

1 *House* BILL NO. *640*  
 2 INTRODUCED BY *Don Felt Wood Malone*  
 3 *Menaker Hopper Holmes Huenechen*

4 A BILL FOR AN ACT ENTITLED: "AN ACT RAISING THE FEES  
 5 PAYABLE BY LICENSED VEHICLE DEALERS; TRANSFERRING THE DEALER  
 6 LICENSE FEE PROVISIONS TO A NEW SECTION; AND AMENDING  
 7 SECTIONS 32-3319, 53-122, AND 69-6807, R.C.M. 1947."

8  
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. There is a new R.C.M. section numbered  
 11 53-118.11 that reads as follows:

12 53-118.11. Motor vehicle dealer plate fees. Dealers  
 13 licensed under 53-118 shall pay the following fees for  
 14 dealer number plates:

15 (1) A dealer in new motor vehicles must pay a fee of  
 16 \$150, which entitles the dealer to two sets of "D" number  
 17 plates. Payment of a fee of \$25 a set entitles a dealer to  
 18 an additional 19 sets of number plates. Payment of a fee of  
 19 \$50 a set entitles the dealer to the number of additional  
 20 sets desired.

21 (2) A dealer in used motor vehicles must pay a fee of  
 22 \$100, which entitles the used motor vehicle dealer to two  
 23 sets of "UD" number plates. Payment of a fee of \$15 a set  
 24 entitles the used vehicle dealer to an additional 19 sets of  
 25 number plates. Payment of a fee of \$30 a set entitles the

1 used vehicle dealer to the number of additional plates  
 2 desired.

3 (3) Dealers in motorcycles and trailers, including  
 4 house trailers, must pay \$30 for the number of plates  
 5 desired.

6 Section 2. Section 32-3319, R.C.M. 1947, is amended to  
 7 read as follows:

8 "32-3319. Exemptions. Motor vehicles operating  
 9 exclusively for transportation of persons for hire within  
 10 the limits of incorporated cities or towns and within  
 11 fifteen (15) miles from such limits are exempt from chapters  
 12 32 and 33 of this title; motor vehicles brought or driven  
 13 into Montana by a nonresident migratory bona fide  
 14 agricultural worker temporarily employed in agricultural  
 15 work in this state where those motor vehicles are used  
 16 exclusively for transportation of agricultural workers are  
 17 also exempt from those chapters. Vehicles lawfully  
 18 displaying a licensed dealer's plate as provided in section  
 19 53-122 ~~53-118~~ are exempt from those chapters when moving to  
 20 or from a dealer's place of business when unladen or laden  
 21 with dealer's property only, and, in the case of vehicles  
 22 having a gross laden weight of less than twenty-four  
 23 thousand (24,000) pounds, while in the process of  
 24 demonstration in the course of the dealer's business."

25 Section 3. Section 53-122, R.C.M. 1947, is amended to

1 read as follows:

2 "53-122. Registration fees of motor vehicles --  
3 registration and transfer thereof -- public owned vehicles  
4 exempt from license or registration fees -- license or  
5 registration fees for trailers, house trailers, semitrailers  
6 and tractors providing for disposition of all fees.  
7 Registration or license fees shall be paid upon registration  
8 or reregistration of motor vehicles, trailers, house  
9 trailers, and semitrailers and dealers in motor vehicles or  
10 trailers in accordance with this act, as follows:

11 ~~All dealers in motor vehicles a fee of thirty dollars~~  
12 ~~(\$30.00), which shall entitle such dealer to two (2) sets of~~  
13 ~~number plates and five dollars (\$5.00) additional fee for~~  
14 ~~each additional set of number plates up to six (6) sets and~~  
15 ~~two dollars (\$2.00) additional fee for each additional set~~  
16 ~~of number plates, as may be applied for;~~

17 ~~Dealers in motorcycles, trailers including house~~  
18 ~~trailers, thirty dollars (\$30);~~

19 Motor vehicles, weighing twenty-eight hundred and fifty  
20 (2850) pounds, or under, other than motor trucks, five  
21 dollars (\$5.00);

22 Motor vehicles, weighing over twenty-eight hundred and  
23 fifty (2850) pounds, other than motor trucks ten dollars  
24 (\$10.00);

25 Electrically driven passenger vehicles, ten dollars

1 (\$10.00);

2 All motorcycles, two dollars (\$2.00);

3 Tractors and/or trucks, ten dollars (\$10.00);

4 Buses shall be classed as motor trucks and licensed  
5 accordingly;

6 Trailers and semitrailers less than two thousand five  
7 hundred (2,500) pounds maximum gross loaded weight and house  
8 trailers of all weights, two dollars (\$2.00);

9 Trailers and semitrailers over two thousand five  
10 hundred (2,500) up to six thousand (6,000) pounds maximum  
11 gross loaded weight, except house trailers, five dollars  
12 (\$5.00);

13 Trailers and semitrailers over six thousand (6,000)  
14 pounds maximum gross loaded weight, ten dollars (\$10.00);

15 Trailers used exclusively in the transportation of logs  
16 in the forest or in the transportation of oil and gas well  
17 machinery, road machinery and bridge material exclusively,  
18 new and secondhand, and trailers used exclusively for the  
19 transportation of road machinery and bridge materials, shall  
20 pay a fee of fifteen dollars (\$15.00) annually, regardless  
21 of size or capacity.

