CHAPTER NO. _363____.

HOUSE BILL NO. 782

INTRODUCED BY MENAHAN

IN THE HOUSE

February 13, 1979		Introduced and referred to Committee on Judiciary.
February 19, 1979		Committee recommend bill do pass. Report adopted.
February 21, 1979		Second reading, do pass.
February 22, 1979		Considered correctly engrossed.
		Third reading, passed. Transmitted to second house.
	IN THE SENA	ATE
February 23, 1979		Introduced and referred to Committee on Fish and Game.
March 7, 1979		Committee recommend bill be concurred in as amended. Report adopted.
March 9, 1979		Second reading, concurred in.
March 13, 1979		Third reading, concurred in as amended.
	IN THE HOUS	SE
March 14, 1979		Returned from second house. Concurred in as amended.
March 16, 1979		Second reading, amendments adopted.
March 17, 1979		Third reading, amendments adopted. Sent to enrolling.
		Reported correctly enrolled.

HOLLSE BILL NO. 782 1 INTRODUCED BY MEnales - By Request 2 ٦

A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THE ANNUAL 4 REGISTRATION OF SNOWMOBILES AND ASSESSING A REGISTRATION 5 FEE; REVISING THE TITLE REQUIREMENTS FOR SNOWMOBILES; 5 REVISING THE REGISTRATION REQUIREMENTS FOR SNOWMOBILE 7 DEALERS; GENERALLY REVISING FEES AND THEIR ALLOCATION; я a PROVIDING A REGISTRATION EXCEPTION FOR NONRESTOENT SNOWMOBILE RACERS; ELIMINATING THE DISCRETION OF THE 16 DEPARTMENT OF FISH AND GAME OVER DECIBEL STANDARDS; AND 11 AMENDING SECTIONS 23-2-601, 23-2-611 THROUGH 23-2-614, 12 23-2-616, 23-2-618, 23-2-619, AND 23-2-634, MCA." 13

14

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

Section 1. Section 23-2-601. MCA. is amended to read: m23-2-601. Definition of terms. As used in this part. the following terms shall have the meanings indicated herein, unless the context otherwise clearly requires that another meaning is intended:

(1) "Certificate of ownership" means the document
 issued by the division of motor vehicles as prima facig
 evidence of ownership.

24 <u>(2) "Certificate_of_registration" means the owner's</u>
 25 receipt_evidencing_payment_of_taxes, decal_fees, and

1 registration fees for a given registration year.

2 <u>fit(3)</u> "dbA" means sound pressure level measured on
3 the "A" weight scale in decibels.

4 (2)(4) "Department" means the department of fish and
5 game of the state of Montana.

t31(5) "New snowmobile" means any snowmobile that has
not been previously sold to an owner, as defined in
subsection (5).

9 t+1(6) "Operator" includes every person who operates
10 or is in actual physical control of the operation of a
11 snowmobile.

12 t5+171 "Gwner" includes every person as defined 13 herein, other than a lien holder or other person having a 14 security interest only, holding a certificate of ownership 15 to a snowmobile and entitled to the use or possession 16 thereof.

17 (6)(B) "Person" includes an individual, partnership.
 18 association, corporation, and any other body or group of
 19 persons, whether incorporated or not and regardless of the
 20 degree of formal organization.

1 (77)(9) "Roadway" includes only those portions of any
 highway, road, or street improved, designed, or ordinarily
 used for travel or parking of motor vehicles.

24 t0;(10) "Snowmobile" includes any self-propelled
25 vehicle of an overall width of 48 inches or less, excluding

-2- HB 582 INTRODUCED BILL accessories. designed primarily for travel on snow or ice.
 which may be steered by skis or runners and which is not
 otherwise registered or licensed under the laws of the state
 of Montana."

Section 2. Section 23-2-611. MCA, is amended to read:
"23-2-611. Certificate of ownership. (1) No snowmobile
may be operated upon any public lands, trails, easements.
lakes, rivers, streams, roadways or shoulders of roadways.
streets. or highways. unless a certificate of ownership has
first been obtained from the division of motor vehicles in
accordance with the laws of this state.

12 (2) Before--such--certificate-may-be-abtainedy-the <u>The</u> 13 owner of a snowmobile shall make application for a 14 certificate of ownership with the county treasurer of the 15 county in which the owner resides, upon forms to be 16 furnished for this purpose<u>a</u> which <u>The forms</u> shall require 17 the following information:

18 (a) name of <u>the</u> owner;

- 19 (b) residence of the owner by town and county;
- 20 (c) business or home mail address of the owner;
- 21 (d) name and address of any lien holder;
- 22 (e) amount due under <u>any</u> contract or lien;
- 23 (f) name and address of the manufacturer;
- 24 (g) model number or name;
- 25 (h) seriel identification number; and

(i) name and address of the dealer or other person
 from whom acquired.

3 (3) The application shall be signed by at least one
 4 owner or by a properly authorized officer or representative
 5 of the owner.

(4) If a certificate of ownership for-a-snowmobile has 6 previously been issued under the provisions of this part, 7 the application for a new certificate must be accompanied by я the immediately previous certificate or-by-an-affidavit-upon 9 a-prescribed-form-stating-under-oath-that--the--vehicle--had 10 not-been-operated-during-the-immediately-previous-year. This 11 subsection does not apply to snowmobiles that are purchased 12 as new and unused machines or that were operated when the 13 provisions of this part were not in force and effect. 14

of the application in 15 (5) Upon completion guintuplicate on forms furnished by the division of motor 16 vehicles, the county treasurer shall issue to the applicant 17 two copies of the application, one of which shall be mark a 18 19 the original application to the division, which shall cause 20 to--be--entered enter the information contained in the 21 application upon the corresponding records of its office. 22 and shall furnish the applicant a certificate of ownership 23 which shall contain the that information found-on in the 24 application considered necessary by the division and a 25

permanent ownership number. The certificate of ownership is
 not required to be renewed annually and is valid as long as
 the person holding it owns the snowmobile.

4 (b) The owner shall at all times retain possession of 5 the certificate of ownership, except when the same it is 6 being transmitted to and from the division for endorsement 7 or cancellation. The owner-of-o-snowmobile-shall-display-his 8 certificate-of-owner_hip-number-on-both-sides-of-the-cowling 9 of--the--snowmobile-and-sholl-maintain-the-number-in-legible 10 condition-st-sliteimess-The-number-shall-read-from--left--to 11 right--and-be-marked-in-Arabic-numeralsy-in-black-characters 12 of-good-proportiony-and-shall-be-s-sinisum-of--3+-inches--in heighty--excluding--border--or--trigy--ond--of--e-color-that 13 14 contrasts-with-the-color-of-the-bockground.

15 (7) Upon application for a certificate of ownership, a 16 fee of \$3 shall be paid to the county treasurer, one-half \$2 17 of which fee shall be forwarded by the county treasurer to 18 the division of motor vehicles and deposited in the motor 19 yehicle recording account of the earmarked revenue fund.

20 (8)--Before--s-tax-psid--decsl--may--be--applied---for pursuant--to--the-laws-of-this-statey-the-owner-must-present the--certificate--of--ownership---or---copy---of---completed application--therefor--as--a--prerequisite-to-completing-the epplication-for-the-tax-psid-decslw^m

25 Section 3. Section 23-2-612, MCA, is amended to read:

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1 "23-2-612. Transfer of interest. (1) Except as 2 provided in subsection (3), upon a transfer of any 2 certificate of ownership to a snowmobile registered as required under the provisions of this part, the person whose 4 5 title or interest is to be transferred shall write his signature with pen and ink upon the certificate of ownership 7 issued for the snowmobile in the appropriate space provided A. upon the reverse side of the certificate, and such signature q shall be acknowledged before a notary public.

10 (2) Within 20 calendar days thereafter. the transferee 11 shall forward make application for transfer of the 12 certificate of ownership so endorsedy--together-with-the information--required--under--this--party with the county 13 14 treasurer, of the county in which the transferee resides and 15 also make application for registration of the snowmobile. 16 The county treasurer shall forward the application to the 17 division of motor vehicles, which shall file the same upon 18 receipt thereof. No certificate of ownership may be issued 19 by the division until the outstanding certificates are 20 surrendered to that office or their loss established to its 21 reasonable satisfaction. The division county treasurer shall 22 collect a fee of \$3 for each application for transfer of 23 ownerships of which \$2 shall be forwarded to the division of 24 motor vehicles for deposit in the motor vehicle recording 25 account of the earmarked revenue fund.

