

# CHAPTER NO. 712

HOUSE BILL NO. 848

INTRODUCED BY QUILICI, MENAHAN, DAILY, HARRINGTON,  
ELLERD, PAVLOVICH, SCULLY, HUENNEKENS

## IN THE HOUSE

February 16, 1979	Introduced and referred to Committee on Taxation.
March 24, 1979	Committee recommend bill do not pass. Report adopted.
March 26, 1979	Objection raised to adverse committee report. Bill placed on second reading.
	Printed and placed on members' desks.
March 27, 1979	Second reading, do pass.
	Considered correctly engrossed.
	Third reading, passed. Transmitted to second house.

## IN THE SENATE

March 27, 1979	Introduced and referred to Committee on Taxation.
April 16, 1979	Committee recommend bill be concurred in as amended. Report adopted.
April 17, 1979	Second reading, concurred in.
	On motion rules suspended. Bill placed on Calendar for third reading this day.
	Third reading, concurred in as amended.

## IN THE HOUSE

April 19, 1979	Returned from second house. Concurred in as amended.
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April 19, 1979

On motion rules suspended and  
bill placed on second reading  
this day.

Second reading, amendments  
rejected.

On motion Joint Conference Committee  
requested.

Joint Conference Committee  
appointed.

April 20, 1979

Joint Conference Committee  
reported.

Second reading, adopted.

Third reading, adopted.

Adopted by second house.

Sent to enrolling.

Reported correctly enrolled.

1 House BILL NO. 848  
2 INTRODUCED BY Lucille Manahan Dahl  
3 Harrington Ellen Palmer Scull

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A FEE IN  
5 LIEU OF PROPERTY TAX FOR MOTOR HOMES, TRAVEL TRAILERS,  
6 SNOWMOBILES, AND CAMPERS; AMENDING SECTIONS 15-6-101,  
7 15-6-110, 15-6-111, 15-6-201, 15-8-201, 15-8-202, 23-2-611,  
8 23-2-612, 23-2-616 THROUGH 23-2-618, 23-2-642, 61-3-303,  
9 61-3-317, 61-3-322, 61-3-441, 61-3-442, 61-3-501 THROUGH  
10 61-3-504, AND 61-3-509, MCA; REPEALING SECTIONS 15-6-121 AND  
11 15-8-203, MCA."

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

14        NEW SECTION. Section 1. Fee in lieu of tax for  
15    certain vehicles. (1) There is a fee in lieu of property tax  
16    imposed on motor homes, travel trailers, and campers. The  
17    fee is in addition to annual registration fees.

21 NEW SECTION Section 2. Schedule of fees for motor  
22 homes. (1) The owner of a motor home shall pay a fee based  
23 on the age of the motor home according to the following  
24 schedule:

25 less than 2 years old \$200

11        NEW SECTION Section 3. Schedule of fees for travel  
12        trailers and campers. (1) The fee imposed by [section 1] on  
13        a travel trailer less than 3 years old is \$40. In all other  
14        cases the fee is \$15.

15           (2) The fee imposed by [section 1] on a camper less  
16 than 3 years old is \$35. In all other cases the fee is \$15.  
17           (3) The age of a travel trailer or camper is  
18 determined by subtracting the manufacturer's designated

20        NEW SECTION Section 4. Fee in lieu of tax on  
21    snowmobiles. (1) There is a fee in lieu of tax on  
22    snowmobiles.

23 (2) The fee for a snowmobile less than 4 years old is  
24 \$22. In all other cases the fee is \$15.

25 (3) The age of a snowmobile is determined by

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1 subtracting the manufacturer's designated model year from  
 2 the current calendar year.

3 (4) The fee need not be paid by a dealer for  
 4 snowmobiles that constitute inventory of the dealership.

5 NEW SECTION. Section 5. Motor home. "Motor home" means a self-propelled motor vehicle originally designed or  
 6 permanently altered to provide temporary facilities for  
 7 recreational, travel, or camping use.

8 NEW SECTION. Section 6. Travel trailer. "Travel trailer" means a trailer 32 feet or less in length and 8  
 9 feet or less in width originally designed or permanently  
 10 altered to provide temporary facilities for recreational,  
 11 travel, or camping use.

12 Section 7. Section 61-3-303, MCA, is amended to read:

13 "61-3-303. Application for registration. (1) Every  
 14 owner of a motor vehicle operated or driven upon the public  
 15 highways of this state shall for each motor vehicle owned,  
 16 except as herein otherwise expressly provided, file or cause  
 17 to be filed in the office of the county treasurer where the  
 18 motor vehicle is owned or taxable an application for  
 19 registration or reregistration upon a blank form to be  
 20 prepared and furnished by the division. The application  
 21 shall contain:

22 (a) name and address of owner, giving county, school  
 23 district, and town or city within whose corporate limits the

1 motor vehicle is taxable;

2 (b) name and address of conditional sales vendor,  
 3 mortgagee, or holder of other lien against the motor  
 4 vehicle, with statement of amount owing under such contract  
 5 or lien;

6 (c) description of motor vehicle, including make, year  
 7 model, engine or serial numbers, manufacturer's model or  
 8 letter, gross weight, type of body, and if truck, the rated  
 9 capacity;

10 (d) in case of reregistration, the license number for  
 11 the preceding year; and

12 (e) such other information as the division may  
 13 require.

14 (2) A person who files an application for registration  
 15 or reregistration of a motor vehicle, except of a mobile  
 16 home as defined in 15-1-101(1), shall upon the filing of the  
 17 application pay to the county treasurer:

18 (a) pay--to-the-county-treasurer the registration fee,  
 19 as provided in 61-3-311 and 61-3-321; and

20 (b) pay the personal property taxes assessed on the  
 21 new motor vehicle sales tax against the vehicle for the  
 22 current year of registration, or in the case of a motor  
home, travel trailer, or camper, the fee in lieu of property  
tax for the current year of registration, unless the same  
 23 shall have been theretofore paid for the year, before the

1 application for registration or reregistration may be  
 2 accepted by the county treasurer.

3       (3) The county treasurer may make full and complete  
 4 investigation of the tax status of the vehicle. Any  
 5 applicant for registration or reregistration must submit  
 6 proof from the tax records of the proper county at the  
 7 request of the county treasurer."

8       Section 8. Section 61-3-317, MCA, is amended to read:

9       "61-3-317. New registration required for transferred  
 10 vehicle -- grace period -- penalty -- display of proof of  
 11 purchase. (1) Except as otherwise provided herein, the new  
 12 owner of the transferred motor vehicle shall have the grace  
 13 period of 20 calendar days from the date of purchase to make  
 14 application and pay the taxes as provided by part 5 of this  
 15 chapter or the fee in lieu of tax as provided by [section 1]  
 16 unless the tax or fee has been paid for the year, as if the  
 17 same was being registered for the first time in that  
 18 registration year. If the motor vehicle was not purchased  
 19 from a duly licensed motor vehicle dealer as provided in  
 20 this chapter, it shall not be a violation of this chapter or  
 21 any other law for the purchaser to operate the vehicle upon  
 22 the streets and highways of this state without a certificate  
 23 of registration during the 20-day period; provided, that at  
 24 all times during that period a bill of sale or other proof  
 25 of purchase reciting the date of purchase shall be clearly

1 displayed in the rear window of the motor vehicle.  
 2 Registration and license fees collected under 61-3-321 are  
 3 not required to be paid when a license plate is transferred  
 4 under this section and 61-3-335. Failure to make  
 5 application within the time provided herein shall subject  
 6 the purchaser to a penalty of \$10. The penalty shall be  
 7 collected by the county treasurer at the time of  
 8 registration, and shall be in addition to the fees otherwise  
 9 provided by law.

10       (2) Any purchaser of a new or used motor vehicle from  
 11 a duly licensed motor vehicle dealer shall have the grace  
 12 period of 20 calendar days from the date of purchase to make  
 13 application for registration and to obtain registration  
 14 plates, and it shall not be a violation of this chapter or  
 15 any other law for such purchaser to operate such vehicle  
 16 upon the streets and highways of this state without a  
 17 certificate of registration and registration plates during  
 18 the 20-day period; provided that at all times during said  
 19 period the sticker issued by the dealer at the time of  
 20 purchase shall remain affixed to said vehicle as provided in  
 21 61-4-111. Failure to make such application within the time  
 22 provided herein subjects the purchaser to a penalty of \$10.  
 23 The penalty is to be collected by the county treasurer at  
 24 the time of registration and is in addition to the fees  
 25 otherwise provided by law."

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1       Section 9. Section 61-3-322, MCA, is amended to read:  
 2       "61-3-322. Certificates of registration -- issuance.  
 3       (1) Upon completion of the application for registration, on  
 4       forms furnished by the division, the county treasurer shall  
 5       file one copy in his office and issue to the applicant two  
 6       copies of the application marked "Owner's Certificate of  
 7       Registration and Tax Receipt", one of which shall be marked  
 8       "file copy".

9       (2) The certificate of registration shall contain upon  
 10      the face thereof:

11       (a) the date issued;

12       (b) the registration number assigned to the owner and  
 13      the vehicle;

14       (c) the name and complete address of the owner, or the  
 15      names and addresses of joint owners;

16       (d) the name and complete address of any conditional  
 17      sales vendor, and also the name and address of any other  
 18      lienor as shown by said application;

19       (e) a description of the registered vehicle including  
 20      the year built and serial number, if any;

21       (f) any lien against such motor vehicle and the amount  
 22      due at the date of registration; and

23       (g) such other statement of facts as may be determined  
 24      by the division.

25       (3) Every owner, upon receiving a registration receipt

1       shall write his signature thereon with pen and ink in the  
 2       space provided. Every such registration receipt or a  
 3       notarized photostatic copy thereof or a duplicate thereof  
 4       furnished by the division shall at all times be carried in  
 5       the vehicle to which it refers or shall be carried by the  
 6       person driving or in control of such vehicle, who shall  
 7       display the same upon demand of a police officer or any  
 8       officer or employee of the division or the highway  
 9       department.

10       t47--Upon--receipt--of--application--for--registration--in  
 11       quintuplicate--and--payment--of--license--fees--and--taxes--as--herein  
 12       provided--the--county--treasurer--shntz

13       t57--file--one--copy--of--said--application--in--his--offices  
 14       t67--issue--to--the--applicant--two--copies--of--the  
 15       application--entitled--"Owner's--Certificate--of--Registration  
 16       and--Tax--Receipt"--one--of--which--shall--be--marked--"file--copy";  
 17       and

18       t67--forward--one--copy--to--the--county--clerk--and--record .  
 19       t57151 The county treasurer shall daily forward to the  
 20      division one copy of the application all applications for  
 21      registration received that day.

22       t67151 It shall not be necessary for the county  
 23      treasurer, in said receipt, to segregate the amount of said  
 24      taxes for state, county, school district, and municipal  
 25      purposes."

1       Section 10. Section 61-3-441, MCA, is amended to read:  
 2       "61-3-441. ~~Fee-paid~~ Tax-paid decal required on camper  
 3       -- application for decal -- ~~application fee~~ -- issuance. (1)  
 4       No camper, subject to taxation in Montana, ~~shall~~ may be  
 5       operated by any person ~~in-the-state-of-Montana~~ on the public  
 6       highways or streets ~~in this state~~ unless there is displayed  
 7       in a conspicuous place thereon a decal as visual proof that  
 8       Montana--personel--property-taxes--have ~~the fee in lieu of tax~~  
 9       has been paid thereon for the current year.

10       (2) Application for the issuance of ~~such-tax-paid~~ the  
 11       decal shall be made to the department of revenue or the  
 12       county treasurer upon forms to be furnished for this  
 13       purpose, which may be obtained from the department or at the  
 14       county assessor's ~~treasurer's~~ office in the county wherein  
 15       the owner resides, and is to provide for substantially the  
 16       following information:

17       (a) name of owner;  
 18       (b) address;  
 19       (c) name of manufacturer;  
 20       (d) model number;  
 21       (e) make;  
 22       (f) year of manufacture;  
 23       (g) statement evidencing assessment and payment of ~~the~~  
 24       ~~fee in lieu of~~ property tax; and  
 25       (h) such other information as the department may

1       require.

2       (3) ~~The application shall~~ must be signed by the  
 3       county treasurer and transmitted by him to the department  
 4       accompanied by ~~a~~ an application fee of \$1. Upon receipt of  
 5       the application in approved form the department or county  
 6       treasurer shall issue to the applicant a decal in the style  
 7       and design prescribed by the department and of a different  
 8       color than the preceding year, numbered numerically."

9       Section 11. Section 61-3-442, MCA, is amended to read:  
 10       "61-3-442. Annual application for decals. Application  
 11       may be made to the department of revenue or county treasurer  
 12       for the issuance of tax-paid camper decals annually when the  
 13       motor vehicle to which the camper is customarily attached is  
 14       registered."

15       Section 12. Section 61-3-501, MCA, is amended to read:  
 16       "61-3-501. When vehicle property tax is due. (1)  
 17       Property taxes and new car taxes, ~~and fees in lieu of tax~~  
 18       on a motor home or travel trailer ~~shall~~ must be paid on the  
 19       date of registration or reregistration of the vehicle.

20       (2) If the anniversary date for reregistration of a  
 21       vehicle ~~shall~~ passes while the vehicle is owned and  
 22       held for sale by a licensed new or used car dealer, property  
 23       taxes ~~shall~~ or ~~the fee in lieu of property taxes~~ abate on  
 24       such vehicle properly reported with the department of  
 25       revenue until the vehicle is sold and thereafter the

1 purchaser shall pay the pro rata balance of the taxes or the  
 2 fee in lieu of tax due and owing on the vehicle.

3       (3) In the event a vehicle's registration period is  
 4 changed under 61-3-315, all taxes and other fees due thereon  
 5 shall be prorated and paid from the last day of the old  
 6 period until the first day of the new period in which the  
 7 vehicle shall be registered. Thereafter taxes and other fees  
 8 must be paid from the first day of the new period for a  
 9 minimum period of 1 year. When the change is to a later  
 10 registration period, taxes and fees shall be prorated and  
 11 paid based on the same tax year as the original registration  
 12 period. Thereafter, during the appropriate anniversary  
 13 registration periods each vehicle shall again register or  
 14 reregister and shall pay all taxes and fees due thereon for  
 15 a 12-month period.

16       Section 13. Section 61-3-502, MCA, is amended to read:  
 17       "61-3-502. Sales tax on new motor vehicles --  
 18 exemptions. (1) In consideration of the right to use the  
 19 highways of the state, there shall be imposed a tax upon all  
 20 sales of new motor vehicles for which a license is sought  
 21 and an original application for title is made. The tax  
 22 shall be paid by the purchaser when he applies for his  
 23 original Montana license through the county treasurer.

24       (2) The sales tax shall be:

25       (a) 1 1/2% of the F.O.B. factory list price or F.O.B.

1       port of entry list price, during the first quarter of the  
 2 year or prorated one-twelfth for each month or part of month  
 3 for a registration period other than a calendar year or  
 4 calendar quarter;

5       (b) 1 1/8% of the list price during the second quarter  
 6 of the year;

7       (c) 3/4 of 1% during the third quarter of the year;

8       (d) 3/8 of 1% during the fourth quarter of the year.

9       (3) If the manufacturer or importer fails to furnish  
 10 the F.O.B. factory list price or F.O.B. port of entry list  
 11 price, the department may use published price lists.

12       (4) The proceeds from this tax shall be remitted to  
 13 the state treasurer every 30 days for credit to the state  
 14 highway account of the earmarked revenue fund.

15       (5) The new vehicle is not subject to any other  
 16 assessment or, taxation, or fee in lieu of tax during the  
 17 calendar year in which the original application for title is  
 18 made.

19       (6) (a) The applicant for original registration of any  
 20 wholly new and unused motor vehicle or new motor vehicle  
 21 furnished without charge by the dealer to the school  
 22 district for use as a traffic education motor vehicle by a  
 23 school district operating a state-approved traffic education  
 24 program within the state, whether or not previously licensed  
 25 or titled to the school district, except a mobile home as

defined in 15-1-101(1), acquired by original contract after January 1 of any year, shall be required whenever such vehicle has not been otherwise assessed, to pay the motor vehicle use tax provided by this section irrespective of whether the vehicle was in the state of Montana on January 1 of the year.

(b) No such motor vehicle may be registered or licensed under the provisions of this subsection unless the application for registration is accompanied by a statement of origin to be furnished by the dealer selling the vehicle, showing that the vehicle has not previously been registered or owned, except as otherwise provided herein, by any person, firm, corporation, or association that is not a new motor vehicle dealer holding a franchise or distribution agreement from a new car manufacturer, distributor, or importer.

(7) Motor vehicles operating exclusively for transportation of persons for hire within the limits of incorporated cities or towns and within 15 miles from such limits are exempt from subsection (1). Motor vehicles brought or driven into Montana by a nonresident migratory bona fide agricultural worker temporarily employed in agricultural work in this state where those motor vehicles are used exclusively for transportation of agricultural workers are also exempt from subsection (1). Vehicles

lawfully displaying a licensed dealer's plate as provided in 61-4-102 are exempt from subsection (1) when moving to or from a dealer's place of business when unladen or laden with dealer's property only, and in the case of vehicles having a gross laden weight of less than 24,000 pounds, while in the process of demonstration in the course of the dealer's business."

Section 14. Section 61-3-503, RCA, is amended to read:

"61-3-503. Assessment. (1) A person who files an application for registration or reregistration of a motor vehicle, except of other than a motor home, travel trailers or a mobile home as defined in 15-1-101(1), shall before filing such application with the county treasurer submit the same to the county assessor of the county. The county assessor shall enter on the application in a space to be provided for that purpose the market value and taxable value of the vehicle for the year for which the application for registration is made.

