

HOUSE BILL 776

IN THE HOUSE

February 13, 1979

Introduced and referred to
Committee on Highways and
Transportation.

February 20, 1979

Committee recommend bill, do
not pass.

February 21, 1979

Report adopted.

1 House BILL NO. 776
2 INTRODUCED BY Wise

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE THAT ONLY
5 ONE AUTOMOBILE NUMBER PLATE IS REQUIRED AND SHALL BE
6 DISPLAYED ON THE REAR OF A VEHICLE; AMENDING SECTIONS
7 10-1-110, 10-2-301, 10-2-303, 10-2-304, 44-4-206, 61-1-508,
8 61-3-331 THROUGH 61-3-335, 61-3-342, 61-3-401 THROUGH
9 61-3-405, 61-3-411, 61-3-421 THROUGH 61-3-423, 61-3-425,
10 61-3-701, 61-3-321, 61-4-102, 61-4-103, and 61-4-111, MCA."

11
12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

13 Section 1. Section 10-1-110, MCA, is amended to read:

14 "10-1-110. Distinctive license ~~plates~~ plate for
15 national guardsmen. In addition to the regular license
16 ~~plates~~ plate prescribed by law, there may be issued to each
17 active member of the Montana national guard a distinctive
18 license ~~plates~~ plate bearing the words "national guard" and
19 "Montana", said ~~plates~~ plate to be numbered ~~in-sets-of-two~~
20 with a different number following the letters "NG". Plates
21 shall be furnished by the division of motor vehicles to the
22 adjutant general, and by him issued to the members of the
23 active guard. The adjutant general shall inform the division
24 of motor vehicles of each ~~set~~ plate so issued, giving the
25 number of the license, the name, unit, and home address of

1 the member to whom issued, and shall be responsible for the
2 recovery of said ~~plates~~ plate and notification to the
3 division upon the member becoming ineligible to use them.
4 ~~Plates~~ A plate so issued shall be placed or mounted on the
5 vehicle over the regular license plate and shall be removed
6 upon sale or other disposition of the vehicle. Said
7 distinctive ~~plates~~ plate shall be renewed every 5 years or
8 when lost, destroyed, or damaged."

9 Section 2. Section 10-2-301, MCA, is amended to read:

10 "10-2-301. Free license ~~plates~~ plate to disabled
11 veterans. Any person who is a veteran of the armed service
12 of the United States and 100% disabled because of an injury
13 which has been determined by the veterans administration to
14 be service connected and who is a citizen and resident of
15 the state of Montana and who is the owner of a passenger
16 automobile or of a truck up to and including three-quarter
17 ton GVW-rated capacity shall be provided with a free license
18 ~~plates~~ plate upon payment of personal property tax equal to
19 1% of the taxable value for such automobile or truck and
20 upon proof of 100% service-connected disability."

21 Section 3. Section 10-2-303, MCA, is amended to read:

22 "10-2-303. Veterans' free ~~plates~~ plate limited to one
23 automobile or truck. No disabled veteran is entitled to a
24 free license ~~plates~~ plate for more than one passenger
25 automobile or one truck up to and including three-quarter

1 ton GVW-rated capacity."

2 Section 4. Section 10-2-304, MCA, is amended to read:

3 "10-2-304. Violation a misdemeanor. Any person who
4 violates 10-2-302 or 10-2-303 or who knowingly and
5 wrongfully attempts to secure a free license plates ~~plate~~
6 under 10-2-301 shall be guilty of a misdemeanor and punished
7 by a fine of not less than \$100 or imprisonment for not more
8 than 30 days, or both."

9 Section 5. Section 44-4-206, MCA, is amended to read:

10 "44-4-206. Revocation. Such registrations may be
11 revoked at any time by the attorney general at his
12 discretion. On delivery of notice of revocation, the
13 registrant shall, within 24 hours, deliver such license
14 ~~plates plate~~ and certificate of registration to the attorney
15 general or his duly appointed agent."

16 Section 6. Section 61-3-331, MCA, is amended to read:

17 "61-3-331. Assignment of a number ~~plates plate~~. The
18 county treasurer shall, at the time of issuing a
19 registration receipt under 61-3-322, assign such motor
20 vehicle a distinctive number, viz., the license plate
21 number, and deliver to the applicant two ~~one~~ license ~~plates~~
22 ~~plate~~, as received from the division, which shall bear such
23 distinctive numbers. The division shall ship said license
24 plates to the various county treasurers by freight, so that
25 they will be received by the county treasurer on or before