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(3) A purchaser of a new or used snowmobile from a 1 2 licensed snowmobile dealer has a grace period of 20 calendar days from the date of purchase to register the sageolies 3 make application for a certificate of ownerships and to 4 obtain a tax-paid decal. It is not a violation of this part 5 6 or any other law for the purchaser to operate such a newly 7 acquired snowmobile without a certificate of ownerships 8 certificate of registrations and a tax-paid decal during the 9 20-day pariod. During this period the sticker, provided for in subsection (4), shall remain affixed to the snowmobile. 10 11 (4) Prior to the delivery of the snowmobile to the 12 purchaser, the dealer shall issue and affix to the 13 snowmobile a sticker (in a form to be prescribed by the division of motor vehicles). The sticker shall contain the 14 name and address of the purchaser, the date of sale, the 15 16 name and address of the dealer, and a description of the 17 snowaobile. including its serial number. The dealer shall 18 keep a copy of the sticker for his records and shall send a 19 copy of the sticker to the division.

(5) The provisions of subsection (2) of this sectiony
requiring---a--transferee--to--forward--the--certificate--of
ownership-after-endorsement-to-the-divisiony do not apply in
the event of the transfer of a snowmobile to a duly licensed
snowmobile dealer intending to resell the snowmobile and who
operates it only for demonstration purposes, but every such

dealer, upon transferring such interest, shall deliver the certificate of ownership with an application for a new certificate executed by the new owner in accordance with the

4 provisions of this part. The division, upon receipt of the 5 certificate of ownership and application for a new 6 certificate, together with the conditional sales contract or 7 other lien, if any, shall issue a new certificate of 8 ownership together with a statement of any conditional sales 9 contract, mortgage, or other lien."

Section 4. Section 23-2-613. MCA, is amended to read: "23-2-613. Lost or mutilated certificates. In--the event If any certificate of ownership is lost, mutilated, or becomes illegible, the person to whom the-same it was issued shall immediately make application for and may obtain a duplicate thereof, upon payment of a fee of \$1 \$2."

Section 5. Section 23-2-616, MCA, is amended to read: 16 #23-2-616. Display-of Registration and tax-paid decals 17 --- application and issuance --- use of fees. (1) o 18 snowmobile may be operated by any person in the state of 19 20 Montana unless it has been registered and there is displayed in a conspicuous place on it a decal as visual proof that 21 Montana personal property taxes have been paid on it for the 22 current year. 23

(2) Application for the--tex-paid-decel registration
shall be made to the county treasurer upon forms to be

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1	furnished <u>by the division of motor vehicles</u> for this
2	purpose, which may be obtained from-thedivisionofmotor
3	vehicles-or at the county assessor's treasurer's office in
4	the county where the owner resides. The application shall
5	contain the following information:
6	(a) name <u>and address</u> of <u>the</u> owner;
7	{b}address;
6	<pre>tci(b) certificate of ownership number;</pre>
9	<pre>(d)(c) name make of menufacturer the snowmobile;</pre>
10	tel(d) model number name of the snowmobile;
11	tf}-~make ;
12	tg}horsepowert
13	<pre>th;[e] year of manufacture;</pre>
14	<pre>titl a statement evidencing the assessment and</pre>
15	payment of property tax; and
16	(j)[g) such other information as the division of motor
17	vehicles may require.
18	{3}
19	treasurerandtransmittedby-him-to-the-division-of-motor
2 0	venicles-accompanied-by-a-fee-of-92* <u>Theapplicationshall</u>
21	be accompanied by a decal fee of \$2, a registration fee of
22	50 cents, and, if the snowpobile has previously been
23	registered, by the registration certificate for the most
24	recent year in which the snowmobile was registered. The
25	treasurer shall sign the application and issue a

1	registration receipt which shall contain information
Z	considered_necessary_by_the_division_of_motor_vehicles_and_a
3	listing of fees and taxes paid. The owner shall retain
4	possession of the registration receipt until it is
5	surrendered to the county treasurer for reregistration or to
6	a purchaser or subsequent owner pursuant to a transfer of
7	ownership.
8	<u>[4]Upon-receipt-of-the-application-in-approved-formv</u>
9	thedivisionofmotorvohiclesorcounty-treesurer Inc
10	county treasurer shall forward the signed application to the
11	division of motor vehicles and shall issue to the applicant
12	a decal in the style and design prescribed by the division
13	and of a different color than the preceding year, numbered
14	in sequence.
15	(4)(5) Before filing the application with the county
16	treasurer, the applicant shall submit it to the county
17	assessor of the county <u>of residence</u> and the county assessor
18	shall enter on the application in a place provided for that
19	purpose the market value and taxable value of the snowmobile
20	for the year for which the application is made. <u>The county</u>
21	treasurer may not accept any application under this section
22	until the applicant has paid the decal and redistration fees
23	and personal property taxes assessed against the snowmobile
24	
29	for the current year.
25	{5}The-applicant-shall-pay-the-countytreasurerthe

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1	application-fes-end-the-personal-property-taxes-assessed
Z	against-the-snawmobile-forthecurrentyearbeforethe
3	opplication-may-be-accepted by the-county-treasurers
4	(6) All moneys <u>many</u> collected from payment of the
5	<u>decal</u> fees and all interest accruing from use of these
6	someys this somey shall be turned-over forwarded to the
7	state treasurer and ρ lacod in the earmarked revenue funct to
8	the credit of the department, with \$1 designated for use in
9	enforcing the purposes of this part and \$1 designated for
10	use in the development, maintenance, and operation of
11	snowmobile facilities. <u>All acnex collected from payment of</u>
12	the registration fee shall be forwarded to the state
13	treasurer and deposited in the motor vehicle recording
14	account of the sector ked revenue funde"
15	Section 6. Section 23-2-618, MCA, is amended to read:
16	<pre>#23-2-618. Application for registration_and_tax-paid</pre>
17	decals to be made annually grace periodproof-of
18	purchase <u>periods</u> . (1) Application must be made to the county
19	treasurer for <u>registration and</u> the issuance of tax-paid
20	decals annually. All <u>registrations and</u> tax-paid decals
21	expire on June 30 of ∋ach year <u>*s_and_application_for</u>
22	registration must we made not later than August 15 of each
23	year. The renewal takes effect on July 1 of each year. The
24	certificate of registration and tax-paid decal issued under
25	this part are valid only during the registration year for

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2	(2) Anownerofanewly-purchased-snowmobile-shall
3	have-n-groce-period-of-20-calendar-daysfromthedateof
4	purchase-tomeke-application-for-a-current-tax-paid-decalv
5	provided-that-at-all-times-during-that-period-a-bill-of-sale
6	or-other-proof-of-purchase-racitingthedateofpurchase
7	shallbe-carried-by-the-operator-or-with-the-snowmobilew-An
8	ow ner-or-operator-of-such- a- snowmobile-being-operatedofter
9	the20-daygraceperiodwithout-s-cur rent-tax-paid-decal
10	displayedonthesnowmobileshallbesubjecttothe
11	penaltiesof23-2-642 (1)vas amendedv <u>The owner of a</u>
12	snowmobile registered under this part is entitled to operate
13	the vehicle between July 1 and August 15 without displaying
14	a tax-paid decal for the current year and without a current
15	registration if the owner displays the tax-paid decal for
16	the previous year and if the vehicle was registered for the
17	DLEVIOUS_YESLA"
19	Section 7. Section 23-2-619, MCA, is amended to read:
19	#23-2-619. Dealer registration certificate use of
20	fees. (1) A dealer registration certificate shall be issued
21	in accordance with this part.
22	(2) The dealer application shall be accompanied by an
23	application fee of \$5 and a registration fee of \$5. Upon
Z4	receipt of the dealer application and payment of fees, which
25	₩ ₩₩₩=be=\$5v the dealer shall be issued two dealer snow#edile

identification cards which shall be carried by <u>the</u> dealer or
 <u>the</u> dealer's customer when operating or demonstrating <u>the</u>
 dealer's snowmobiles.

4 (3) No bond is required of the dealer.

5 <u>(4) The dealer shall have a principal place of</u>
6 <u>business where be shall maintain all his business records</u>
7 <u>and display and sell merchandism</u>

8 (5) An applicant for renewal of a snowmobile dealer 9 registration shall certify that he has sold 3 or more 10 snowmobiles during the preceding year or pay an additional 11 \$50 renewal registration fee or provide a conv of a written 12 new snowmobile franchise or sales agreement that the 13 applicant has with a manufacturer. importers or distributor. (4)(6) Additional dealer snowmobile identification 14 cards as required by need justified to the division of motor 15 16 vehicles may be purchased by the dealer for a fee of \$2.

17 (5)(1) A--dealer Dealer registration certificate
 18 certificates and identification cards expire on June 30
 19 following the date of issuance.

20 <u>t61(8)</u> (a) All money collected from such the dealer application fees and all interest accruing from use of this money shall be deposited in the earmarked revenue fund to the credit of the department, with one-half designated for use in enforcing the purposes of this part and one-half designated for use in the development, maintenance, and 1 operation of snowmobile facilities.