(2) Except as provided in subsection (3) motor vehicles, except other than motor homes, travel trailers, or mobile homes as defined in 15-1-101(1), are assessed for taxes on January 1 in each year irrespective of the time fixed by law for the assessment of other classes of personal property and irrespective of whether the levy and tax may be a lien upon real property within the state. In no event may

1 any motor vehicle be subject to assessment, levy, and  
 2 taxation more than once in each year.

3 (3) Vehicles subject to the provisions of 61-3-313  
 4 through 61-3-316 shall be assessed as of the first day of  
 5 the year in which the registration period occurs and a lien  
 6 for taxes and fees due thereon shall occur on the  
 7 anniversary date of the registration and shall continue  
 8 thereafter until such fees and taxes shall have been paid."

9 Section 15. Section 61-3-504, MCA, is amended to read:  
 10 "61-3-504. Computation of tax. The amount of taxes on  
 11 the a motor vehicle, except other than a motor home, travel  
 12 trailer, or a mobile home as defined in 15-1-101(1), is  
 13 computed and determined by the county treasurer on the basis  
 14 of the levy of the year preceding the current year of  
 15 application for registration or reregistration. The  
 16 determination is entered on the application form in a space  
 17 provided therefor."

18 Section 16. Section 61-3-509, MCA, is amended to read:  
 19 "61-3-509. Disposition of taxes and fees in lieu of  
 20 tax. The county treasurer shall credit all taxes on motor  
 21 vehicles so and fees in lieu of tax on motor homes and  
 22 travel trailers collected to a motor vehicle suspense fund,  
 23 and at some time between March 1 and March 10 of each year  
 24 and every 60 days thereafter, the county treasurer shall  
 25 distribute the same money in the motor vehicle suspense fund

1 in the relative proportions required by the levies for  
 2 state, county, school district, and municipal purposes in  
 3 the same manner as other personal property taxes are  
 4 distributed."

5 NEW SECTION. Section 17. Disposition of fees in lieu  
 6 of tax on snowmobiles. The county treasurer shall credit all  
 7 fees in lieu of tax collected on snowmobiles to the county  
 8 motor vehicle suspense fund provided for in 61-3-509.

9 Section 18. Section 15-6-101, MCA, is amended to read:  
 10 "15-6-101. Property subject to taxation --  
 11 classification. (1) All property in this state is subject to  
 12 taxation, except as provided otherwise.

13 (2) For the purpose of taxation, the taxable property  
 14 in the state shall be classified in accordance with 15-6-102  
 15 through ~~15-6-120~~ ~~15-6-120.~~"

16 Section 19. Section 15-6-110, MCA, is amended to read:  
 17 "15-6-110. Class nine property -- description --  
 18 taxable percentage. (1) Class nine property includes:  
 19 (a) automobiles, motor trucks, and other power-driven  
 20 cars and vehicles of all kinds except motor homes, mobile  
 21 homes, motorcycles, aircraft, camper trailers, and truck  
 22 campers; and  
 23 (b) furniture and fixtures used in commercial, office,  
 24 and hotel activities, except improvements included in class  
 25 thirteen.

1       (2) Class nine property is taxed at 13.3% of its  
 2 market value."

3       Section 20. Section 15-6-111, MCA, is amended to read:  
 4       "15-6-111. Class ten property -- description --  
 5 taxable percentage. (1) Class ten property includes:

6       (a) aerial, surface, and portable ski lifts and ski  
 7 tows, including the towers, cables, ropes, sheave  
 8 assemblies, conveying devices, power units, and all  
 9 accessories; and

10       (b) manufacturing and mining machinery, fixtures, and  
 11 supplies, except those included in class eighteent~~s~~ and  
 12 ~~fe~~t~~--camper--tratters--and--truck-campers-valued-in-the~~  
 13 ~~"Ne~~a~~8~~a~~Recreational-Vehicle-Appraisal-Guide"~~

14       (2) Class ten property is taxed at 12% of market  
 15 value."

16       Section 21. Section 15-6-201, MCA, is amended to read:  
 17       "15-6-201. Exempt categories. (1) (a) The property of  
 18 the United States, the state, counties, cities, towns,  
 19 school districts, irrigation districts organized under the  
 20 laws of Montana and not operating for profit, municipal  
 21 corporations, public libraries; buildings, with land they  
 22 occupy and furnishings therein, owned by a church and used  
 23 for actual religious worship and for residences of the  
 24 clergy, together with adjacent land reasonably necessary for  
 25 convenient use of such buildings owned by a church; such

1       other property as is used exclusively for agricultural and  
 2 horticultural societies, for educational purposes,  
 3 hospitals, and all property, both real and personal, without  
 4 limitation as to amount except that real property owned  
 5 shall not exceed 640 acres, owned and held by any  
 6 association or corporation organized under Title 35, chapter  
 7 20 or 21. Cemeteries, provided such cemeteries and any land  
 8 claimed to be exempt are not maintained and operated for  
 9 private or corporate profit; institutions of purely public  
 10 charity; evidence of debt secured by mortgages of record  
 11 upon real or personal property in the state of Montana; and  
 12 public art galleries and public observatories not used or  
 13 held for private or corporate profit are exempt from  
 14 taxation, but no more land than is necessary for such  
 15 purpose is exempt.

16       (b) As used in this subsection, the term "institutions  
 17 of purely public charity" includes organizations owning and  
 18 operating facilities for the care of the retired or aged or  
 19 chronically ill, which are not operated for gain or profit,  
 20 and the terms "public art galleries" and "public  
 21 observatories" mean only such art galleries and  
 22 observatories, whether of public or private ownership, as  
 23 are open to the public without charge or fee at all  
 24 reasonable hours and are used for the purpose of education  
 25 only.

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1       (2) All household goods and furniture, including  
 2       clocks, musical instruments, sewing machines, and wearing  
 3       apparel of members of the family, used by the owner for  
 4       personal and domestic purposes or for furnishing or  
 5       equipping the family residence are exempt from taxation.

6       (3) A truck canopy cover or topper weighing less than  
 7       300 pounds and having no accommodations attached is exempt  
 8       from taxation and the fee in lieu of tax."

9       Section 22. Section 15-8-201, MCA, is amended to read:  
 10      "15-8-201. General assessment day. (1) The department  
 11       of revenue or its agent must, between January 1 and the  
 12       second Monday of July in each year, ascertain the names of  
 13       all taxable inhabitants and assess all property subject to  
 14       taxation in each county. The department or its agent must  
 15       assess property to the person by whom it was owned or  
 16       claimed or in whose possession or control it was at midnight  
 17       of January 1 next preceding. It must also ascertain and  
 18       assess all mobile homes arriving in the county after  
 19       midnight of January 1 next preceding. No mistake in the name  
 20       of the owner or supposed owner of real property, however,  
 21       renders the assessment invalid.

22       (2) The procedure provided by this section may not  
 23       apply to:

24       (a) motor vehicles that are required by 15-8-202 to be  
 25       assessed on January 1 or upon their anniversary registration

1       date;  
 2       (b) motor homes and travel trailers subject to a fee  
 3       in lieu of property tax;  
 4       (b) livestock which are required by 15-24-908 to be  
 5       assessed on an average inventory basis in each county;  
 6       (c) property defined in 61-1-104(2) as "special  
 7       mobile equipment" that is subject to assessment for personal  
 8       property taxes on the date that application is made for a  
 9       special mobile equipment plate; and  
 10      (d) mobile homes held by a distributor or dealer of  
 11       mobile homes as a part of his stock-in-trade; and  
 12       (e) snowmobiles that are required by 15-8-203 to be  
 13       assessed as of duty tax;  
 14       (3) Credits must be assessed as provided in  
 15       15-1-101(1)(b)."  
 16       Section 23. Section 15-8-202, MCA, is amended to read:  
 17      "15-8-202. Motor vehicle assessment. (1) (a) The  
 18       department or its agent must, in each year, ascertain and  
 19       assess all motor vehicles except other than motor homes,  
 20       travel trailers, or mobile homes in each county subject to  
 21       taxation as of January 1 or as of the anniversary  
 22       registration date of those vehicles subject to 61-3-313  
 23       through 61-3-316 and 61-3-501. The motor vehicles shall be  
 24       assessed in each year to the persons by whom owned or  
 25       claimed or in whose possession or control they were at

1 midnight of January 1 or the anniversary registration date  
 2 thereof, whichever is applicable.

3 ~~motor vehicle~~ which is customarily attached to a motor  
 4 vehicle, shall be assessed at the time the vehicle is  
 5 assessed.

6 ~~motor vehicle~~ No tax may be assessed against motor vehicles  
 7 that constitute inventory of motor vehicle dealers as of  
 8 January 1. These vehicles and all other motor vehicles  
 9 brought into the state subsequent to January 1 as motor  
 10 vehicle dealers' inventories shall be assessed to their  
 11 respective purchasers as of the dates the vehicles are  
 12 registered by the purchasers.

13 ~~motor vehicle~~ "Purchasers" includes dealers who apply for  
 14 registration or reregistration of motor vehicles, except as  
 15 otherwise provided by 61-3-502.

16 ~~motor vehicle~~ Goods, wares, and merchandise of motor vehicle  
 17 dealers, other than new motor vehicles and new mobile homes,  
 18 shall be assessed at market value as of January 1.

19 (2) In all cases where taxes or a fee in lieu of tax  
 20 were required to be paid, the applicant for registration or  
 21 reregistration of a motor vehicle, other than a mobile home,  
 22 is not relieved of the duty of paying taxes or the fee in  
 23 lieu of tax if the taxes or fees have not been paid by a  
 24 prior applicant or owner.

25 Section 24. Section 23-2-611, MCA, is amended to read:

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

7 (2) Before such certificate may be obtained, the owner of a snowmobile shall make application apply for a  
 8 certificate of ownership with the county treasurer of the  
 9 county in which the owner resides, upon forms to be  
 10 furnished for this purpose which shall not require the  
 11 following information:

12 (a) name of owner;  
 13 (b) residence by town and county;  
 14 (c) business or home mail address;  
 15 (d) name and address of lien holder;  
 16 (e) amount due under contract or lien;  
 17 (f) name and address of manufacturer;  
 18 (g) model number or name;  
 19 (h) serial number; and  
 20 (i) name and address of dealer or other person from  
 21 whom acquired.  
 22 (3) The application shall not be signed by at least  
 23 one owner or by a properly authorized officer or  
 24 representative of the owner.

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

10       (5) Upon completion of the application in  
 11 quintuplicate on forms furnished by the division of motor  
 12 vehicles, the county treasurer shall issue to the applicant  
 13 two copies of the application, one of which shall be marked  
 14 "file copy", and forward one copy and the original  
 15 application to the division, which shall cause to be entered  
 16 the information contained in the application upon the  
 17 corresponding records of its office, and shall furnish the  
 18 applicant a certificate of ownership which shall contain the  
 19 information found on the application and a permanent  
 20 ownership number. The certificate of ownership is not  
 21 required to be renewed annually and is valid as long as the  
 22 person holding it owns the snowmobile.

23       (6) The owner shall at all times retain possession of  
 24 the certificate of ownership, except when the same is being  
 25 transmitted to and from the division for endorsement or

1 cancellation. The owner of a snowmobile shall display his  
 2 certificate of ownership number on both sides of the cowling  
 3 of the snowmobile and shall maintain the number in legible  
 4 condition at all times. The number shall read from left to  
 5 right and be marked in Arabic numerals, in block characters  
 6 of good proportion, and shall be a minimum of 3 inches in  
 7 height, excluding border or trim, and of a color that  
 8 contrasts with the color of the background.

9        (7) Upon application for a certificate of ownership, a  
 10 fee of \$3 shall be paid to the county treasurer, one-half of  
 11 which fee shall be forwarded by the county treasurer to the  
 12 division of motor vehicles.

13       (8) Before a tax-paid decal indicating that the fee in  
 14 lieu of property tax has been paid on the snowmobile for the  
 15 current year may be applied for pursuant to the laws of this  
 16 state, the owner must present the certificate of ownership  
 17 or copy of completed application therefor as a prerequisite  
 18 to completing the application for the tax-paid decal."

19       Section 25. Section 23-2-612, MCA, is amended to read:  
 20       "23-2-612. Transfer of interest. (1) Except as  
 21 provided in subsection (3), upon a transfer of any  
 22 certificate of ownership to a snowmobile registered as  
 23 required under the provisions of this part, the person whose  
 24 title or interest is to be transferred shall write his  
 25 signature with pen and ink upon the certificate of ownership

1 issued for the snowmobile in the appropriate space provided  
 2 upon the reverse side of the certificate, and such signature  
 3 shall be acknowledged before a notary public.

4       (2) Within 20 calendar days thereafter, the transferee  
 5 shall forward the certificate of ownership so endorsed,  
 6 together with the information required under this part, to  
 7 the division of motor vehicles, which shall file the same  
 8 upon receipt thereof. No certificate of ownership may be  
 9 issued by the division until the outstanding certificates  
 10 are surrendered to that office or their loss established to  
 11 its reasonable satisfaction. The division shall collect a  
 12 fee of \$3 for each application for transfer of ownership.

13       (3) A purchaser of a new or used snowmobile from a  
 14 licensed snowmobile dealer has a grace period of 20 calendar  
 15 days from the date of purchase to make application for a  
 16 certificate of ownership and to obtain a tax-paid decal  
indicating that the fee in lieu of property tax has been  
paid on the snowmobile for the current year. It is not a  
 19 violation of this part or any other law for the purchaser to  
 20 operate such a snowmobile without a certificate of ownership  
 21 and a tax-paid decal during the 20-day period. During this  
 22 period the sticker, provided for in subsection (4), shall  
 23 remain affixed to the snowmobile.

24       (4) Prior to the delivery of the snowmobile to the  
 25 purchaser, the dealer shall issue and affix to the

1 snowmobile a sticker (in a form to be prescribed by the  
 2 division of motor vehicles). The sticker shall contain the  
 3 name and address of the purchaser, the date of sale, the  
 4 name and address of the dealer, and a description of the  
 5 snowmobile, including its serial number. The dealer shall  
 6 keep a copy of the sticker for his records and shall send a  
 7 copy of the sticker to the division.

8       (5) The provisions of subsection (2) of this section,  
 9 requiring a transferee to forward the certificate of  
 10 ownership after endorsement to the division, do not apply in  
 11 the event of the transfer of a snowmobile to a duly licensed  
 12 snowmobile dealer intending to resell the snowmobile and who  
 13 operates it only for demonstration purposes, but every such  
 14 dealer, upon transferring such interest, shall deliver the  
 15 certificate of ownership with an application for a new  
 16 certificate executed by the new owner in accordance with the  
 17 provisions of this part. The division, upon receipt of the  
 18 certificate of ownership and application for a new  
 19 certificate, together with the conditional sales contract or  
 20 other lien, if any, shall issue a new certificate of  
 21 ownership together with a statement of any conditional sales  
 22 contract, mortgage, or other lien.

23       Section 26. Section 23-2-616, MCA, is amended to read:  
 24       "23-2-616. Display of tax-paid decals -- application  
 25 and issuance -- use of fees. (1) No snowmobile may be

1 operated by any person in the state of Montana unless there  
 2 is displayed in a conspicuous place on it a decal as visual  
 3 proof that Montana-personal-property-taxes-have the fee in  
 4 lieu of property tax has been paid on it for the current  
 5 year.

6 (2) Application for the tax-paid decal shall be made  
 7 to the county treasurer upon forms to be furnished for this  
 8 purpose, which may be obtained from the division of motor  
 9 vehicles or at the county assessor's treasurer's office in  
 10 the county where the owner resides. The application shall  
 11 contain the following information:

12 (a) name of owner;  
 13 (b) address;  
 14 (c) certificate of ownership number;  
 15 (d) name of manufacturer;  
 16 (e) model number;  
 17 (f) make;  
 18 (g) horsepower;  
 19 (h) year of manufacture;  
 20 (i) statement evidencing assessment and payment of the  
 21 fee in lieu of property tax; and  
 22 (j) such other information as the division of motor  
 23 vehicles may require.

24 (3) The application shall be signed by the county  
 25 treasurer and transmitted by him to the division of motor

1 vehicles accompanied by a fee of \$2. Upon receipt of the  
 2 application in approved form, the division of motor vehicles  
 3 or county treasurer shall issue to the applicant a decal in  
 4 the style and design prescribed by the division and of a  
 5 different color than the preceding years, numbered in  
 6 sequence.

7 ~~(4) Before fitting the application with the county~~  
 8 ~~treasurer, the applicant shall submit it to the county~~  
 9 ~~assessor of the county and the county assessor shall enter~~  
 10 ~~on the application in a place provided for that purpose the~~  
 11 ~~market value and taxable value of the snowmobile for the~~  
 12 ~~year for which the application is made.~~

13 ~~(5) The applicant shall pay the county treasurer~~  
 14 ~~the application fee and the personal-property-taxes-assessed~~  
 15 ~~against fee in lieu of property tax on the snowmobile for~~  
 16 ~~the current year before the application may be accepted by~~  
 17 ~~the county treasurer.~~

18 ~~(6) All moneys money collected from payment of the~~  
 19 ~~application fees and all interest accruing from use of these~~  
 20 ~~moneys shall be turned over to the state treasurer and~~  
 21 ~~placed in the earmarked revenue fund to the credit of the~~  
 22 ~~department, with \$1 designated for use in enforcing the~~  
 23 ~~purposes of this part and \$1 designated for use in the~~  
 24 ~~development, maintenance, and operation of snowmobile~~  
 25 ~~facilities.~~

1       Section 27. Section 23-2-617, MCA, is amended to read:  
 2       "23-2-617. Duplicate decal. In the event any tax-paid  
 3       decal indicating that the fee in lieu of property tax has  
 4       been paid on a snowmobile for the current year is lost,  
 5       misfiled, or becomes illegible, the person to whom the same  
 6       was issued shall immediately make application for and may  
 7       obtain a duplicate thereof, upon payment of a fee of \$1 to  
 8       the county treasurer."