1 January 1 of each year."

2 Section 7. Section 61-3-332, MCA, is amended to read:

3 "61-3-332. Number plates. (1) Every motor vehicle
4 which shall be driven upon the streets or highways of this
5 state shall display ~~both-front-and-rear~~ a ~~rear~~ number plate,
6 bearing the distinctive number assigned such vehicle. Such
7 number plate shall be in eight series: one series for owners
8 of motorcars, one for owners of motor vehicles of the
9 motorcycle type, one for trailers, one for trucks, one for
10 dealers in vehicles of the motorcycle type which shall bear
11 the distinctive letters "MCD" or the letters "MC" and the
12 word "DEALER", one for franchised dealers in new motorcars
13 (including trucks and trailers) or new and used motorcars
14 (including trucks and trailers) which shall bear the
15 distinctive letter "D" or the word "DEALER", one for dealers
16 in used motorcars only (including used trucks and trailers)
17 which shall bear the distinctive letters "UD" or the let:
18 "U" and the word "DEALER", and one for dealers in trailers
19 and/or semitrailers (new or used) which shall bear the
20 distinctive letters "DTR" or the letters "TR" and the word
21 "DEALER". All such markings for the aforementioned kinds of
22 dealers' plates shall be placed on the number plates
23 assigned thereto in such position thereon as the division
24 may designate.

25 (2) All number plates for motor vehicles shall be

1 issued for a minimum period of 4 years, shall bear a
 2 distinctive marking, and shall be furnished by the state.
 3 In years when number plates are not issued, the division
 4 shall provide nonremovable stickers bearing appropriate
 5 registration numbers which shall be affixed to the license
 6 plates in use.

7 (3) In the case of motorcars and trucks, number plates
 8 shall be of metal 6 inches wide and 12 inches in length. For
 9 number plates issued after 1976, the outline of the state
 10 of Montana shall be used as a distinctive border on such
 11 license plates, and the word "Montana" with the year shall
 12 be placed across the bottom of the plate. Such registration
 13 plate shall be treated with a reflectorized background
 14 material according to specifications prescribed by the
 15 division.

16 (4) The distinctive registration numbers shall begin
 17 with a number one or with a letter-number combination such
 18 as "A 1" or "AA 1", or any other similar combination of
 19 letters and numbers and be numbered consecutively for each
 20 series of plates. The distinctive registration number or
 21 letter-number combination assigned to the vehicle shall
 22 appear on the plate preceded by the number of the county and
 23 appearing in horizontal order on the same horizontal
 24 baseline, and the county number shall be separated from the
 25 distinctive registration number by a separation mark unless

1 a letter-number combination is used. The dimensions of such
 2 numerals and letters shall be determined by the division,
 3 provided that all county and registration numbers shall be
 4 of equal height.

5 (5) For the use of tax-exempt motor vehicles, in
 6 addition to the markings herein provided, number plates
 7 shall have thereon the following distinctive markings:

8 (a) For vehicles owned by the state the division may
 9 designate the prefix number for the various state
 10 departments, and all numbered plates issued to state
 11 departments shall bear the words "State Owned" and no year
 12 number will be indicated thereon as these numbered plates
 13 will be of a permanent nature, and will be replaced by the
 14 division at such time when the physical condition of
 15 numbered plates requires same.

16 (b) For vehicles owned by the counties,
 17 municipalities, irrigation districts organized under the
 18 laws of Montana and not operating for profit, and school
 19 districts and used and operated by officials and employees
 20 thereof in line of duty as such, and for vehicles on loan
 21 from the United States government or the state of Montana,
 22 to, or owned by, the civil air patrol and used and operated
 23 by officials and employees thereof in the line of duty as
 24 such, there shall be placed on the number plates assigned
 25 thereto, in such position thereon as the division may

1 designate, the letter "X" or the word "EXEMPT". Distinctive
 2 registration numbers for plates assigned to motor vehicles
 3 of each of the counties in the state and those of the
 4 municipalities and school districts situated within each of
 5 said counties and those of the irrigation districts which
 6 obtain plates within each county shall begin with number one
 7 and be numbered consecutively.

8 (6) On all number plates assigned to motor vehicles of
 9 the truck and trailer type, other than tax-exempt trucks and
 10 trailers, there shall appear the letter "T" or the word
 11 "TRUCK" for plates assigned to trucks and the letters "TR"
 12 or the word "TRAILER" for plates assigned to trailers and
 13 housetrailers. The letters "MC" or the word "CYCLE" shall
 14 appear for plates assigned to vehicles of the motorcycle
 15 type.

16 (7) ~~Number-plates~~ A number plate issued to a passenger
 17 car, truck, trailer, or vehicle of the motorcycle type may
 18 be transferred only to a replacement passenger car, truck,
 19 trailer, or motorcycle type vehicle. No registration or
 20 license fee may be assessed upon a transfer of a number
 21 plate under 61-3-317 and 61-3-335.

