vehicle, including make, year
7 model, engine or serial number, manufacturer's model or
8 letter, gross weight, type of body and, if truck, the rated
9 capacity.

10 (d) In case of reregistration, the license number for
11 the preceding year.

12 (e) Such other information as the registrar of motor
13 vehicles may require.

14 (2) Whoever files an application for registration or
15 reregistration of a motor vehicle except of a mobile home as
16 defined in section 84-101, R.C.M., 1947, shall before filing
17 such application with the county treasurer submit the same
18 to the county assessor of said county and said county
19 assessor shall enter on said application in a space to be
20 provided for that purpose, the full and true and the
21 assessed valuation of said vehicle for the year for which
22 said application for registration is made.

23 (3) Whoever files an application for registration or
24 reregistration of a motor vehicle except of a mobile home as
25 defined in section 84-101, R.C.M., 1947, shall upon the

1 filing of said application (1) pay to the county treasurer
 2 the registration fee, as provided in section 53-122 and
 3 section 53-115, and shall also at such time (2) pay the
 4 personal property taxes assessed on the new motor vehicle
 5 sales tax against said vehicle for the current year of
 6 registration (unless the same shall have been theretofore
 7 paid for said year) before the application for registration
 8 or reregistration may be accepted by the county treasurer.
 9 The county treasurer is hereby empowered to make full and
 10 complete investigation of the tax status of said vehicle and
 11 any applicant for registration or reregistration must submit
 12 proof with respect thereto from the tax records of the
 13 proper county at the request of the county treasurer.

14 (4) The amount of taxes on said motor vehicle, except
 15 a mobile home as defined in section 84-101, R. C. M., 1947,
 16 shall be computed and determined by the county treasurer on
 17 the basis of the levy of the year preceding the current year
 18 of application for registration or reregistration and such
 19 determination shall be entered on the application form in a
 20 space provided therefor.

21 (5) Motor vehicles, except mobile homes as defined in
 22 section 84-101, R.C.M., 1947, are hereby declared to be
 23 assessable for taxation as of and on the first day of
 24 January in each year irrespective of the time fixed by law
 25 for the assessment of other classes of personal property.

1 and irrespective of whether or not the levy and tax may be a
 2 lien upon real property within the state of Montana,
 3 provided that in no event shall any motor vehicle be subject
 4 to assessment, levy and taxation more than once in each
 5 year.

6 (6) (a) The applicant for original registration of any
 7 wholly new and unused motor vehicle except a mobile home as
 8 defined in section 84-101, R.C.M., 1947, acquired by
 9 original contract after the first day of January of any year
 10 shall be required, whenever such vehicle has not been
 11 otherwise assessed, to pay the motor vehicle sales tax
 12 provided by section 32-3315, R.C.M., 1947, irrespective of
 13 whether or not such vehicle was in the state of Montana on
 14 the first day of January of such year.

15 ~~(b) No such motor vehicle may be registered or licensed~~
 16 ~~under the provisions of this subsection unless the~~
 17 ~~application for registration is accompanied by a statement~~
 18 ~~of origin to be furnished by the dealer selling the vehicle,~~
 19 ~~showing that the vehicle has not previously been registered~~
 20 ~~or owned, except as otherwise provided herein, by any~~
 21 ~~person, firm, corporation, or association that is not a new~~
 22 ~~motor vehicle dealer holding a franchise or distribution~~
 23 ~~agreement from a new car manufacturer, distributor, or~~
 24 ~~importer for the same make and model of motor vehicles as~~
 25 ~~the dealer selling the vehicle.~~

1 (7) Upon accepting application for registration or
2 reregistration of any motor vehicle which is subject to
3 taxation in this state on January 1 in any year, and upon
4 payment of taxes, the county treasurer shall stamp on said
5 application: "taxes on this vehicle due January 1 of current
6 year paid by applicant, prior applicant or owner and this
7 vehicle is eligible for registration."

8 Upon accepting application for registration of any
9 motor vehicle which was not subject to taxation in this
10 state on January 1st in any year, the county treasurer shall
11 indicate such fact by proper entry on said application.

12 (8) The registrar of motor vehicles shall have
13 authority to make proper entry on any certificate of title
14 to any motor vehicle respecting payment of taxes in accord
15 with the facts.

16 (9) Motor vehicles subject to anniversary date
17 registration as provided in sections 53-154 through 53-162
18 are exempt from the provisions of (5)~~-(6)~~ and (7) of this
19 section."

-End-

Broughton, J. J. Federal, Z. L. Sage, Ellard Siefert, H. ...
 INTRODUCED BY *Propiler, Harold, Kenny League, ...*
 A BILL FOR AN ACT ENTITLED "AN ACT AMENDING SECTION 53-114, R.C.M., 1947, TO REQUIRE A STATEMENT OF ORIGIN BEFORE LICENSING OF NEW MOTOR VEHICLES."
South Kintle County, Ute Sage, Pistoria, ...

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 Section 1. Section 53-114, R.C.M., 1947, is amended to read as follows:

"53-114. Application for registration of motor vehicles and payment of license fees thereon ~~requirement~~ ~~of statement of origin~~ -- assessment of motor vehicles in the stock of licensed motor vehicle dealers as merchandise.

(1) Every owner of a motor vehicle operated or driven upon the public highways of this state shall, for each motor vehicle owned, except as herein otherwise expressly provided, file, or cause to be filed, in the office of the county treasurer wherein such motor vehicle is owned or taxable, an application for registration, or reregistration, upon blank form to be prepared and furnished by the registrar of motor vehicles, which application shall contain:

(a) Name and address of owner, giving county, school district, and town or city within whose corporate limits the

1 motor vehicle is taxable.