9       Section 28. Section 23-2-618, MCA, is amended to read:  
 10      "23-2-618. Application to be made annually -- grace  
 11      period -- proof of purchase. (1) Application must be made  
 12      annually to the county treasurer for the issuance of  
 13      tax-paid-decals-anneally a decal indicating that the fee in  
 14      lieu of property tax has been paid for the current year. All  
 15      tax-paid decals expire on June 30 of each year.

16      (2) An owner of a newly purchased snowmobile shall  
 17      have a grace period of 20 calendar days from the date of  
 18      purchase to make application for a current tax-paid decal,  
 19      provided that at all times during that period a bill of sale  
 20      or other proof of purchase reciting the date of purchase  
 21      shall be carried by the operator or with the snowmobile. An  
 22      owner or operator of such a snowmobile being operated after  
 23      the 20-day grace period without a current tax-paid decal  
 24      displayed on the snowmobile shall be subject to the  
 25      penalties of 23-2-642(1), as amended."

1       Section 29. Section 23-2-642, MCA, is amended to read:  
 2       "23-2-642. Penalties. (1) The failure to display a  
 3       current tax-paid decal indicating that the fee in lieu of  
 4       property tax has been paid on the snowmobile for the current  
 5       year during the time provided in this part is a misdemeanor,  
 6       punishable by a fine of not less than \$10 or more than \$50.

7       (2) A person who violates any other provision of this  
 8       part or a rule adopted pursuant thereto shall pay a civil  
 9       penalty of not less than \$15 or more than \$500 for each  
 10      separate violation.

11      (3) A person who willfully violates any other  
 12      provision of this part or a rule adopted pursuant thereto  
 13      shall pay a civil penalty of not less than \$50 or more than  
 14      \$1,000 for each separate violation.

15      (4) A manufacturer who certifies that a new snowmobile  
 16      can meet the sound-level limitations imposed by this part  
 17      shall be subject to the penalty provisions of subsections  
 18      (2) and (3) if any machine so certified does not meet the  
 19      appropriate sound level limitation. For the purposes of this  
 20      section, every sale of a new snowmobile that does not meet  
 21      the sound-level limitations imposed by this part constitutes  
 22      a separate violation."

23      Section 30. Repealer. Sections 15-6-121 and 15-8-203,  
 24      MCA, are repealed.

25      Section 31. Applicability. This act applies to motor

1 homes, travel trailers, campers, and snowmobiles registered  
2 during and after 1980.

-End-

4-3-2012

## STATE OF MONTANA

REQUEST NO. 406-79

## FISCAL NOTE

Form BD-15

In compliance with a written request received February 20, 19 79, there is hereby submitted a Fiscal Note for House Bill 848 pursuant to Chapter 53, Laws of Montana, 1965 - Thirty-Ninth Legislative Assembly. Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION

This proposed bill provides a fee in lieu of property tax for motor homes, travel trailers, snowmobiles, and campers.

ASSUMPTIONS

- 1) No accurate data exists on the number of vehicles dealt with in this legislation, thus no estimate of the revenues expected from the fee system can be determined. (See Technical Note)
- 2) The university levy on vehicles in this category would be eliminated due to this legislation.
- 3) The revenues anticipated from the property tax on vehicles in this category can be estimated for FY 80 & FY 81.
- 4) The taxable value for vehicles in this category was \$8,439,280 for taxable year 1979. The taxable value for FY 80 & FY 81 will be \$8,900,000.
- 5) A university levy of 6 mills.
- 6) An average statewide local levy of 200 mills.
- 7) The legislation applies to vehicles in this category registered during and after 1980.

FISCAL IMPACT

	<u>FY80</u>	<u>FY81</u>
University Levy (6 mills)		
under current law	\$ 53,400	\$ 53,400
under proposed law	0	0
Estimated Decrease	(\$ <u>53,400</u> )	(\$ <u>53,400</u> )

FUND INFORMATION

University Levy		
Estimated Decrease	(\$ <u>53,400</u> )	(\$ <u>53,400</u> )

EFFECT ON LOCAL GOVERNMENT

Revenues to local governments would be approximately \$1,780,000 in both FY 80 and FY 81 under current law, but no estimate can be made for the proposed law. (See Technical Note)

TECHNICAL NOTE

Although no estimate of the revenues from the fee system can be determined, the data available indicate that revenues to local governments might be decreased slightly due to this legislation.

*Richard A. Tracy Jr.*  
BUDGET DIRECTOR  
Office of Budget and Program Planning

Date: 1/21/79

**Committee on Taxation**

### Objection Raised to Adverse Committee Report

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

14        NEW SECTION. Section 1. Fee in lieu of tax for  
15        certain vehicles. (1) There is a fee in lieu of property tax  
16        imposed on motor homes, travel trailers, and campers. The  
17        fee is in addition to annual registration fees.

18                   (2) The fee imposed by subsection (1) need not be paid  
19 by a dealer for vehicles that constitute inventory of the  
20 dealership.

21            NEW SECTION. Section 2. Schedule of fees for motor  
22        homes. (1) The owner of a motor home shall pay a fee based  
23        on the age of the motor home according to the following  
24        schedule:

25 less than 2 years old \$200

1	2 years old and less than 3 years old	180
2	3 years old and less than 4 years old	145
3	4 years old and less than 5 years old	100
4	5 years old and less than 6 years old	75
5	6 years old and less than 7 years old	50
6	7 years old and less than 8 years old	25
7	8 years old and older	15
8	(2) The age of a motor home is determined by	
9	subtracting the manufacturer's designated model year from	
10	the current calendar year.	
11	<u>NEW SECTION</u> : Section 3. Schedule of fees for travel	
12	trailers and campers. (1) The fee imposed by [section 1] on	
13	a travel trailer less than 3 years old is \$40. In all other	
14	cases the fee is \$15.	
15	(2) The fee imposed by [section 1] on a camper less	
16	than 3 years old is \$35. In all other cases the fee is \$15.	
17	(3) The age of a travel trailer or camper is	
18	determined by subtracting the manufacturer's designated	
19	model year from the current calendar year.	
20	<u>NEW SECTION</u> : Section 4. Fee, in lieu of tax on	
21	snowmobiles. (1) There is a fee in lieu of tax on	
22	snowmobiles.	
23	(2) The fee for a snowmobile less than 4 years old is	
24	\$22. In all other cases the fee is \$15.	
25	(3) The age of a snowmobile is determined by	

2

file is determined by  
HB 848  
SECOND READING

1 subtracting the manufacturer's designated model year from  
 2 the current calendar year.

3 (4) The fee need not be paid by a dealer for  
 4 snowmobiles that constitute inventory of the dealership.

5 NEW SECTION Section 5. Motor home. "Motor home" means a self-propelled motor vehicle originally designed or  
 6 permanently altered to provide temporary facilities for  
 7 recreational, travel, or camping use.

8 NEW SECTION Section 6. Travel trailer. "Travel trailer" means a trailer 32 feet or less in length and 8 feet or less in width originally designed or permanently altered to provide temporary facilities for recreational, travel, or camping use.

9 Section 7. Section 61-3-303, NCA, is amended to read:  
 10 "61-3-303. Application for registration. (1) Every owner of a motor vehicle operated or driven upon the public highways of this state shall for each motor vehicle owned, except as herein otherwise expressly provided, file or cause to be filed in the office of the county treasurer where the motor vehicle is owned or taxable an application for registration or reregistration upon a blank form to be prepared and furnished by the division. The application shall contain:

11 (a) name and address of owner, giving county, school district, and town or city within whose corporate limits the

12 motor vehicle is taxable;

13 (b) name and address of conditional sales vendor, mortgagee, or holder of other lien against the motor vehicle, with statement of amount owing under such contract or lien;

14 (c) description of motor vehicle, including make, year model, engine or serial numbers, manufacturer's model or letter, gross weight, type of body, and if truck, the rated capacity;

15 (d) in case of reregistration, the license number for the preceding year; and

16 (e) such other information as the division may require.

17 (2) A person who files an application for registration or reregistration of a motor vehicle, except of a mobile home as defined in 15-1-101(1), shall upon the filing of the application pay to the county treasurer:

18 (a) pay to the county treasurer the registration fee, as provided in 61-3-311 and 61-3-321; and

19 (b) pay the personal property taxes assessed on the new motor vehicle sales tax against the vehicle for the current year of registration, or in the case of a motor home, travel trailer, or camper, the fee in lieu of property tax for the current year of registration, unless the same shall have been theretofore paid for the year, before the

1 application for registration or reregistration may be  
2 accepted by the county treasurer.

3 (3) The county treasurer may make full and complete  
4 investigation of the tax status of the vehicle. Any  
5 applicant for registration or reregistration must submit  
6 proof from the tax records of the proper county at the  
7 request of the county treasurer."

8 Section 8. Section 61-3-317, MCA, is amended to read:  
9  
10 "61-3-317. New registration required for transferred  
11 vehicle -- grace period -- penalty -- display of proof of  
12 purchase. (1) Except as otherwise provided herein, the new  
13 owner of the transferred motor vehicle shall have the grace  
14 period of 20 calendar days from the date of purchase to make  
15 application and pay the taxes as provided by part 5 of this  
16 chapter or the fee in lieu of tax as provided by [section 11]  
17 unless the tax or fee has been paid for the year, as if the  
18 same was being registered for the first time in that  
19 registration year. If the motor vehicle was not purchased  
20 from a duly licensed motor vehicle dealer as provided in  
21 this chapter, it shall not be a violation of this chapter or  
22 any other law for the purchaser to operate the vehicle upon  
23 the streets and highways of this state without a certificate  
24 of registration during the 20-day period; provided, that at  
25 all times during that period a bill of sale or other proof  
of purchase reciting the date of purchase shall be clearly

1 displayed in the rear window of the motor vehicle.  
2 Registration and license fees collected under 61-3-321 are  
3 not required to be paid when a license plate is transferred  
4 under this section and 61-3-335. Failure to make  
5 application within the time provided herein shall subject  
6 the purchaser to a penalty of \$10. The penalty shall be  
7 collected by the county treasurer at the time of  
8 registration, and shall be in addition to the fees otherwise  
9 provided by law.

10 (2) Any purchaser of a new or used motor vehicle from  
11 a duly licensed motor vehicle dealer shall have the grace  
12 period of 20 calendar days from the date of purchase to make  
13 application for registration and to obtain registration  
14 plates, and it shall not be a violation of this chapter or  
15 any other law for such purchaser to operate such vehicle  
16 upon the streets and highways of this state without a  
17 certificate of registration and registration plates during  
18 the 20-day period; provided that at all times during said  
19 period the sticker issued by the dealer at the time of  
20 purchase shall remain affixed to said vehicle as provided in  
21 61-4-111. Failure to make such application within the time  
22 provided herein subjects the purchaser to a penalty of \$10.  
23 The penalty is to be collected by the county treasurer at  
24 the time of registration and is in addition to the fees  
25 otherwise provided by law."

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1       Section 9. Section 61-3-322, MCA, is amended to read:

2       "61-3-322. Certificates of registration -- issuance.

3       (1) Upon completion of the application for registration, on

4       forms furnished by the division, the county treasurer shall

5       file one copy in his office and issue to the applicant two

6       copies of the application marked "Owner's Certificate of

7       Registration and Tax Receipt", one of which shall be marked

8       "file copy".

9       (2) The certificate of registration shall contain upon

10      the face thereof:

11      (a) the date issued;

12      (b) the registration number assigned to the owner and

13      the vehicle;

14      (c) the name and complete address of the owner, or the

15      names and addresses of joint owners;

16      (d) the name and complete address of any conditional

17      sales vendor, and also the name and address of any other

18      lienor as shown by said application;

19      (e) a description of the registered vehicle including

20      the year built and serial number, if any;

21      (f) any lien against such motor vehicle and the amount

22      due at the date of registration; and

23      (g) such other statement of facts as may be determined

24      by the division.

25      (3) Every owner, upon receiving a registration receipt

1       shall write his signature thereon with pen and ink in the

2       space provided. Every such registration receipt or a

3       notarized photostatic copy thereof or a duplicate thereof

4       furnished by the division shall at all times be carried in

5       the vehicle to which it refers or shall be carried by the

6       person driving or in control of such vehicle, who shall

7       display the same upon demand of a police officer or any

8       officer or employee of the division or the highway

9       department.

10       {4}--Upon--receipt--of--application--for--registration--in

11       quintuplety--and--payment--of--license--fees--and--taxes--as--herein

12       provided--the--county--treasurer--shall--

13       {a)--file--one--copy--of--said--application--in--his--offices

14       {b)--issue--to--the--applicant--two--copies--of--the

15       application--entitled--"Owner's--Certificate--of--Registration

16       and--Tax--Receipt"--one--of--which--shall--be--marked--"file--copy"--

17       end

18       {c)--forward--one--copy--to--the--county--clerk--and--recorder--

19       {57151} The county treasurer shall daily forward to the

20      division one copy of the application all applications for

21      registration received that day.

22       {67151} It shall not be necessary for the county

23      treasurer, in said receipt, to segregate the amount of said

24      taxes for state, county, school district, and municipal

25      purposes."

1       Section 10. Section 61-3-441, MCA, is amended to read:

2       "61-3-441. Tax-paid Fee-paid decal required on camper

3       -- application for decal -- application fee -- issuance. (1)

4       No camper, subject to taxation in Montana, shall may be

5       operated by any person in-the-state-of-Montana on the public

6       highways or streets in this state unless there is displayed

7       in a conspicuous place thereon a decal as visual proof that

8       Montana--personal-property-taxes-have the fee in lieu of tax

9       has been paid thereon for the current year.

10       (2) Application for the issuance of such-tax-paid the

11       decal shall be made to the department of revenue or the

12       county treasurer upon forms to be furnished for this

13       purpose, which may be obtained from the department or at the

14       county assessor's treasurer's office in the county wherein

15       the owner resides, and is to provide for substantially the

16       following information:

17       (a) name of owner;

18       (b) address;

19       (c) name of manufacturer;

20       (d) model number;

21       (e) make;

22       (f) year of manufacture;

23       (g) statement evidencing assessment-and payment of the

24       fee in lieu of property tax; and

25       (h) such other information as the department may

1       require.

2       (3) Said the application shett must be signed by the

3       county treasurer and transmitted by him to the department

4       accompanied by a an application fee of \$1. Upon receipt of

5       the application in approved form the department or county

6       treasurer shall issue to the applicant a decal in the style

7       and design prescribed by the department and of a different

8       color than the preceding year, numbered numerically."

9       Section 11. Section 61-3-442, MCA, is amended to read:

10       "61-3-442. Annual application for decals. Application

11       may be made to the department of revenue or county treasurer

12       for the issuance of tax-paid camper decals annually when the

13       motor vehicle to which the camper is customarily attached is

14       registered."

15       Section 12. Section 61-3-501, MCA, is amended to read:

16       "61-3-501. When vehicle property tax is due. (1)

17       Property taxes and new car taxes, and fees in lieu of tax

18       on a motor home or travel trailer shall must be paid on the

19       date of registration or reregistration of the vehicle.

20       (2) If the anniversary date for reregistration of a

21       vehicle shall--pass passes while the vehicle is owned and

22       held for sale by a licensed new or used car dealer, property

23       taxes shall or the fee in lieu of property taxes abate on

24       such vehicle properly reported with the department of

25       revenue until the vehicle is sold and thereafter the

1 purchaser shall pay the pro rata balance of the taxes or the  
 2 fee in lieu of tax due and owing on the vehicle.

3       (3) In the event a vehicle's registration period is  
 4 changed under 61-3-315, all taxes and other fees due thereon  
 5 shall be prorated and paid from the last day of the old  
 6 period until the first day of the new period in which the  
 7 vehicle shall be registered. Thereafter taxes and other fees  
 8 must be paid from the first day of the new period for a  
 9 minimum period of 1 year. When the change is to a later  
 10 registration period, taxes and fees shall be prorated and  
 11 paid based on the same tax year as the original registration  
 12 period. Thereafter, during the appropriate anniversary  
 13 registration period, each vehicle shall again register or  
 14 reregister and shall pay all taxes and fees due thereon for  
 15 a 12-month period.\*

16       Section 13. Section 61-3-502, MCA, is amended to read:  
 17       "61-3-502. Sales tax on new motor vehicles --  
 18 exemptions. (1) In consideration of the right to use the  
 19 highways of the state, there shall be imposed a tax upon all  
 20 sales of new motor vehicles for which a license is sought  
 21 and an original application for title is made. The tax  
 22 shall be paid by the purchaser when he applies for his  
 23 original Montana license through the county treasurer.

24       (2) The sales tax shall be:  
 25       (a) 1 1/2% of the F.O.B. factory list price or F.O.B.

1 port of entry list price, during the first quarter of the  
 2 year or prorated one-twelfth for each month or part of month  
 3 for a registration period other than a calendar year or  
 4 calendar quarter;

5       (b) 1 1/8% of the list price during the second quarter  
 6 of the year;

7       (c) 3/4 of 1% during the third quarter of the year;

8       (d) 3/8 of 1% during the fourth quarter of the year.

9       (3) If the manufacturer or importer fails to furnish  
 10 the F.O.B. factory list price or F.O.B. port of entry list  
 11 price, the department may use published price lists.