2 (b) All money collected from dealer registration and 3 renewal_registration_fees_shall be deposited in the motor 4 vehicle recording account of the earmarked revenue funda" Section 8. Section 23-2-614, MCA, is amended to read: 5 6 #23-2-614. Exemptions. (1) The provisions of this 7 part, with respect to registration. tax-paid_decals. and A certification of ownership, do not apply to snowsopiles 9 owned or used by the United States or another state or any 10 agency or political subdivision thereof, any snowcobile 11 registered in a country other than the United States and to 12 be temporarily used within this state for a period of not 13 more than 30 days, or to any snowmobile registered in 14 another state of the United States but to be temporarily used within this state for not more than 30 days. 15 16 Snowmobiles owned by the state of Montana or any agency or 17 political subdivision thereof are exempt only from the payment of fees and shall otherwise comply with all the 18 19 requirements of this part. (2) The provisions of this part with respect to 20 21 registration. tax-paid decals. and certification of 22 ownership do not apply to unregistered snowmobiles owned by

(i) displaying display visual proof that a nonresident
 temporary-use permit has been purchasedwipr

nonresidents of the state of Montana who either:

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1 (b)__use__the__snowmobile_only_in_races_and_for_not_more
2 than 30__days__io__the__states__"Race"__means__an__organized
3 competition_on_a_predetermined_course_that_is_run_according
4 to_accepted_ruless"

Section 9. Section 23-2-634. MCA, is amended to read: 5 6 #23-2-634. Reculation of snowmobile noise. (1) Except 7 as provided in this section, every snowmobile shall be А equipped at all times with noise-suppression devices. 9 including an exhaust muffler in good working order and in 10 constant operation. No snowmobile may be modified by any 11 person in any manner that will amplify or otherwise increase 12 total noise emissions to a level greater than that emitted 13 by the snowmobile as originally constructed, regardless of date of manufacture. 14

15 (2) Every person who owns or operates a snowmobile 16 manufactured after June 30, 1972, but prior to June 30, 17 1975, shall maintain his machine in such a manner that it 18 will not exceed a sound level limitation of 82 dbA measured 19 at 50 feet.

20 (3) No new snowmobile manufactured ofter June 30,
21 1975, except snowmobiles designated for competition purposes
22 only, may be sold or offered for sale unless that machine
23 has been certified by the manufacturer as being able to
24 conform to a sound level limitation of not more than 78 dbA
25 measured at 50 feet. Every person who owns or operates a

snowmobile manufactured after June 30, 1975, shall maintain 1 2 his machine in such a manner that it will not exceed a sound level limitation of 78 dbA measured at 50 feet. 3 141--The-department-may-adopt-and--revise--sound--tevet 4 5 lisitations--for-oll-snowmobiles-manufactured-after-June-38v 1975-However-a-sound-level-lisitation-adopted--or--revised 6 7 by--the-deportment-way-not-be-higher-then-a-decibel-standard of-78-dbA-seasured-at-50-facts-The-adoption-or--revision--of а sound--level-limitation-by-the-department-shall-be-effective • beginning-dune-38-of-the-succeeding-calendar--year--and--any 10 11 sound--tevet--timitation--formatty--adopted-or-revised-shatt 12 remain-in-effect-for-a-minimum--period--of--2--yearsy--Every 13 person--who-owns-or-operotes-o-snowmobile-manufactured-after 14 dune-30v-1975v-shall-maintain-his-machine-in-compliance-with 15 the-sound--level--liwitation--which--is--applicable--to--new snowpobiles--manufactured--during--the--period--that-a-sound 16 17 level-limitation-adopted-by-the-department-is-in-effects 18 451(4) A manufacturer who certifies that a new 19 snowmobile can comply with the noise limitation requirements of this part shall affix a permanent notice of that 20 21 certification to every snowmobile offered for sale in the 22 state of Nontana. 23 (6)(5) In certifying that a new snowmobile can comply

23 to<u>f(2)</u> in certifying that a new snowmobile can comply
24 with the noise limitation requirements of this part, a
25 manufacturer shall make such a certification based 'pon

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measurements made in accordance with SAE recommended 1 2 practice J192, as amended. The department, in enforcing the provisions of this section, shall make measurements of 3 snowmobile noise in accordance with applicable practices 4 outlined in the "Procedure for Sound Lovel Measurements of 5 Snowmobiles" (January, 1969), as amended, used by the 6 7 international snowmobile industry association or with such other standards for measurement of sound level as the 3 9 department may adopt.

10 (77)(6) This section does not apply to organized races
 11 or similar competitive events held on:

12 (a) private lands, with the permission of the owner.
13 lessee, or custodian of the land; or

(b) public lands, with the consent of the public
agency having the authority to grant such consent, provided
that total sound produced by such an event way not exceed 50
dbA at any point 50 feet or more utside the area under the
control of the sponsoring entity.*

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House BILL NO. 782 INTRODUCED BY Menda - By Request 1 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THE ANNUAL 4 5 REGISTRATION OF SNOWMOBILES AND ASSESSING A REGISTRATION 6 FEE: REVISING THE TITLE REQUIREMENTS FOR SNOWHOBILES: 7 REVISING THE REGISTRATION REQUIREMENTS FOR SNOWMOBILE 8 DEALERS; GENERALLY REVISING FEES AND THEIR ALLOCATION: 9 PROVIDING . REGISTRATION EXCEPTION FOR NONRESIDENT 10 SNOWMOBILE RACERS; ELIMINATING THE DISCRETION OF THE DEPARTMENT OF FISH AND GAME OVER DECIBEL STANDARDS: AND 11 AMENDING SECTIONS 23-2-601. 23-2-611 THROUGH 23-2-614. 12 23-2-616+ 23-2-618+ 23-2-619+ AND 23-2-634+ MCA.= 13 14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 15 Section 1. Section 23-2-601, MCA, is amended to read: 16 17 #23-2-601. Definition of terms. As used in this part. 18 the following terms shall have the meanings indicated 19 herein, unless the context otherwise clearly requires that 20 another meaning is intended: 21 (1) "Certificate of ownership" means the document 22 issued by the division of motor vehicles as prime facie 23 evidence of ownership.

24 (2) "Certificate of registration" means the owner's
 25 receipt evidencing payment of taxes, decal fees, and

1 registration fees for a given registration years

2 (1)(3) "dbA" means sound pressure level measured on
 3 the "A" weight scale in decibels.

4 (2)(4) "Department" means the department of fish and
5 game of the state of Montana.

6 (3)(5) "New snowmobile" means any snowmobile that has
7 not been previously sold to an owner, as defined in
8 subsection (5).

9 (49)(6) "Operator" includes every person who operates 10 or is in actual physical control of the operation of a 11 snowmobile.

12 (5)[7] "Owner" includes every person as defined 13 herein, other than a lien holder or other person having a 14 security interest only, holding a certificate of ownership 15 to a snowmobile and entitled to the use or possession 16 thereof.

17 <u>t67[81</u> "Person" includes an individual, partnership, 18 association, corporation, and any other body or group of 19 persons, whether incorporated or not and regardless of the 20 degree of formal organization.

21 (77)(9) "Roadway" includes only those portions of any
 22 highway, road, or street improved, designed, or ordinarily
 23 used for travel or parking of motor vehicles.

24t0tl01 "Snowmobile" includes any self-propelled25vehicle of an overall width of 48 inches or less, excluding

-2- HB782 THIRD READING accessories, designed primarily for travel on snow or ice,
 which may be steered by skis or runners and which is not
 otherwise registered or licensed under the laws of the state
 of Montana.*

Section 2. Section 23-2-611: MCA: is amended to reading
"23-2-611: Certificate of ownership: (1) No snowmobile
may be operated upon any public hands: trails: easements:
lakes: rivers: streams: roadways or shoulders of roadways:
streets: or highways: unless a certificate of ownership has
first been obtained from the division of motor vehicles in
accordance with the laws of this state.

12 (2) Before--such--certificate-may-be-obtainedy-the <u>The</u> 13 owner of a snowmobile shall make application for a 14 certificate of ownership with the county treasurer of the 15 county in which the owner resides, upon forms to be 16 furnished for this purpose, which <u>The forms</u> shall require 17 the following information:

-3-

(a) name of <u>the</u> owner;

18

19 (b) residence of the owner by town and county;

20 (c) business or home mail address of the owner;

21 (d) name and address of any lien holder;

22 (e) amount due under <u>any</u> contract or lien;

23 (f) name and-address of the manufacturer;

24 (g) model number or name;

25 (h) seriel identification number; and

(i) name and address of the dealer or other person
 from whom acquired.

3 (3) The application shall be signed by at least one
4 owner or by a properly authorized officer or representative
5 of the owner.

