> Houne Bill no. 650 introduced ar ounili, Papoiks
> a bill for an act entitled: an act ahenoing section 53-118, r.C.A. 1947, to provide for regulation of motor vehicle and trailer dealers; defining the acouisition and use of dealer license plates."
> be if enacted by the legislature of the state of montana:
> Section 1. Section 53-118. R.C.M. 1947, is amended to read as follows:
> -53-118. Application for dealer's license. 41 Every person, firn, corporation, or association who, for commission or profity engages in the business of buying, selling, exchanging or acting as a broker of new notor vehicles, used motor vehicjes, trailers. (except trailers having an unladen weight of less than five hundred (500) pounds, semitraiters or special mobile equipment as defined in section 53-642 and qualifies under subparagraph (f) of this section, shall cause to be filed, by mail or otherwise, in the office of the registrar of motor vehicles, a verified application for licensing as a dealer on a blank to be furnished by the registrar of wotor vehicles for that purpose, and containing the information therein required. The application and all of the information therein contained

INTRODUCED BILL

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shall be verified by the Montana highway patrol. Each application must be accompanied by the license fee hereinafter named. Dealer*s license must be renewed and paid for annually, and an application for relicensing must be filed not later than January first of each year. To qualify
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``` or "MCD" plates, as hereinafter provided, the applicant must furnish the following information and qualify under the following provisions:
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the use of mpe plates. the apdicant most:
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the case of a corporationn che names and addresses: of the
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fiil state the name and make of all motor vebicles
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uriften nem ator vehiclefranchise or sales agreement:
(iv) execute a certificate to the effect that the
applicant has dermanent puriding for the display and sale
of new motor yehicles at the location of the premises where
sales are conductedi
(x) execute ciertiticate to the effect that the
apolicant has a bona Fide service department for the repiairi
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Lal To qualify as anem motor vehicle dealer and for the use of mp plates, the apdicant must:

Iir steate the name wader which the business is to be sonfucted and the location of the preatisescistreet address. citis icdurity and statel mere records are kepte salles are nades and stock of motor tehicles is displayedi

Lin state the name arid address of all: amers or persons having an interest in stbe hariness, providect that In the case of a corporationi che names and addresses: of the president and secretary therenf are sufficienti
fiiil state the name and make of all motor vebicles handled and the name and eddress of the matufacturer. importers or distributor uith mbom the epplicant has a Mritten nem aotor vehicle franchise or sales agreement:
(iv) execute a certificate to the effect that the applicant has a permanent puriding for the display and sale of new motor yehicles at the location of the premises where sales are conductedi
(x) execute ciderificate to the effect that the apolicant has a bona fide service department for the repairi
servicee and ealntenance of motor vehicles: and
fril execute a certificate to the effect that the apolicant is a bona_fide dealer in nem motor vehicles and that he is recognized by a mamifacturer, importeri or distributor as a dealer in new motor mehiclese

101 To qualify as a used motor venicle dealer and for the use of UD"platese or as a trailer: semitrailere or special mobile equiperent dealec and fer the use of motr platese or is a motorcycle dealer and for tie use of macDe plates, the applicant inustin addition to the matters set forth in sutisections lile cive and fiv) of subsection 11)fal aboxen provide:
Li) a statement that the applicant has a permanent building and lot for the display of motor vehicles and an illuminated sign indicating the firm name and meadquarters as the principal place of business: and
(ii) a certificate to che effect that the applicant is a_bona ficte dealer in used motor vehicles, trailerse semitrallerse special wobile equipmenta or motorcycles.
(c) In addition to the matters rejuired in subsection (1)Lbl above: an applicant for used mpter vehicle dealer license shall certify under oath Ehat the applicant sold in excess of 18 used motor yehicles during the prexious calendar veare In liem of this requirements a nell apilicant for an used motor vehicle dealer licenses who has not made
apolication for a used potor vebicle dealer license for
period of 5 vears imediately oreceding the current
apolicatione shall pay, in addition to all sums required by
this section and other arovisions of lawe the sum of $\$ 500$ to
the registrar of motor vehicles.
(2) For the purposes of this sectioni a private
residencen tenth dr temporary building is not a sufficiently
permanent place of pusiness to qualify under the
Lequirenents sef Eocth aborele In addition to the information
required abioye the registrar may require such inforeation
as is necessary to efficiently arminister this lawe
13) The applicant for a dealer's license shall also
file with his application a good and sufficient bond in the
sum of five thousand dollars $(55,000)$, and the bond shall be
conditioned that the applicant shall conduct his business in
accordance with the requirements of the law. All bonds shall
run to the state of Montana and shall be approved by the
registrar of motor vehicles and filed in his office and
shall be renewed annually.
Ther-registrar-of-woter-vehietes-shat7-not--register--or
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14) Upon making such application, the applicant shati pay to the registrar of motor vehictes. in addition to the fees required of dealers under the provisions of section 53-122, a fee of five dollars \(\{55\}\). Upon receipt of the application, fee and bond, as provided above, the registrar of motor vehicles shall examine the applicationg and may, prior to issuing a license, make individual investigation of the truth of the statements contained in the application. If the registrar of motor vehicles is satisfied that the applicant qualifies for the issuance of a dealer*s license under the provisions of this act, he may thereupon issue the same.
(5) Every dealer licensed under this section shall keep a book of record of tha purchase, sale or exchange or receipt for the purpose of sale, of any used vehicle, a description of such vehiciesp together with the name and address of the seller, of the purchaser, and of the alleged
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owner or other person from whom such vehicle was purchased or recelved, or to whom it was sold or delivered, as the case may be. Such description in the case of motor vehicles shall also include the engine number, if any, the maker's number, if any, chassis number, if any, and such other numbers or identification marks as may be thereon, and shall include a statement that a number has been obliterated, defaced or changed, if such is the fact. In the case of a trailer, semitrailer or special mobile equipaent, the record shall include the manufacturer's number and such other numbers or identification marks as may be thereon. He shall also have in mis possession a duly assigned certificate of titie from the owner of said motor vehicle in accordance with the provisions of another section of this act, from the time when the motor vehicle is delivered to him until it has been disposed of by him.

161 Upon the licensing of a dealer as a new motor vehicledealer, used motor vehicle dealer, or trailer, semitrailer, or special mobile equipment dealer, or a dealer of the motorcycie-type vehicle, the registrar of motor vehicles shall assign to such dealer a distinctive serial license number as a dealer and furnish every qualified dealer in motor vehicles with not less than two (2) sets of number plates, and as many more as the fee the dealer pays entitles the dealer to, which number plates shall be similar


#### Abstract

to number plates furnished to owners of motor vehicles but shall bear thereont in addition to the serial number assigned such dealer, the-7etter-gen-tf-the-deater-sełts-nem motor-vehiefes-finefuding-trucks-and-traifersi--or-inew-and nsed-motor--ventetes-tinetuatmg-trueks-and-traiteirsit-the  finełuding-trucka-and-traiterst-ontyt-and-the-tetters-mFR  equipment-tnew-of-itsedz-onkyTiond-the-7etters-MEGM--if~-the deeter-sełts-vehtełes-of-the-motoreytłe-typew-Gnty-new-motor vehiete-deaterse-Hicense-plates-bearing-the-7etter-ap=-shaty be--assigned--if-both-new-ind-used-wotor-vehrefes-time7wang trueks-and-traikerst-are-sotdq--and-onty--one-tiense-fee shet7-be-irequited-of-any-one-deatern the letter min if the dealer is authorized to sell new notor yehicles fincluding trucks and truck-trailersi: the letters wo" if the dealer is authorized to sell used motor vehictes lincluding used trucks and used truck-trailersmithe letters woIR" if the dealer is authorized to sell trailefse semitraiferse or special mobile equipment (new or used); and the_letters WMCD* if the dealer is duthorizento sell vebicles of the motorcycle type cow or usedie hith the exception of a dealer authorized to sell new motor rehicles lincluting trucks and truck-trailersi and to use the we plate, no dealer authorized to transact business under the orovisions