12       (4) The proceeds from this tax shall be remitted to  
 13 the state treasurer every 30 days for credit to the state  
 14 highway account of the earmarked revenue fund.

15       (5) The new vehicle is not subject to any other  
 16 assessment or taxation or fee in lieu of tax during the  
 17 calendar year in which the original application for title is  
 18 made.

19       (6) (a) The applicant for original registration of any  
 20 wholly new and unused motor vehicle or new motor vehicle  
 21 furnished without charge by the dealer to the school  
 22 district for use as a traffic education motor vehicle by  
 23 school district operating a state-approved traffic education  
 24 program within the state, whether or not previously licensed  
 25 or titled to the school district, except a mobile home as

1 defined in 15-1-101(1), acquired by original contract after  
 2 January 1 of any year shall be required, whenever such  
 3 vehicle has not been otherwise assessed, to pay the motor  
 4 vehicle sales tax provided by this section irrespective of  
 5 whether the vehicle was in the state of Montana on January 1  
 6 of the year.

7 (b) No such motor vehicle may be registered or  
 8 licensed under the provisions of this subsection unless the  
 9 application for registration is accompanied by a statement  
 10 of origin to be furnished by the dealer selling the vehicle,  
 11 showing that the vehicle has not previously been registered  
 12 or owned, except as otherwise provided herein, by any  
 13 person, firm, corporation, or association that is not a new  
 14 motor vehicle dealer holding a franchise or distribution  
 15 agreement from a new car manufacturer, distributor, or  
 16 importer.

17 (7) Motor vehicles operating exclusively for  
 18 transportation of persons for hire within the limits of  
 19 incorporated cities or towns and within 15 miles from such  
 20 limits are exempt from subsection (1). Motor vehicles  
 21 brought or driven into Montana by a nonresident migratory  
 22 bona fide agricultural worker temporarily employed in  
 23 agricultural work in this state where those motor vehicles  
 24 are used exclusively for transportation of agricultural  
 25 workers are also exempt from subsection (1). Vehicles

1 lawfully displaying a licensed dealer's plate as provided in  
 2 61-4-102 are exempt from subsection (1) when moving to or  
 3 from a dealer's place of business when unladen or laden with  
 4 dealer's property only, and in the case of vehicles having a  
 5 gross laden weight of less than 24,000 pounds, while in the  
 6 process of demonstration in the course of the dealer's  
 7 business."

8 Section 14. Section 61-3-503, MCA, is amended to read:  
 9 "61-3-503. Assessment. (1) A person who files an  
 10 application for registration or reregistration of a motor  
 11 vehicle, except of other than a motor home, travel trailers  
 12 or a mobile home as defined in 15-1-101(1), shall before  
 13 filing such application with the county treasurer submit the  
 14 same to the county assessor of the county. The county  
 15 assessor shall enter on the application in a space to be  
 16 provided for that purpose the market value and taxable value  
 17 of the vehicle for the year for which the application for  
 18 registration is made.

19 (2) Except as provided in subsection (3) motor  
 20 vehicles, except other than motor homes, travel trailers, or  
 21 mobile homes as defined in 15-1-101(1), are assessed for  
 22 taxes on January 1 in each year irrespective of the time  
 23 fixed by law for the assessment of other classes of personal  
 24 property and irrespective of whether the levy and tax may be  
 25 a lien upon real property within the state. In no event may

1 any motor vehicle be subject to assessment, levy, and  
 2 taxation more than once in each year.

3 (3) Vehicles, subject to the provisions of 61-3-313  
 4 through 61-3-316 shall be assessed as of the first day of  
 5 the year in which the registration period occurs and a lien  
 6 for taxes and fees due thereon shall occur on the  
 7 anniversary date of the registration and shall continue  
 8 thereafter until such fees and taxes shall have been paid."

9 Section 15. Section 61-3-504, MCA, is amended to read:  
 10 "61-3-504. Computation of tax. The amount of taxes on  
 11 the a motor vehicle, except other than a motor home, travel  
 12 trailers or a mobile home as defined in 15-1-101(1), is  
 13 computed and determined by the county treasurer on the basis  
 14 of the levy of the year preceding the current year of  
 15 application for registration or reregistration. The  
 16 determination is entered on the application form in a space  
 17 provided therefor."

18 Section 16. Section 61-3-509, MCA, is amended to read:  
 19 "61-3-509. Disposition of taxes and fees in lieu of  
 20 tax. The county treasurer shall credit all taxes on motor  
 21 vehicles so and fees in lieu of tax on motor homes and  
 22 travel trailers collected to a motor vehicle suspense fund,  
 23 and at some time between March 1 and March 10 of each year  
 24 and every 60 days thereafter, the county treasurer shall  
 25 distribute the same money in the motor vehicle suspense fund

1 in the relative proportions required by the levies for  
 2 state, county, school district, and municipal purposes in  
 3 the same manner as other personal property taxes are  
 4 distributed."

5 NEW SECTION. Section 17. Disposition of fees in lieu  
 6 of tax on snowmobiles. The county treasurer shall credit all  
 7 fees in lieu of tax collected on snowmobiles to the county  
 8 motor vehicle suspense fund provided for in 61-3-509.

9 Section 18. Section 15-6-101, MCA, is amended to read:  
 10 "15-6-101. Property subject to taxation --  
 11 classification. (1) All property in this state is subject to  
 12 taxation, except as provided otherwise.

13 (2) For the purpose of taxation, the taxable property  
 14 in the state shall be classified in accordance with 15-6-102  
 15 through ~~15-6-122~~ ~~15-6-120~~.

16 Section 19. Section 15-6-110, MCA, is amended to read:  
 17 "15-6-110. Class nine property -- description --  
 18 taxable percentage. (1) Class nine property includes:

19 (a) automobiles, motor trucks, and other power-driven  
 20 cars and vehicles of all kinds except motor homes, mobile  
 21 homes, motorcycles, aircraft, camper trailers, and truck  
 22 campers; and

23 (b) furniture and fixtures used in commercial, office,  
 24 and hotel activities, except improvements included in class  
 25 thirteen.

1       (2) Class nine property is taxed at 13.3% of its  
 2 market value."

3       Section 20. Section 15-6-111, MCA, is amended to read:  
 4       "15-6-111. Class ten property -- description --  
 5 taxable percentage. (1) Class ten property includes:

6       (a) aerial, surface, and portable ski lifts and ski  
 7 tows, including the towers, cables, ropes, sheave  
 8 assemblies, conveying devices, power units, and all  
 9 accessories; and

10       (b) manufacturing and mining machinery, fixtures, and  
 11 supplies, except those included in class eighteen, and  
 12       ~~te) --camper--tratters--and--truck-campers--valued-in-the~~  
 13       ~~"N-A-B-A--Recreational-Vehicle-Appraisel-Guide"~~

14       (2) Class ten property is taxed at 12% of market  
 15 value."

16       Section 21. Section 15-6-201, MCA, is amended to read:

17       "15-6-201. Exempt categories. (1) (a) The property of  
 18 the United States, the state, counties, cities, towns,  
 19 school districts, irrigation districts organized under the  
 20 laws of Montana and not operating for profit, municipal  
 21 corporations, public libraries; buildings, with land they  
 22 occupy and furnishings therein, owned by a church and used  
 23 for actual religious worship and for residences of the  
 24 clergy, together with adjacent land reasonably necessary for  
 25 convenient use of such buildings owned by a church; such

1       other property as is used exclusively for agricultural and  
 2 horticultural societies, for educational purposes,  
 3 hospitals, and all property, both real and personal, without  
 4 limitation as to amount except that real property owned  
 5 shall not exceed 660 acres, owned and held by any  
 6 association or corporation organized under Title 35, chapter  
 7 20 or 21, Cemeteries, provided such cemeteries and any land  
 8 claimed to be exempt are not maintained and operated for  
 9 private or corporate profit; institutions of purely public  
 10 charity; evidence of debt secured by mortgages of record  
 11 upon real or personal property in the state of Montana; and  
 12 public art galleries and public observatories not used or  
 13 held for private or corporate profit are exempt from  
 14 taxation, but no more land than is necessary for such  
 15 purpose is exempt.

16       (b) As used in this subsection, the term "institutions  
 17 of purely public charity" includes organizations owning and  
 18 operating facilities for the care of the retired or aged or  
 19 chronically ill, which are not operated for gain or profit,  
 20 and the terms "public art galleries" and "public  
 21 observatories" mean only such art galleries and  
 22 observatories, whether of public or private ownership, as  
 23 are open to the public without charge or fee at all  
 24 reasonable hours and are used for the purpose of education  
 25 only.

1       (2) All household goods and furniture, including  
 2       clocks, musical instruments, sewing machines, and wearing  
 3       apparel of members of the family, used by the owner for  
 4       personal and domestic purposes or for furnishing or  
 5       equipping the family residence are exempt from taxation.

6       (3) A truck canopy cover or topper weighing less than  
 7       300 pounds and having no accommodations attached is exempt  
 8       from taxation and the fee in lieu of tax."

9       Section 22. Section 15-8-201, MCA, is amended to read:  
 10      "15-8-201. General assessment day. (1) The department  
 11       of revenue or its agent must, between January 1 and the  
 12       second Monday of July in each year, ascertain the names of  
 13       all taxable inhabitants and assess all property subject to  
 14       taxation in each county. The department or its agent must  
 15       assess property to the person by whom it was owned or  
 16       claimed or in whose possession or control it was at midnight  
 17       of January 1 next preceding. It must also ascertain and  
 18       assess all mobile homes arriving in the county after  
 19       midnight of January 1 next preceding. No mistake in the name  
 20       of the owner or supposed owner of real property, however,  
 21       renders the assessment invalid.

22       (2) The procedure provided by this section may not  
 23       apply to:

24       (a) motor vehicles that are required by 15-8-202 to be  
 25       assessed on January 1 or upon their anniversary registration

1       1 date;  
 2       (b) motor homes and travel trailers subject to a fee  
 3       in lieu of property tax  
 4       (f) livestock which are required by 15-24-908 to be  
 5       assessed on an average inventory basis in each county;  
 6       (f) property defined in 61-1-104(2) as "special  
 7       mobile equipment" that is subject to assessment for personal  
 8       property taxes on the date that application is made for a  
 9       special mobile equipment plate; and  
 10       (f) mobile homes held by a distributor or dealer of  
 11       mobile homes as a part of his stock-in-trade; and  
 12       (f) snowmobiles that are required by 15-8-203 to be  
 13       assessed-as-of-duty-to  
 14       (3) Credits must be assessed as provided in  
 15       15-1-101(1)(b)."  
 16       Section 23. Section 15-8-202, MCA, is amended to read:  
 17      "15-8-202. Motor vehicle assessment. (1) (a) The  
 18       department or its agent must, in each year, ascertain and  
 19       assess all motor vehicles except other than motor homes,  
 20       travel trailers, or mobile homes in each county subject to  
 21       taxation as of January 1 or as of the anniversary  
 22       registration date of those vehicles subject to 61-3-313  
 23       through 61-3-316 and 61-3-501. The motor vehicles shall be  
 24       assessed in each year to the persons by whom owned or  
 25       claimed or in whose possession or control they were at

1      midnight of January 1 or the anniversary registration date  
 2      thereof, whichever is applicable.

3      ~~fbj--A-camper-which-is-customerly-attached-to-a--motor~~  
 4      ~~vehete--shett--be--esessed--at--the--time--the--vehete--is~~  
 5      ~~esessed.~~

6      ~~fbj1~~ No tax may be assessed against motor vehicles  
 7      that constitute inventory of motor vehicle dealers as of  
 8      January 1. These vehicles and all other motor vehicles  
 9      brought into the state subsequent to January 1 as motor  
 10     vehicle dealers' inventories shall be assessed to their  
 11     respective purchasers as of the dates the vehicles are  
 12     registered by the purchasers.

13     ~~fbj1~~ "Purchasers" includes dealers who apply for  
 14     registration or reregistration of motor vehicles, except as  
 15     otherwise provided by 61-3-502.

16     ~~fbj1~~ Goods, wares, and merchandise of motor vehicle  
 17     dealers, other than new motor vehicles and new mobile homes,  
 18     shall be assessed at market value as of January 1.

19     (2) In all cases where taxes or a fee in lieu of tax  
 20     were required to be paid, the applicant for registration or  
 21     reregistration of a motor vehicle, other than a mobile home,  
 22     is not relieved of the duty of paying taxes or the fee in  
 23     lieu of tax if the taxes or fees have not been paid by a  
 24     prior applicant or owner."

25     Section 24. Section 23-2-611, MCA, is amended to read:

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

7      (2) Before--such--certificate--may--be--obtained--the ~~the~~ ~~owner~~  
 8      shall ~~make--application~~ apply for a  
 9      certificate of ownership with the county treasurer of the  
 10     county in which the owner resides, upon forms to be  
 11     furnished for this purpose ~~which--shett~~ that must require the  
 12     following information:

13     (a) name of owner;  
 14     (b) residence by town and county;  
 15     (c) business or home mail address;  
 16     (d) name and address of lien holder;  
 17     (e) amount due under contract or lien;  
 18     (f) name and address of manufacturer;  
 19     (g) model number or name;  
 20     (h) serial number; and  
 21     (i) name and address of dealer or other person from  
 22     whom acquired.

23     (3) The application ~~shett~~ must be signed by at least  
 24     one owner or by a properly authorized officer or  
 25     representative of the owner.

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

10     (5) Upon completion of the application in  
11 quintuplicate on forms furnished by the division of motor  
12 vehicles, the county treasurer shall issue to the applicant  
13 two copies of the application, one of which shall be marked  
14 "file copy", and forward one copy and the original  
15 application to the division, which shall cause to be entered  
16 the information contained in the application upon the  
17 corresponding records of its office, and shall furnish the  
18 applicant a certificate of ownership which shall contain the  
19 information found on the application and a permanent  
20 ownership number. The certificate of ownership is not  
21 required to be renewed annually and is valid as long as the  
22 person holding it owns the snowmobile.

23     (6) The owner shall at all times retain possession of  
24 the certificate of ownership, except when the same is being  
25 transmitted to and from the division for endorsement or

1 cancellation. The owner of a snowmobile shall display his  
2 certificate of ownership number on both sides of the cowling  
3 of the snowmobile and shall maintain the number in legible  
4 condition at all times. The number shall read from left to  
5 right and be marked in Arabic numerals, in block characters  
6 of good proportion, and shall be a minimum of 3 inches in  
7 height, excluding border or trim, and of a color that  
8 contrasts with the color of the background.

9       (7) Upon application for a certificate of ownership, a  
10 fee of \$3 shall be paid to the county treasurer, one-half of  
11 which fee shall be forwarded by the county treasurer to the  
12 division of motor vehicles.

13     (8) Before a tax-paid decal indicating that the fee in  
14 lieu of property tax has been paid on the snowmobile for the  
15 current year may be applied for pursuant to the laws of this  
16 state, the owner must present the certificate of ownership  
17 or copy of completed application therefor as a prerequisite  
18 to completing the application for the tax-paid decal."

19     Section 25. Section 23-2-612, MCA, is amended to read:  
20       "23-2-612. Transfer of interest. (1) Except as  
21 provided in subsection (3), upon a transfer of any  
22 certificate of ownership to a snowmobile registered as  
23 required under the provisions of this part, the person whose  
24 title or interest is to be transferred shall write his  
25 signature with pen and ink upon the certificate of ownership

1 issued for the snowmobile in the appropriate space provided  
 2 upon the reverse side of the certificate, and such signature  
 3 shall be acknowledged before a notary public.

4 (2) Within 20 calendar days thereafter, the transferee  
 5 shall forward the certificate of ownership so endorsed,  
 6 together with the information required under this part, to  
 7 the division of motor vehicles, which shall file the same  
 8 upon receipt thereof. No certificate of ownership may be  
 9 issued by the division until the outstanding certificates  
 10 are surrendered to that office or their loss established to  
 11 its reasonable satisfaction. The division shall collect a  
 12 fee of \$3 for each application for transfer of ownership.

13 (3) A purchaser of a new or used snowmobile from a  
 14 licensed snowmobile dealer has a grace period of 20 calendar  
 15 days from the date of purchase to make application for a  
 16 certificate of ownership and to obtain a tax-paid decal  
17 indicating that the fee in lieu of property tax has been  
18 paid on the snowmobile for the current year. It is not a  
 19 violation of this part or any other law for the purchaser to  
 20 operate such a snowmobile without a certificate of ownership  
 21 and a tax-paid decal during the 20-day period. During this  
 22 period the sticker, provided for in subsection (4), shall  
 23 remain affixed to the snowmobile.

24 (4) Prior to the delivery of the snowmobile to the  
 25 purchaser, the dealer shall issue and affix to the

1 snowmobile a sticker (in a form to be prescribed by the  
 2 division of motor vehicles). The sticker shall contain the  
 3 name and address of the purchaser, the date of sale, the  
 4 name and address of the dealer, and a description of the  
 5 snowmobile, including its serial number. The dealer shall  
 6 keep a copy of the sticker for his records and shall send a  
 7 copy of the sticker to the division.

8 (5) The provisions of subsection (2) of this section,  
 9 requiring a transferee to forward the certificate of  
 10 ownership after endorsement to the division, do not apply in  
 11 the event of the transfer of a snowmobile to a duly licensed  
 12 snowmobile dealer intending to resell the snowmobile and who  
 13 operates it only for demonstration purposes, but every such  
 14 dealer, upon transferring such interest, shall deliver the  
 15 certificate of ownership with an application for a new  
 16 certificate executed by the new owner in accordance with the  
 17 provisions of this part. The division, upon receipt of the  
 18 certificate of ownership and application for a new  
 19 certificate, together with the conditional sales contract or  
 20 other lien, if any, shall issue a new certificate of  
 21 ownership together with a statement of any conditional sales  
 22 contract, mortgage, or other lien."