(4) If a certificate of ownership for-s-snowmobile has 6 1 previously been issued under the provisions of this part, the application for a new certificate must be accompanied by я the immediately previous certificate or-by-an-affidavit-upon Q. 10 a-prescribed-form-stating-under-oath-that--tha--vehicle--had 11 not-been-operated-during-the-immediately-previous-year. This 12 subsection does not apply to snowmobiles that are purchased 13 as new and unused machines or that were operated when the provisions of this part were not in force and effect. 14

15 (5) Upon completion of the application in evintuplicate on forms furnished by the division of motor 16 vehicles, the county treasurer shall issue to the applicant 17 18 two copies of the application, one of which shall be marked 19 20 the original application to the division, which shall cause 21 to--be--entered enter the information contained in the 22 application upon the corresponding records of its office. and shall furnish the applicant a certificate of ownership 23 24 which shall contain the that information found-on in the 25 application considered accessary by the division and a

permanent ownership number. The certificate of ownership is
 not required to be renewed annually and is valid as long as
 the person holding it owns the snowmobile.

(6) The owner shall at all times retain possession of 4 the certificate of ownership, except when the same it is 5 being transmitted to and from the division for endorsement 6 or cancellation. The-owner-of-o-snowmobile-shall-display-his 7 certificate-of-ownership-number-on-both-sides-of-the-couling 8 9 condition-st-states-The-number-shall-read-from-left-to 10 right-and-be-marked-in-Arabit-numeralsy-in-block-characters 11 of-good-propertiony-and-shall-be-a-minimum-of--3--inches--in 12 heighty--excluding--border--or--trimy--and--of--a-color-that 13 contrasts-with-the-color-of-the-background-14 (7) Upon application for a certificate of ownership, a 15 fee of \$3 shall be paid to the county treasurer, one-holf \$2 16 of which fee shall be forwarded by the county treasurer to 17 the division of motor vehicles and deposited in the motor 18 vehicle recording account of the earmarked revenue fund. 19 +8}--Before---e--tex-paid---decal---may---be---spplied----for 20 pursuant--to--the-laws-of-this-statey-the-owner-must-present 21 the--certificate--of--ownership---or---copy---of---completed 22

23 application--therefor--as--prorequisite-to-completing-the

24 appliestion-for-the-tex-peid-decalv*

25 Section 3. Section 23-2-612, MCA, is amended to read:

1 #23-2-612. Transfer of interest. (1) Except as 2 provided in subsection (3), upon a transfer of any 3 certificate of ownership to a snownobile registered as required under the provisions of this part, the person whose 4 title or interest is to be transferred shall write his 5 signature with pen and ink upon the certificate of ownership 6 7 issued for the snowmobile in the appropriate space provided upon the reverse side of the certificate, and such signature 8 • shall be acknowledged before a notary public.

(2) Within 20 calendar days thereafter, the transferee 10 11 shall forward make application for transfer of the 12 certificate of ownership so endorsedy--tegether-with-the 13 information--required--under--this--party with the county 14 treasurer of the county in which the transferee resides and 15 also make application for registration of the spowmobiles 16 The county treasurer shall forward the application to the 17 division of motor vehicles, which shall file the same upon 18 receipt thereof. No certificate of ownership may be issued 19 by the division until the outstanding certificates are 20 surrendered to that office or their loss established to its 21 reasonable satisfaction. The division county treasurer shall 22 collect a fee of \$3 for each application for transfer of ownerships of which \$2 shall be forwarded to the division of 23 24 motor vehicles for deposit in the motor Vehicle recording 25 account of the earmarked revenue fund-

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1 (3) A purchaser of a new or used snowmobile from a licensed snowmobile dealer has a grace period of 20 calendar 2 days from the date of purchase to register the snowmobiles 3 make application for a certificate of ownerships and to 4 obtain a tax-paid decal. It is not a violation of this part 5 or any other law for the purchaser to operate such a newly 6 acquired snowmobile without a certificate of ownerships 7 certificate of registrations and a tax-paid decal during the 8 20-day period. During this period the sticker, provided for 9 10 in subsection (4)+ shall remain affixed to the snowmobile+ 11 (4) Prior to the delivery of the snowmobile to the 12 purchaser, the dealer shall issue and affix to the 13 snowmobile a sticker (in a form to be prescribed by the division of motor vehicles). The sticker shall contain the 14 name and address of the purchaser, the date of sale, the 15 name and address of the dealer, and a description of the 16 snowmobile, including its serial number. The dealer shall 17 keep a copy of the sticker for his records and shall send a 16 19 copy of the sticker to the division.

20 (5) The provisions of subsection (2) of this sectionv 21 requiring---a--transferee--to--forward--the--certificete--of 22 ounership-after-endersement-to-the-divisionv do not apply in 23 the event of the transfer of a snowmobile to a duly licensed 24 snowmobile dealer intending to resell the snowmobile and who 25 operates it only for demonstration purposes, but every such

dealer, upon transferring such interest, shall deliver the 1 certificate of ownership with an application for a new 2 certificate executed by the new owner in accordance with the 3 provisions of this part. The division, upon receipt of the certificate of ownership and application for a new 5 certificate, together with the conditional sales contract or 6 other lien, if any, shall issue a new certificate of 7 ownership together with a statement of any conditional sales 8 9 contract, mortgage, or other lien."

Section 4. Section 23-2-613. MCA. is amended to read: #23-2-613. Lost or mutilated certificates. In--the event If any certificate of ownership is lost. mutilated. or becomes illegible, the person to whom the-some it was issued shall immediately make application for and may obtain a duplicate thereof. upon payment of a fee of \$1 \$2.**

Section 5. Section 23-2-616, MCA, is amended to read: 16 #23-2-616. Display-of Registration and tax-paid decals 17 -- application and issuance -- use of fees. (1) No 18 snowmobile may be operated by any person in the state of 19 Montana unless it has been registered and there is displayed 20 in a conspicuous place on it a decal as visual proof that 21 27 Montana personal property taxes have been paid on it for the current year. 23

24 (2) Application for the--tex-paid-decol registration
 25 shall be made to the county treasurer upon forms to be

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1	furnished <u>by the division of motor vehicles</u> for this
2	purpose, which may be obtained from the -division -of -motor
3	vehiclesor at the county assessor's treasurer's office in
4	the county where the owner resides. The application shall
5	contain the following information:
6	(a) name and address of the owner;
7	tb)addresst
8	<pre>tell(b) certificate of ownership number;</pre>
9	(d)(c) name make of monufesturer the snowmobils;
10	<pre>tet(d) model number name of the snowgobile;</pre>
11	{f}moket
12	{g}horsepower1
13	<pre>thyle) year of manufacture;</pre>
14	(i)[[] a statement evidencing <u>the</u> assessment and
15	payment of property tax; and
16	(j)[g) such other information as the division of motor
17	vehicles may require.
18	(3) The application shall-be signed by -the county
19	treasurerandtransmittedby-him-to-the-division-of-motor
20	vehicles-accompanied-by-a-fee-of-42+ <u>Theapplicationshall</u>
21	be accompanied by a decal fee of \$2. a registration fee of
22	50 cents, and, if the snowmobile has previously been
23	registered, by the registration certificate for the sost
24	recent year in which the snowmobile was registered. The
25	treasurer shall sign the application and issue a

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1	registration receipt which shall contain information
2	considered perssary by the division of motor vehicles and a
3	<u>listing of fees and taxes paids. The owner shall retain</u>
4	possession of the registration receipt until it is
5	surrendered to the county treasurer for reregistration or to
6	a purchaser or subsequent owner pursuant to a transfer of
7	<u>ownership</u>
8	<u>[4]Upon-receipt-of-the-application-in-approvedformy</u>
9	the-division-of-adtor-vehicles-or-county-treasurer lis
10	county_treasurer_shall_forward_the_signed_application_to_the
11	division of motor vehicles and shell issue to the applicant
12	a decal in the style and design prescribed by the division
13	and of a different color than the preceding year, numbered
14	in sequence.
15	<pre>f47(5) Before filing the application with the county</pre>
16	treasurer, the applicant shall submit it to the county
17	assessor of the county <u>of residence</u> and the county assessor
18	shall enter on the application in a place provided for that
19	purpose the market value and taxable value of the snowmobile
20	for the year for which the application is made. <u>The county</u>
21	treasurer may not accept any application under this section
22	until the applicant has paid the decal and registration fees
23	and personal property taxes assessed against the snowmobile
24	for the current year.
25	151Ike-enligent-thell-new-the-countytreesurgethe

25 (5)--The-applicant-Shall-pay-the-county--treasurer--the

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1 application-fee-eng-tha-personal-property-taxes-assessed Z equinst-the-snowpobile--for--the--current--yeer--before--the 3 application-may-ba-accepted-by-the-county-trensurers 4 (6) All moneys money collected from payment of the 5 decal fees and all interest accruing from use of these 6 moneys this money shall be turned-over forwarded to the 7 state treasurer and placed in the carmarked revenue fund to 8 the credit of the department, with \$1 designated for use in enforcing the purposes of this part and \$1 designated for 9 use in the development, maintenance, and operation of 10 snowmobile facilities. All money collected from payment of 11 12 the redistration fee shall be forwarded to the state 13 treasurer and deposited in the actor vehicle recording 14 account of the earmarked revenue fund." 15 Section 6. Section 23-2-618, NCA, is amended to read: "23-2-618. Application for registration and tax-paid 16 17 decals to be made annually -- grace period----proof-of purchase mariads. (1) Application must be made to the county 18 19 treasurer for registration _and the issuance of tax-paid 20 decals annually. All registrations and tax-paid decals 21 expire on June 30 of Sach year and application for 22 registration must be made not later than August 15 of each 23 year. The renewal takes offect on July 1 of each year. The certificate of registration and tax-paid decal issued under 24 25 this part are valid only during the registration year for . .