of this section may offer for sale or trade any wehicle described_in this section_excent_such_rehicles_as_are authorized by the plates assigned to hite If an applicant wishes to sell wore than one type of wehicleq he shall make application for each separate authorization. No dealer plate assigned to a dealer may be used on any vebicle ather than the type described in this sectione A dealer authorized to sell new motor vehicles and assigned a mon plate is authorized to sell both aem anct used motor vehicles Lincluding tricks and truck-tikallarshi and mom nates may be displayed on either nev or sed 典位or yebicles by a licensed dealer in_nem yehiclese the registrar of motor vehicles shall cause to be placed on each set of license plates issuef to a dealer, a serial number assigned to each dealer and the actual number of license plates issued to each dealer. The number of the dealer shall follon the prefix of the county, and the number of plates issued the dealer shall follow the prefix of the county and the number of the dealer, the dealer"s number to be separated from the county prefix by a dash, and the number of plates issued to a dealer to be separated from the dealer's number by a dash, as follows: Dealer number 4 in Lewis and clark County would be numbered 5-4, and if the dealer were issued three sets of plates, they would be numbered consecutively as follows, 5-4-1, 5-4-2 and 5-4-3. Dealers properly licensed under this
section are authorized to use and display, dealer"s license plates on any motor vehicle held for bond flde sale or used principally in the conduct of the dealer's business in selling or demonstrating motor vehicles. pealer plates may be used and displayed only on rotor vehicles that are principally situated in the county in which the dealer has tis priricipal_olace of business. No dealer*s license plate shall be used or displayed on vehicles normally used for hire, lease or rental or for purposes not incident to the Dusiness of a motor vehicle dealer. If it shall appear to the satisfaction of the registrar of motor vehicles, from information furnished to him by the sheriff or any other law enforcement officer, that any such dealer has been improperly licensed, has used the deater's license in--a monnex-ather-than-the-onie-perwitted-above on a yehicleother than one authorized bx this section, or is not qualified as a dealer under the requirements of this section, the registrar of motor vehicles may revoke such dealer's Iicense. No person, firm, corporation or association shapl, for commission or profit, engage in the business of buying, selling, exchanging or acting as a broker of new motor vehicles, trailers or semitrailers unless duly licensed in compliance witin this section lexcept trailers having an unladen weight of less than five hundred (500) pounds).

Any person violating the provisions of this section

1 shall be guilty of a misdemeanor and subject to a fine of 2 not less than two hundred fifty dollars (\$250) and not more 3 than five hundred dollars (\$500). For the purposes hereof, 4 every sale of a motor vehicle in violation of the provisions 5 of this section shall be deemed a separate offense."
-End-

## FISCAL NOTE

In compliance with a written request received February 8._._19, $\mathbf{7 7}$, there is hereby submitted a Fiscal Note for ............. 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 amending Section 53-118, R.C.M. 1947 (Application for a Dealer's License) to provide for regulation of motor vehicle and trailer dealers; defining the acquisition and use of dealer license plates.

FISCAL IMPACT:
None. This bill merely increases the requirements for obtaining motor vehicle and trailer dealers' license plates.
TECHNICAL NOTE:
Section (1)(c) - - no provision is made for a dealer that has not sold in excess of eighteen (18) used vehicles in the previous calendar year and intends to in the coming year, but has also applied for a used motor vehicle dealer license within a period of five (5) years.


## Approved by Committee on Highways \& Transportation

## HOUSE BILL NO. 650

introduced by scully, tropila
a bill for an act entitled: man act anending section 53-113, ReCom. 1947, TO PROVIDE FOR REGULAJION OF MOTOR vehicle and trailer dealers; defining the acquisition and use of dealer license plates."
be it enacted by the legislature of the state of momtana:
Section 1. Section 53-118, R.C.M. 1947, is amended to read as follows:

553-118. Application for dealer's license. 11 Every person, firm. corporation, or association who, for comission or profit, engages in the business of buying. selling. exchanging or acting as a broker of new motor vehicles. used motor vehicles, trailersp (except traflers havina an unladen weight of less than five hundred (500) pounds, semitrailers or special mobile equioment as defined in section 53-642 and qualifies under subparagraph (f) of this section, shall cause to be filed, by maik or otherwise, in the office of the registrar of motar vehicles, a verified application for licensing as dealer on a blank to be furnished by the registrar of motor vehicles for that purpose, and containing the information therein required. The application and all of the information therein contained

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shall be verified by the Montana highwar patrol. Each
application must be accompanied by the license fee
hereinafter named. Dealer"s license must be renewed and paid
for annually, and an application for relicensing must be
filed not later than January first of each year. To qualify
for licensing and the issuance and use of mo" mu0," morR,"
or "MCD" plates, as hereinafter provided, the applicant must
furnish the following information and qualify under the
following provisions:
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    tet-Name-and-address-of-4+7-owners-or-pursons--heving
en--interest-in-the-businesot-providedv-howererv-that-in-the
ease-of-a--corporationv-the--nomes---0nd--addresses--of--the
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    [al Io qualify as a ney motor vehicle dealer and for
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conducted_and the location of the oremises_(street addresse
city__collatys_and_statel_where_cecords_are_kepte_sales_are
maden_and stock of motor vehicles is_displayedi
    Lii_state_the_nape_and address_of all ommers or
persons having an interest in the businesse provided that in
the case of a cecporatione_the names_and addresses_of the
president,and secretacy therepf are sufficienti
    Liiil_state the_name and make of all motor vehicles
    handled and the name and address of the manufacturera
    importece or distributor with whom the applicant has a
Eritten_new motor vehicle_franchise_or sales_agreement:
    Livi execute a certificate to the effect_that the
applicant has_a_permanent building_for the_display and sale of ofow otor vehicles at the location of the oremises where sales_are conducted:
(x) execute a certificate to the effect that the apolicant has_a_bona fide_service department for the_rezaire
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serxice, and_maintenance of motor yehicles:_and
(xi) execute__ certificate to the_effect_that the applicant_is_a_honafide dealer in new motor vehicles_and that be_is cecognized_by a manufacturere_importer, or distributor as_a_dealer in new motor vehiclese
fbl_Io qualify as a used motor yebicle dealer and for the use of mow platese or as a trailere semitrailers or special_mobile_equipment dealer and for the use of mpra platese or as_a_motorcycle dealer and for the_use_of_MCDE plates: the applicant muste in addition to the matters set forth_in subsections file liile_and fivh of subsection 411(al_aboyer provide:
(i) a statement that the applicant has a permanent building and lat for-the-disptop-of-noter-venietes and sn ittumineted=-sion A.PERHANENE_SIGN_READABLEAL_A_GINLMUH DLSLANCE OF 150 FEEI_AND indicating the_firm_name_and headquarters as the_priacipal place_of business: and

Liil_a certificate to the effect that the applicant is a__boat_fide_dealer_in_used motar yehiclest__trailers: semitrailers, special mobile equionente or matorcyclesn
(c) In addition_to the natters required_in subsection (11) 1 L abover an apolicant for a used_motor_vebicle_dealer license_shallcectify uader_oath that the apolicant sold_in excess of te 12 used notor venicles during the previaus salendar yeace Ia Lien of this requirementemaer applicant
> for a used motor vehicle dealer licensec whe has not ade application_for a_used motor vehicle dealer license for a period of $\Sigma=f e n=1$ YEAB imnediately preceding the_current applicatione shall paye in additionte all suns required_by this section and ather orovisions of lave the sum of seg 1150 to the registrar of notor vehicles.
> (D) THE-PROYLSIONS OF SUBSECTION CIMCL_ABOYER DO_NOI ARPLY TO_AN APRLICANI_HHO IS LICENSED_AS_A MOIOR_YEHICLE HRECKLMG EACLLIIY UMOER THE PROYLSION5 OF TLILE G2, CHARTER 6Be_BeCalle 1947.

> 21 For the purposes of this sectione a prizete restences tenty or temporary building is not a sufficiently permaneat_place_of_busioess to qualify under the requirements set forth aboven In addition to the information required aboves the registrar may require_such inforeation as is necessary to efficiently administer this claye

> L31 The applicant for a dealer"s license shall also file with his application a good and sufficient bond in the sum of five thousand dollars $(55+000)$, and the bond shall be conditioned that the applicant shall conduct his business in accorfance with the requirements of the law. All bonds shall run to the state of Montana and sthall be approved by the registrar of motor vehicles and filed in his office and shall be renewed annually.