23 Section 26. Section 23-2-616, MCA, is amended to read:  
 24 "23-2-616. Display of tax-paid decals -- application  
 25 and issuance -- use of fees. (1) No snowmobile may be

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1 operated by any person in the state of Montana unless there  
 2 is displayed in a conspicuous place on it a decal as visual  
 3 proof that Montana personel property taxes have the fee in  
 4 lieu of property tax has been paid on it for the current  
 5 year.

6 (2) Application for the tax-paid decal shall be made  
 7 to the county treasurer upon forms to be furnished for this  
 8 purpose, which may be obtained from the division of motor  
 9 vehicles or at the county assessor's treasurer's office in  
 10 the county where the owner resides. The application shall  
 11 contain the following information:

12 (a) name of owner;  
 13 (b) address;  
 14 (c) certificate of ownership number;  
 15 (d) name of manufacturer;  
 16 (e) model number;  
 17 (f) make;  
 18 (g) horsepower;  
 19 (h) year of manufacture;  
 20 (i) statement evidencing assessment and payment of the  
 21 fee in lieu of property tax; and  
 22 (j) such other information as the division of motor  
 23 vehicles may require.

24 (3) The application shall be signed by the county  
 25 treasurer and transmitted by him to the division of motor

1 vehicles accompanied by a fee of \$2. Upon receipt of the  
 2 application in approved form, the division of motor vehicles  
 3 or county treasurer shall issue to the applicant a decal in  
 4 the style and design prescribed by the division and of a  
 5 different color than the preceding year, numbered in  
 6 sequence.

7 {4}--Before fitting the application with the county  
 8 treasurer--the applicant shall submit it to the county  
 9 assessor of the county and the county assessor shall enter  
 10 on the application in a place provided for that purpose the  
 11 market value and taxable value of the snowmobile for the  
 12 year for which the application is made.

13 {5} The applicant shall pay the county treasurer  
 14 the application fee and the personel property taxes assessed  
 15 against fee in lieu of property tax on the snowmobile for  
 16 the current year before the application may be accepted by  
 17 the county treasurer.

18 {6} All moneys money collected from payment of the  
 19 application fees and all interest accruing from use of these  
 20 moneys shall be turned over to the state treasurer and  
 21 placed in the earmarked revenue fund to the credit of the  
 22 department, with \$1 designated for use in enforcing the  
 23 purposes of this part and \$1 designated for use in the  
 24 development, maintenance, and operation of snowmobile  
 25 facilities.

1       Section 27. Section 23-2-617, MCA, is amended to read:  
 2       "23-2-617. Duplicate decal. In the event any tax-paid  
 3       decal indicating that the fee in lieu of property tax has  
 4       been paid on a snowmobile for the current year is lost,  
 5       mutilated, or becomes illegible, the person to whom the same  
 6       was issued shall immediately make application for and may  
 7       obtain a duplicate thereof, upon payment of a fee of \$1 to  
 8       the county treasurer."

9       Section 28. Section 23-2-618, MCA, is amended to read:  
 10      "23-2-618. Application to be made annually -- grace  
 11      period -- proof of purchase. (1) Application must be made  
 12      annually to the county treasurer for the issuance of  
 13      tax-paid-decals-annually a decal indicating that the fee in  
 14      lieu of property tax has been paid for the current year. All  
 15      tax-paid decals expire on June 30 of each year.

16      (2) An owner of a newly purchased snowmobile shall  
 17      have a grace period of 20 calendar days from the date of  
 18      purchase to make application for a current tax-paid decal,  
 19      provided that at all times during that period a bill of sale  
 20      or other proof of purchase reciting the date of purchase  
 21      shall be carried by the operator or with the snowmobile. An  
 22      owner or operator of such a snowmobile being operated after  
 23      the 20-day grace period without a current tax-paid decal  
 24      displayed on the snowmobile shall be subject to the  
 25      penalties of 23-2-642(1), as amended."

1       Section 29. Section 23-2-642, MCA, is amended to read:  
 2       "23-2-642. Penalties. (1) The failure to display a  
 3       current tax-paid decal indicating that the fee in lieu of  
 4       property tax has been paid on the snowmobile for the current  
 5       year during the time provided in this part is a misdemeanor,  
 6       punishable by a fine of not less than \$10 or more than \$50.  
 7       (2) A person who violates any other provision of this  
 8       part or a rule adopted pursuant thereto shall pay a civil  
 9       penalty of not less than \$15 or more than \$500 for each  
 10      separate violation.

11      (3) A person who willfully violates any other  
 12      provision of this part or a rule adopted pursuant thereto  
 13      shall pay a civil penalty of not less than \$50 or more than  
 14      \$1,000 for each separate violation.

15      (4) A manufacturer who certifies that a new snowmobile  
 16      can meet the sound-level limitations imposed by this part  
 17      shall be subject to the penalty provisions of subsections  
 18      (2) and (3) if any machine so certified does not meet the  
 19      appropriate sound level limitation. For the purposes of this  
 20      section, every sale of a new snowmobile that does not meet  
 21      the sound-level limitations imposed by this part constitutes  
 22      a separate violation."

23      Section 30. Repealer. Sections 15-6-121 and 15-8-203,  
 24      MCA, are repealed.

25      Section 31. Applicability. This act applies to motor

HB 817

LC 0135/01

1 homes, travel trailers, campers, and snowmobiles registered  
2 during and after 1980.

-End-

1 *House* BILL NO. 848  
 2 INTRODUCED BY *Zigilini Monahan Daily*  
 3 *Harrington* *Ellen Fabini Sull*  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A FEE IN  
 5 LIEU OF PROPERTY TAX FOR MOTOR HOMES, TRAVEL TRAILERS,  
 6 SNOWMOBILES, AND CAMPERS; AMENDING SECTIONS 15-6-101,  
 7 15-6-110, 15-6-111, 15-6-201, 15-8-201, 15-8-202, 23-2-611,  
 8 23-2-612, 23-2-616 THROUGH 23-2-618, 23-2-642, 61-3-303,  
 9 61-3-317, 61-3-322, 61-3-441, 61-3-442, 61-3-501 THROUGH  
 10 61-3-504, AND 61-3-509, MCA; REPEALING SECTIONS 15-6-121 AND  
 11 15-8-203, MCA."

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

14 NEW SECTION. Section 1. Fee in lieu of tax for  
 15 certain vehicles. (1) There is a fee in lieu of property tax  
 16 imposed on motor homes, travel trailers, and campers. The  
 17 fee is in addition to annual registration fees.  
 18 (2) The fee imposed by subsection (1) need not be paid  
 19 by a dealer for vehicles that constitute inventory of the  
 20 dealership.

21 NEW SECTION. Section 2. Schedule of fees for motor  
 22 homes. (1) The owner of a motor home shall pay a fee based  
 23 on the age of the motor home according to the following  
 24 schedule:  
 25 less than 2 years old \$200

1 2 years old and less than 3 years old 180  
 2 3 years old and less than 4 years old 145  
 3 4 years old and less than 5 years old 100  
 4 5 years old and less than 6 years old 75  
 5 6 years old and less than 7 years old 50  
 6 7 years old and less than 8 years old 25  
 7 8 years old and older 15  
 8 (2) The age of a motor home is determined by  
 9 subtracting the manufacturer's designated model year from  
 10 the current calendar year.  
 11 NEW SECTION. Section 3. Schedule of fees for travel  
 12 trailers and campers. (1) The fee imposed by [section 1] on  
 13 a travel trailer less than 3 years old is \$40. In all other  
 14 cases the fee is \$15.  
 15 (2) The fee imposed by [section 1] on a camper less  
 16 than 3 years old is \$35. In all other cases the fee is \$15.  
 17 (3) The age of a travel trailer or camper is  
 18 determined by subtracting the manufacturer's designated  
 19 model year from the current calendar year.  
 20 NEW SECTION. Section 4. Fee in lieu of tax on  
 21 snowmobiles. (1) There is a fee in lieu of tax on  
 22 snowmobiles.  
 23 (2) The fee for a snowmobile less than 4 years old is  
 24 \$22. In all other cases the fee is \$15.  
 25 (3) The age of a snowmobile is determined by

1 subtracting the manufacturer's designated model year from  
 2 the current calendar year.

3 (4) The fee need not be paid by a dealer for  
 4 snowmobiles that constitute inventory of the dealership.

5 NEW SECTION. Section 5. Motor home. "Motor home"  
 6 means a self-propelled motor vehicle originally designed or  
 7 permanently altered to provide temporary facilities for  
 8 recreational, travel, or camping use.

9 NEW SECTION. Section 6. Travel trailer. "Travel  
 10 trailer" means a trailer 32 feet or less in length and 8  
 11 feet or less in width originally designed or permanently  
 12 altered to provide temporary facilities for recreational,  
 13 travel, or camping use.

14 Section 7. Section 61-3-303, MCA, is amended to read:

15 "61-3-303. Application for registration. (1) Every  
 16 owner of a motor vehicle operated or driven upon the public  
 17 highways of this state shall for each motor vehicle owned,  
 18 except as herein otherwise expressly provided, file or cause  
 19 to be filed in the office of the county treasurer where the  
 20 motor vehicle is owned or taxable an application for  
 21 registration or reregistration upon a blank form to be  
 22 prepared and furnished by the division. The application  
 23 shall contain:

24 (a) name and address of owner, giving county, school  
 25 district, and town or city within whose corporate limits the

1 motor vehicle is taxable;  
 2 (b) name and address of conditional sales vendor,  
 3 mortgagee, or holder of other lien against the motor  
 4 vehicle, with statement of amount owing under such contract  
 5 or lien;  
 6 (c) description of motor vehicle, including make, year  
 7 model, engine or serial number, manufacturer's model or  
 8 letter, gross weight, type of body, and if truck, the rated  
 9 capacity;

10 (d) in case of reregistration, the license number for  
 11 the preceding year; and

12 (e) such other information as the division may  
 13 require.

14 (2) A person who files an application for registration  
 15 or reregistration of a motor vehicle, except of a mobile  
 16 home as defined in 15-1-101(1), shall upon the filing of the  
 17 application pay to the county treasurer:

18 (a) pay--to--the--county--treasurer the registration fee,  
 19 as provided in 61-3-311 and 61-3-321; and

20 (b) pay the personal property taxes assessed on the  
 21 new motor vehicle sales tax against the vehicle for the  
 22 current year of registration, or in the case of a motor  
home, travel trailer, or camper, the fee in lieu of property  
tax for the current year of registration, unless the same  
 23 shall have been theretofore paid for the year, before the

1 application for registration or reregistration may be  
2 accepted by the county treasurer.

3 (3) The county treasurer may make full and complete  
4 investigation of the tax status of the vehicle. Any  
5 applicant for registration or reregistration must submit  
6 proof from the tax records of the proper county at the  
7 request of the county treasurer."

8 Section 8. Section 61-3-317, MCA, is amended to read:

9 "61-3-317. New registration required for transferred  
10 vehicle -- grace period -- penalty -- display of proof of  
11 purchase. (1) Except as otherwise provided herein, the new  
12 owner of the transferred motor vehicle shall have the grace  
13 period of 20 calendar days from the date of purchase to make  
14 application and pay the taxes as provided by part 5 of this  
15 chapter or the fee in lieu of tax as provided by [section 1]  
16 unless the tax or fee has been paid for the year, as if the  
17 same was being registered for the first time in that  
18 registration year. If the motor vehicle was not purchased  
19 from a duly licensed motor vehicle dealer as provided in  
20 this chapter, it shall not be a violation of this chapter or  
21 any other law for the purchaser to operate the vehicle upon  
22 the streets and highways of this state without a certificate  
23 of registration during the 20-day period; provided, that at  
24 all times during that period a bill of sale or other proof  
25 of purchase reciting the date of purchase shall be clearly

1 displayed in the rear window of the motor vehicle.  
2 Registration and license fees collected under 61-3-321 are  
3 not required to be paid when a license plate is transferred  
4 under this section and 61-3-335. Failure to make  
5 application within the time provided herein shall subject  
6 the purchaser to a penalty of \$10. The penalty shall be  
7 collected by the county treasurer at the time of  
8 registration and shall be in addition to the fees otherwise  
9 provided by law."

10 (2) Any purchaser of a new or used motor vehicle from  
11 a duly licensed motor vehicle dealer shall have the grace  
12 period of 20 calendar days from the date of purchase to make  
13 application for registration and to obtain registration  
14 plates, and it shall not be a violation of this chapter or  
15 any other law for such purchaser to operate such vehicle  
16 upon the streets and highways of this state without a  
17 certificate of registration and registration plates during  
18 the 20-day period; provided that at all times during said  
19 period the sticker issued by the dealer at the time of  
20 purchase shall remain affixed to said vehicle as provided in  
21 61-4-111. Failure to make such application within the time  
22 provided herein subjects the purchaser to a penalty of \$10.  
23 The penalty is to be collected by the county treasurer at  
24 the time of registration and is in addition to the fees  
25 otherwise provided by law."

1       Section 9. Section 61-3-322, MCA, is amended to read:

2       "61-3-322. Certificates of registration -- issuance.

3       (1) Upon completion of the application for registration, on

4       forms furnished by the division, the county treasurer shall

5       file one copy in his office and issue to the applicant two

6       copies of the application marked "Owner's Certificate of

7       Registration and Tax Receipt", one of which shall be marked

8       "file copy".

9       (2) The certificate of registration shall contain upon

10      the face thereof:

11      (a) the date issued;

12      (b) the registration number assigned to the owner and

13      the vehicle;

14      (c) the name and complete address of the owner, or the

15      names and addresses of joint owners;

16      (d) the name and complete address of any conditional

17      sales vendor, and also the name and address of any other

18      lienor as shown by said application;

19      (e) a description of the registered vehicle including

20      the year built and serial number, if any;

21      (f) any lien against such motor vehicle and the amount

22      due at the date of registration; and

23      (g) such other statement of facts as may be determined

24      by the division.

25      (3) Every owner, upon receiving a registration receipt

1       shall write his signature thereon with pen and ink in the

2       space provided. Every such registration receipt or a

3       notarized photostatic copy thereof or a duplicate thereof

4       furnished by the division shall at all times be carried in

5       the vehicle to which it refers or shall be carried by the

6       person driving or in control of such vehicle, who shall

7       display the same upon demand of a police officer or any

8       officer or employee of the division or the highway

9       department.

10       t47--Upon--receipt--of--application--for--registration--in

11       quintuplety--and--payment--of--license--fees--and--taxes--as--herein

12       provided--the--county--treasurer--shall--

13       t67--file--one--copy--of--said--application--in--his--offices

14       t67--issue--to--the--applicant--two--copies--of--the

15       application--entitled--"Owner's--Certificate--of--Registration

16       and--Tax--Receipt"--one--of--which--shall--be--marked--"file--copy"--t

17       and

18       t67--forward--one--copy--to--the--county--clerk--and--recorder--

19       t57151 The county treasurer shall daily forward to the

20      division one copy of the application all applications for

21      registration received that day.

22       t67151 It shall not be necessary for the county

23      treasurer, in said receipt, to segregate the amount of said

24      taxes for state, county, school district, and municipal

25      purposes."

1       Section 10. Section 61-3-441, MCA, is amended to read:  
 2       "61-3-441. ~~tax-paid~~ ~~fee-paid~~ decal required on camper  
 3       -- application for decal -- application fee -- issuance. (1)  
 4       No camper, subject to taxation in Montana, ~~shall~~ ~~may~~ be  
 5       operated by any person ~~in-the-state-of-Montana~~ on the public  
 6       highways or streets ~~in this state~~ unless there is displayed  
 7       in a conspicuous place thereon a decal as visual proof that  
 8       Montana--personal-property-taxes--have ~~the fee in lieu of tax~~  
 9       has been paid thereon for the current year.

10       (2) Application for the issuance of ~~such-tax-paid~~ ~~the~~  
 11       decal shall be made to the department of revenue or the  
 12       county treasurer upon forms to be furnished for this  
 13       purpose, which may be obtained from the department or at the  
 14       county ~~assessor's~~ ~~treasurer's~~ office in the county wherein  
 15       the owner resides, and is to provide for substantially the  
 16       following information:

17       (a) name of owner;  
 18       (b) address;  
 19       (c) name of manufacturer;  
 20       (d) model number;  
 21       (e) make;  
 22       (f) year of manufacture;  
 23       (g) statement evidencing assessment and payment of ~~the~~  
 24       ~~fee in lieu of~~ property tax; and  
 25       (h) such other information as the department may

1       require.

2       (3) ~~The application shall~~ ~~must~~ be signed by the  
 3       county treasurer and transmitted by him to the department  
 4       accompanied by ~~a~~ an application fee of \$1. Upon receipt of  
 5       the application in approved form the department or county  
 6       treasurer shall issue to the applicant a decal in the style  
 7       and design prescribed by the department and of a different  
 8       color than the preceding year, numbered numerically."

9       Section 11. Section 61-3-442, MCA, is amended to read:  
 10       "61-3-442. Annual application for decals. Application  
 11       may be made to the department of revenue or county treasurer  
 12       for the issuance of ~~tax-paid~~ ~~camper~~ decals annually when the  
 13       motor vehicle to which the camper is customarily attached is  
 14       registered."

15       Section 12. Section 61-3-501, MCA, is amended to read:  
 16       "61-3-501. When vehicle property tax is due. (1)  
 17       Property taxes ~~and~~ new car taxes, ~~and fees in lieu of tax~~  
 18       on a ~~motor home or travel trailer~~ ~~shall~~ ~~must~~ be paid on the  
 19       date of registration or reregistration of the vehicle.

