

HOUSE BILL 663

IN THE HOUSE

February 8, 1979                    Introduced and referred to Committee  
on Fish and Game.

February 15, 1979                   Committee recommend bill, do pass.

February 17, 1979                   Second reading, as amended.

February 19, 1979                   Considered correctly engrossed.

February 21, 1979                   Third reading, passed.

IN THE SENATE

February 22, 1979                   Introduced and referred to Committee  
on Fish and Game.

March 5, 1979                        Committee recommend bill, concurred.

March 7, 1979                        Second reading, concurred.

March 9, 1979                        Third reading, not concurred.

IN THE HOUSE

March 10, 1979                        Returned from Senate, not concurred.

March 15, 1979                        On motion, request of Senate granted  
for return of H.B. 663 for further  
consideration.

IN THE SENATE

March 16, 1979                        Returned from House, on motion, placed  
on second reading.

March 17, 1979                        Motion, pass consideration.

March 19, 1979                        Second reading, indefinitely postponed.

IN THE HOUSE

March 20, 1979                        Returned from Senate, indefinitely  
postponed.

1 HOUSE BILL NO. 663  
2 INTRODUCED BY Brand

3 BY REQUEST OF THE DEPARTMENT OF FISH AND GAME

4  
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE FEE FOR  
6 A MOTORBOAT LICENSE DECAL AND TO PROVIDE FOR ITS ALLOCATION;  
7 AMENDING SECTION 23-2-512, MCA."

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

10 Section 1. Section 23-2-512, MCA, is amended to read:

11 "23-2-512. Identification number. (1) The owner of  
12 each motorboat requiring numbering by this state shall file  
13 an application for number in the office of the county  
14 treasurer where the motorboat is owned or taxable on forms  
15 prepared and furnished by the division of motor vehicles.  
16 The application shall be signed by the owner of the  
17 motorboat and shall be accompanied by a fee of ~~\$1~~ \$2. Any  
18 alteration, change, or false statement contained in the  
19 application will render the certificate of number void. Upon  
20 receipt of the application in approved form, the county  
21 treasurer shall issue to the applicant a certificate of  
22 number prepared and furnished by the division of motor  
23 vehicles, stating the number awarded to the motorboat and  
24 the name and address of the owner.

25 (2) Before filing the application with the county

1 treasurer, the applicant shall submit it to the county  
2 assessor, who shall enter on the application, in a space to  
3 be provided for that purpose, the market value and taxable  
4 value of the motorboat for the year for which the  
5 application for registration is made.

6 (3) The applicant, upon the filing of the application,  
7 shall pay to the county treasurer the registration fee and  
8 the personal property taxes assessed against the motorboat  
9 or vessel for the current year of registration before the  
10 application for registration or reregistration may be  
11 accepted by the county treasurer.

12 (4) Should the ownership of a motorboat change, a new  
13 application form with fee shall be filed within a reasonable  
14 time with the county treasurer and a new certificate of  
15 number awarded in the same manner as provided for in an  
16 original award of number.

17 (5) If an agency of the United States government has  
18 in force a comprehensive system of identification numbering  
19 for motorboats in the United States, the numbering system  
20 employed pursuant to this part by the division of motor  
21 vehicles shall be in conformity.

22 (6) Every certificate of number and the license decals  
23 awarded under this part shall continue in effect for a  
24 period not to exceed 1 year unless sooner terminated or  
25 discontinued in accordance with the provisions of this part.

1 Certificates of number and license decals shall show the  
 2 date of expiration and may be renewed by the owner in the  
 3 same manner provided for in the initial securing of the  
 4 certificate.

5 (7) Certificates of number shall expire on April 30 of  
 6 each year and may not be in effect unless renewed under this  
 7 part.

8 (8) In event of transfer of ownership, the purchaser  
 9 shall furnish the county treasurer notice within a  
 10 reasonable time of the acquisition of all or any part of his  
 11 interest, other than the creation of a security interest, in  
 12 a motorboat numbered in this state or of the loss, theft,  
 13 destruction, or abandonment of the motorboat. The transfer,  
 14 loss, theft, destruction, or abandonment terminates the  
 15 certificate of number for the motorboat. Recovery from theft  
 16 or transfer of a part interest that does not affect the  
 17 owner's right to operate the motorboat does not terminate  
 18 the certificate of number.