22 (8) For the purpose of this chapter, the several
 23 counties of the state shall be assigned numbers as follows:
 24 Silver Bow, 1; Cascade, 2; Yellowstone, 3; Missoula, 4;
 25 Lewis and Clark, 5; Gallatin, 6; Flathead, 7; Fergus, 8;

1 Powder River, 9; Carbon, 10; Phillips, 11; Hill, 12;
 2 Ravalli, 13; Custer, 14; Lake, 15; Dawson, 16; Roosevelt,
 3 17; Beaverhead, 18; Chouteau, 19; Valley, 20; Toole, 21; Big
 4 Horn, 22; Musselshell, 23; Blaine, 24; Madison, 25; Pondera,
 5 26; Richland, 27; Powell, 28; Rosebud, 29; Deer Lodge, 30;
 6 Teton, 31; Stillwater, 32; Treasure, 33; Sheridan, 34;
 7 Sanders, 35; Judith Basin, 36; Daniels, 37; Glacier, 38;
 8 Fallon, 39; Sweet Grass, 40; McCone, 41; Carter, 42;
 9 Broadwater, 43; Wheatland, 44; Prairie, 45; Granite, 46;
 10 Meagher, 47; Liberty, 48; Park, 49; Garfield, 50; Jefferson,
 11 51; Wibaux, 52; Golden Valley, 53; Mineral, 54; Petroleum,
 12 55; Lincoln, 56. Any new counties shall be assigned numbers
 13 by the division as they may be formed, beginning with the
 14 number 57."

15 Section 8. Section 61-3-333, MCA, is amended to read:
 16 "61-3-333. Replacing ~~a number plates plate~~. In the
 17 event of loss, mutilation, or destruction of a number ~~plates~~
 18 ~~plate~~, and/or validation devices, the owner of the
 19 registered motor vehicle may obtain from the division
 20 ~~duplicate a duplicate~~ thereof upon filing sworn declaration
 21 showing such fact and payment of a fee of \$2. In the event
 22 of loss, mutilation, or destruction of a pioneer ~~plates~~
 23 ~~plate~~, ~~duplicate a duplicate~~ may be obtained in the same
 24 manner upon payment of a fee of \$5."

25 Section 9. Section 61-3-334, MCA, is amended to read:

1 "61-3-334. Expiration of registration on transfer of
2 ownership of vehicle -- duty to remove ~~plates~~ plate. Upon
3 the transfer of ownership of a motor vehicle, the
4 registration of the motor vehicle shall expire and it shall
5 be the duty of the transferor immediately to remove the
6 license ~~plates~~ plate from the vehicle."

7 Section 10. Section 61-3-335, MCA, is amended to read:

8 "61-3-335. Transfer of a license ~~plates~~ plate to
9 another motor vehicle. Should the transferor make
10 application for the registration of another motor vehicle at
11 any time during the remainder of the current registration
12 year as shown on the original certificate of registration,
13 he may file an application in the office of the county
14 treasurer where the motor vehicle is taxable, upon a form to
15 be prepared and furnished by the division, accompanied by
16 the original certificate of registration, for the transfer
17 of the license ~~plates~~ plate. The application for transfer of
18 the license ~~plates~~ plate from the motor vehicle for which
19 originally issued to a motor vehicle acquired by the same
20 person in whose name the original license ~~plates~~ plate
21 ~~was~~ issued shall be made within 10 days from date of
22 acquiring the vehicle. The use of the license ~~plates~~ plate
23 shall not be legalized until proper transfer of ~~the~~ license
24 ~~plates~~ plate has been made."

25 Section 11. Section 61-3-342, MCA, is amended to read:

1 "61-3-342. Temporary windshield sticker. Any purchaser
2 of a motor vehicle who is unable to obtain a license ~~plates~~
3 plate from the county treasurer at the time he makes
4 application for registration or reregistration of said
5 vehicle because the certificate of ownership is lost, in the
6 possession of third parties, or in the process of reissuance
7 in this state or elsewhere may, upon making affidavit to
8 that effect upon a form prescribed by the division and upon
9 the payment of a fee of \$2 to be collected by the county
10 treasurer and remitted to the division, obtain from the
11 county treasurer of the county in which said vehicle is
12 subject to tax a temporary windshield sticker of such size,
13 color, and design as the division may prescribe, to be
14 validated by the county treasurer for a period of 60 days
15 from the date of issuance. Such purchaser, upon displaying
16 such sticker on the lower right-hand corner of the
17 windshield of such motor vehicle, shall be entitled to
18 operate such vehicle during the period for which such
19 windshield sticker has been validated without displaying the
20 registration certificate or number ~~plates~~ or plate for the
21 current year. Provided, however, the county treasurer shall
22 not sell, and no person shall purchase, more than one 60-day
23 temporary windshield sticker for any vehicle, the ownership
24 of which has not changed since the issuance of the previous
25 60-day windshield sticker."