1 which issued.

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(2) Anownerofanewly-purchased-snowmobile-shall
have a grace-period of-20-calendar-daysfromthedate-of
purchosetomake-a; p };cation-for-a-current-tax-paid -decalv
p rovided_thet_at_s]]-timus_during_thet_period_a_bill _of_sele
or -other -proof-of-purchose-recitingthedateofpurchase
shallbe-carried-by-the-operator-or-with-the-snowmobile-An
owner-or-operator-of-such-s-snowmobile-being-operatedafter
the20-daygracaperiodwithout-s-current-tax-paid-decai
di spłayadonthasnovmobiłashall besubject tothe
penaltiesof23-2-642 11}vas amendedv <u>The_owner_of_</u> a
snowmobile_registered_under_this_part_is_entitled_to_operate
the vehicle between July 1 and August 15 without displaying
a tax-paid decal for the current year and without a current
registration if the owner displays the tax-paid decal for
the previous year and if the vehicle was registered for the
previous_year."
Section 7. Section 23-2-619, MCA, is amended to read:
"23-2-619. Dealer registration certificate use of
fees. (1) A dealer registration certificate shall be issued
in accordance with this part.
(2) The dealer application shall be accompanied by an
application fee of \$5 and a registration fee of \$5. Upon
receipt of the dealer application and payment of fees, which

will-be-\$5y the dealer shall be issued two dealer snowmobile

identification cards which shall be carried by <u>the</u> dealer or
 <u>the</u> dealer's customer when operating or demonstrating <u>the</u>
 dealer's snowmobiles.

4 (3) No bond is required of the dealer.

5 (4) The dealer shall have a principal place of business where he shall maintain all his business records 6 7 and display and sell merchandise. (5) An applicant for renewal of a snowmobile dealer 8 recistration shall certify that he has sold 3 or more 9 10 snowmobiles during the preceding year or pay an additional \$50 renewal registration fee or provide a copy of a written 11 new snowmobile franchise or sales agreement that the 12 applicant has with a manufacturers importers or distributors 13 (4) (6) Additional dealer snowmobile identification 14

15 cards as required by need justified to the division of motor
 16 vehicles may be purchased by the dealer for a fee of \$2.
 17 t57(7) A--dealer Dealer registration certificate

18 <u>certificates</u> and identification cards expire on June 30 19 following the date of issuance.

20 (6)[8] (a) All money collected from such the dealer 21 application fees and all interest accruing from use of this 22 money shall be deposited in the earmarked revenue fund to 23 the credit of the department, with one-half designated for 24 use in enforcing the purposes of this part and one-half 25 designated for use in the development, maintenance, and

1 operation of snowmobile facilities. 2 (b) All money collected from dealer registration and 3 renewal registration fees shall be deposited in the motor ٠ vehicle recording account of the earmarked revenue fund." Section 8. Section 23-2-614. MCA. is amended to read: 5 #23-2-614. Exemptions. (1) The provisions of this ٨ part, with respect to registration, tax-paid decals, and 7 8 certification of ownership, do not apply to snowmobiles owned or used by the United States or another state or any . agency or political subdivision thereof, any snowmobile 10 11 registered in a country other than the United States and to 12 be temporarily used within this state for a period of not more than 30 days, or to any snowmobile registered in 13 another state of the United States but to be temporarily 14 15 used within this state for not more than 30 days. 16 Snowmobiles owned by the state of Montana or any agency or 17 political subdivision thereof are exempt only from the payment of fees and shall otherwise comply with all the 18 19 requirements of this part.

(2) The provisions of this part with respect to
 registration<u>+ tax-paid decals</u> and certification of
 ownership do not apply to unregistered snowmobiles owned by
 nonresidents of the state of Hontana who either:

24 (a) displaying display visual proof that a nonresident
 25 temporary-use permit has been purchasedwi_or

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 1
 (b)_use_the_snowmobile_only_in_races_and_for_not_more

 2
 than 30_days_in_the_states__"Race"_means_an_organized

 3
 competition_on_a_predeturgined_course_that_is_run_according

 4
 to_accepted_ruless"

5 Section 9. Section 23-2-634. MCA. is amended to read: 6 #23-2-634. Regulation of snowmobile noise. (1) Except 7 as provided in this section, every snowmobile shall be 8 equipped at all times with noise-suppression devices. 9 including an exhaust suffler in good working order and in 10 constant operation. No snowmobile may be modified by any 11 person in any manner that will amplify or otherwise increase 12 total noise emissions to a level greater than that emitted 13 by the snowmobile as originally constructed, regardless of 14 date of manufacture.

15 (2) Every person who owns or operates a snowmobile 16 manufactured after June 30, 1972, but prior to June 30, 17 1975, shall maintain his wachine in such a manner that it 18 will not exceed a sound level limitation of 82 dbA measured 19 at 50 feet.

(3) No new snowmobile manufactured after June 30;
1975; except snowmobiles designated for competition purposes
only; may be sold or offered for sale unless that machine
has been certified by the manufacturer as being able to
conform to a sound level limitation of not more than 78 dbA
measured at 50 feet. Every person who owns or operates a

snowmobile manufactured after June 30, 1975, shall maintain his machine in such a manner that it will not exceed a sound level limitation of 78 dbA measured at 50 feet.

4 t++--Fhe-department-may-adapt-and--revise--sound--tevet 5 ligitations--for-sll-ssoursbiles-manufactured-after-dung-30v 1975-Howevery-a-sound-level-limitation-adopted--or--revised 6 by---the-department-way-not-be-higher-thon-a-decibel-standard 7 of-78-dbA-seasured-at-50-feets-The-sdoption-of--revision-of sound--level-ligitation-by-the-department-shall-be-effective ¢ beginning-dune-38-of-the-succeeding-catendar--year--and--any 10 11 sound--level--limitation--formally--adopted-or-revised-shall 12 remain-in-effect-for-a-minimum--period--of--2--yearss--Every 13 person--who-owns-or-operates-a-snowwobite-manufactured-after dune-30--1975--shait-maintain-his-mechina-in-compliance-with 14 the-sound--level--limitation--which--is--applicable--to--new 15 16 snowmobiles--monufactured--during--the--period--that-a-sound 17 level-limitation-adopted-by-the-department-is-in-effects 18 (5)(4) A manufacturer who certifies that a new 19 snowmobile can comply with the noise limitation requirements of this part shall affix a permanent notice of that 20 21 certification to every snowmobile offered for sale in the state of Montana. 22

23 <u>f6f(5)</u> In certifying that a new snowmobile can comply
24 with the noise limitation requirements of this part, a
25 manufacturer shall make such a certification based upon

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1 measurements made in accordance with SAE recommended practice J192, as amended. The department, in enforcing the 2 3 provisions of this section, shall make measurements of snowmobile noise in accordance with applicable practices 4 5 outlined in the "Procedure for Sound Level Measurements of Snowmobiles" (January, 1969), as amended, used by the 6 7 international snowmobile industry association or with such other standards for measurement of sound level as the 8 9 department may adopt.

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10 (77)(6) This section does not apply to organized races
 11 or similar competitive events held on:

12 (a) private lands, with the permission of the owner.13 lessee, or custodian of the land; or

14 (b) public lands, with the consent of the public 15 agency having the authority to grant such consent, provided 16 that total sound produced by such an event may not exceed 50 17 dbA at any point 50 feet or more outside the area under the 18 control of the sponsoring entity."

-End-

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1 HOUSE BILL NO. 782 2 INTRODUCED BY MENAHAN 3 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THE ANNUAL 4 5 REGISTRATION OF SNOWMOBILES AND ASSESSING A REGISTRATION FEE; REVISING THE TITLE REQUIREMENTS FOR SNOWMOBILES; 6 REVISING THE REGISTRATION REQUIREMENTS FOR SNOWMOBILE 7 8 DEALERS; GENERALLY REVISING FEES AND THEIR ALLOCATION; 9 PROVIDING A REGISTRATION EXCEPTION FOR NONRESIDENT SNOWMOBILE RACERS: ELIMINATING THE DISCRETION OF THE 10 DEPARTMENT OF FISH AND GAME OVER DECIBEL STANDARDS; AND 11 12 AMENDING SECTIONS 23-2-601, 23-2-611 THROUGH 23-2-614, 13 23-2-616, 23-2-618, 23-2-619, AND 23-2-634, MCA.*

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
Section 1. Section 23-2-601, MCA. is amended to read:
"23-2-601. Definition of terms. As used in this part.
the following terms shall have the meanings indicated
herein, unless the context otherwise clearly requires that
another meaning is intended:

21 fll_"Certificate_of_ownersbip"_means_tbe_document 22 issued_by_the_division_of_motor_vehicles_as_prima_facie 23 evidence_of_ownersbip.