19 (9) A holder of a certificate of number shall notify  
 20 the county treasurer within reasonable time if his address  
 21 no longer conforms to the address appearing on the  
 22 certificate and furnish the county treasurer with his new  
 23 address. The division of motor vehicles may provide by rule  
 24 for the surrender of the certificate bearing the former  
 25 address and its replacement with a certificate bearing the

1 new address or the alteration of an outstanding certificate  
 2 to show the new address of the holder.

3 (10) (a) The number awarded must be painted on or  
 4 attached to each outboard side of the forward half of the  
 5 motorboat or, if there are no such sides, at a corresponding  
 6 location on both outboard sides of the foredeck of the  
 7 motorboat. The number awarded shall read from left to right,  
 8 be in Arabic numerals, in block characters of good  
 9 proportion at least 3 inches tall excluding border or trim,  
 10 of a color that contrasts with the color of the background,  
 11 and be so maintained as to be clearly visible and legible.  
 12 The number may not be placed on the obscured underside of  
 13 the flared bow where it cannot be easily seen from another  
 14 vessel or ashore. No numerals, letters, or devices, other  
 15 than those used in connection with the identifying number  
 16 issued, may be placed in the proximity of the identifying  
 17 number. No numerals, letters, or devices which might  
 18 interfere with the ready identification of the motorboat by  
 19 its identifying number may be carried as to interfere with  
 20 the motorboat's identification. No number other than the  
 21 number and license decal awarded to a motorboat or granted  
 22 reciprocity under this part shall be painted, attached, or  
 23 otherwise displayed on either side of the forward half of  
 24 the motorboat.

25 (b) The certificate of number shall be pocket size and

1 available to federal, state, or local law enforcement  
2 officers at all reasonable times for inspection on the  
3 motorboat whenever the motorboat is on waters of this state.

4 (c) Boat liveries are not required to have the  
5 certificate of number on board each motorboat, but a rental  
6 agreement must be carried on board livery motorboats in  
7 place of the certificate of number.

8 (11) Fees collected under this section shall be  
9 transmitted to the state treasurer who shall deposit the  
10 fees each fee in the ~~motorboat-certificate-identification~~  
11 ~~account-of-an~~ earmarked revenue fund, \$1 to the credit of  
12 the registrar of motor vehicles and \$1 to the credit of the  
13 motorboat certificate identification account. These fees  
14 shall be used only for the administration and enforcement of  
15 this part, as amended, including the operation of a water  
16 safety program by the department of fish and game.

17 (12) An owner of a motorboat must within a reasonable  
18 time notify the division of motor vehicles, giving the  
19 motorboat's identifying number and the owner's name when  
20 that motorboat becomes documented as a vessel of the United  
21 States or is transferred, lost, destroyed, abandoned, or  
22 frauded or within 60 days after change of state of principal  
23 use."

-End-

## STATE OF MONTANA

Request No. 307-79

## FISCAL NOTE

Form BD-15

In compliance with a written request received February 9, 1979, there is hereby submitted a Fiscal Note for House Bill 663 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:

House Bill 663 is legislation proposed to provide money for the administration and enforcement of the motorboat decal law by increasing the present fee of \$1.00 to the Department of Fish and Game for water safety and \$1.00 to the Department of Justice Registrar's Office for administration. Presently, the \$1.00 fee goes to the Department of Fish and Game for administration and enforcement of the motorboat safety program. Nothing to Registrars office for administration.

## ASSUMPTIONS:

1. 29,400 boats will be registered in FY 1980.
2. 30,000 boats will be registered in FY 1981.