1 Section 12. Section 61-1-508, MCA, is amended to read:

2 "61-1-508. Registration. "Registration" means, as used
3 in part 1, chapter 6, registration certificate or
4 certificates and registration ~~plates~~ plate issued under the
5 laws of this state pertaining to the registration of motor
6 vehicles."

7 Section 13. Section 61-3-401, MCA, is amended to read:

8 "61-3-401. Definition of personalized license ~~plates~~
9 plate. ~~Personalized A personalized license plates plate,~~ as
10 used in 61-3-401 through 61-3-406, ~~mean means~~ a license
11 plates plate that ~~have has~~ displayed upon ~~them it~~ the
12 registration number assigned to the passenger motor vehicle
13 for which such registration number was issued in a
14 combination of letters or numbers, or both, requested by the
15 owner of the vehicle."

16 Section 14. Section 61-3-402, MCA, is amended to read:

17 "61-3-402. Personalized license ~~plates~~ plate
18 authorized. Any person who is the registered owner of a
19 motor vehicle, a truck, motor home, camping trailer,
20 motorcycle, or other vehicle for the owner's personal use
21 registered with the division or who makes application for
22 original registration of a motor vehicle may upon payment of
23 the fee prescribed in 61-3-406 apply to the division for a
24 personalized license ~~plates~~ plate in the manner prescribed
25 in 61-3-405, which ~~plates~~ plate shall be affixed to the

1 motor vehicle for which registration is sought in lieu of
2 the regular license ~~plates~~ plate provided for in this
3 chapter."

4 Section 15. Section 61-3-403, MCA, is amended to read:

5 "61-3-403. Color and design of personalized ~~plates~~
6 plate. The personalized license ~~plates~~ plate shall be the
7 same color and design as a regular passenger motor vehicle
8 license ~~plates~~ plate and shall consist of numbers or
9 letters, or any combination thereof not exceeding eight
10 positions and not less than two positions, provided that
11 there are no conflicts with existing passenger, commercial,
12 trailer, motorcycle, or special license plate series under
13 this title."

14 Section 16. Section 61-3-404, MCA, is amended to read:

15 "61-3-404. Personalized license ~~plates~~ plate
16 restricted to registered owner. ~~Personalized A personalized~~
17 license ~~plates~~ plate shall be issued only to the registered
18 owner of the vehicle upon which ~~they are it is~~ displayed."

19 Section 17. Section 61-3-405, MCA, is amended to read:

20 "61-3-405. Application for a personalized ~~plates~~ plate
21 -- duplication -- good taste. An applicant for issuance of a
22 personalized license ~~plates~~ plate or renewal of such ~~plates~~
23 plate in subsequent years pursuant to 61-3-401 through
24 61-3-406 shall file an application therefor in such form and
25 by such date as the department may require, indicating

1 thereon the combination of letters or numbers, or both,
 2 requested as a registration number. There shall be no
 3 duplication of registration numbers, and the division may
 4 refuse to issue any combination of letters or numbers, or
 5 both, that may carry connotations offensive to good taste
 6 and decency or which would be misleading or a duplication of
 7 license plates provided for elsewhere in this title."

8 Section 18. Section 61-3-411, MCA, is amended to read:

9 "61-3-411. Registration of motor vehicles owned and
 10 operated solely as collectors' items. (1) Any owner of a
 11 motor vehicle manufactured in 1933 or earlier or
 12 manufactured in 1934 or later and more than 30 years old,
 13 used solely as a collectors' item and not for general
 14 transportation purposes, may file with the division an
 15 application for the registration of such motor vehicle
 16 stating the name and address of the owner, the name and
 17 address of the person from whom purchased, the make of the
 18 motor vehicle, the gross weight thereof, the year and number
 19 of the model, and the manufacturer's identification number
 20 and serial number, and setting forth a specific statement
 21 that the vehicle is owned and operated solely as a
 22 collectors' item and not for general transportation
 23 purposes. Said application shall be sworn to before an
 24 officer authorized to administer oaths.

25 (2) The registration fee for all such motor vehicles

1 weighing 2,850 pounds or less shall be \$5, and the
 2 registration fee for all such motor vehicles weighing more
 3 than 2,850 pounds shall be \$10.