> Hhe--registrar--of-motor-vehiefes-shat+-not-regigter-or


#### Abstract

+ieense-os-a-deater-any-appticent-for-the-sate-of-new-motor rehietes--at--retait--untess-such-apptieant-ownsw-teoses-or rents-a-permanent-butłding-whefein--he-shett-eonduret-his business---and--who---inas---a-deaterse--framehise-from-a menuf octurer-of-motor-vehietesw-*-private-residenceq-tenty or--temporary-building-is-not-e-suffieiently-permanent-ptece of--busineas--within--the--meaning--of--this--sectionv--The registrar-af--motor--vehietes-shat7-not-register-op-hieense ony-appticent-as-o-deater-in-tyed-eors-untess-such-apptieont furnishes-suffieient-evidence-to-the-registrar-thot-he-hos-a butlding-or-7ot-to-provide-disptoy-of--merenondises-a-sign indteoting-the--firm-name-and-heodquarters-ot-the-principet ptace-of-business= (4) topon making such application, the applicant shaly pay to the registrar of motor vehicles, in addition to the fees required of dealers under the provisions of section 53-122, a fee of five dollars (55). Upon receipt of the application, fee and bond, as provided above, the registrar of motor venicles shall examine the application, and may, prior to issuing a license, make individual investigation of the truth of the statements contained in the application. If the registrar of motor vehicles is satisfied that the applicant qualifies for the issuance of a dealer's license under the provisions of this act, he may thereupon issue the same.


451 Every dealer licensed under this section shall keep a book or record of the ourchase，sale or exchange or receipt for the purpose of sale，of any used vehicle，$a$ description of such vehicles，together with the name and address of the seller，of tine purchaser，and of the alleged owner or other person from whom such vehicle was purchased or received，or to whom it was sold or delivered，as the case may be．Such description in the case of motor vehicles shall also include the engine number，if any，the maker＂s number．if any，chassis number，if any，and such other numbers or identification marks as may be thereon，and shall include a statement that a number has been obliterated， defaced or changed，if such is the fact．In the case of a trailer．semitrailer or special mobile equipment，the record shall include the manufactureris number and such other numbers or identification marks as may be thereon．He shath also nave in his possession a duly assigned certificate of title from the owner of said motor vehicle in accordance with the provisions of another section of this act．from the time when the motor vehicle is delivered to him untit it has been disposed of by him．

66）Upon the licensing of a dealer as a new motor vehicle dealer，used motor venicle dealer，or trailer． semitrailar，or snecial mobile equipment dealer，or a dealer of the motorcycletype vehicle，the reqistrar of motor
vahicles shall assign to such dealer a distinctive serial license number as a dealer and AEIER PAYMENL OF EEES furnish every qualified dealer in motor vehicles with not less than two（2）sets of number plates，and as many more as the－fee the－deater－pays－－antittes－－the－－deater－－tor－whieh BEQULBED ACCQRULNG TO＿NEED N WHLCH＿NEED＿SHALL＿BE JUSIIEIED＿BY＿THE DEALES WIIH THE INIILAL APPLICALIOA EGR LICENSE AND EACH RENEHALe＿ASSIGMEO number plates shall be similar to number plates furnished to owners of motor vehicles but shall bear thereong in addition to the serial number assigned such
 vehiretes－－tinetuding－－trueks－and－－trajterst－or－mew－and－used wotor－vehietes－finetuding－trueks－and－traiterstt－the－－tetters m日日⿱一𫝀口－－the－－deeter－－setts－－used－motor－vehietes－finctuding trueks－and－traiterst－antrt－and－－the－tetters－meran－if－－the

 deoter－se＋tr－vehretes－of－the－motoreyete－typer－entr－new－motor vehicte－deatersn－tieense－ptotes－bearing－the－tetter－men－shat be－－ossigned－－if－both－new－and－used－motor－vehieqes－tinetrainn trucks－and－traiterst－bre－sotdy－－and－onty－one－ticense－－fee shat＋－－be－required－of－any－one－deater＝theletter mane if the dealer is authorized to sell new motor vehicles fincluding trucks and truck－trailersji the letters mupn if the＿dealer is authorized to sell used moter yehicles fincludian used

> 1 trucks and used truck-trailersif the letters moIrw if the 2 dealer is authorized to sell trajlerse semitrailerse or 3 Special_obile equipment laek or usedi: and the letters 4 EACD*_if_the dealer is authorized to sell_vehisles_of the 5 motorcxcle type coed or usedie Hith the exception of a 6 detarcycle type coler or usthorized to sell nem motor yenicles cincluding 7 trucks and truck-trallersl_and_to use the mon olate, no - dealer authorized to transact pusiness under the proyisions $y$ of this section may offer for sale or trade_any vehicle 10 described in this section except such yebicles_as are 11 authocized by the plates_assigned to hien If an_applicant 12 mishes to sell more than one_type of xehiclec he shall nake 13 apolication for each separate_authorizatione No dealer 14 plate assigned to a dealer nax be used on any xehicle-other 15 than the tyoe described in thisssectione A dealec authorized t2 sell_ner_motor venicles_and assigned_am_olate_is autharized to sell both nev_and used motor vehicles fincluding_trucks_add_truck-trailershe_and_mom_platas_may_be displayed on eitber nem or used motor yehicles by a Licensed dealen in nem yehicles: The registrar of motor vehicles shall cause to be placed on each set of license plates issued to a dealer. a serial number assigned to each dealer and tae actual number of license plates issued to each dealer. The number of the dealer shall follow the prefix of the county, and the number of plates issued the dealer shall
follow the prefix of the county and the number of the dealer, the dealer's number to be separated from the county prefix by a dash, and the number of plates issued to a dealer to be separated from the dealer's number by a dash, as follows: Dealer number 4 in Lewis and Clark County ould be numbered 5-4, and if the dealer were issued three sets of plates, they would be numbered consecutively as follows* 5-4-1, 5-4-2 and 5-4-3. Dealers properiy ticensed under this section are authorized to use and display, dealer's license plates on any motor venicle neld for bonafide sale or used principaliy in the conduct of the dealer's business in selligg or demonstrating motor vehicles. geater-ptates-may
 peincipatty=-sitwated=in-the-entuty-in-whien-ths-dester-has his-principat-ptoce-of-businesely No dealer's license plate shall be used or displayed on vehicles normally used for hire, lease or rental or for purposes not incident to the business of motor vehicle dealer EACH DEALER IS ACCDUYIABLE_EQR_EACH PLALE ISSUED_AND_SHALL__EERILEY QUARISALY IO IHEREGLSIBAR OF HOLOR VEHICLES THERESEOSITION UE EACB DEALER PLAIEASSIGNED_TO IHE DEALERE INGLUDING IHE NAMEA AODRESS. AND OCCURALION OE IHE PERSON_PRIMABLLY_USIMG EACH PLAIE: $I f$ it shall appear to the satisfaction of the registrar of motor vehicles, from information furnished to him sy the sheriff or any other law enforcement officer.
that any such dealer has been improperly licensed, has used the dealer's license in--o--manner-other--tran--the-one

3 permitted-above pacoivehiete=other-than--one-authorited-iby
4 thirs=asetion IN_A_MAHER_OLHER IHAN_THE_ONE_HEREIA 5 AUIHOLIZED or is not qualified as a dealer under the 6 requirements of this section the registrar of motor 7 vehicles may revoke such dealer's license. No person, firm, a corporation or association shally for commission or profit. 9 engage in the business of buying, selling, exchanging or 10 acting as a broker of new motor vehicles, trailers or 11 semitrailers unless duly licensed in compliance with this