22 All rates to be twenty-five per cent (25%) higher for  
23 motor vehicles, trailers and semitrailers, when not equipped  
24 with pneumatic tires.

25 Bicycles with motor attachment, one dollar (\$1.00);

1 Tractors, as specified in this section, shall mean any  
2 motor vehicle, except passenger cars used for towing a  
3 trailer or semitrailer.

4 ~~If any dealer or motor vehicle, house trailer,~~  
5 ~~trailer or semitrailer is originally registered six (6)~~  
6 ~~months after the time of registration as set by law the~~  
7 ~~registration or license fee for the remainder of such year~~  
8 ~~shall be one-half (1/2) of the regular fee above given.~~

9 ~~A dealer in motor vehicles or trailers who shall~~  
10 ~~maintain more than one (1) place of business or who shall~~  
11 ~~maintain any branch establishment or establishments, must~~  
12 ~~register and pay a registration or license fee for each such~~  
13 ~~place of business or establishment.~~

14 ~~A registered dealer who may sell or dispose of his~~  
15 ~~entire business to any other person may have his~~  
16 ~~certificate of registration transferred to such purchaser~~  
17 ~~upon filing with the registrar of motor vehicles a statement~~  
18 ~~containing the name of the registered dealer, the number~~  
19 ~~under which such dealer is registered, the name of the~~  
20 ~~purchaser and the location of the place of business so~~  
21 ~~signed. Upon the filing of such statement, accompanied by a~~  
22 ~~filing fee of two dollars (\$2.00), the registrar of motor~~  
23 ~~vehicles shall note upon the registration record of such~~  
24 ~~dealer the change of ownership. But no certificate of~~  
25 ~~registration can be transferred unless the entire business~~

1 ~~of the dealer holding such certificate of registration be~~  
2 ~~sold and disposed of and no such certificate of~~  
3 ~~registration can be transferred to any person other than the~~  
4 ~~purchaser of such business.~~

5 The provisions of this act with respect to the payment  
6 of registration fees shall not apply to or be binding upon  
7 motor vehicles, trailers or semitrailers or tractors owned  
8 or controlled by the United States of America or any state,  
9 county or city, but in all other respects the provisions of  
10 this act shall be applicable to and binding upon motor  
11 vehicles, tractors, trailers, and semitrailers.

12 All fees, other than license fees, unless otherwise  
13 specifically provided, shall hereafter be deposited in, and  
14 paid into, the earmarked revenue fund and shall be used to  
15 pay all salaries, operating expenses, and all other expenses  
16 of the department of the registrar of motor vehicles,  
17 including the manufacture and delivery of license plates.  
18 Any reference in this code to the motor vehicle recording  
19 fund or the motor vehicle administration fund shall be taken  
20 to mean the motor vehicle recording account in the earmarked  
21 revenue fund."

22 Section 4. Section 69-6807, R.C.M. 1947, is amended to  
23 read as follows:

24 "69-6807. Deposit of fees -- special junk vehicle  
25 assessment fee. (1) All motor vehicle wrecking facility

1 license fees and fees collected as motor vehicle disposal  
2 fees shall be deposited with the state treasurer to be  
3 utilized for:

4 (a) control, collection, and disposal of junk  
5 vehicles; and

6 (b) to conduct a feasibility study to determine the  
7 suitability of resource recovery from our solid waste, the  
8 cost of which may not exceed two hundred thousand dollars  
9 (\$200,000), and the results of which will be made available  
10 to the public and legislature by 1977.