4 (3) Upon receipt of said application for registration
 5 and payment of the registration fee above provided for the
 6 division shall file said application and register the motor
 7 vehicle therein described in the manner specified in
 8 61-3-101, and shall deliver to the applicant:

9 (a) for motor vehicles manufactured in 1933 or
 10 earlier, two ~~one~~ license plates ~~plate~~ bearing the
 11 inscription "Pioneer--Montana" and the registration number;
 12 or

13 (b) for motor vehicles manufactured in 1934 or later
 14 and more than 30 years old, two ~~one~~ license plates ~~plate~~
 15 bearing the inscription "Vintage--Montana" and the
 16 registration number. The year of issuance shall not be shown
 17 on the plates.

18 (4) No annual renewal of the registration of any such
 19 motor vehicle shall be required, and the same shall be valid
 20 as long as the vehicle is in existence; provided, however,
 21 that upon any sale of such motor vehicle, the purchaser
 22 shall be required to renew the registration thereof and pay
 23 the license fees hereinbefore specified."

24 Section 19. Section 61-3-421, MCA, is amended to read:

25 "61-3-421. Amateur radio operators -- special license

1 plate. Any motor vehicle owner and resident of this state
 2 who holds an unrevoked and unexpired official amateur radio
 3 station license and operator's license, "conditional" or
 4 higher class, issued by the federal communications
 5 commission of the United States, shall upon written
 6 application on form prescribed by the division, accompanied
 7 by proof of ownership of such amateur radio station license
 8 and operator's license, be issued a lettered license plates
 9 ~~plate in pairs (two identically lettered plates)~~ in
 10 addition to the regular license plate prescribed by
 11 law. There shall be stamped or impressed upon such special
 12 license plates in clear lettering the official amateur
 13 radio call letters of such owner as assigned to such owner
 14 by said federal communications commission, and said plates
 15 so lettered shall be renewed concurrently with, and at
 16 the time of, the issuance of the regular motor vehicle
 17 license plates.

18 Section 20. Section 61-3-422, MCA, is amended to read:

19 "61-3-422. Issuance -- application -- additional fee.
 20 The division shall issue ~~and the~~ lettered license plates
 21 ~~plate to an~~ amateur radio operators ~~operator~~ upon
 22 application showing:

- 23 (1) proof that applicant is the owner and holder of
 24 such amateur radio station license and operator's license;
 25 (2) compliance with the state motor vehicle laws

1 relating to registration and licensing of motor vehicles,
 2 and upon the payment, or proof of the payment, of the
 3 regular license fee for license plates as provided by law;
 4 and

5 (3) payment of a \$5 additional fee."

6 Section 21. Section 61-3-423, MCA, is amended to read:

7 "61-3-423. Rules -- limit of one ~~identical pair~~ of
 8 plates ~~plate~~ for each operator. The division shall make such
 9 rules as may be necessary to procure compliance with all the
 10 laws of the state regulating the issuance of motor vehicle
 11 licenses relating to the use and operation of motor vehicles
 12 before issuing the lettered license plates ~~plate~~. The
 13 division shall not issue more than one ~~identical pair of~~
 14 lettered license plates ~~plate~~ for any licensed amateur radio
 15 station in any one licensing period."

16 Section 22. Section 61-3-425, MCA, is amended to read:

17 "61-3-425. Special plates ~~plate~~ -- how affixed to car
 18 --sale or transfer of auto -- revocation or expiration of
 19 radio license. The lettered license plates ~~plate~~, as herein
 20 provided, ~~are is~~ to replace the regular license plates ~~plate~~
 21 on the motor vehicle owned by said amateur radio licensee
 22 for such period of time as the amateur radio license is in
 23 force under the federal communications commission and the
 24 special license issued hereunder is in force, but no longer,
 25 whenever such official amateur radio license is revoked or

1 expires for whatever reason, such license plate shall be
 2 removed immediately by the owner of the motor vehicle and
 3 the regular ~~plates~~ plate again placed or mounted on the
 4 motor vehicle as in other cases. When the motor vehicle is
 5 sold or otherwise transferred, the owner and holder of valid
 6 official amateur radio station and operator's license shall
 7 have the right to transfer the lettered ~~plates~~ plate to
 8 another motor vehicle owned by him upon such reasonable
 9 conditions as may be prescribed by the division. On the
 10 revocation or expiration of the amateur radio station and
 11 operator's licenses, the lettered license ~~plates~~ plate as
 12 issued shall be returned and surrendered to the division."

13 Section 23. Section 61-3-701, MCA, is amended to read:

14 "61-3-701. Foreign vehicles used in gainful occupation
 15 to be registered -- reciprocity. (1) Before any foreign
 16 licensed motor vehicle shall be operated on the highways of
 17 this state for hire, compensation, or profit, or before the
 18 owner and/or user thereof uses the vehicle if such owner
 19 and/or user is engaged in gainful occupation or business
 20 enterprise, in the state, including highway work, the owner
 21 of such vehicle shall make application to a county treasurer
 22 for registration, upon an application form furnished by the
 23 division. Upon satisfactory evidence of ownership submitted
 24 to such county treasurer and the payment of property taxes
 25 as is required by 15-8-201 through 15-8-203 or 15-24-301,

1 the treasurer shall accept the application for registration
 2 and shall collect the regular license fee required for the
 3 vehicle.