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HOUSE BILL NO. }65
INTROOUCED BY SCULLY, TROPILA
A bILL for aN act entitled: maN act amending section
53-125. R.C.M. 1947, TO PROVIDE FOR REGULATION OF MOTOR
VEHICLE AND TRAILER DEALERS; DEFINING THE ACQUISITION AND
USE OF DEALER LICENSE PLATES."
be IT enacted by the legislature of the state of montana:
    Section l. Section 53-118, R.C.M. 1947, is amended to
read as follows:
"53-118. Application for dealer's license. fll Every person, firm, corporation, or association who, for commission or profit, engages in the business of buying. selling, exchanging or acting as a broker of new motor vehicles, used motor vehicles, trailers, (except trailers having an unladen weioht of less than five hundred (500) pounds, semitrailers or special mobile equidment as defined in section 53-642 and qualifies under subparagraph (f) of this section, shall cause to be filed, by mail or otherwise, in the office of the registrar of motor vehicles, a verified appication for licensing as a dealer on a blank to be furnished by the registrar of motor vehicles for that purpose, and containing the information therein required. The application and all of the information therein contained
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shall be verified by the Montana highway patrol. Each
appli=ation must be accompanied by the license fee
hereinafter named. Dealer's license must be renewed and paid
for annually, and an application for relicensing must be
filed not later than January first of each year. To qua;ify
for licensing and the issuance and use of mD** #UD** motrpm
or mMCD* plates, as hereinafter provided, the applicant must
furnish the following information and qualify under the
following provisions:
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    tb;-tocation---of-prewtses--tsereetw--addressy-ettry
county-and-statet-where-records-are-kepty-sates-are-mode-and
stoek-of-motor-vehie+es-displeyed*
    tet-Nmme-and-address-of-a+7-owners-or--persans--horing
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ease-of-a--eorporationy-the--ntmes--and--addresses-of--the
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menufacturer,importer-or-distributort
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or-sorefat--mobite--equiomentr-and-thot-the-opp+icant-if-a
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mbnuFnetupert---importer--or--drstributor--as----denter-in
portreutar-makes-of-new-motor-vehrelesm
    tat-Bther-informetion-requiret-by-the--renistrar--to
effreient+y-administer-this-7aw*
    La)_Io qualify as_a_nem_motoc_veticle_dealer and for
the_use of mpm platest the_applicant mustif
Ci) state the name under which the husiness is to be congucted_-and the location of the premises (street adoress: city_covatye and statel where records_are_kepte sales are maden ard_stock of mator_xehicles is disnlayedi
Liil state the nane and address of all owners of persoas baxing an interest in the busioesse provided that_in the case of corporationa the names and addresses of the prexident and secretary thereof are sufficient:
tiiil_state the_mane and make of all motor vehicles handled and the name and address of the mansfacturere importece or distributor with whon the applicant nas a written new yotor vehicle franshise or sales agreementi
Liv) execute_a_certificate to the_effect_that the applicant has a permanent building for the display and sale of new motor yehicles at the location of the premises where sales are_conducted:
(x) execute_a certificate to the effect that the applicant has a_bona_fide service departgent for the repairs
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seryices and maintenance of moter vehicles: and
(xi) execute a certificate to the_offect that the applicant_is_a_bena_fide dealer in nem_motor kehicles_and that_be_is_reconnized_by_a_manufacturers_importers_or distributor as a dealer in nev notor vebiclese
(b) To qualify as a used motor yehicle dealer and for the_use_of upe platese or as_a trailer. semitrailer or special_mobile equipsent dealer and for the use of mirn platese or as_a motorcycle_dealer and for the use_of McDE plates. the applicant oustr in addition to the natters set forth in subsections (i)e (iile and (iv) of subsection H1AL abover provide:

Li_a_statement that the applicant has amermanent building and lot for-the-display-of-aotor-rebictes and en
 QLSLANCE OE 150 EEEI_AND iodicating_the_firn_oame_and headquarters as the principal place of business: and

Liil_a_certificate to the_effect that the applicant is a_bona_fide deazer in used_ potor yehicles, trailerse semitrailerse special monile equipnente or motorcyclese
(c) In addition to the matters required in subsection flicblaboves an_applicant for a used motor vehicle dealer license _ shall_certify under gath that the applicant sold in excess of te 12 used_notor yehicles duriag the orexious salendar yeare_Ia lieu of this requireaentsmanew applicant
for a used motor vehicle dealer license, rho has not made application_for a_used_motor vehicle dealer_icensefor a periad_of s-years 1 yEAB imediately oreceding the_current applications shall_payz in addition to all sums_required_by this section_and_other provisions_of lanc the_sua_of 550 1150 Le the_registrar of motor yehiclese
(D) IHE PROYLSIONS OF SUBSECILON (11LC) ABOYER DO NOI APRLY_IO AN_APPLICANI HHO IS LICENSED_AS_A MOIOR YEHICLE HRECKING FACLLIIY UNDER_IHE PROYISLOMS OE CIILE G92 CHAPIEB 68n_BeFalle_1947e
42) Eor the purposes of this sectione_a pryxate remitenter tentz or temporary building is not a sufficiently permanent place_of business te qualify under the requirements set forth abovee In addition to the information cequiced_aboves the registrar may require_such information as is necessary to efficiently administer this lawe

L31 The apolicant for a dealer's license shall also file with his application a good and sufficient bond in the sum of five thousand dollars $(\$ 5,000)$, and the bond shall be conditioned that the apolicant shall conduct his business in accordance with the requirements of the law. All bonds shall run to the state of Montana and shall be approved by the registrar of motor vehicles and filed in his office and shall be renewed annually.

The--registrar--of-motor-vehietes-shat+-not-register-or


#### Abstract

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44 Upon making such application, the applicant shall pay to the registrar of motor vehicles. in addition to the fees required of dealers under the provisions of section 53-122. a fee of five dollars ( $\mathbf{5}$ ). Upon receipt of the application, fee and bond, as provided abovep the registrar of motor vehicles shall examine the application, and may, prior to issuing a license, wake individual investigation of the truth of the statements contained in the application. If tne registrar of motor vehicles is satisfied that the applicant qualifies for the issuance of a dealer's license under the provisions of this act, he may thereupon issue the same.


451 Every dealer licensed under this section shall keep a book or record of the nurchase, sale or exchange or receipt for the purpose of sale, of any used vehicle, a description of such vehiclesp together with the name and address of the seller, of the purchaser, and of the alleged owner or other person from whom such vehicle was durchased or received, or to whon it mas sold or delivered, as the case may be. Such description in the case of motor vehicles shall also include the engine number, if any, the maker's number, if any, chassis number, if any, and such other numbers or identification marks as may be thereon, and shall include a statement that a number has been obliterated, defacsd or changed, if such is the fact. In the case of a trailer. semitrailer or special motbile equipment, the record shall include the manufacturer*s number and such other numbers or identification marks as may be thereon. He shall also have in his possession a duly assigned certificate of title from the owner of said motor vehicle in accordance with the orovisions of another section of this act, from the time when the motor vehicle is delivered to him until it has been disposed of by hime
(6) Upon the licensing of a dealer as a new notor vehicle dealer, used motor vehicle dealerg or trailer. semitrailer, or special mobile equipment dealef, or a dealer of the motorcycle-type vehicle, the registrar of motor


#### Abstract

vehicles shall assign to such dealer a distinctive serial license number as a dealer and AEIER PAYMENL Of EEES furnish every qualified dealer in motor vehicles with not less than two (2) sets of number plates, and as many more as the-fee the-deater-pays-entit+es--the--deeter--tor--whieh REQULBED ACCDRDING TO NEEDE HHICH NEED SHALLBE JUSIIELED_BY_THE DEALE\& WIH THE IHLLAL APPLICALIOM EDR_LICENSE_AND EACH RENEHAL ASSIGUED number piates shall be similar to number plates furnished to owners of motor vehicles but shall bear thereon. in addition to the serial number assiqned such dealer, the--tetter--igen-if-the-deater--set+s--new-wotor venietes--tinetuding--trucks-and--troiterst-or-new-and-used motor-vehietes-finetuding-trueks-and-traiterstt-the--tetters "ugn--if--the--deater--setts--used-motor-vehities-tinctuding trueks-and-traiterst-ontyt-ond--the--tetters-me日fin-if--the  equipment-tnew-or-usedf-ontry-ond-the-tetters-mea*-if--the deater-se+ts-vehictes-of-the-motoreyele-typev-Antr-mew-motar vehrete-deaterse-tieense-ptetes-beering-the-tetter-mon-shat be--essigned--if-both-new-ond-used-motor-vehietes-ftnetuding trucks-and-trajłerst-are-sotdy--and-onty-one--tieense-fee shatt-be-required-of-ony-one-deater: the letter man if the dealer is_authorized to sell nem motor xehicles cincluding trucks and truck-trailershi the letters vupm if the dealer is authorized to sell used motor vehicles cincluding used ACCORDING TO NEED WHICH NEED SHALL_BE JUSIIEIED_BY_IHE