20       (2) If the anniversary date for reregistration of a  
 21       vehicle ~~shall--pass~~ ~~passes~~ while the vehicle is owned and  
 22       held for sale by a licensed new or used car dealer, property  
 23       taxes ~~shall~~ ~~or the fee in lieu of property taxes~~ abate on  
 24       such vehicle properly reported with the department of  
 25       revenue until the vehicle is sold and thereafter the

1 purchaser shall pay the pro rata balance of the taxes or the  
 2 fee\_in\_lieu\_of\_tax due and owing on the vehicle.

3       (3) In the event a vehicle's registration period is  
 4 changed under 61-3-315, all taxes and other fees due thereon  
 5 shall be prorated and paid from the last day of the old  
 6 period until the first day of the new period in which the  
 7 vehicle shall be registered. Thereafter taxes and other fees  
 8 must be paid from the first day of the new period for a  
 9 minimum period of 1 year. When the change is to a later  
 10 registration period, taxes and fees shall be prorated and  
 11 paid based on the same tax year as the original registration  
 12 period. Thereafter, during the appropriate anniversary  
 13 registration period, each vehicle shall again register or  
 14 reregister and shall pay all taxes and fees due thereon for  
 15 a 12-month period."

16       Section 13. Section 61-3-502, MCA, is amended to read:

17       "61-3-502. Sales tax on new motor vehicles --  
 18 exemptions. (1) In consideration of the right to use the  
 19 highways of the state, there shall be imposed a tax upon all  
 20 sales of new motor vehicles for which a license is sought  
 21 and an original application for title is made. The tax  
 22 shall be paid by the purchaser when he applies for his  
 23 original Montana license through the county treasurer.

24       (2) The sales tax shall be:

25       (a) 1 1/2% of the F.O.B. factory list price or F.O.B.

1       port of entry list price, during the first quarter of the  
 2 year or prorated one-twelfth for each month or part of month  
 3 for a registration period other than a calendar year or  
 4 calendar quarter;

5       (b) 1 1/8% of the list price during the second quarter  
 6 of the year;

7       (c) 3/4 of 1% during the third quarter of the year;

8       (d) 3/8 of 1% during the fourth quarter of the year.

9       (3) If the manufacturer or importer fails to furnish  
 10 the F.O.B. factory list price or F.O.B. port of entry list  
 11 price, the department may use published price lists.

12       (4) The proceeds from this tax shall be remitted to  
 13 the state treasurer every 30 days for credit to the state  
 14 highway account of the earmarked revenue fund.

15       (5) The new vehicle is not subject to any other  
 16 assessment or taxation, or fee\_in\_lieu\_of\_tax during the  
 17 calendar year in which the original application for title is  
 18 made.

19       (6) (a) The applicant for original registration of any  
 20 wholly new and unused motor vehicle or new motor vehicle  
 21 furnished without charge by the dealer to the school  
 22 district for use as a traffic education motor vehicle by a  
 23 school district operating a state-approved traffic education  
 24 program within the state, whether or not previously licensed  
 25 or titled to the school district, except a mobile home as

1 defined in 15-1-101(1), acquired by original contract after  
 2 January 1 of any year shall be required, whenever such  
 3 vehicle has not been otherwise assessed, to pay the motor  
 4 vehicle sales tax provided by this section irrespective of  
 5 whether the vehicle was in the state of Montana on January 1  
 6 of the year.

7 (b) No such motor vehicle may be registered or  
 8 licensed under the provisions of this subsection unless the  
 9 application for registration is accompanied by a statement  
 10 of origin to be furnished by the dealer selling the vehicle,  
 11 showing that the vehicle has not previously been registered  
 12 or owned, except as otherwise provided herein, by any  
 13 person, firm, corporation, or association that is not a new  
 14 motor vehicle dealer holding a franchise or distribution  
 15 agreement from a new car manufacturer, distributor, or  
 16 importer.

17 (7) Motor vehicles operating exclusively for  
 18 transportation of persons for hire within the limits of  
 19 incorporated cities or towns and within 15 miles from such  
 20 limits are exempt from subsection (1). Motor vehicles  
 21 brought or driven into Montana by a nonresident migratory  
 22 bona fide agricultural worker temporarily employed in  
 23 agricultural work in this state where those motor vehicles  
 24 are used exclusively for transportation of agricultural  
 25 workers are also exempt from subsection (1). Vehicles

1 lawfully displaying a licensed dealer's plate as provided in  
 2 61-4-102 are exempt from subsection (1) when moving to or  
 3 from a dealer's place of business when unladen or laden with  
 4 dealer's property only, and in the case of vehicles having a  
 5 gross laden weight of less than 24,000 pounds, while in the  
 6 process of demonstration in the course of the dealer's  
 7 business."

8 Section 14. Section 61-3-503, MCA, is amended to read:  
 9 "61-3-503. Assessment. (1) A person who files an  
 10 application for registration or reregistration of a motor  
 11 vehicle, except of other than a motor home, travel trailers,  
 12 or a mobile home as defined in 15-1-101(1), shall before  
 13 filing such application with the county treasurer submit the  
 14 same to the county assessor of the county. The county  
 15 assessor shall enter on the application in a space to be  
 16 provided for that purpose the market value and taxable value  
 17 of the vehicle for the year for which the application for  
 18 registration is made.

19 (2) Except as provided in subsection (3) motor  
 20 vehicles, except other than motor homes, travel trailers, or  
 21 mobile homes as defined in 15-1-101(1), are assessed for  
 22 taxes on January 1 in each year irrespective of the time  
 23 fixed by law for the assessment of other classes of personal  
 24 property and irrespective of whether the levy and tax may be  
 25 a lien upon real property within the state. In no event may

1 any motor vehicle be subject to assessment, levy, and  
 2 taxation more than once in each year.

3 (3) Vehicles subject to the provisions of 61-3-313  
 4 through 61-3-316 shall be assessed as of the first day of  
 5 the year in which the registration period occurs and a lien  
 6 for taxes and fees due thereon shall occur on the  
 7 anniversary date of the registration and shall continue  
 8 thereafter until such fees and taxes shall have been paid."

9 Section 15. Section 61-3-504, MCA, is amended to read:  
 10 "61-3-504. Computation of tax. The amount of taxes on  
 11 the a motor vehicle, except other than a motor home, travel  
 12 trailers or a mobile home as defined in 15-1-101(1), is  
 13 computed and determined by the county treasurer on the basis  
 14 of the levy of the year preceding the current year of  
 15 application for registration or reregistration. The  
 16 determination is entered on the application form in a space  
 17 provided therefor."

18 Section 16. Section 61-3-509, MCA, is amended to read:  
 19 "61-3-509. Disposition of taxes and fees in lieu of  
 20 tax. The county treasurer shall credit all taxes on motor  
 21 vehicles so and fees in lieu of tax on motor homes and  
 22 travel trailers collected to a motor vehicle suspense fund,  
 23 and at some time between March 1 and March 10 of each year  
 24 and every 60 days thereafter, the county treasurer shall  
 25 distribute the same money in the motor vehicle suspense fund

1 in the relative proportions required by the levies for  
 2 state, county, school district, and municipal purposes in  
 3 the same manner as other personal property taxes are  
 4 distributed."

5 NEW SECTION. Section 17. Disposition of fees in lieu  
 6 of tax on snowmobiles. The county treasurer shall credit all  
 7 fees in lieu of tax collected on snowmobiles to the county  
 8 motor vehicle suspense fund provided for in 61-3-509.

9 Section 18. Section 15-6-101, MCA, is amended to read:  
 10 "15-6-101. Property subject to taxation --  
 11 classification. (1) All property in this state is subject to  
 12 taxation, except as provided otherwise.

13 (2) For the purpose of taxation, the taxable property  
 14 in the state shall be classified in accordance with 15-6-102  
 15 through ~~15-6-122~~ ~~15-6-120~~.

16 Section 19. Section 15-6-110, MCA, is amended to read:  
 17 "15-6-110. Class nine property -- description --  
 18 taxable percentage. (1) Class nine property includes:

19 (a) automobiles, motor trucks, and other power-driven  
 20 cars and vehicles of all kinds except motor homes, mobile  
 21 homes, motorcycles, aircraft, camper trailers, and truck  
 22 campers; and

23 (b) furniture and fixtures used in commercial, office,  
 24 and hotel activities, except improvements included in class  
 25 thirteen.

1       (2) Class nine property is taxed at 13.3% of its  
 2 market value."

3       Section 20. Section 15-6-111, MCA, is amended to read:

4       "15-6-111. Class ten property -- description --  
 5 taxable percentage. (1) Class ten property includes:

6       (a) aerial, surface, and portable ski lifts and ski  
 7 tows, including the towers, cables, ropes, sheave  
 8 assemblies, conveying devices, power units, and all  
 9 accessories; and

10      (b) manufacturing and mining machinery, fixtures, and  
 11 supplies, except those included in class eighteent~~s~~ and  
 12 ~~fe~~--~~camper--tratters--and--truck-copers--valued-in-the~~  
 13 ~~"N-A-B-A--Recreationat-Vehiclet-Appraisat-Guide"~~

14      (2) Class ten property is taxed at 12% of market  
 15 value."

16      Section 21. Section 15-6-201, MCA, is amended to read:

17      "15-6-201. Exempt categories. (1) (a) The property of  
 18 the United States, the state, counties, cities, towns,  
 19 school districts, irrigation districts organized under the  
 20 laws of Montana and not operating for profit, municipal  
 21 corporations, public libraries; buildings, with land they  
 22 occupy and furnishings therein, owned by a church and used  
 23 for actual religious worship and for residences of the  
 24 clergy, together with adjacent land reasonably necessary for  
 25 convenient use of such buildings owned by a church; such

1       other property as is used exclusively for agricultural and  
 2 horticultural societies, for educational purposes,  
 3 hospitals, and all property, both real and personal, without  
 4 limitation as to amount except that real property owned  
 5 shall not exceed 640 acres, owned and held by any  
 6 association or corporation organized under Title 35, chapter  
 7 20 or 21, Cemeteries, provided such cemeteries and any land  
 8 claimed to be exempt are not maintained and operated for  
 9 private or corporate profit; institutions of purely public  
 10 charity; evidence of debt secured by mortgages of record  
 11 upon real or personal property in the state of Montana; and  
 12 public art galleries and public observatories not used or  
 13 held for private or corporate profit are exempt from  
 14 taxation, but no more land than is necessary for such  
 15 purpose is exempt.

16      (b) As used in this subsection, the term "institutions  
 17 of purely public charity" includes organizations owning and  
 18 operating facilities for the care of the retired or aged or  
 19 chronically ill, which are not operated for gain or profit,  
 20 and the terms "public art galleries" and "public  
 21 observatories" mean only such art galleries and  
 22 observatories, whether of public or private ownership, as  
 23 are open to the public without charge or fee at all  
 24 reasonable hours and are used for the purpose of education  
 25 only.

1       (2) All household goods and furniture, including  
 2       clocks, musical instruments, sewing machines, and wearing  
 3       apparel of members of the family, used by the owner for  
 4       personal and domestic purposes or for furnishing or  
 5       equipping the family residence are exempt from taxation.

6       (3) A truck canopy cover or topper weighing less than  
 7       300 pounds and having no accommodations attached is exempt  
 8       from taxation and the fee in lieu of tax."

9       Section 22. Section 15-8-201, MCA, is amended to read:

10       "15-8-201. General assessment day. (1) The department  
 11       of revenue or its agent must, between January 1 and the  
 12       second Monday of July in each year, ascertain the names of  
 13       all taxable inhabitants and assess all property subject to  
 14       taxation in each county. The department or its agent must  
 15       assess property to the person by whom it was owned or  
 16       claimed or in whose possession or control it was at midnight  
 17       of January 1 next preceding. It must also ascertain and  
 18       assess all mobile homes arriving in the county after  
 19       midnight of January 1 next preceding. No mistake in the name  
 20       of the owner or supposed owner of real property, however,  
 21       renders the assessment invalid.

22       (2) The procedure provided by this section may not  
 23       apply to:

24       (a) motor vehicles that are required by 15-8-202 to be  
 25       assessed on January 1 or upon their anniversary registration

1       date;  
 2       ~~(b) motor homes and travel trailers subject to a fee~~  
 3       ~~in lieu of property tax~~  
 4       ~~(b)(c) livestock which are required by 15-24-908 to be~~  
 5       assessed on an average inventory basis in each county;  
 6       ~~(e)(d) property defined in 61-1-104(2) as "special~~  
 7       mobile equipment" that is subject to assessment for personal  
 8       property taxes on the date that application is made for a  
 9       special mobile equipment plate; and  
 10       ~~(e)(d) mobile homes held by a distributor or dealer of~~  
 11       mobile homes as a part of his stock-in-trade; and  
 12       ~~(e)--snowmobiles--that--are--required--by--15-8-203--to--be~~  
 13       ~~assessed--as--of--duty--is~~  
 14       (3) Credits must be assessed as provided in  
 15       15-1-101(1)(b)."

16       Section 23. Section 15-8-202, MCA, is amended to read:

17       "15-8-202. Motor vehicle assessment. (1) (a) The  
 18       department or its agent must, in each year, ascertain and  
 19       assess all motor vehicles except ~~other than motor homes~~  
 20       ~~travel trailers~~ or mobile homes in each county subject to  
 21       taxation as of January 1 or as of the anniversary  
 22       registration date of those vehicles subject to 61-3-313  
 23       through 61-3-316 and 61-3-501. The motor vehicles shall be  
 24       assessed in each year to the persons by whom owned or  
 25       claimed or in whose possession or control they were at

1      midnight of January 1 or the anniversary registration date  
 2      thereof, whichever is applicable.

3      ~~fb7--A-camper-which-is-customerily-attached-to-a--motor~~  
 4      ~~vehicle--shall--be--assessed--at--the--time--the--vehicle-is~~  
 5      ~~assessed.~~

6      ~~fb7fb1~~ No tax may be assessed against motor vehicles  
 7      that constitute inventory of motor vehicle dealers as of  
 8      January 1. These vehicles and all other motor vehicles  
 9      brought into the state subsequent to January 1 as motor  
 10     vehicle dealers' inventories shall be assessed to their  
 11     respective purchasers as of the dates the vehicles are  
 12     registered by the purchasers.

13     ~~fb7fb1~~ "Purchasers" includes dealers who apply for  
 14     registration or reregistration of motor vehicles, except as  
 15     otherwise provided by 61-3-502.

16     ~~fb7fb1~~ Goods, wares, and merchandise of motor vehicle  
 17     dealers, other than new motor vehicles and new mobile homes,  
 18     shall be assessed at market value as of January 1.

19     (2) In all cases where taxes or a fee in lieu of tax  
 20     were required to be paid, the applicant for registration or  
 21     reregistration of a motor vehicle, other than a mobile home,  
 22     is not relieved of the duty of paying taxes or the fee in  
 23     lieu of tax if the taxes or fees have not been paid by a  
 24     prior applicant or owner."

25     Section 24. Section 23-2-611, MCA, is amended to read:

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

7      (2) Before--such--certificate--may--be--obtained--the ~~the~~  
 8      owner of a snowmobile shall make--application apply for a  
 9      certificate of ownership with the county treasurer of the  
 10     county in which the owner resides, upon forms to be  
 11     furnished for this purpose ~~which shall that must~~ require the  
 12     following information:

13     (a) name of owner;  
 14     (b) residence by town and county;  
 15     (c) business or home mail address;  
 16     (d) name and address of lien holder;  
 17     (e) amount due under contract or lien;  
 18     (f) name and address of manufacturer;  
 19     (g) model number or name;  
 20     (h) serial number; and  
 21     (i) name and address of dealer or other person from  
 22     whom acquired.  
 23     (3) The application ~~sheet~~ must be signed by at least  
 24     one owner or by a properly authorized officer or  
 25     representative of the owner.

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

10       (5) Upon completion of the application in  
 11 quintuplicate on forms furnished by the division of motor  
 12 vehicles, the county treasurer shall issue to the applicant  
 13 two copies of the application, one of which shall be marked  
 14 "file copy", and forward one copy and the original  
 15 application to the division, which shall cause to be entered  
 16 the information contained in the application upon the  
 17 corresponding records of its office, and shall furnish the  
 18 applicant a certificate of ownership which shall contain the  
 19 information found on the application and a permanent  
 20 ownership number. The certificate of ownership is not  
 21 required to be renewed annually and is valid as long as the  
 22 person holding it owns the snowmobile.

23       (6) The owner shall at all times retain possession of  
 24 the certificate of ownership, except when the same is being  
 25 transmitted to and from the division for endorsement or

1 cancellation. The owner of a snowmobile shall display his  
 2 certificate of ownership number on both sides of the cowling  
 3 of the snowmobile and shall maintain the number in legible  
 4 condition at all times. The number shall read from left to  
 5 right and be marked in Arabic numerals, in block characters  
 6 of good proportion, and shall be a minimum of 3 inches in  
 7 height, excluding border or trim, and of a color that  
 8 contrasts with the color of the background.

9        (7) Upon application for a certificate of ownership, a  
 10 fee of \$3 shall be paid to the county treasurer, one-half of  
 11 which fee shall be forwarded by the county treasurer to the  
 12 division of motor vehicles.

13       (8) Before a tax-paid decal indicating that the fee in  
 14 lieu of property tax has been paid on the snowmobile for the  
 15 current year may be applied for pursuant to the laws of this  
 16 state, the owner must present the certificate of ownership  
 17 or copy of completed application therefor as a prerequisite  
 18 to completing the application for the tax-paid decal."