24 (2)___Certificate_of__registration___means_the_owner's
 25 receipt__evidencing_payment_of__taxes,__decal__feess___and

1 registration fees for a given registration year. 2 tit(3) "dbA" means sound pressure level measured on 3 the "A" weight scale in decibels. 4 121141 "Department" means the department of fish and 5 game of the state of Montana. 6 +3+151 "New snowmobile" means any snowmobile that has 7 not been previously sold to an owner, as defined in subsection (5). R 9 (4)(6) "Operator" includes every person who operates 10 or is in actual physical control of the operation of a 11 snowsobile. 12 t5;[] "Owner" includes every person as defined herein, other than a lien holder or other person having a 13 14 security interest only, holding a certificate of ownership to a snowmobile and entitled to the use or possession 15 thereof. 16 17 toy181 "Person" includes an individual, partnership, association, corporation, and any other body or group of 18 19 persons, whether incorporated or not and regardless of the 20 degree of formal organization. 21 #79191 "Roadway" includes only those portions of any 22 highway, road, or street improved, designed, or ordinarily 23 used for travel or parking of motor vehicles. 24 t8t1101 "Snowmobile" includes any self-propelled 25 vehicle of an overall width of 48 inches or less, excluding

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REFERENCE BILL

accessories, designed primarily for travel on snow or ice,
 which may be steered by skis or runners and which is not
 otherwise registered or licensed under the laws of the state
 of Montana."

Section 2. Section 23-2-611. MCA, is amended to read:
"23-2-611. Certificate of ownership. (1) No snowmobile
may be operated upon any public lands. trails. easements.
lakes, rivers. streams. roadways or shoulders of roadways.
streets. or highways. unless a certificate of ownership has
first been obtained from the division of motor vehicles in
accordance with the laws of this state.

12 (2) Befere--such--certificate-may-be-obtainedy-the Ibg 13 owner of a snowmobile shall make application for a 14 certificate of ownership with the county treasurer of the 15 county in which the owner resides, upon forms to be 16 furnished for this purpose, which <u>The forms</u> shall require 17 the following information:

18 (a) name of the owner:

- 19 (b) residence of the owner by town and county;
- 20 (c) business or home mail address of the owner;
- 21 (d) name and address of any lien holder;
- 22 (e) amount due under <u>any</u> contract or lien;
- 23 (f) name and-address of the manufacturer;
- 24 (g) model number or name;
- 25 (h) seriel identification number; and

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(i) name and address of the dealer or other person
 from whom acquired.

3 (3) The application shall be signed by at least one
 4 owner or by a properly authorized officer or representative
 5 of the owner.

(4) If a certificate of ownership for-a-snowmobile has 6 7 previously been issued under the provisions of this part, the application for a new certificate must be accompanied by R the immediately previous certificate or-by-on-offidavit-upon 9 10 a-prescribed-form-stating-under-oath-that--the--vehicle--had 11 not-been-operated-during-the-immediately-previous-year. This subsection does not apply to snowmobiles that are purchased 12 13 as new and unused machines or that were operated when the

14 provisions of this part were not in force and effect.

(5) Upon completion of the application in 15 emintuplicate on forms furnished by the division of motor 16 17 vehicles, the county treasurer shall issue to the applicant two copies of the application, one of which shall be marked 18 "file copy"--end. The treasurer shall forward one copy and 19 20 the original application to the division, which shall cause 21 to--be--entered enter the information contained in the application upon the corresponding records of its office, 22 and shall furnish the applicant a certificate of ownership 23 which shall contain the that information found-on in the 24 25 application considered necessary by the division and a

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permanent ownership number. The certificate of ownership is
 not required to be renewed annually and is valid as long as
 the person holding it owns the snowmobile.

(6) The owner shall at all times retain possession of 4 5 the certificate of ownership, except when the-same it is being transmitted to and from the division for endorsement 6 7 or cancellation. The-owner-of-a-snowmobile-shall-display-his 8 certificate-of-ownership-number-on-both-sides-of-the-cowling Q of--the--snowmobile-and-shall-maintain-the-number-in-legible 10 condition-at-all-times-The-number-shall-read-from--left--to right--end-be-merked-in-Arabic-numerelsy-in-block-cheracters 11 12 of-good-proportiony-and-shail-be-a-minimum-of--3--inckes--in 13 heighty--excluding--border--or-trimy--and--of--a-color-that contrasts-with-the-color-of-the-bockground. 14 15 (7) Upon application for a certificate of ownership, a 15 fee of \$3 shall be paid to the county treasurer, one-half \$2 17 of which fee shall be forwarded by the county treasurer to 16 the division of motor vehicles and deposited in the motor 19 vehicle_recording_account_of_the_eargarked_revenue_fund. f8}--Before--a--tax-patd--deca}--may--be--app}ted---for 20 21 pursuant--to--the-laws-of-this-statey-the-owner-must-present 22 the--certificate--of--ownership---or--copy---of---completed 23 appl:cation--therefor--as--a--prerequisite-to-completing-the 24 application-for-the-tex-paid-decels" 25 Section 3. Section 23-2-612, MCA, is amended to read:

1 #23-2+612. Transfer of interest. (1) Except as 2 provided in subsection (3). upon a transfer of anv 3 certificate of ownership to a snowmobile registered as required under the provisions of this part, the person whose 4 title or interest is to be transferred shall write his 5 signature with pen and ink upon the certificate of ownership 6 7 issued for the snowmobile in the appropriate space provided upon the reverse side of the certificate, and such signature A 9 shall be acknowledged before a notary public. 10 (2) Within 20 calendar days thereafter, the transferee 11 shall forward make application for transfer of the 12 certificate of ownership so endorsedy--together-with-the 13 information--required--under--this--party with the county 14 treasurer_ of the county in which the transferee resides and 15 also make application for registration of the snowmobiles 16 The county treasurer shall forward the application to the 17 division of motor vehicles, which shall file the same upon 18 receipt thereof. No certificate of ownership may be issued 19 by the division until the outstanding certificates are surrendered to that office or their loss established to its 20 reasonable satisfaction. The division county treasurer shall 21 22 collect a fee of \$3 for each application for transfer of 23 ownerships of which \$2 shall be forwarded to the division of 24 motor_vebicles_for_deposit_in_the_motor_vehicle_recording 25 account_of_the_earmarked_revenue_fund+

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1 (3) A purchaser of a new or used snowmobile from a licensed snowmobile dealer has a grace period of 20 calendar 2 days from the date of purchase to register the snowmobiles 3 make application for a certificate of ownerships and to 4 obtain a tax-paid decal. It is not a violation of this part 5 6 or any other law for the purchaser to operate such a newly 7 acquired snowaobile without a certificate of ownerships 8 certificate of registration: and a tax-paid decal during the 9 20-day period. During this period the sticker, provided for in subsection (4), shall remain affixed to the snowmobile. 10 (4) Prior to the delivery of the snowmobile to the 11 purchaser. the dealer shall issue and affix to the 12 snowmobile a sticker (in a form to be prescribed by the 13 14 division of motor vehicles). The sticker shall contain the name and address of the purchaser, the date of sale, the 15 16 name and address of the dealer, and a description of the 17 snowmobile, including its serial number. The dealer shall keep a copy of the sticker for his records and shall send a 18 19 copy of the sticker to the division.

20 (5) The provisions of subsection (2) of this sectiony 21 requiring---a--transferee--to--forward--the--certificate--of 22 ownership-after-endorsement-to-the-divisiony do not apply in 23 the event of the transfer of a snowmobile to a duly licensed 24 snowmobile dealer intending to resell the snowmobile and who 25 operates it only for demonstration purposes, but every such

dealer, upon transferring such interest, shall deliver the 1 2 certificate of ownership with an application for a new 3 certificate executed by the new owner in accordance with the 4 provisions of this part. The division, upon receipt of the certificate of ownership and application for a 5 new 6 certificate, together with the conditional sales contract or 7 other lien, if any, shall issue a new certificate of А ownership together with a statement of any conditional sales 9 contract, mortgage, or other lien.* Section 4. Section 23-2-613, MCA, is amended to read: 10 11 #23-2-613. Lost or mutilated certificates. In--the event If any certificate of ownership is lost, mutilated, or 12 13 becomes illegible, the person to whom the-same it was issued 14 shall immediately make application for and may obtain a 15 duplicate thereof, upon payment of a fee of #1 12.* 16 Section 5. Section 23-2-616, MCA, is amended to read: 17 "23-2-616. Bisplay-of Registration and tax-paid decals 18 -- application and issuance -- use of fees. (1) No 19 snowmobile may be operated ON_PUBLIC_LANDS by any person in 20 the state of Montana unless it has been registered and there 21 is displayed in a conspicuous place on it BOTH_SIDES_OF_IHE 22 COML a decal as visual proof that Montana personal property 23 taxes have been paid on it for the current year. 24 (2) Application for the--tex-petd-decet registration