#### Abstract

trucks and used truck-trailers)i the letters mor8* if the dealer is authorized to sell_trailers, semitrailerse or special_mbile_equipant loev or usedi: and the letters meD* if the dealer is authorized to sell vebicles of the motorcycle type conel or usedle Hith the exception of a dealer authorizedte sell ned gotor xehicles fincluding trucks and truck-trailersl and to usethe mon plates no dealer authorized to transact business under the provisions of this section way offer for sale or trade_any vehicle described in this section except such rehicles as ara authorized by the plates assigned to bile If an applicant wisbes to sell_more than one type of wehiclen he shall_nake application for each separate authorizatione_Mo dealer mlate assigned to a dealer may be used on any vehicle_other than the type described in this sectione_A dealer authorized t2 sell_nem_rotor yehicles and assigned_anonlate is autnorized to sell both ney and used motor vehicles fincluding trucks and truck-trailersi, and mom olates may be displayed on either_ney or used motor yebicles by a licensed dealer in neu vehiclesn the registrar of motor vehicles shall cause to be placed on each set of license plates issued to a dealer, a serial number assigned to each dealer and the actual number of license plates issued to each dealer. The number of the dealer shall follow the prefix of the county, and the number of plates issued the dealer shall


#### Abstract

follow the prefix of the county and the number of the dealer, the dealer"s number to be separated fron the county prefix by a dash, and the number of plates issued to a dealer to be separated from the dealer's number by a dash, as follows: Dealer number 4 in Lewis and clark countr would be numbered 5-4, and if the dealer were issued three sets of plates, they would be numbered consecutively as follows, 5-4-1, 5-4-2 and 5-4-3. Dealers properiy licensed under this section are authorized to use and display, dealer*s license plates on any motor vehicle held for bonalide sale or used principaliy in the conduct of the dealer*s business in selling or demonstrating motor vehicles. feater-ptotes-may  principatty-sithoted=-in-the-county-in-which-the-denter-bas his-principat-ptace-of-busimessix No dealer's license plate shall be used or displayed on vehicles normally used for hire, lease or rental or for purposes not incident to the business of a motor vehicie dealer. EACH DEALER_IS ACCOUYIARLE_EOR_EACH PLATE ISSUEO_ANO SHALL_CERIIFY QUARIERLY IO IHEREGISTRAR OF MOTOR YEHICLES THE OISPOSIIION QE_EACH_DEALER_PLAIE_ASSIGNED_IO THE DEALER._INCLUDIMG_THE NABE A ADDRESS\&AND OCCURALION OF IHE PERSON_PRIMARILY_USING EACH PLALEe If it shall appear to the satisfaction of the registrar of motor vehictes, from information furnished to him $\boldsymbol{y}$ y the sheriff or any other law enforcement officer,


that any such dealer has been improperly licensed has used the dealer"s license in--b-manner-other-men-the-one
 thisersertion IM_A_HANEE_OTHER THAH_IHE ONE HEREIN AULHRXLED or is not qualified as a dealer under the requirements of this section the registrar of motor vehicles may revoke such dealer's license. No person. firm. corporation or association shall, for commission or profit, engage in the business of buying, selling, exchanging or acting as a broker of men motor vehiclesp trailers or semitrailers unless duly iicensed in compliance with this section fexcept trailers having an unladen weight of less than five hundred (500) pounds).

Any person violating the provisions of this section shall be guilty of amisdemeanor and subject to a fine of not less than two hundred fifty dollars (\$250) and not mare than five hundred dollars (5500)- For the purposes hereof. every sale of a motor vehicle in violation of the provisions of this section shall be deemed a separate offensea"
-End-

Senate Committee on Highways \& Transportation
That House Bill No. 650 be amended as follows:

1. Amend page 4, section 1, line 11.

Following: "(i)"
Strike: ","
Insert: "ànd"
Following: "(ii)"
Strike: ", añd(iv)"
2. Amend page 4, section 1, line 12.

Following: "provide"
Strike: ": "
3. Amend page 4, section 1 , lines 13 through 17.

Following: line 12
Strike: subsection (i) in its entirety
4. Amend page 4, section 1 , line 18.

Strike: "(ii)"
5. Amend page 4 , section 1 , lines 23 through line 1 on page 5 . Following: "license"
Strike: "shall certify under oath that the applicant sold in excess of $\ddagger \theta 12$ used motor vehicles during the previous calendar year. In lieu of this requirement, a new applicant for a used motor vehicle dealer license,"
6. Amend page 5 , section 1 , line 6 .

Strike: "\$150"
Insert: " $\$ 300 "$
7. Amend page 5, section 1, lines 11 through 16.

Following: line 10
Strike: subsection (2) in its entirety
Renumber: subsequent subsections

HOUSE BILL NO. 650

## INTRODUCED By SCULLY, TRGPILA

a bill for an act entitled: man mot amenoing section 53-118, R.C.M. 1947, TD PROVIDE FOR REGULATION OF MOTOR vehicle ano trailer dealers; defining the acquisition and use of dealer license plates.*

## be it enacted by the legislature of the state of montana:

Section 1. Section 53-118, R.C.H. 1947, is amended to read as follows:
-53-118. Application for dealer's license. 11 Every person, firm. corporation, or association who for commission or profit, engages in the business of buying, selling, exchanging or acting as a broker of new motor vehicles, used motor vehicles, trailers, (except trailers having an unladen weight of less than five hundred (500) pounds, semitrailers or special mobile equipment as defined in section 53-642 and qualifies under subparagraph (f) of this section, shall cause to be filed, by mail or otherwise. in the office of the registrar of fotor vehicles, a verified application for licensing as a dealer on a blank to be furnished by the registrar of motor venicles for that purposer and containing the information therein required. The application and all of the information therein contained

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partreg+ar-makes-of-new-motor-vehietes*
    tg+--0ther-informatron-required--by--the--registror--to
effrerentty-administer-this-+aww
    Lal.Io qualify as a nem motor vehicle_dealer and for
the_use of wo" platese the applicant_oust:
    (i) state the name undur which the business is to te
conducted and the location of the premises (street_address:
city. county, and state) wbere records are_kept, sales are
maden and stock of motor yehicles is_displayed:
    Hil_state the name and address of _all ourers or
persoas having an interest in the uusinessm provided that in
the case_of_a_corporation, the names and addresses of the
president and secretary thereaf_are sufficient:
    iili_state the name and make of all motor yehicles
handled_and the name and address of the manufacturers
importece or distributor with_whom_the_applicant has a
mLitten_oen_motor vehicle_franchise or_sales_agreement:
    Liviexecute a_certificate to the_effect. that the
applicant_has_a_germanent buildiog fer the display and sale
of nex motor vehicles_at_the_location of the preaises__where
sales_are conducted:
    (v) execute a certificate to the effect that the
applicant has_a_bona fide_service_department for the repaire
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services and maintenance of motor vehiclesi_dao
(vi) execute_a_cectificate to the_effect_that_the applicant_is_ob bonafide_dealer in_new motor yehicles and that he_is_recognized_by_a_manufacturers_importere_or distributor as_a dealer in nem motor vehiclese

CSL_Io qualify as a_used motar rehicle_dealer and_for tbe_use of mun_platese or as_a trailer, semitrallere or special_mobile_equipment dealer_and for the use of motre platese or as a_potorcycle dealer and for the_use_of_micDu platese the applicant muste in addition to the matters set forth_in_subsections_(ilz AMD_fiilx-and=firt of subsection Llilal abover providet
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CO1 THE PROYISIONS OF SUBSECIION CLICC ABOYE OO NOI AEPLY_IO_AN_APPLICAMI HHO ISLICENSED_AS_A MDIOR_YEHICLE HRECKING FACILIIY UNDER THE PROYISIOMS OF IILLE G2e CHAPTER 08e_Belelie 1942z
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tytiz) The applicant for a dealer's license shall also file with his application a good and sufficient bond in the sum of five thousand dollars $(\$ 5,000)$, and the bond shall be conditioned that the applicant shall conduct his business in accordance with the requirements of the law. All bonds shall run to the state of Montana and shall be approved by the registrar of motor vehicles and filed in his office and shall be renewed annually.