4 (2) The treasurer shall thereupon issue to the
 5 applicant a copy of the application entitled "Owner's
 6 Certificate of Registration Receipt" and forward a duplicate
 7 copy of certificate of registration to the division. The
 8 treasurer shall at the same time issue to the applicant the
 9 proper license ~~plates~~ plate or other identification markers,
 10 which shall at all times be displayed upon such vehicle when
 11 operated or driven upon roads and highways of this state
 12 during the period of the life of such license.

13 (3) The registration receipt shall not constitute
 14 evidence of ownership, but shall only be used for
 15 registration purposes. No Montana certificate of title shall
 16 be issued for this type of registration.

17 (4) This section shall not be applicable to any
 18 vehicle covered by a valid and existing reciprocal agreement
 19 or declaration entered into under the provisions of the laws
 20 of Montana."

21 Section 24. Section 61-3-321, MCA, is amended to read:

22 "61-3-321. Registration fees of vehicles -- public
 23 owned vehicles exempt from license or registration fees --
 24 disposition of fees. (1) Registration or license fees shall
 25 be paid upon registration or reregistration of motor

1 vehicles, trailers, housetrailers, and semitrailers in
2 accordance with this chapter, as follows:

3 (a) motor vehicles weighing 2,850 pounds or under,
4 other than motortrucks, \$5;

5 (b) motor vehicles weighing over 2,850 pounds, other
6 than motortrucks, \$10;

7 (c) electrically driven passenger vehicles, \$10;

8 (d) all motorcycles, \$2;

9 (e) tractors and/or trucks, \$10;

10 (f) buses shall be classed as motortrucks and licensed
11 accordingly;

12 (g) trailers and semitrailers less than 2,500 pounds
13 maximum gross loaded weight and housetrailers of all
14 weights, \$2;

15 (h) trailers and semitrailers over 2,500 up to 6,000
16 pounds maximum gross loaded weight, except housetrailers,
17 \$5;

18 (i) trailers and semitrailers over 6,000 pounds
19 maximum gross loaded weight, \$10;

20 (j) trailers used exclusively in the transportation of
21 logs in the forest or in the transportation of oil and gas
22 well machinery, road machinery, and bridge material
23 exclusively, new and secondhand, and trailers used
24 exclusively for the transportation of road machinery and
25 bridge materials, shall pay a fee of \$15 annually,

1 regardless of size or capacity;

2 (k) bicycles with motor attachment, \$1.

3 (2) All rates shall be 25% higher for motor vehicles,
4 trailers, and semitrailers when not equipped with pneumatic
5 tires.

6 (3) Tractors, as specified in this section, shall mean
7 any motor vehicle except passenger cars used for towing a
8 trailer or semitrailer.

9 (4) If any motor vehicle, housetrailer, trailer, or
10 semitrailer is originally registered 6 months after the time
11 of registration as set by law, the registration or license
12 fee for the remainder of such year shall be one-half of the
13 regular fee above given.

14 (5) When a new plate is issued, an additional fee of
15 \$1 per year for each registration of a vehicle shall be
16 added to the registration fee. Revenue from this fee shall
17 be forwarded by the respective county treasurers to the
18 state treasurer for deposit in the motor vehicle recording
19 account of the earmarked revenue fund. Disbursements from
20 the motor vehicle recording account shall be made by warrant
21 drawn by the division.

22 (6) The provisions of this part with respect to the
23 payment of registration fees shall not apply to or be
24 binding upon motor vehicles, trailers or semitrailers, or
25 tractors owned or controlled by the United States of America

1 or any state, county, or city, but in all other respects the
2 provisions of this section shall be applicable to and
3 binding upon motor vehicles, tractors, trailers, and
4 semitrailers.

5 (7) The provisions of this section relating to the
6 payment of registration fees do not apply when a number
7 ~~plates~~ are plate is transferred to a replacement vehicle
8 under 61-3-317(1), 61-3-332(7), and 61-3-335.

9 (8) All fees, other than license fees, unless
10 otherwise specifically provided, shall hereafter be
11 deposited in, and paid into, the earmarked revenue fund and
12 shall be used to pay all salaries, operating expenses, and
13 all other expenses of the division, including the
14 manufacturer and delivery of license plates. Any reference
15 in this code to the motor vehicle recording fund or the
16 motor vehicle administration fund shall be taken to mean the
17 motor vehicle recording account in the earmarked revenue
18 fund."