11 (2) There is assessed a special junk vehicle disposal  
12 fee commencing on July 1, 1973, on each new application for  
13 a motor vehicle title and on each transfer of motor vehicle  
14 title in the amount of two dollars (\$2), on passenger cars  
15 and trucks under 8001 pounds GVW, which shall be collected  
16 by the county treasurer, and commencing with the year 1974,  
17 there shall be assessed an additional special junk vehicle  
18 disposal fee in the amount of fifty cents (\$.50) on each  
19 passenger car and truck under 8001 pounds GVW registered for  
20 licensing. The fifty cents (\$.50) fee shall be collected by  
21 the county treasurer. However, the following are exempt from  
22 payment of the fees:

23 (a) vehicles leased or owned by the state or by a  
24 county or municipality;

25 (b) vehicles used for transportation by nonresident,

1 migratory workers temporarily employed in agricultural work  
2 in this state;

3 (c) vehicles displaying dealers' license plates, as  
4 provided in ~~section-53-122~~ 53-118, while owned by a dealer;

5 (d) house trailers or equipment which are not  
6 self-propelled or which require towing upon a highway of  
7 this state.

8 (3) The department shall report to each legislature  
9 the amount collected under this act and the cost of  
10 administration of the act to date so that any necessary  
11 adjustment of the amount of the fee may be made to assure  
12 that no more than the actual cost of operation of the  
13 program is collected.

14 (4) The department shall pay to a county the amount of  
15 the approved budget of the county. The yearly payment may  
16 not exceed one dollar (\$1) for each motor vehicle under 8001  
17 pounds GVW that is licensed in that county. However, for  
18 those counties that have fewer than five thousand (5,000)  
19 such motor vehicles, the department may pay up to five  
20 thousand dollars (\$5,000), providing the county can justify  
21 this payment.\*

-End-

## STATE OF MONTANA

REQUEST NO. 616-77

## FISCAL NOTE

Form BD-15

In compliance with a written request received March 7, 19 77, there is hereby submitted a Fiscal Note for House Bill 640 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly.

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

## DESCRIPTION OF PROPOSED LEGISLATION:

An act raising the fees payable by licensed vehicle dealers and transferring the dealer license fee provisions to a new section.

## ASSUMPTIONS:

1. Many dealers would not purchase the large number of dealer plates they now have, but it is impossible to determine the decrease. Therefore, the fees are computed on the number of dealer plates in existence.
2. The present fee schedule for motorcycles and trailers will not be affected.

## FISCAL IMPACT:

	FY 78			FY 79		
	Under Current Law	Under Proposed Law	Increase (Decrease)	Under Current Law	Under Proposed Law	Increase (Decrease)
<u>New Car Dealers</u>						
386 dealers will receive 772 sets and pay a fee of \$30 (current) \$150 (proposed)	\$ 11,580	\$ 57,900	\$ 46,320	\$ 11,580	\$ 57,900	\$ 46,320
4,161 sets @ \$5 (current) \$25 (proposed)	20,805	104,025	83,220	20,805	104,025	83,220
1,032 sets @ \$2 (current) \$50 (proposed)	<u>2,064</u>	<u>51,600</u>	<u>49,536</u>	<u>2,064</u>	<u>51,600</u>	<u>49,536</u>
	<u>34,449</u>	<u>213,525</u>	<u>179,076</u>	<u>34,449</u>	<u>213,525</u>	<u>179,076</u>
<u>Used Car Dealers</u>						
378 dealers will receive 756 sets and pay a fee of \$30 (current) \$100 (proposed)	11,340	37,800	26,460	11,340	37,800	26,460
1,763 sets @ \$5 (current) \$15 (proposed)	<u>8,815</u>	<u>26,445</u>	<u>17,630</u>	<u>8,815</u>	<u>26,445</u>	<u>17,630</u>
	<u>20,155</u>	<u>64,245</u>	<u>44,090</u>	<u>20,155</u>	<u>64,245</u>	<u>44,090</u>
Total	<u>\$ 54,604</u>	<u>\$277,770</u>	<u>\$223,166</u>	<u>\$ 54,604</u>	<u>\$277,770</u>	<u>\$223,166</u>

*Richard L. Drayton*  
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 3-10-77

Highways & Transportation  
Objection Raised to  
Adverse Committee Report

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2 INTRODUCED BY *Jay Felt Wood Mc Lane*  
3 *Menahan Holmes Huenchman*

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24 demonstration in the course of the dealer's business."

25 Section 3. Section 53-122, R.C.M. 1947, is amended to

SECOND READING

*HB 640*

1 read as follows:

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20 (2850) pounds, or under, other than motor trucks, five

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22 Motor vehicles, weighing over twenty-eight hundred and

23 fifty (2850) pounds, other than motor trucks ten dollars

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25 Electrically driven passenger vehicles, ten dollars

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4 Buses shall be classed as motor trucks and licensed

5 accordingly;

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10 hundred (2,500) up to six thousand (6,000) pounds maximum

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23 motor vehicles, trailers and semitrailers, when not equipped

24 with pneumatic tires.

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8 or controlled by the United States of America or any state,  
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15 pay all salaries, operating expenses, and all other expenses  
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-End-