Fhe-registrer-of-wotor-vehietes-shat+-not--register--or tieenst-as-a-deoter-any-oppticent-for-the-sete-of-new-moter vehietes-at-retai+-untess-sweh-appticant-ownsp-7eases-or Pents--s--permanent-but+ding--wherein-he-sha7t-eonduct-his business--and--who-has-e---deetersa---franchise---frow---a manafacturar--of-notor-vehrehesw-h-private-residencer-tenty or-temporory-bufldfing-is-not-b-suffieiently-permonont-piace of--business-within--the--meaning--of--this-sectionw--Fhe registrar-of-gotor-wehietes-shat+-not--register--or-ticense any-apptieent-as-o-deater-in-used-eers-untess-suen-appticant furnishes-suffieient-evidence-to-the-registrif-thet-he-hos-a buitding--or--7 ot-to-provide-dispter-of-merehendiseg-a-sign indieating-the-firm-mame-and-hesdquarters-as--the--prineipat p+ace-of-businessu
tucal Upon making such application, the applicant shall pay to the registrar of motor vehicles, in addition to the fees required of dealers under the provisions of section 53-122, a fee of five dollars (\$5). Upon receipt of the application, fee and bond, as provided above, the registrar of motor vehicles shall examine the application, and may, prior to issuing a license, make individual investigation of the truth of the statements contained in the application. If the registrar of motor vehicles is satisfied that the applicant qualifies for the issuance of a dealer's license under the provisions of this act, he may thereupon issue the same.

Etu(4) Every dealer icensed under this sectio: shall keep a book or record of the purchase, sale or exchange or receipt for the purpose of sale, of any used vehicle, a description of such vehicles, together with the name and address of the seller, of the purchaser, and of the alleged owner or other person from whom such vehicle was purchased or received, or to whom it was sold or delivered, as the case may bee Such description in the case of motor vehicles shall also include the engine number, if any, the makeres number, if any, chassis number: if any, and such other numbers or identification marks as may be thereon, and shall include a statement that a number has been obliterated, defaced or changed, if such is the fact. In the case of a
> trailer, semitrailer or special mobile equipment, the record shall include the manufacturer's number and such other numbers or identification marks as may be thereon. He shall also have in his possession a duly assigned certificate of title from the owner of said motor vehicle in accordance with the provisions of another section of this act, from the time when the motor vehicle is delivered to him until it has been disposed of by him.
> tótis) Upon the licensing of a dealer as a new motor vehicle dealer, used motor vehicle dealer, or trailer. semitrailer. or special mobile equipment dealer, or a dealer of the motorcycle-type vehicie, the registrar of motor vehicles shall assign to such dealer a distinctive serial jicense number as a dealer and AEIER PAYMENL DF FEES furnish every qualified dealer in motor vehicles with not less than two (2) sets of number plates, and as many more as the-fee the--deater--pors--entithes-the-deater--tor-which REQULRED ACCGROING TD NEED: HHLCH_NEED SHALL BE JUSIIELED_BY_IHE DEALER HIIH IHE INLILAL APPLICAILON FOR_LCENSE AND_EACH BENEHALEASSIGNED number plates shall be similar to number plates furnished to owners of motor vehicles but shall bear thereon, in addition to the serial number assigned such dealer, the--tetter--ngm--if--the--deater--setts-new-moter vehietes-finetuding-trucks-and-troiterst-or--new-and-used motof--vehietes-tinetuding-trueks-and-treiterstt-the-tetters
 trucks－－and－－trafterst－－on＋yt－and－the－tetters－＊日FRm－if－the deater－－setts－－trothersy－－sewittathers－or－－speetot－－－mobite equipment－－tnew－－or－tusedt－ontyv－and－the－tetters－Mme日m－if－the deater－setts－venietes－of－the－motoreyete－type－－0nty－new－motor vehiete－teaters＊－ticense－p＋ates－bearing－the－tetter－apm－shat＋ be－assigned－if－both－new－and－used－motor－－vehietes－－tinetuding tryths－－and－traitersi－－ore－－setda－－and－onty－one－tieense－fee shat子－be－required－of－ony－one－deoterv the letter mow if the dealec is autherized to sell nem＿motor venicles（incluting trucks and truck－trailersli the letters wo if the dealer is authorized＿to sell used motor xehicles fincludiog used trucks and＿used truck－trailersit the＿letters morge＿if the dealer＿is authorized to sell trailerse semitrailerse or soecial mobile equipont foen or usedi；and the letters mbcip if the dealer is autharized to sell vehicles of the motercycle type＿fow or usedie＿Hith the exception＿of a dealer authorized to sell new motor yehictes fincluding trucks and truck－trailers）and to use the mo platen no dealer＿authorized＿to＿transact＿business＿under＿the provisions of this section may offer for sale or trade any vehicle described＿in＿this＿section except＿such＿vebicles＿as＿ane authocized by the plates＿assigned to hime＿If an applicant nishes to sell more than one type of vehicles be shall make application fer each separate＿authorization．No dealer
plate＿assigned to a＿dealer max be＿used on any yehicle other than the type described＿in this sectione A dealer authorized to sell new motor vehicles and assigned a pe＿plate is authorized＿＿to sell＿both＿nek＿and＿used＿motor vehicles finclucing trucks＿and＿truck－trailersheand＿om＿plates＿may be disolayed on either new－ar used motor vehicles by a licensed dealer in new yehicles．The registrar of motor vehicles shall cause to be placed on each set of license plates issued to a dealer，a serial number assigned to each dealer and the actual number of license plates issued to each dealer．The number of the dealer shall follow the prefix of the county，and the number of plates issued the dealer shall follow the prefix of the county and the number of the dealer，the dealer＇s number to be separated from the county prefix by a dash，and the number of plates issued to a dealer to be separated from the dealer＇s number by a dash． as follows：Dealer number 4 in Lewis and Clark County would be numbered 5－4，and if the dealer were issued three sets of plates，they would be numbered consecutively as follows， 5－4－1．5－4－2 and 5－4－3．Dealers properly licensed under this section are authorized to use and display，dealer＂s license plates on any motor vehicle held for bona＿fide sale or used prinefpatty in the conduct of the dealer＇s business in selling or demonstrating motor vehicles．fenter－atates＝max bec＝used－Tand＝－sisptexel＝－entx＝－cn－motor－－rehietes－that－are


## Principgity=aitunted=in-the-epuntr-in=which-the-_denter=-han

 his-princinat=-ptacs-of-businessy No dealer's license plate hire. lease or rental or for purposes not incident to the business of a motor vehicle dealer. fACH DEALEB_LS QUARIEKLY IO_IHE REGISIRAB_OF HOTOR VEHICLES THE OLSPOSIIION DE EACH_DEALER_PLALEASSIGNED TO IHE DEALER: INCLUOING IHE NAGE. AODRESSE ANR OCCUPALIOM OF THE PERSON PRIMARILY USING EACH_phaIE If it shall appear to the satisfaction of the registrar of motor vehicles, from information furnished to him by the sheriff or any other law enforcenent officer. the dealer*s license in--e-manner-other-then--the-ome permitted--above on--a-rehicte-other-then-one-authorized-by this-csestiony IN_A_MANHER DIBER THAN IHE ONE HEREIG AUTHORILED of is not qualified as a dealer under the venicles may revoke such dealer's license. No persont firmr corporation or association shall, for comassion or profit. of buying, selling, exchanging or semitrailers unless duly licensed in compliance with this than five hundred (500) poundst.Any person violating the provisions of this section shall te guilty of a misdemeanor and subject to a fine of not less than two hundred fifty dollars (\$250) and not more than five hundred dollars (s500). For the purposes hereof. every sale of a motor vehicle in violation of the provisions of this section shall be deemed a separate offense."
-End-