25 shall be made to the county treasurer upon forms to be

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1	furnished <u>by the division of motor vehicles</u> for this
2	purpose, which may be obtained from-thedivisionofmotor
3	vehiclesor at the county ossessor's <u>treasurer's</u> office in
4	the county where the owner resides. The application shall
5	contain the following information:
6	(a) name <u>and address</u> of <u>the</u> owner;
7	tbtadbest
8	<pre>tetLbl certificate of ownership number;</pre>
9	<pre>(d)(c) name make of manufacturer the snowmobile;</pre>
10	<pre>tetid1 model number name of the snowmobile;</pre>
11	tf}makes
12	tg}horsepowert
13	thj <u>tel</u> year of manufacture;
14	<u> </u>
15	payment of property tax; and
16	tj][g] such other information as the division of motor
17	vehicles may require.
18	(3) The-application-shall-besignedbythecounty
19	treasurerandtransmittedby-him-to-the-division-of-motor
20	venteles-accompanted-by-a-fee-of-\$2v <u>Theapplicationshall</u>
21	be_accompanied_by_a_decal_fee_of_\$21_a_registration_fee_of
22	50cents:and:ifthesnowmobilebaspreviouslybeen
23	<u>registeredby_the_registration_certificate_for_the_most</u>
24	recent_year_in_which_the_snowmobile_was_registeredIbe
25	treasurershallsigntheapplicationand_issue_a

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registration_receipt_which_shall_contain_information considered necessary by the division of motor vehicles and a listing of fees and taxes paid. The owner shall retain possession_of_the_registration_receipt_until_it_is surrendered to the county treasurer for reregistration or to a purchaser or subsequent owner pursuant to a transfer of ownership. 141__Upon-receipt-of-the-application-in-approved--forst the--division--of--motor--vehicles--or--county-treasurer The county treasurer shall forward the signed application to the division of motor vehicles and shall issue to the applicant a decal in the style and design prescribed by the division and of a different color than the preceding years numbered in sequence. t4f(5) Before filing the application with the county treasurer, the applicant shall submit it to the county assessor of the county of residence and the county assessor shall enter on the application in a place provided for that

- 19 purpose the market value and taxable value of the snowmobile
- 20 for the year for which the application is made. <u>The county</u>
- 21 treasurer_may_oot_accept_any_application_upder_this__section
- 22 until the applicant has paid the decal and registration fees
- 23 and personal property taxes assessed against the snowmobile
- 24 for_the_current_years
- 25 f51--The-applicant-shall-pay-the-county--treasurer--the

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1	applicationfeeandthepersonal-property-taxes-assessed
2	against-the-snowmobileforthecurrentyearbeforethe
3	app lication-may-be-acc epted-by-the-county-treasurerw
4	(6) All moneys <u>Boney</u> collected from payment of the
5	decal fees and all interest accruing from use of these
6	moneys <u>this money</u> shall be turned-over <u>forwarded</u> to the
7	state treasurer and placed in the earmarked revenue fund to
8	the credit of the department, with \$1 designated for use in
9	enforcing the purposes of this part and \$1 designated for
10	use in the development, maintenance, and operation of
11	snowmobile facilities. <u>All money collected from payment</u> of
12	the registration fee shall be forwarded to the state
13	treasurer and deposited in the motor vehicle recording
14	account_of_the_earmarked_revenue_funds"
15	Section 6. Section 23-2-618, MCA, is amended to read:
16	#23-2-618. Application <u>for registration_and_tax-paid</u>
17	decals to be made annually grace periodproof-of
18	purchase <u>periods</u> . fly Application must be made to the county
19	treasurer for <u>registration and</u> the issuance of tax-paid
20	decals annually. All <u>registrations_and</u> tax-paid decals
21	expire on June 30 of each year* <u>**==and==application==far</u>
22	regiatration
23	<u>ycars-Theirenewslitakes-offection-dulyiligficeschiyesrwiiiThe</u>
24	certificateof_registration_and_tax_paid_decal_issued_under
25	<u>this_part_are_volid_oply_during_the_registration_zyearfor</u>

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1 which:isauedw

2	{2}Anownerofanewły-purchased-snowmobiłe-shałł
3	have-s-grace-period-of-20-calendar-daysfromthedateof
4	purchasetomake-application-for-a-current-tax-paid-decaly
5	provided-thot-at-all-times-during-that-period-a-bill-of-sale
6	or-other-pr oof-of-purchase-recitingthedate- -ofpurchase
7	shallbe-carried-by-the-operator-or-with-the-snowmobilew-An
8	owner-or-operator-of-such-o-snowmobile-being-operatedafter
9	the20-daygraceperiodwithout-a-current-tax-paid-decai
10	displayedonthesnowmobileshallbesubjecttothe
11	penaitiesof23-2-642(1);asamended: <u>Theownerafa</u>
12	<u>anowwobile_registered_under_this-part_is-cotitled_to-operate</u>
13	the rebicle between duly lend August 15 without displaying
14	acctexcpeid_decel_for_the_surrant_year_and_without_accurrent
15	registration_if_the_owner_displays_thetax_poiddecalfor
16	tbe::prexious=year_and_if=tbe=yebic}e=waa=registered=for=tbe
17	previous_yesca"
18	Section 7. Section 23-2-619, MCA, is amended to read:
19	"23-2-619. Dealer registration certificate use of
20	fees. (1) A dealer registration certificate shall be issued
21	in accordance with this part.
22	(2) <u>The dealer application shall be accompanied by an</u>
23	application fee of \$5 and a registration fee of \$5. Upon
24	receipt of <u>the</u> dealer application and payment of fees, which
25	will-be-\$5v the dealer shall be issued two dealer snowmobile

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1 identification cards which shall be carried by the dealer or z the dealer's customer when operating or demonstrating the З dealer's snowmobiles. (3) No bond is required of the dealer. 4 5 (4) The dealer shall have a principal place of business where he shall maintain all his business records 6 7 and_display_and_sell_merchandise. 8 (5) An applicant for renewal of a snowmobile dealer 9 registration shall certify that he has sold 3 or more 10 snowmobiles_during_the_preceding_year_or_pay__an__additional 11 \$50 renewal registration fee or provide a copy of a written 12 new_spowmobile_franchise_or_sales_acreement_that__the applicant_has_with_a_manufacturer.importer.or_distributor. 13 (4)(6) Additional dealer snowmobile identification 14 cards as required by need justified to the division of motor 15 16 vehicles may be purchased by the dealer for a fee of \$2. 17 (5)(1) A--dealer Dealer registration certificate certificates and identification cards expire on June 30 18 19 following the date of issuance. (6)(B) (a) All money collected from such the dealer 20 application fees and all interest accruing from use of this 21

22 money shall be deposited in the earwarked revenue fund to 23 the credit of the department, with one-half designated for 24 use in enforcing the purposes of this part and one-half 25 designated for use in the development, maintenance, and

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operation of snowmobile facilities. <u>fbl_All_money_collected_from_dealer__registration__and</u> <u>renewal__registration__fees__sball_be_deposited_in_the_motor</u> <u>webicle_recording_account_of_the_earmarked_revenue_funds</u>" <u>Section 8. Section 23-2-614. MCA, is amended to read:</u> <u>"23-2-614. Exemptions. {l}</u> The provisions of this part. with respect to <u>registrations__tax-paid__decalss__and</u> certification of ownership. do not apply to snowmobiles

9 owned or used by the United States or another state or any agency or political subdivision thereof, any snowmobile 10 11 registered in a country other than the United States and to 12 be temporarily used within this state for a period of not 13 more than 30 days, or to any snowmobile registered in another state of the United States but to be temporarily 14 15 used within this state for not more than 30 days. 16 Snowmobiles owned by the state of Montana or any agency or 17 political subdivision thereof are exempt only from the 18 payment of fees and shall otherwise comply with all the 19 requirements of this part.

(2) The provisions of this part with respect to
 registration<u>*</u>__tax<u>paid</u>__decals* and certification of
 ownership do not apply to unregistered snowmobiles owned by
 nonresidents of the state of Montana who_either:
 (a) displaying display visual proof that a nonresident

24 <u>Ial draptogram display</u> visual proof that a nonresident 25 temporary-use permit has been purchasedwingr

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 1
 ibi__use__tbe_snowmobile_only_in_races_and_for_not_more

 2
 tban_30__days__in__tbe__states__"Bace"__means__ao__organized

 3
 competition__on_a_predetermined_course_tbat_is_run_according

 4
 to_accepted_ruless"

5 Section 9. Section 23-2-634, MCA, is amended to read: 6 #23-2-634. Regulation of snowmobile noise. (1) Except 7 as provided in this section, every snowmobile shall be 8 equipped at all times with noise-suppression devices, 9 including an exhaust muffler in good working order and in 10 constant operation. No snowmobile may be modified by any 11 person in any manner that will amplify or otherwise increase 12 total noise emissions to a level greater than that emitted 13 by the snowmobile as originally constructed, regardless of date of manufacture. 14

15 (2) Every person who owns or operates a snowmobile 16 manufactured after June 30, 1972, but prior to June 30, 17 1975, shall maintain his machine in such a manner that it 18 will not exceed a sound level limitation of 82 dbA measured 19 at 50 feet.