19       Section 25. Section 23-2-612, MCA, is amended to read:  
 20       "23-2-612. Transfer of interest. (1) Except as  
 21 provided in subsection (3), upon a transfer of any  
 22 certificate of ownership to a snowmobile registered as  
 23 required under the provisions of this part, the person whose  
 24 title or interest is to be transferred shall write his  
 25 signature with pen and ink upon the certificate of ownership

1 issued for the snowmobile in the appropriate space provided  
 2 upon the reverse side of the certificate, and such signature  
 3 shall be acknowledged before a notary public.

4 (2) Within 20 calendar days thereafter, the transferee  
 5 shall forward the certificate of ownership so endorsed,  
 6 together with the information required under this part, to  
 7 the division of motor vehicles, which shall file the same  
 8 upon receipt thereof. No certificate of ownership may be  
 9 issued by the division until the outstanding certificates  
 10 are surrendered to that office or their loss established to  
 11 its reasonable satisfaction. The division shall collect a  
 12 fee of \$3 for each application for transfer of ownership.

13 (3) A purchaser of a new or used snowmobile from a  
 14 licensed snowmobile dealer has a grace period of 20 calendar  
 15 days from the date of purchase to make application for a  
 16 certificate of ownership and to obtain a tax-paid decal  
 17 indicating that the fee in lieu of property tax has been  
 18 paid on the snowmobile for the current year. It is not a  
 19 violation of this part or any other law for the purchaser to  
 20 operate such a snowmobile without a certificate of ownership  
 21 and a tax-paid decal during the 20-day period. During this  
 22 period the sticker, provided for in subsection (4), shall  
 23 remain affixed to the snowmobile.

24 (4) Prior to the delivery of the snowmobile to the  
 25 purchaser, the dealer shall issue and affix to the

1 snowmobile a sticker (in a form to be prescribed by the  
 2 division of motor vehicles). The sticker shall contain the  
 3 name and address of the purchaser, the date of sale, the  
 4 name and address of the dealer, and a description of the  
 5 snowmobile, including its serial number. The dealer shall  
 6 keep a copy of the sticker for his records and shall send a  
 7 copy of the sticker to the division.

8 (5) The provisions of subsection (2) of this section,  
 9 requiring a transferee to forward the certificate of  
 10 ownership after endorsement to the division, do not apply in  
 11 the event of the transfer of a snowmobile to a duly licensed  
 12 snowmobile dealer intending to resell the snowmobile and who  
 13 operates it only for demonstration purposes, but every such  
 14 dealer, upon transferring such interest, shall deliver the  
 15 certificate of ownership with an application for a new  
 16 certificate executed by the new owner in accordance with the  
 17 provisions of this part. The division, upon receipt of the  
 18 certificate of ownership and application for a new  
 19 certificate, together with the conditional sales contract or  
 20 other lien, if any, shall issue a new certificate of  
 21 ownership together with a statement of any conditional sales  
 22 contract, mortgage, or other lien."

23 Section 26. Section 23-2-616, MCA, is amended to read:  
 24 "23-2-616. Display of tax-paid decals -- application  
 25 and issuance -- use of fees. (1) No snowmobile may be

1 operated by any person in the state of Montana unless there  
 2 is displayed in a conspicuous place on it a decal as visual  
 3 proof that Montana personal property taxes have the fee in  
 4 lieu of property tax has been paid on it for the current  
 5 year.

6 (2) Application for the tax-paid decal shall be made  
 7 to the county treasurer upon forms to be furnished for this  
 8 purpose, which may be obtained from the division of motor  
 9 vehicles or at the county assessor's treasurer's office in  
 10 the county where the owner resides. The application shall  
 11 contain the following information:

- 12 (a) name of owner;
- 13 (b) address;
- 14 (c) certificate of ownership number;
- 15 (d) name of manufacturer;
- 16 (e) model number;
- 17 (f) make;
- 18 (g) horsepower;
- 19 (h) year of manufacture;
- 20 (i) statement evidencing assessment and payment of the  
 21 fee in lieu of property tax; and

22 (j) such other information as the division of motor  
 23 vehicles may require.

24 (3) The application shall be signed by the county  
 25 treasurer and transmitted by him to the division of motor

1 vehicles accompanied by a fee of \$2. Upon receipt of the  
 2 application in approved form, the division of motor vehicles  
 3 or county treasurer shall issue to the applicant a decal in  
 4 the style and design prescribed by the division and of a  
 5 different color than the preceding year, numbered in  
 6 sequence.

7 ~~t47-6before-fitting--the--application--with--the--county~~  
 8 ~~treasurer--the--applicant--shall--submit--it--to--the--county~~  
 9 ~~assessor--of--the--county--and--the--county--assessor--shall--enter~~  
 10 ~~on--the--application--in--a--place--provided--for--that--purpose--the~~  
 11 ~~market--value--and--taxable--value--of--the--snowmobile--for--the~~  
 12 ~~year--for--which--the--application--is--made~~

13 ~~t57151~~ The applicant shall pay the county treasurer  
 14 the application fee and the personal property taxes assessed  
 15 against fee in lieu of property tax on the snowmobile for  
 16 the current year before the application may be accepted by  
 17 the county treasurer.

18 ~~t67151~~ All moneys ~~money~~ collected from payment of the  
 19 application fees and all interest accruing from use of these  
 20 moneys shall be turned over to the state treasurer and  
 21 placed in the earmarked revenue fund to the credit of the  
 22 department, with \$1 designated for use in enforcing the  
 23 purposes of this part and \$1 designated for use in the  
 24 development, maintenance, and operation of snowmobile  
 25 facilities."

1       Section 27. Section 23-2-617, MCA, is amended to read:  
 2       "23-2-617. Duplicate decal. In the event any tax-paid  
 3       decal indicating that the fee in lieu of property tax has  
 4       been paid on a snowmobile for the current year is lost,  
 5       mutilated, or becomes illegible, the person to whom the same  
 6       was issued shall immediately make application for and may  
 7       obtain a duplicate thereof, upon payment of a fee of \$1 to  
 8       the county treasurer."

9       Section 28. Section 23-2-618, MCA, is amended to read:  
 10      "23-2-618. Application to be made annually -- grace  
 11      period -- proof of purchase. (1) Application must be made  
 12      annually to the county treasurer for the issuance of  
 13      tax-paid-decals-annually a decal indicating that the fee in  
 14      lieu of property tax has been paid for the current year. All  
 15      tax-paid decals expire on June 30 of each year.

16      (2) An owner of a newly purchased snowmobile shall  
 17      have a grace period of 20 calendar days from the date of  
 18      purchase to make application for a current tax-paid decal,  
 19      provided that at all times during that period a bill of sale  
 20      or other proof of purchase reciting the date of purchase  
 21      shall be carried by the operator or with the snowmobile. An  
 22      owner or operator of such a snowmobile being operated after  
 23      the 20-day grace period without a current tax-paid decal  
 24      displayed on the snowmobile shall be subject to the  
 25      penalties of 23-2-642(1), as amended."

1       Section 29. Section 23-2-642, MCA, is amended to read:  
 2       "23-2-642. Penalties. (1) The failure to display a  
 3       current tax-paid decal indicating that the fee in lieu of  
 4       property tax has been paid on the snowmobile for the current  
 5       year during the time provided in this part is a misdemeanor,  
 6       punishable by a fine of not less than \$10 or more than \$50.  
 7       (2) A person who violates any other provision of this  
 8       part or a rule adopted pursuant thereto shall pay a civil  
 9       penalty of not less than \$15 or more than \$500 for each  
 10      separate violation.

11      (3) A person who willfully violates any other  
 12      provision of this part or a rule adopted pursuant thereto  
 13      shall pay a civil penalty of not less than \$50 or more than  
 14      \$1,000 for each separate violation.

15      (4) A manufacturer who certifies that a new snowmobile  
 16      can meet the sound-level limitations imposed by this part  
 17      shall be subject to the penalty provisions of subsections  
 18      (2) and (3) if any machine so certified does not meet the  
 19      appropriate sound level limitation. For the purposes of this  
 20      section, every sale of a new snowmobile that does not meet  
 21      the sound-level limitations imposed by this part constitutes  
 22      a separate violation."

23      Section 30. Repeater. Sections 15-6-121 and 15-8-203,  
 24      MCA, are repealed.

25      Section 31. Applicability. This act applies to motor

1 homes, travel trailers, campers, and snowmobiles registered  
2 during and after 1980.

-End-

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

17 NEW SECTION--Section-~~is~~--Fee--in--lieu--of--tax--for

18 certain-vehicles--~~is~~--There-is-a-fee-in--lieu--of--property

19 tax--imposed--on--motor-homes-travel-trailers-and-campers--

20 The-fee-is-in-addition-to-annual-registration-fees--

21 ~~(2)~~--The-fee-imposed-by-subsection-(2)--need-not-be-paid

22 by-a-dealer-for-vehicles-that-constitute--inventory--of--the

23 dealerships--

24 SECTION 1. THERE IS A NEW MCA SECTION THAT READS:

25 Legislative finding. It is the determination of the

1 legislature that the existing method of property taxation  
2 for motor vehicles is difficult to administer and  
3 inefficient. Therefore the legislature hereby provides a  
4 new method for determination of property tax, which is more  
5 equitable and easier to administer.

6 SECTION 2a. THERE IS A NEW MCA SECTION THAT READS:

7 Class [eleven] property -- description. (1) Class

8 [eleven] property includes:

9 (a) automobiles;

10 (b) light trucks;

11 (c) motor homes;

12 (d) travel trailers;

13 (e) snowmobiles;

14 (f) motorcycles; and

15 (g) campers.

16 (2) (a) "Light truck" means a truck with a

17 manufacturer's rated capacity of three-quarters of a ton or

18 less.

19 (b) "Motor home" means a self-propelled motor vehicle

20 originally designed or permanently altered to provide

21 temporary facilities for recreational, travel, or camping

22 use.

23 (c) "Travel trailer" means a trailer 32 feet or less

24 in length and 8 feet or less in width originally designed or

25 permanently altered to provide temporary facilities for



1 according to the following schedule:

2 less than 3 years old	\$ 25
3 3 years old and less than 4 years old	20
4 4 years old and less than 6 years old	10
5 6 years old and older	5
6 (2) Except as provided in 15-6-201, the owner of a	
7 motorcycle with a piston displacement of 100 cubic	
8 centimeters or less shall pay a property tax of one-half of	
9 the amount required for the age of the motorcycle under the	
10 schedule in subsection (1) except that the minimum property	
11 tax for a motorcycle under this subsection is \$5.	
12 <u>NEW SECTION</u> Section 5. Schedule of fees <u>PROPERTY</u>	
13 <u>TAXES</u> for motor homes. (1) The owner of a motor home shall	
14 pay a fee <u>TAX</u> based on the age of the motor home according	
15 to the following schedule:	
16 less than 2 years old	\$200
17 2 years old and less than 3 years old	180
18 3 years old and less than 4 years old	145
19 4 years old and less than 5 years old	100
20 5 years old and less than 6 years old	75
21 6 years old and less than 7 years old	50
22 7 years old and less than 8 years old	25
23 8 years old and older	15
24 (2) The age of a motor home is determined by	
25 subtracting the manufacturer's designated model year from	

1 the current calendar year.

2 NEW SECTION Section 6. Schedule of fees PROPERTY

3 TAXES for travel trailers and campers. (1) The fee-imposed

4 by-[section-1] PROPERTY TAX on a travel trailer less than 3

5 years old is \$40. In all other cases the fee PROPERTY TAX is

6 \$15.

7 (2) The fee-imposed-by-[section-1] PROPERTY TAX on a

8 camper less than 3 years old is \$35. In all other cases the

9 fee PROPERTY TAX is \$15.

10 (3) The age of a travel trailer or camper is

11 determined by subtracting the manufacturer's designated

12 model year from the current calendar year.

13 NEW SECTION Section 7. Fee-in-tieu-of--tax SCHEDULE

14 OF PROPERTY TAX on snowmobiles. (1) There-is-a-fee-in-tieu

15 of-tax-on-snowmobiles.

16 f2--The-fee PROPERTY TAX for a snowmobile less

17 than 4 years old is \$22. In all other cases the fee PROPERTY

18 TAX is \$15.

19 f3f21 The age of a snowmobile is determined by

20 subtracting the manufacturer's designated model year from

21 the current calendar year.

22 f4--The---fee---need---not---be---paid---by---a---dealer---for

23 snowmobiles-that-constitute-inventory-of-the-dealership-

24 NEW SECTION Section 5---Motor---home---"Motor---home"

25 means---a-self-propelled-motor-vehicle-originally-designed-or

1 permanently- altered--to--provide--temporary--facilities--for  
 2 recreation--travel--or--camping--use  
 3       NEW SECTION--Section 6--Travel---trailer----"Travel  
 4 trailer" means a trailer 32 feet or less in length and 8  
 5 feet or less in width originally designed or permanently  
 6 altered to provide temporary facilities for recreation--  
 7 travel--or--camping--use  
 8       Section 7--Section 62-3-303, HCA, is amended to read  
 9       "62-3-303--Application for registration--(1)--Every  
 10 owner of a motor vehicle operated or driven upon the public  
 11 highways of this state shall for each motor vehicle owned  
 12 except as herein otherwise expressly provided, file or cause  
 13 to be filed in the office of the county treasurer where the  
 14 motor vehicle is owned or taxable an application for  
 15 registration or reregistration upon a blank form to be  
 16 prepared and furnished by the division the application  
 17 shall contain  
 18       (a) name and address of owner giving county school  
 19 district and town or city within whose corporate limits the  
 20 motor vehicle is taxable  
 21       (b) name and address of conditional sales vendor  
 22 mortgagee or holder of other lien against the motor  
 23 vehicle with statement of amount owing under such contract  
 24 or lien  
 25       (c) description of motor vehicle, including make, year

1 model, engine or serial number, manufacturer's model or  
 2 letters, gross weight, type of body and if truck, the rated  
 3 capacity;  
 4       (d) in case of reregistration, the license number for  
 5 the preceding year and  
 6       (e) such other information as the division may  
 7 require  
 8       (f) a person who files an application for registration  
 9 or reregistration of a motor vehicle, except of a mobile  
 10 home as defined in 62-3-301, shall upon the filing of the  
 11 application pay to the county treasurer  
 12       (g) pay to the county treasurer the registration fees  
 13 as provided in 62-3-311 and 62-3-321 and  
 14       (h) pay the personal property taxes assessed on the  
 15 new motor vehicle sales tax against the vehicle for the  
 16 current year of registration, or in the case of a motor  
 17 home--travel--trailer--or--camper, the fee in lieu of property  
 18 tax for the current year of registration, unless the same  
 19 shall have been theretofore paid for the year before the  
 20 application for registration or reregistration may be  
 21 accepted by the county treasurer  
 22       (i) the county treasurer may make full and complete  
 23 investigation of the tax status of the vehicle. Any  
 24 applicant for registration or reregistration must submit  
 25 proof from the tax records of the proper county at the

1 request-of-the-county-treasurer"

2       Section-8--Section--61-3-327, HCA, is amended to read:

3       "61-3-327--New-registration-required--for--transferred

4       vehicle-----grace--period---penalty----display-of-proof-of

5       purchase---~~it~~--Except-as-otherwise-provided-herein--the--new

6       owner--of-the-transferred-motor-vehicle-shall--have-the-grace

7       period-of-20-calendar-days--from-the-date-of-purchase-to-make

8       application-and-pay-the-taxes-as-provided-by-part-5-of--this

9       chapter or-the-fee-in-lieu-of-tax-as-provided-by-Section-13

10      unless--the-tax-or-fee-has-been-paid-for-the-year-as-if-the

11      same-was--being--registered--for--the--first--time--in--that

12      registration--year--if--the-motor-vehicle-was-not-purchased

13      from-a-duty-licensed-motor-vehicle--dealer--as--provided--in

14      this-chapter, it-shall-not-be-a-violation-of-this-chapter-or

15      any--other--law--for--the--purchaser--to--operate--the--vehicle--upon

16      the--streets--and--highways--of--this--state--without--a--certificate

17      of--registration--during--the--20--day--periods--provided--that--at

18      all--times--during--that--period--a--bill--of--sale--or--other--proof

19      of--purchase--reciting--the--date--of--purchase--shall--be--clearly

20      displayed--in--the--rear--window--of--the--motor--vehicle.

21      Registration-and-license-fees-collected--under--61-3-321--are

22      not--required--to--be--paid--when--a--license--plate--is--transferred

23      under--this--section--and--61-3-335,--Failure--to--make

24      application--within--the--time--provided--herein--shall--subject

25      the--purchaser--to--a--penalty--of--\$10.----The--penalty--shall--be

1       collected--by--the--county--treasurer--at--the--time--of

2       registration--and--shall--be--in--addition--to--the--fees--otherwise

3       provided--by--law.

4       ~~it~~--Any-purchaser-of-a-new-or-used-motor-vehicle--from

5       a-duty-licensed-motor-vehicle--dealer--shall--have-the-grace

6       period-of-20-calendar-days--from-the-date-of-purchase-to-make

7       application-for--registration--and--to--obtain--registration

8       plates--and--it--shall--not--be-a-violation-of-this-chapter-or

9       any--other--law--for--such--purchaser--to--operate--such--vehicle

10      upon--the--streets--and--highways--of--this--state--without--a

11      certificate-of--registration--and--registration--plates--during

12      the--20--day--period;--provided--that--at--all--times--during--said

13      period--the--sticker--issued--by--the--dealer--at--the--time--of

14      purchase--shall--remain--affixed--to--said--vehicle--as--provided--in

15      61-4-111--Failure--to--make--such--application--within--the--time

16      provided--herein--subjects--the--purchaser--to--a--penalty--of--\$10.