HOUSE BILL NO. 650 introduced gy scully, trapila
a bill for an act entitled: man act amending section 53-113, Rei. ${ }^{\text {H. 1947. TO PROVIDE FOR REGULATION OF MOTOR }}$ VEHICIE AND TRAILER DEALERS; DEFINIING THE ACQUISITION AND use of dealer license plates."
be it enacted by the tegislaturf of the state of montana:
Section 1. Section 53-118, R.C.M. 1947, is amended to read as follows:
"53-118. Application for dealer's license. f11 Every person, firmp corporation, or association who, for commission or profit, engages in the business of buying, selling, exchanging or acting as a proker of new motor vehicles, used motor vehicles, trailers, fexcept trailers having an unladen weight of less than five hundred (500) pounds), semitrailers or special mobile equipment as defined in section 53-642 and qualifies under subparagraph (f) of this section, shall cause to be filed, by mail or otherwise, in the office of the registrar of motor vehicles, a verified applicition for licensing as a dealer on a blank to be furnished by the refistrar of motor vehicles for that purpose, and containina the informatioutherein required. The application and all of the information therein contained

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shall be verified by the Montana highway patrol. Each
application must be accompanied by the license fee
hereinaftef named. Dealer's license must be renewed and paid
for annually, and an application for relicensing must be
filed not later than January first of each year. To qualify
for licensing and the issuance and use of mD," muD," mDTR;"
or "MCD" plates, as hereinafter provided, the applicant must
furnish the following information and qualify under the
following provisions:
    tat--Fhe-name-under-which-the-business-is-conductedf
    fb}--toeation-of--premises-_tstreetv--oddres`r---ity%
county-and-state\-where-records-are-kepty-sates-are-made-and
stack-of-motor-vehictes-disptayedt
            tet--Name--and--address-of-ot+-owners-or-persons-hoving
on-interest-in-the-businesst-providedv-howeverv-thet-in--the
ease--of--o--corporationv--the--nomes-ant--addreases-of-the
president-and-seeretary-thereof-witz-be-sufficienty
            fdf--Name-and-make-of-alH-vehictes-hondtedv-if--factory
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monufneturer.-importer-or-distributort
    fet--whether-or--not--ured---vehietes---ore---handied
exeturivety;
            fft--A--certificate-to-the-effect-that-the-opp+icont-is
a-bona-fide-denier-in-motor-vehietesy-troitersy-semitreiters
or-speeret-mobite-equ;pmentt-and-thot--the--app+ieant--+f-a
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deater---in---new--motor--vehictesp--is--reconnjzed--by-a
manufacturerv--importer--or--djstributor--as-a--deoter---in
particutar-mokes-of-new-motor-vehietes=
    fot--ather-information-required-by--the-registrar-to
efficient+\gamma-administer-this-taww
    13) To gwalify as a new motor yehicle dealer and for
the_use of "D|_Dlates. the applicant must:
    (i) state the name under which the business is to be
conducted and themlocation of the oremises (street addresse
city, county_ and statel where_records are_kepte sales are
made, and stock of motor yehicles is displayed:
    fi| state the name and address of all omnecs or
persons having an interest in the businesse_provided that in
the case of a corporation, the names and addresses of the
president and secretary thereof are_sufficienti
（iii）state the name and make of all motor yehicles handled and the name and address of the manufacturer importare or distributor with whom the applicant has a uritten nem notor vehicle＿franchise or sales agreementi
Livi exerute a certificate to the effect that the applicant bas a permanent building for the display and sale of ned motor vehicles at the lacation of the premises where sales are conductedi
（x）execute a certificate to the effect that the applicant has a bona fide service dooartment for the repaire
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## servict ancimaintstance of alotor yehicles：and

（vi）execute＿o＿certifisate＿to the effach tnat the ajucant is a bona fide dealer in＿oen Hotor varicles＿ing that he is recognized ox a manffacturere importere or fistricutor as a gealer in new ingtor yehiclese
（i）To qualify as ased motor vehicle dealer and for tike＿use of mun platenemor as andrailers semitriailyre ur special mobile equiment dealer and for the use of miRn plates，or as a wotorcycle dealer and fur the uaje of micon plates：the applicant 略e in addition to the matters set
 （1）Lal abover proviget：



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（I）A SIAIEGENI THAL IHE＿APPLICANI＿GAS A EEAHSNEXI

 AID HEADLUARIERS AS THE PRINEIPAL PLACE DE BUSLUESS：AKO
tirillul a＿certificate to the effect that tne＿applicant is a bona fide dealer in used motor rebicless trailerse semitrailerse special mobile equipmente or inotorcyclese
tełーエn＝－adsition＝to＝the－nextera＝repuired－in－subsection
titfbt－abovex－an－appticant－for－e－wied－motor－rehicte－deater ticense－＝shatt－eertify－unser－anth－qhot－the－spptieent－sotyin

 for－o－ysed－notor－rehrete－denter－iteensex SHAt－EEAXIfX－UNOER



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 registrar－ef－mptor－vehietess

C）TO QUALIEY FOR A USED HOTOR YEHICLE DEALER LICENSE A PERSEN MUST SUBHLI AN ANNUAL APPLILATION EOR THAI LICENSE AND CGBPLY HITH THE PRWVISLONS OF THIS SUBSECIIOA＿IN ADOITIUN TO FULEILLING THE REQUIREMENTS OE SUBSECIION（1LLBA ABOYE A NEY APPLICANI FOR A USED MOTOR VEHICIE DEALER LICENSE SHALL PAY 5300 TO EHE BEGLSIRAR OF MOIOR VEBICLES＿IN ADOLIIUN IO ANY OTHER SUMS REQUIRED BY IHIS SECIION OK OTHER RBUYISICYS OF THE LAHE AN APPLICANI EQR A RENEKAL IF＿A USED MOILR VEHICLE DEALER LICENSE SHALL CERIIFY UND：OR OATH IHAI HE HAS SOLD BORE THAN EIVE USED WOIOR YEHICLES DURING IHE PGECEDING CALENDAR YEAR OR PAY AN ADDILIONAL \＄300 QEFORE HE

[^1]Ht(3) Upon making such application, the applicant shall pay to the registrar of motor vehicles, in adition to the fees required of dealers under the provisions of section 53-122, 3 fee of five dollars ( $\$ 5$ ). Upon receipt of the application, fee and bond, as provided above, the registrar of motor vehicles shall examine the application, and may; prior to issuing a license, make individual investigation of the truth of the statements contained in the application. If the registrar of motor vehicles is satisfied that the applicant qualifies for the issuance of a dealer*s license under the provisions of this act, he may thereupon issue the same.
t5t(4) ēvery dealer 1 icensed under this section shall keep a book or record of the purchase, sale or exchenye or 3 receipt for the purpose of sale, of any used vehicle, a 24 description of such vehicles, together with the name and address of the seller, of the purchaser, and of the alleged

## or--temporary-butiding-is-not-z-suffieiently-permenent-ptace <br> of-business--within--the-meaning-of--this--seetions--Fthe <br> registrar-of--motor--venietes-shatt-not-register-t-lieense <br> any-opplieant-as-a-deater-in-used-ears-untess-sueh-applicant <br>  <br> bufl ding-or-tot-te-provide-disptoy-of--merchnadiser-a--tiyn <br> indieating-the--firan nowe-and-headquarters-us-the-prinntpal <br> ptace-of-businessz <br> -fincer registrer-of-motor--venietes-shatt-not-register-tr-lieense eny-applieemt-ur-a-deater-in-used-ears-untess-sueh-apptieant furnisires-guffieient-eyidence-te-tho-registrar-that-ite-h>s-a butiding-or-tot-to-provide-disptoy-of--merchandiser-a--xiyn indreating-the--firan-nowe-and-headquarters-us-the-prinetpal ptace-of-businesss