20 (3) No new snowmobile manufactured after June 30;
21 1975; except snowmobiles designated for competition purposes
22 only; may be sold or offered for sale unless that machine
23 has been certified by the manufacturer as being able to
24 conform to a sound level limitation of not more than 78 dbA
25 measured at 50 feet. Every person who owns or operates a

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snowmobile manufactured after June 30, 1975, shall maintain 1 his machine in such a manner that it will not exceed a sound 2 level limitation of 78 dbA measured at 50 feet. 3 4 f4}--The-department-may-adopt-and--revise--sound--tevet 5 limitations--for-all-snowmobiles-manufactured-after-June-30v 6 1975 - Howevery-a-sound-level-limitation-adopted--or--revised 7 by--the-department-may-not-be-higher-thon-a-decibel-standard of-78-dbA-measured-at-59-facty-The-adoption-or--revision-of я sound--level-limitation-by-the-department-shall-be-effective Q ۱n beginning-June-30-of-the-succeeding-calendar--year--and--any sound--tevel--timitation--formatty--adopted-or-revised-shatt 11 remain-in-effect-for-a-minimum--period--of--2--years--Every 12 person--who-owns-or-operates-s-snowmobile-manufactured-after 13 dune-38+-1975+-shall-maintain-his-machine-in-compliance-with 14 15 the-sound--level--limitation--which--is--applicable--to--new snowmobiles--manufactured--during--the--period--that-a-sound 16 17 +evel-limitation-adopted-by-the-department-is-in-effect= 18 (15) A manufacturer who certifies that a new 19 snowmobile can comply with the noise limitation requirements 20 of this part shall affix a permanent notice of that 21 certification to every snowmobile offered for sale in the 22 state of Montana. 23 (6)(5) In certifying that a new snowmobile can comply 24 with the noise limitation requirements of this part, a 25 manufacturer shall make such a certification based upon

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measurements made in accordance with SAE recommended 1 practice J192, as amended. The department, in enforcing the z provisions of this section, shall make measurements of 3 snowmobile noise in accordance with applicable practices 4 outlined in the "Procedure for Sound Level Measurements of 5 Snowmobiles" (January, 1969), as amended, used by the 6 international snowmobile industry association or with such 7 other standards for measurement of sound level as the 8 9 department may adopt.

c

10 <u>(77)(6)</u> This section does not apply to organized races
11 or similar competitive events held on:

12 (a) private lands, with the permission of the owner,
13 lessee, or custodian of the land; or

(b) public lands, with the consent of the public
agency having the authority to grant such consent, provided
that total sound produced by such an event way not exceed 50
dbA at any point 50 feet or more outside the area under the
control of the sponsoring entity.*

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CORRECTED

REFERENCE BILL

1	HOUSE BILL NG. 782	1	registration_fees_for_a_given_registration_year.
2	INTRODUCED BY MENAHAN	2	<u>{:}}</u> #dbA# means sound pressure level measured on
3		3	the "A" weight scale in decidels.
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THE ANNUAL	4	<pre>f2f(4) "Department" means the department of fish and</pre>
5	REGISTRATION OF SNOWMOBILES AND ASSESSING A REGISTRATION	5	yame of the state of Nontana.
6	FEE; REVISING THE TITLE REQUIREMENTS FOR SNOWMOBILES;	6	[]][5] "New snowmobile" means any snowmobile that has
7	REVISING THE REGISTRATION REQUIREMENTS FOR SNOWMOBILE	7	not been previously sold to an owner, as defined in
8	DEALERS; GENERALLY REVISING FEES AND THEIR ALLOCATION;	8	subsection (1).
9	PROVIDING A REGISTRATION EXCEPTION FOR NONRESIDENT	9	<pre>t4;161 "Operator" includes every person who operates</pre>
10	SNOWHOBILE RACERS; ELIMINATING THE DISCRETION OF THE	10	or is in actual physical control of the operation of a
11	DEPARTMENT OF FISH AND GAME OVER DECIBEL STANDARDS; AND	11	snowmobile.
12	AMENDING SECTIONS 23-2-601, 23-2-611 THROUGH 23-2-614,	12	†5†<u>171</u> "Ow ner" includes every parson as defined
13	23-2-616, 23-2-618, 23-2-619, AND 23-2-634, MCA."	13	herein, other than a lien holder or other person having a
14		14	security interest only, holding a certificate of ownership
15	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTAHA:	15	to a snowmobile and entitled to the use or possession
16	Section 1. Section 23-2-601, MCA, is amended to read:	16	thereof.
17	"23-2-601. Definition of terms. As used in this part.	17	<pre>t61181 "Person" includes an individual, partnership,</pre>
18	the following terms shall have the meanings indicated	18	association, corporation, and any other body or group of
19	herein; unless the context otherwise clearly requires that	19	persons, whether incorporated or not and regardless of the
20	another meaning is intended:	20	degree of formal organization.
21	<pre>11) "Certificate_of_ownership" means_the_document</pre>	21	<pre>+71191 "Roadway" includes only those portions of any</pre>
22	issued_by_the_division_ofmotorvehiclesasprimafacie	22	highway, road, or street improved, designed, or ordinarily
23	evidence_of_ownership.	23	used for travel or parking of motor vehicles.
24	121"Certificate_of_registration"means_the_owner's	24	f# <u>}[10]</u> "Snowmobile" includes any self-propelled
25	receipt_evidencing_payment_of_taxes1_decal_fees1_and	25	vehicle of an overall width of 48 inches or tess, excluding
			-
			-2- HB 752

Lase replace this page of original Reference Copy of HB 192

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accessories. designed primarily for travel on snow or ice.
 which may be steered by skis or runners and which is not
 otherwise registered or licensed under the laws of the state
 of Montana."

Section 2. Section 23-2-611. MCA, is amended to read:
"23-2-611. Certificate of ownership. (1) No snowmobile
may be operated upon any public lands. trails. easements.
lakes. rivers. streams. roadways or shoulders of roadways.
streets. or highways. unless a certificate of ownership has
first been obtained from the division of motor vehicles in
accordance with the laws of this state.

12 (2) Before--such--certificate-may-be-obtainedy-the <u>The</u> 13 owner of a snowmobile shall make application for a 14 certificate of ownership with the county treasurer of the 15 county in which the owner resides, upon forms to be 16 furnished for this purpose, which <u>The forms</u> shall require 17 the following information:

18 (a) name of the owner;

19 (b) residence <u>of the owner</u> by town and county;

20 (c) business or home mail address of the owner;

21 (d) name and address of <u>any</u> lien holder;

22 (e) amount due under any contract or lien;

23 (f) name and-address of the manufacturer;

24 (q) model number or name;

25 (h) seriel identification number; and

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(i) name and address of <u>the</u> dealer or other person
 from whom acquired.

3 (3) The application shall be signed by at least one
4 owner or by a properly authorized officer or representative
5 of the owner.

(4) If a certificate of ownership for-a-snowmobile has 6 previously been issued under the provisions of this part. 7 the application for a new certificate must be accompanied by R the immediately previous certificate or-by-on-affidevit-upon • e-prescribed-form-stating-under-oath-that--the--vehicle--had 10 not-been-operated-during-the-immediately-previous-year. This 11 subsection does not apply to snowmobiles that are purchased 12 as new and unused machines or that were operated when the 13 provisions of this part were not in force and effect. 14

15 (5) Upon completion of the application in amintuplicate on forms furnished by the division of motor 16 17 vehicles, the county treasurer shall issue to the applicant two copies of the application, one of which shall be marked 18 19 "file copy"y--and, The treasurer shall forward one copy and the original application to the division, which shall couse 20 to--be--entered enter the information contained in the 21 application upon the corresponding records of its office+ 22 23 and shall furnish the applicant a certificate of ownership 24 which shall contain the that information found-on in the application considered necessary by the division and a 25

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HB 782

SENATE STANDING COMMITTEE REPORT (Fish and Game) That House Bill No. 782 be amended as follows: 1. Page 8, line 19.
Following: "operated" Insert: "on public lands" 2. Page 8, line 21. Following: "on" Strike: "it" Insert: "both sides of the cowl" 3. Page 11, line 21. Following: "year-" Strike: the remainder of line 21 and lines 22 through line 1 on page 12 Insert: "." 4. Page 12, line 11 through line 17. Following: "amended-" Strike: the remainder of line 11 and lines 12 through 17 5. Page 13, line 2. Following: "when" Strike: "operating or"