19 Section 25. Section 61-4-102, MCA, is amended to read:

20 "61-4-102. Fees. (1) Upon making such application, the
21 applicant shall pay to the division, in addition to the fees
22 required of dealers under the provisions of subsection(2), a
23 fee of \$5. Upon receipt of the application, fee, and bond,
24 as provided above, the division shall examine the
25 application, and may, prior to issuing a license, make

1 individual investigation of the truth of the statements
2 contained in the application. If the division is satisfied
3 that the applicant qualifies for the issuance of a dealer's
4 license under the provisions of this chapter, it may
5 thereupon issue the same.

6 (2) Registration or license fees shall be paid upon
7 registration or reregistration of dealers in motor vehicles
8 or trailers as follows:

9 (a) all dealers in motor vehicles, a fee of \$30, which
10 shall entitle such dealer to two ~~sets of~~ number plates, and
11 \$5 additional fee for each additional ~~set of~~ number ~~plates~~
12 ~~plate~~ up to six ~~sets plates~~, and \$2 additional fee for each
13 additional ~~set of~~ number ~~plates plate~~, as may be applied
14 for;

15 (b) dealers in motorcycles and trailers, including
16 housetrailer, \$30.

17 (3) If any dealer is originally registered 6 months
18 after the time of registration as set by law, the
19 registration or license fee for the remainder of such year
20 shall be one-half of the regular fee above given.

21 (4) A dealer in motor vehicles or trailers who shall
22 maintain more than one place of business or who shall
23 maintain any branch establishment or establishments must
24 register and pay a registration or license fee for each such
25 place of business or establishment.

1 (5) A new applicant for a used motor vehicle dealer
 2 license shall pay \$300 to the division in addition to any
 3 other sums required by this section or other provisions of
 4 the law. An applicant for a renewal of a used motor vehicle
 5 dealer license shall certify under oath that he has sold
 6 more than five used motor vehicles during the preceding
 7 calendar year or pay an additional \$300 before he may be
 8 licensed."

9 Section 26. Section 61-4-103, MCA, is amended to read:

10 "61-4-103. Assignment of dealer plates. (1) Upon the
 11 licensing of a dealer as a new motor vehicle dealer, used
 12 motor vehicle dealer, or trailer, semitrailer, or special
 13 mobile equipment dealer, or a dealer of the motorcycle-type
 14 vehicle, the division shall assign to such dealer a
 15 distinctive serial license number as a dealer and after
 16 payment of fees furnish every qualified dealer in motor
 17 vehicles with not less than two sets of number plates, and
 18 as many more as required according to need, which need shall
 19 be justified by the dealer with the initial application for
 20 license and each renewal. Assigned number plates shall be
 21 similar to number plates furnished to owners of motor
 22 vehicles but shall bear thereon, in addition to the serial
 23 number assigned such dealer, the letter "D" if the dealer is
 24 authorized to sell new motor vehicles (including trucks and
 25 truck trailers); the letters "UD" if the dealer is

1 authorized to sell used motor vehicles (including used
 2 trucks and used truck trailers); the letters "DTR" if the
 3 dealer is authorized to sell trailers, semitrailers, or
 4 special mobile equipment (new or used); and the letters
 5 "MCO" if the dealer is authorized to sell vehicles of the
 6 motorcycle type (new or used).

7 (2) With the exception of a dealer authorized to sell
 8 new motor vehicles (including trucks and truck trailers) and
 9 to use the "D" plate, no dealer authorized to transact
 10 business under the provisions of this section may offer for
 11 sale or trade any vehicle described in this section except
 12 such vehicles as are authorized by the plates assigned to
 13 him. If an applicant wishes to sell more than one type of
 14 vehicle, he shall make application for each separate
 15 authorization. No dealer plate assigned to a dealer may be
 16 used on any vehicle other than the type described in this
 17 section. A dealer authorized to sell new motor vehicles and
 18 assigned a "D" plate is authorized to sell both new and used
 19 motor vehicles (including trucks and truck trailers), and
 20 "D" plates may be displayed on either new or used motor
 21 vehicles by a licensed dealer in new vehicles.

22 (3) The division shall cause to be placed on each set
 23 of license ~~plates~~ plate issued to a dealer a serial number
 24 assigned to each dealer and the actual number of license
 25 plates issued to each dealer. The number of the dealer shall

1 follow the prefix of the county, and the number of plates
 2 issued the dealer shall follow the prefix of the county and
 3 the number of the dealer, the dealer's number to be
 4 separated from the county prefix by a dash, and the number
 5 of plates issued to a dealer to be separated from the
 6 dealer's number by a dash, as follows: dealer number 4 in
 7 Lewis and Clark County would be numbered 5-4, and if the
 8 dealer were issued three ~~sets~~ of plates, they would be
 9 numbered consecutively as follows, 5-4-1, 5-4-2, and 5-4-3.