 25owner or other person from whom such vehicle was purchised
ur receivecir or them it was sold or delivered, is the case miy tee such iescription in the case of moter vehicles shall also include the engine nuaber, if any, tne maser's number, if any, chussis numpert if any, and such other numbers or identification marks as may oe thereong and shall include a stotement that a number has been obliteritad, defaced or changed, if such is the fact. In the case of a trailer, seaitrailer or special mobile equipment, tine record shall include the manufacturer's number and such other numbers or identification marks as may be thereon. if shall also have in his possession a duly assigned certificate of also have in his possession a duly assigned certificate of
title from the owner of said motor vehicle in accordance with the provisions of another section of this act, froat the time when the motor vehicle is deliverea to him until it has Deen disposed of by him.
tatici Upon the licensing of a dealer is : new rotor vehicle dealer: used rotor vehicle dealery or trailer, semitrailer, or special mboile equipment dejier, or a dealer of the motorcycle-type venicie, the registrar of notor vehicles shall assign to such dealer a distinctive s riál license number as a dealer and AETER PAYMENI_OE FEES furnisin every qualified dealer in motor vehicles with not less than two (2) sきts of number plates, and as many more as the-fee
 umbers or identification marks as may be thereon- ife shal vehicles shall assign to such dealer a distinctive s riál icense number as a dealer and AETER PAYHENI OF FEES furnisi (2) sets of number flates, and as many more as thefee

[^2]
#### Abstract

sealer authorizeq te sell new motar vehicles fincludias trucks and truck－trailersi and to use the momplater no degler autharizecite transact business under the provisiuns of this section may offer for sale or trade＿any venicle described in this section except such vehicles as are uthorizej iy the platas assigned to hime If an applicant kishes to sell pore than one type of vehiclen he shall nuke application for each separate authorizatione Ne dealer plate assignecto de dealer may be used on any rehicle other than the type described in this sectione a dealer authorized to sell new motor vehicles and assigned a＂om plate is authorized to sell boti nen and used noter vehicles Lincluding trucks＿and＿truck－trailersle and mow flates may be displayed on either new or used mator vehicles ox a lirensed dealer in nex zehiclese The registrar of motor vibicles shall cause to be placed an each set of license plates issued to a dealer，a serial number assigned to eáh dealer and the actual number of license plates issued to cach dealer．The number of the dealer shall follow the prefix of the county，and tine numper of plates issued the dealed sinall follow the prefix of the county and the numb $=\mathrm{r}$ of the dealer，the dealer＂s number to be separated from the county profix by a dash，and the number of plates issued to a dealer to be separated from the dealer＇s numbar by a dash， is follaws：Uealer number 4 in Lewis and Clirk County would


be numbered 5-4, and if the dealer were issued three sets of platesp they would be numbered consecutively as follows, 5-4-1, 5-4-2 and 5-4-3. Diealers properly jicensed unaer this section are authorized to use and display, dealer*s license plates on any motor vehicle held for bonalide sale or used prineiparty in the conduct of the dealer's business in selling or demonstratinj wotor vehicles. Qeater-pletes=may be-tised=and-disptared-ionty=0n=-aotor-vebictes-thot-ore principatly
 shall be used or displayed on vehicles normally used for hire, lease or rental or for purposes not incident to the business of a motor vehicle dealer. EACH DEALER_IS ACCOUSTABLE FQR EACH PLALE LSSUED AMD SHALE CERIIEY GUARIERLY TO THE REGISIRAR OF MOTOR YEHICLES THE OISROSIIION OF EACH DEALER PLAIE ASSLGNED TO THE DEALER LHELUDING IHE NAME ADOBESS. ANG OCCURALIOL OE IHE PERSQU PRIMARILY USLHG EACH_PLALEe If it shall appear to the satisfaction of the registrar of motor vehicles, from information furnisheir to him by the sheriff or any other law enforcement officer, that any such dealer has been improperiy licensed, has used the dealer's $\mathbf{j}$ icense in----manner-other-than-the-one permitted-abreve on-o-vehicte-other-than-one--authorizest-br this-sectiont Lid A MANER OLHER THAN_IHE ONE HERELN AUTHDRIZED or is not qualified as a dealer under the

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requirements of this section, the registrir of notor
vehicles may revoke such dealer's license. No person, firm,
corporation or association shall, for commission or profit,
engage in the business of buying, selling, exchanyin; or
acting as a oroker of new wotor vehicles, truilers or
smmitraifers unless duly licensed in compliance with this
section fexcept trailers having an unladen weight of less
than five hundred (500) pounas).
            Any person violatin; the provisions of this section
shall be guilty of a misdemeanor and subject to a fine of
not less than two hundred fifty dollars ($250) and not nore
than five hundred dollars ($500). For the purposes hereof,
every sale of a motor vehicle in violation of the provisions
of this section shall be deemed a separate offense."
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-End-


[^0]:    shali be verified by the Montana highway patroi- Each application must be accompanied by the license fee hereinafter named. Dealer's license must be renewed and paid for annually, and an application for relicensing must be filed not later than January first of each year. To qualify for licensing and the issuance and use of mom mo, = mir," or MMLOM plates, as here; nafter provided, the applicant must furnish the following information and qualify under the following provistons:
    fot--Fhe-nome-under-whieh-the-bwsinems-is-comdictedt
    tbt--tocation---of-premises--tstreety--addressy-eityp
    countr-and-stetet-where-records-bre-keptw-sates-ore-mede-and stock-of-motor-vehiretes-disployedt
    tet--Name-and-address-of-ott-owners-or--persons--having an--interest-in-the-businesst-providedt-however-thet-in-the ease-of-a-corporationy-the-nomes-ond-addresses-of--the president-and-seeretory-thereof-wit+-be-suffieientt
    tdt--Name--and-make-of-att-vehtetes-handtedr-if-faetory framenised-or-set+ing-under--o-written--egreement-mith-o menufacturery-importer-or-distributort
    tef--Whether---or---not--used---venietes--are--handzed exetusivetyt
    fff--A-certificate-to-the-effeet-that-the-appticent--is
    a-bona-fide-deoter-in-motor-vehietesv-tratiersy-semittrotters or--speeiat--mobite--equipmentt--and-that-the-apprieant-if-a

[^1]:    GAY BE LICEASEQ．
    （D）IUL PROVISIONS DF SUBSECILUN（I）CC）ABOYER 00 OUT
     GRECKING FAEILIIY UNDER THE PRDYISIONS JF IIILE GY，CHARIEB 68．ReGeMe 2947 ．
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     fequirenents－set－forth－abores－in－adtition－te－the－infor靬tion
    
    
    tit（2）The applicant for a dealer＂s license shall also file with his application a good and sufficient Dond in the sum of five thousand dolldrs（ 55,000 ），and the oona shall be conditioned that the applicant shall conduct his wusiness in accordance with the requirements of the 1 aw ．All bonds snall run to the state of Montana and shall be approved by the registrar of motor vehicles and filed in his office ana shall be renewed annually

    Fhe－－registrar－－of－motor－vehietes－shmit－not－regist－f－or子ieense－as－a－deater－any－appticant－for－the－sot－of－new－motor rehietes－－at－－retait－－untess－－sunh－apptieant－ownsp－teas－s－or rents－i－permanent－buifding－－wherein－he－sho子ł－－eonduct－inis business－－－and－－who－－－has－－a－－deaterge－freneinise－－from－a manufrtetafer－of－motor－ventefes－A－private－residener－tenty

[^2]:     DLALEG HIIH IHE IMILIAL APPLIGALION EQK LICENSE ARR EACH BENEKALE ASSIGNEU number plates snall be similar to number plates furnished to owners of motor vehicles but shall bear therecn，in addition to tae serial number assigned such dealer，the－tetter－man－if－－the－deater－seł子s－new－motor vehretes－tinetuding－trueks－－and－terarterst－or－new－and－used moter－vehiefeg－finetudinc－trueks－and－trottersyt－the－fetters
     trueks－end－trajterst－ontyt－and－tne－－tetters－－n日f月m－if－－the Geałer－－－setls－－traiferst－semitrathers－－or－speciat－nobite equipment－thew－ef－usedt－untyp－and－the－7etters－matin－if－－the deater－setts－vehietes－of－the－motorcyete－typer－tuly－new－motor
     be－－ascighed－if－erth－new－and－廿see－motor－venietes－tineturing tfteks－and－traiterst－are－votar－ang－onty－one－ticense－fee
     dealer is authorized to sill ned ingtor venicles cincluning
     is autiorized to sell used illotor venicles ciacturing usen trucks and usec truck－trailarsia the letters Merim if the deder is autiorized to sell trailerse semitruiltcse＿ar special mobile equipment（net or usediland the letters orco＂if the dealer is autharizedno sell vehicles of the motorcycle type（nem or used）e＿rith the exception of a