## REVENUE IMPACT:

	<u>FY 80</u>	<u>FY 81</u>
Motorboat fee collections under current law	\$29,400	\$30,000
Motorboat fee collections under proposed law	<u>58,800</u>	<u>60,000</u>
Increased fee collections	<u>\$29,400</u>	<u>\$30,000</u>

The additional revenue will accrue to the earmarked revenue account of the Registrar of Motor Vehicles.

*Richard L. Drury for*  
 BUDGET DIRECTOR  
 Office of Budget and Program Planning  
 Date: 2/14/79

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10 Section 1. Section 23-2-512, MCA, is amended to read:

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12 each motorboat requiring numbering by this state shall file  
13 an application for number in the office of the county  
14 treasurer where the motorboat is owned or taxable on forms  
15 prepared and furnished by the division of motor vehicles.  
16 The application shall be signed by the owner of the  
17 motorboat and shall be accompanied by a fee of \$12. Any  
18 alteration, change, or false statement contained in the  
19 application will render the certificate of number void. Upon  
20 receipt of the application in approved form, the county  
21 treasurer shall issue to the applicant a certificate of  
22 number prepared and furnished by the division of motor  
23 vehicles, stating the number awarded to the motorboat and  
24 the name and address of the owner.

25 (2) Before filing the application with the county

1 treasurer, the applicant shall submit it to the county  
2 assessor, who shall enter on the application, in a space to  
3 be provided for that purpose, the market value and taxable  
4 value of the motorboat for the year for which the  
5 application for registration is made.

6 (3) The applicant, upon the filing of the application,  
7 shall pay to the county treasurer the registration fee and  
8 the personal property taxes assessed against the motorboat  
9 or vessel for the current year of registration before the  
10 application for registration or reregistration may be  
11 accepted by the county treasurer.

12 (4) Should the ownership of a motorboat change, a new  
13 application form with fee shall be filed within a reasonable  
14 time with the county treasurer and a new certificate of  
15 number awarded in the same manner as provided for in an  
16 original award of number.

17 (5) If an agency of the United States government has  
18 in force a comprehensive system of identification numbering  
19 for motorboats in the United States, the numbering system  
20 employed pursuant to this part by the division of motor  
21 vehicles shall be in conformity.

22 (6) Every certificate of number and the license decals  
23 awarded under this part shall continue in effect for a  
24 period not to exceed 1 year unless sooner terminated or  
25 discontinued in accordance with the provisions of this part.

1 Certificates of number and license decals shall show the  
 2 date of expiration and may be renewed by the owner in the  
 3 same manner provided for in the initial securing of the  
 4 certificate.

5 (7) Certificates of number shall expire on April 30 of  
 6 each year and may not be in effect unless renewed under this  
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8 (8) In event of transfer of ownership, the purchaser  
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 10 reasonable time of the acquisition of all or any part of his  
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 17 owner's right to operate the motorboat does not terminate  
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19 (9) A holder of a certificate of number shall notify  
 20 the county treasurer within reasonable time if his address  
 21 no longer conforms to the address appearing on the  
 22 certificate and furnish the county treasurer with his new  
 23 address. The division of motor vehicles may provide by rule  
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3 (10) (a) The number awarded must be painted on or  
 4 attached to each outboard side of the forward half of the  
 5 motorboat or, if there are no such sides, at a corresponding  
 6 location on both outboard sides of the foredeck of the  
 7 motorboat. The number awarded shall read from left to right,  
 8 be in Arabic numerals, in block characters of good  
 9 proportion at least 3 inches tall excluding border or trim,  
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 12 The number may not be placed on the obscured underside of  
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 14 vessel or ashore. No numerals, letters, or devices, other  
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1 available to federal, state, or local law enforcement  
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 5 certificate of number on board each motorboat, but a rental  
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 16 ~~safety program by the department of fish and game.~~ THE  
 17 DEPARTMENT OF FISH AND GAME, PARKS DIVISION, WILL EXPEND AN  
 18 AMOUNT EQUIVALENT TO THE MONEY RECEIVED BY THE DEPARTMENT IN  
 19 DECAL MONEY FOR THE PURCHASE, MAINTENANCE, AND UPGRADING OF  
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