2 (b) Name and address of conditional sales vendor,
 3 mortgagee or holder of other lien against said motor
 4 vehicle, with statement of amount owing under such contract
 5 or lien.

6 (c) Description of motor vehicle, including make, year
 7 model, engine or serial number, manufacturer's model or
 8 letter, gross weight, type of body and, if truck, the rated
 9 capacity.

10 (d) In case of reregistration, the license number for
 11 the preceding year.

12 (e) Such other information as the registrar of motor
 13 vehicles may require.

14 (2) Whoever files an application for registration or
 15 reregistration of a motor vehicle except of a mobile home as
 16 defined in section 84-101, R.C.M., 1947, shall before filing
 17 such application with the county treasurer submit the same
 18 to the county assessor of said county and said county
 19 assessor shall enter on said application in a space to be
 20 provided for that purpose, the full and true and the
 21 assessed valuation of said vehicle for the year for which
 22 said application for registration is made.

23 (3) Whoever files an application for registration or
 24 reregistration of a motor vehicle except of a mobile home as
 25 defined in section 84-101, R.C.M., 1947, shall upon the

HB 276

1 filing of said application (1) pay to the county treasurer
 2 the registration fee, as provided in section 53-122 and
 3 section 53-115, and shall also at such time (2) pay the
 4 personal property taxes assessed on the new motor vehicle
 5 sales tax against said vehicle for the current year of
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 8 or reregistration may be accepted by the county treasurer.
 9 The county treasurer is hereby empowered to make full and
 10 complete investigation of the tax status of said vehicle and
 11 any applicant for registration or reregistration must submit
 12 proof with respect thereto from the tax records of the
 13 proper county at the request of the county treasurer.

14 (4) The amount of taxes on said motor vehicle, except
 15 a mobile home as defined in section 84-101, R. C. M., 1947,
 16 shall be computed and determined by the county treasurer on
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 22 section 84-101, R.C.M., 1947, are hereby declared to be
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 24 January in each year irrespective of the time fixed by law
 25 for the assessment of other classes of personal property,

1 and irrespective of whether or not the levy and tax may be a
 2 lien upon real property within the state of Montana,
 3 provided that in no event shall any motor vehicle be subject
 4 to assessment, levy and taxation more than once in each
 5 year.

6 (6) (a) The applicant for original registration of any
 7 wholly new and unused motor vehicle except a mobile home as
 8 defined in section 84-101, R.C.M., 1947, acquired by
 9 original contract after the first day of January of any year
 10 shall be required, whenever such vehicle has not been
 11 otherwise assessed, to pay the motor vehicle sales tax
 12 provided by section 32-3315, R.C.M., 1947, irrespective of
 13 whether or not such vehicle was in the state of Montana on
 14 the first day of January of such year.

15 ~~(b) No such motor vehicle may be registered or licensed~~
 16 ~~under the provisions of this subsection unless the~~
 17 ~~application for registration is accompanied by a statement~~
 18 ~~of origin to be furnished by the dealer selling the vehicle,~~
 19 ~~showing that the vehicle has not previously been registered~~
 20 ~~or owned, except as otherwise provided herein, by any~~
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 23 ~~agreement from a new car manufacturer, distributor, or~~
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1 (7) Upon accepting application for registration or
2 reregistration of any motor vehicle which is subject to
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4 payment of taxes, the county treasurer shall stamp on said
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16 (9) Motor vehicles subject to anniversary date
17 registration as provided in sections 53-154 through 53-162
18 are exempt from the provisions of (5)~~-(6)~~ and (7) of this
19 section."

-End-

March 4, 1977

SENATE COMMITTEE OF THE WHOLE

That House Bill No. 276 be amended as follows:

1. Amend page 4, section 1, line 24.

Following: "importer"

Strike: "for the same make and model of motor vehicles as the
dealer selling the vehicle"

1 HOUSE BILL NO. 276
 2 INTRODUCED BY TRUPILA, HAND, MULAR, WILLIAMS,
 3 JUNDERDAL, KANDUCH, O'CONNELL, SOUTH, KROPP, KENNY,
 4 W. BAETH, FABREGA, MOORE, COLBURN, DUSSAULT, PISTORIA,
 5 VINCENT, O'KEEFE, KIMBLE, COONEY, MARKS, MANUEL, JOHNSTON,
 6 HARPER, RUBBINS, KEYSER, ELLERD, SEIFERT, HANSEN, BENGTSON,
 7 MENAHAN, TEAGUE, LYNCH, FRATES, ERNST, UHDE, SCULLY, CONROY
 8
 9 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
 10 53-114, R.C.M. 1947, TO REQUIRE A STATEMENT OF ORIGIN BEFORE
 11 LICENSING OF NEW MOTOR VEHICLES."
 12
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 15 read as follows:
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 25 taxable, an application for registration, or reregistration,

1 upon blank form to be prepared and furnished by the
 2 registrar of motor vehicles, which application shall
 3 contain:
 4 (a) Name and address of owner, giving county, school
 5 district, and town or city within whose corporate limits the
 6 motor vehicle is taxable.
 7 (b) Name and address of conditional sales vendor,
 8 mortgagee or holder of other lien against said motor
 9 vehicle, with statement of amount owing under such contract
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24 section."

-End-