10 (4) Dealers properly licensed under this section are
 11 authorized to use and display dealer's license plates on any
 12 motor vehicle held for bona fide sale or used in the conduct
 13 of the dealer's business in selling or demonstrating motor
 14 vehicles. No dealer's license plate shall be used or
 15 displayed on vehicles normally used for hire, lease, or
 16 rental or for purposes not incident to the business of a
 17 motor vehicle dealer. Each dealer is accountable for each
 18 plate issued and shall certify quarterly to the division the
 19 disposition of each dealer plate assigned to the dealer,
 20 including the name, address, and occupation of the person
 21 primarily using each plate.

22 (5) If it shall appear to the satisfaction of the
 23 division, from information furnished to it by the sheriff or
 24 any other law enforcement officer, that any such dealer has
 25 been improperly licensed, has used the dealer's license in a

1 manner other than the one herein authorized, or is not
 2 qualified as a dealer under the requirements of this
 3 section, the division may revoke such dealer's license. No
 4 person, firm, corporation, or association shall, for
 5 commission or profit, engage in the business of buying,
 6 selling, exchanging, or acting as a broker of new motor
 7 vehicles, trailers, or semitrailers unless duly licensed in
 8 compliance with this section (except trailers having an
 9 unladen weight of less than 500 pounds)."

10 Section 27. Section 61-4-111, MCA, is amended to read:
 11 "61-4-111. Used motor vehicles -- transfer to and from
 12 dealers. (1) The provisions of 61-3-201(2) shall not apply
 13 in the event of the transfer of a motor vehicle to a duly
 14 licensed automobile dealer intending to resell such vehicle
 15 and who operates the same only for demonstration purposes.
 16 In such cases, the dealer shall not be required to make
 17 application for a new certificate of ownership or for
 18 registration during the period of his ownership of said
 19 vehicle, but upon his transfer of ownership thereof to a
 20 person other than a licensed motor vehicle dealer, the
 21 following acts shall be required of the dealer on or before
 22 the times herein set forth:

23 (a) Prior to his delivery of the vehicle to the
 24 purchaser, the dealer shall issue and affix to the rear
 25 window of said vehicle a sticker in form to be prescribed by

1 the division and containing the name and address of the
 2 purchaser, date of sale, name and address of the dealer, and
 3 a description of the vehicle, including its serial number.
 4 There shall be imprinted upon said sticker in bold letters
 5 the following statement: "IT IS UNLAWFUL TO PLACE A LICENSE
 6 PLATES PLATE UPON THIS VEHICLE UNTIL REGISTERED AT THE
 7 OFFICE OF THE COUNTY TREASURER". One copy of said sticker
 8 shall be delivered by the dealer to the county treasurer in
 9 the manner prescribed in subsection (1)(b) hereof, and a
 10 copy shall be retained by the dealer for his file.

11 (b) Within 4 working days following the date of
 12 delivery of said vehicle, the dealer shall forward to the
 13 county treasurer of the county where the purchaser resides
 14 the certificate of ownership and certificate of registration
 15 (if the same are then in his possession), with an
 16 application for registration executed by the new owner in
 17 accordance with the provisions of 61-3-322, and a copy of
 18 the sticker affixed to said vehicle by the dealer, and the
 19 division, upon receipt of said documents from the county
 20 treasurer, together with the conditional sales contract or
 21 other lien, if any, shall issue a new certificate of
 22 ownership and certificate of registration together with a
 23 statement of any conditional sales contract, mortgage, or
 24 other lien as provided in 61-3-202. Transmission of said
 25 documents by the dealer to the county treasurer may be

1 accomplished either by personal delivery or by first class
 2 mail, in which event they shall be deemed to have been
 3 delivered at the time of mailing.

4 (c) If the dealer is unable to forward the certificate
 5 of ownership and/or certificate of registration within the
 6 time set forth in subsection (1)(b) hereof, because the same
 7 are lost, are in the possession of third parties, or are in
 8 process of reissuance in this state or elsewhere, he shall
 9 comply in all other respects with the provisions of
 10 subsection(1)(b) and shall forward the missing document or
 11 documents to the county treasurer, either personally or by
 12 first class mail, within 3 days after their receipt.

13 (2) Upon compliance by the dealer with the
 14 requirements set forth in this section, title to said motor
 15 vehicle shall be deemed to have passed to the purchaser as
 16 of the date of the delivery of said vehicle to him by the
 17 dealer, and the dealer shall have no further liability or
 18 responsibility with respect to the processing of
 19 registration."

-End-