17      The--penalty--is--to--be--collected--by--the--county--treasurer--at

18      the--time--of--registration--and--is--in--addition--to--the--fees

19      otherwise--provided--by--law."

20      Section-9--Section--61-3-322, HCA, is amended to read:

21      "61-3-322--Certificates-of--registration-----issuance

22      ~~it~~--Upon--completion--of--the--application--for--registration--on

23      forms--furnished--by--the--division--the--county--treasurer--shall

24      file--one--copy--in--his--office--and--issue--to--the--applicant--two

25      copies--of--the--application--marked--"Owner's--Certificate--of

1 Registration--and--Fax--Receipt"--one--of--which--shall--be--marked  
 2 "file--copy"--  
 3       (f2)--The--certificate--of--registration--shall--contain--upon  
 4 the--face--thereof--  
 5       (f3)--the--date--issued--  
 6       (f4)--the--registration--number--assigned--to--the--owner--and  
 7 the--vehicle--  
 8       (f5)--the--name--and--complete--address--of--the--owner--or--the  
 9 names--and--addresses--of--joint--owners--  
 10       (f6)--the--name--and--complete--address--of--any--conditioner--  
 11 sales--vendor--and--also--the--name--and--address--of--any--other  
 12 tinner--as--shown--by--said--application--  
 13       (f7)--a--description--of--the--registered--vehicle--including  
 14 the--year--buillt--and--serial--number--if--any--  
 15       (f8)--any--lien--against--such--motor--vehicle--and--the--amount  
 16 due--at--the--date--of--registration--and  
 17       (f9)--such--other--statement--of--facts--as--may--be--determined  
 18 by--the--divisions--  
 19       (f10)--Every--owner--upon--receiving--a--registration--receipt  
 20 shall--write--his--signature--thereon--with--pen--and--ink--in--the  
 21 space--provided--Every--such--registration--receipt--or--a  
 22 notarized--photostatic--copy--thereof--or--a--duplicate--thereof  
 23 furnished--by--the--division--shall--at--all--times--be--carried--in  
 24 the--vehicle--to--which--it--refers--or--shall--be--carried--by--the  
 25 person--driving--or--in--control--of--such--vehicle--who--shall

1 display--the--same--upon--demand--of--a--police--officer--or--any  
 2 officer--or--employee--of--the--division--or--the--highway  
 3 department--  
 4       (f11)--Upon--receipt--of--application--for--registration--in  
 5 quintuplicate--and--payment--of--license--fees--and--taxes--as--herein  
 6 provided--the--county--treasurer--shall--  
 7       (f12)--file--one--copy--of--said--application--in--his--officer--  
 8       (f13)--issue--to--the--applicant--two--copies--of--the  
 9 application--entitled--"Owner's--Certificate--of--Registration  
 10 and--Fax--Receipt"--one--of--which--shall--be--marked--"file--copy"--  
 11 and  
 12       (f14)--forward--one--copy--to--the--county--clerk--and--recorder--  
 13       (f15)--The--county--treasurer--shall--daily--forward--to--the  
 14 division--one--copy--of--the--application--all--applications--for  
 15 registration received--that--day--  
 16       (f16)--It--shall--not--be--necessary--for--the--county  
 17 treasury--in--said--receipt--to--segregate--the--amount--of--said  
 18 taxes--for--state--county--school--district--and--municipal  
 19 purposes--  
 20       Section--18--Section--61--3--441--MCA--is--amended--to--read--  
 21       "61--3--441--Tax--paid--fee--paid--decal--required--on--camper  
 22 ----application--for--decal---- application--fee----issuances  
 23       (f17)--No--camper--subject--to--taxation--in--Montana--shall may--be  
 24 operated--by--any--person--in--the--state--of--Montana--on--the--public  
 25 highways--or--streets in--this--state--unless--there--is--displayed

1 in a conspicuous place thereon a decal as visual proof that  
 2 Montana personal property taxes have the fee in lieu of tax  
 3 has been paid thereon for the current year.

4 (2) -- Application for the issuance of such tax paid the  
 5 decal shall be made to the department of revenue or the  
 6 county treasurer upon forms to be furnished for this  
 7 purpose which may be obtained from the department or at the  
 8 county assessor's treasurer's office in the county wherein  
 9 the owner resides and is to provide for substantially the  
 10 following information:

11 (a) -- name of owner;

12 (b) -- address;

13 (c) -- name of manufacturer;

14 (d) -- model number;

15 (e) -- make;

16 (f) -- year of manufacture;

17 (g) -- statement evidencing assessment and payment of the  
 18 fee in lieu of property taxes and

19 (h) -- such other information as the department may  
 20 require.

21 (3) -- Said application shall not be signed by the  
 22 county treasurer and transmitted by him to the department  
 23 accompanied by a an application fee of \$1. Upon receipt of  
 24 the application in approved form the department or county  
 25 treasurer shall issue to the applicant a decal in the style

1 and -- design -- prescribed by the department and of a different  
 2 color than the preceding year's numbered numerically as  
 3 Section 12 -- Section 61-3-442, MCA, is amended to read:  
 4 "61-3-442 -- Annual application for decals -- Application  
 5 may be made to the department of revenue or county treasurer  
 6 for the issuance of tax paid camper decals annually when the  
 7 motor vehicle to which the camper is customarily attached is  
 8 registered."

9 Section 12 -- Section 61-3-501, MCA, is amended to read:  
 10 "61-3-501 -- When vehicle property tax is due -- (1)  
 11 Property taxes and new car taxes and fees in lieu of tax  
 12 on a motor home or travel trailer shall not be paid on the  
 13 date of registration or reregistration of the vehicle  
 14 (2) -- if -- the anniversary date for reregistration of a  
 15 vehicle shall pass while the vehicle is owned and  
 16 held for sale by a licensed new or used car dealer property  
 17 taxes shall or the fee in lieu of property taxes shall be on  
 18 such vehicle -- property reported with the department of  
 19 revenue until the vehicle is sold and thereafter the  
 20 purchaser shall pay the pro rata balance of the taxes or the  
 21 fee in lieu of tax due and owing on the vehicle.

22 (3) -- In the event a vehicle's registration period is  
 23 changed under 61-3-315, all taxes and other fees due thereon  
 24 shall be prorated and paid from the last day of the old  
 25 period until the first day of the new period in which the

1        vehicle shall be registered thereafter taxes and other fees  
 2        must be paid from the first day of the new period for a  
 3        minimum period of 1/2 year. When the change is to a later  
 4        registration period, taxes and fees shall be prorated and  
 5        paid based on the same tax year as the original registration  
 6        period. Thereafter, during the appropriate anniversary  
 7        registration period, each vehicle shall again register or  
 8        reregister and shall pay all taxes and fees due thereon for  
 9        a 12-month period."

10        Section 8. Section 61-3-502, MCA, is amended to read:  
 11        "61-3-502. Sales tax on new motor vehicles --  
 12        exemptions. (1) In consideration of the right to use the  
 13        highways of the state, there shall be imposed a tax upon all  
 14        sales of new motor vehicles for which a license is sought  
 15        and an original application for title is made. The tax  
 16        shall be paid by the purchaser when he applies for his  
 17        original Montana license through the county treasurer.

18        (2) The sales tax shall be:

19        (a) 1 1/2% of the F.O.B. factory list price or F.O.B.  
 20        port of entry list price, during the first quarter of the  
 21        year or prorated one-twelfth for each month or part of month  
 22        for a registration period other than a calendar year or  
 23        calendar quarter;

24        (b) 1 1/8% of the list price during the second quarter  
 25        of the year;

1        (c) 3/4 of 1% during the third quarter of the year;  
 2        (d) 3/8 of 1% during the fourth quarter of the year.  
 3        (3) If the manufacturer or importer fails to furnish  
 4        the F.O.B. factory list price or F.O.B. port of entry list  
 5        price, the department may use published price lists.

6        (4) The proceeds from this tax shall be remitted to  
 7        the state treasurer every 30 days for credit to the state  
 8        highway account of the earmarked revenue fund.

9        (5) The new vehicle is not subject to any other  
 10        assessment or taxation or fee in lieu of tax PROPERTY  
 11        TAXATION AS WELL AS THE SALES TAX IMPOSED IN THIS SECTION  
 12        during the calendar year in which the original application  
 13        for title is made.

14        (6) (a) The applicant for original registration of any  
 15        wholly new and unused motor vehicle or new motor vehicle  
 16        furnished without charge by the dealer to the school  
 17        district for use as a traffic education motor vehicle by a  
 18        school district operating a state-approved traffic education  
 19        program within the state, whether or not previously licensed  
 20        or titled to the school district, except a mobile home as  
 21        defined in 15-1-101(1), acquired by original contract after  
 22        January 1 of any year shall be required, whenever such  
 23        vehicle has not been otherwise assessed, to pay the motor  
 24        vehicle sales tax provided by this section irrespective of  
 25        whether the vehicle was in the state of Montana on January 1

1 of the year.

2 (b) No such motor vehicle may be registered or  
 3 licensed under the provisions of this subsection unless the  
 4 application for registration is accompanied by a statement  
 5 of origin to be furnished by the dealer selling the vehicle,  
 6 showing that the vehicle has not previously been registered  
 7 or owned, except as otherwise provided herein, by any  
 8 person, firm, corporation, or association that is not a new  
 9 motor vehicle dealer holding a franchise or distribution  
 10 agreement from a new car manufacturer, distributor, or  
 11 importer.

12 (7) Motor vehicles operating exclusively for  
 13 transportation of persons for hire within the limits of  
 14 incorporated cities or towns and within 15 miles from such  
 15 limits are exempt from subsection (1). Motor vehicles  
 16 brought or driven into Montana by a nonresident migratory  
 17 bona fide agricultural worker temporarily employed in  
 18 agricultural work in this state where those motor vehicles  
 19 are used exclusively for transportation of agricultural  
 20 workers are also exempt from subsection (1). Vehicles  
 21 lawfully displaying a licensed dealer's plate as provided in  
 22 61-4-102 are exempt from subsection (1) when moving to or  
 23 from a dealer's place of business when unladen or laden with  
 24 dealer's property only, and in the case of vehicles having a  
 25 gross laden weight of less than 24,000 pounds, while in the

1 process of demonstration in the course of the dealer's  
 2 business."

3 Section 9. Section 61-3-503, MCA, is amended to read:  
 4 "61-3-503. Assessment. (1) A person who files an  
 5 application for registration or reregistration of a motor  
 6 vehicle, except of ~~other-than-a-motor-home-travel-trailers~~  
 7 or ~~EXCEPT~~ of a mobile home as defined in 15-1-101(1), shall  
 8 before filing such application with the county treasurer  
 9 submit the same to the county assessor of the county. The  
 10 county assessor shall enter on the application in a space to  
 11 be provided for that purpose the market--value--and--taxable  
 12 value--of ~~PROPERTY TAX DUE ON~~ the vehicle for the year for  
 13 which the application for registration is made.

14 (2) Except as provided in subsection (3) motor  
 15 vehicles, except ~~other-than-a-motor-home-travel-trailers~~, or  
 16 ~~EXCEPT~~ mobile homes as defined in 15-1-101(1), are assessed  
 17 for taxes on January 1 in each year irrespective of the time  
 18 fixed by law for the assessment of other classes of personal  
 19 property and irrespective of whether the levy and tax may be  
 20 a lien upon real property within the state. In no event may  
 21 any motor vehicle be subject to assessment, levy, and  
 22 taxation more than once in each year.

23 (3) Vehicles subject to the provisions of 61-3-313  
 24 through 61-3-316 shall be assessed as of the first day of  
 25 the year in which the registration period occurs and a lien

1 for taxes and fees due thereon shall occur on the  
 2 anniversary date of the registration and shall continue  
 3 thereafter until such fees and taxes shall have been paid."

4 Section 10. Section 61-3-504, MCA, is amended to read:  
 5 "61-3-504. Computation of tax. The amount of taxes on  
 6 the a motor vehicle, except other than a motor home-travel  
trailer PROPERTY LISTED IN (SECTION 2) or a mobile home as  
 7 defined in 15-1-101(1), is computed and determined by the  
 8 county treasurer on the basis of the levy of the year  
 9 preceding the current year of application for registration  
 10 or reregistration. The determination is entered on the  
 11 application form in a space provided therefor."

12 Section 16. Section 61-3-509, MCA, is amended to read:  
 13 "61-3-509. Disposition of taxes and fees in lieu of  
tax the county treasurer shall credit all taxes on motor  
vehicles so and fees in lieu of tax on motor homes and  
travel trailers collected to a motor vehicle suspense fund  
and at some time between March 1 and March 10 of each year  
and every 60 days thereafter, the county treasurer shall  
distribute the some money in the motor vehicle suspense fund  
in the relative proportions required by the levies for  
state, county, school district, and municipal purposes in  
the same manner as other personal property taxes are  
distributed."

25 NEW SECTION Section 12. Disposition of fees in lieu

1 of tax on snowmobiles. The county treasurer shall credit  
 2 all fees in lieu of tax collected on snowmobiles to the  
 3 county motor vehicle suspense fund provided for in 61-3-509.

4 Section 11. Section 15-6-101, MCA, is amended to read:  
 5 "15-6-101. Property subject to taxation --  
 6 classification. (1) All property in this state is subject to  
 7 taxation, except as provided otherwise.

8 (2) For the purpose of taxation, the taxable property  
 9 in the state shall be classified in accordance with 15-6-102  
 10 through ~~15-6-121~~ 15-6-120."

11 Section 12. Section 15-6-110, MCA, is amended to read:  
 12 "15-6-110. Class nine property -- description --  
 13 taxable percentage. (1) Class nine property includes:

14 (a) automobiles, motor trucks, and other power-driven  
 15 cars and vehicles of all kinds except motor homes, mobile  
homes, motorcycles, aircraft, camper trailers, AUTOMOBILES,  
MOTORCYCLES, LIGHT TRUCKS, and truck campers; and

16 (b) furniture and fixtures used in commercial, office,  
 17 and hotel activities, except improvements included in class  
 18 thirteen.

19 (2) Class nine property is taxed at 13.3% of its  
 20 market value."

21 Section 13. Section 15-6-111, MCA, is amended to read:  
 22 "15-6-111. Class ten property -- description --  
 23 taxable percentage. (1) Class ten property includes:

1       (a) aerial, surface, and portable ski lifts and ski  
 2       tows, including the towers, cables, ropes, sheave  
 3       assemblies, conveying devices, power units, and all  
 4       accessories; and

5       (b) manufacturing and mining machinery, fixtures, and  
 6       supplies, except those included in class eighteen and  
 7       ~~and~~--camper-trailers-and-truck-campers--valued--in--the  
 8       "Markets--Recreational-Vehicle-Appraisal-Guide".

9       (2) Class ten property is taxed at 12% of market  
 10      value."

11      Section 14. Section 15-6-201, MCA, is amended to read:  
 12      "15-6-201. Exempt categories. (1) (a) The property of  
 13       the United States, the state, counties, cities, towns,  
 14       school districts, irrigation districts organized under the  
 15       laws of Montana and not operating for profit, municipal  
 16       corporations, public libraries; buildings, with land they  
 17       occupy and furnishings therein, owned by a church and used  
 18       for actual religious worship and for residences of the  
 19       clergy, together with adjacent land reasonably necessary for  
 20       convenient use of such buildings owned by a church; such  
 21       other property as is used exclusively for agricultural and  
 22       horticultural societies, for educational purposes,  
 23       hospitals, and all property, both real and personal, without  
 24       limitation as to amount except that real property owned  
 25       shall not exceed 640 acres, owned and held by any

1       association or corporation organized under Title 35, chapter  
 2       20 or 21, Cemeteries, provided such cemeteries and any land  
 3       claimed to be exempt are not maintained and operated for  
 4       private or corporate profit; institutions of purely public  
 5       charity; evidence of debt secured by mortgages of record  
 6       upon real or personal property in the state of Montana; and  
 7       public art galleries and public observatories not used or  
 8       held for private or corporate profit are exempt from  
 9       taxation, but no more land than is necessary for such  
 10      purpose is exempt.

11       (b) As used in this subsection, the term "institutions  
 12       of purely public charity" includes organizations owning and  
 13       operating facilities for the care of the retired or aged or  
 14       chronically ill, which are not operated for gain or profit,  
 15       and the terms "public art galleries" and "public  
 16       observatories" mean only such art galleries and  
 17       observatories, whether of public or private ownership, as  
 18       are open to the public without charge or fee at all  
 19       reasonable hours and are used for the purpose of education  
 20       only.

21       (2) All household goods and furniture, including  
 22       clocks, musical instruments, sewing machines, and wearing  
 23       apparel of members of the family, used by the owner for  
 24       personal and domestic purposes or for furnishing or  
 25       equipping the family residence are exempt from taxation.

4                   (4) A MOTORCYCLE RATED AT 2 HORSEPOWER OR LESS IS  
5                   EXEMPT FROM TAXATION."

Section-22---Section-25-8-201---MCA---is-amended-to-reads  
as follows:

**25-8-201--General assessment day--(1)--The department  
of revenue or its agent must between January 1 and the  
second Monday of duty in each year, ascertain the names of  
all taxable inhabitants and assess all property subject to  
taxation in each county. The department or its agent must  
assess property to the person by whom it was owned or  
claimed or in whose possession or control it was at midnight  
of January 1 next preceding. It must also ascertain and  
assess all mobile homes arriving in the county after  
midnight of January 1 next preceding. No mistake in the name  
of the owner or supposed owner of real property, however,  
renders the assessment invalid.**

1        vehicle shall be assessed at the time the vehicle is  
 2        assessed.  
 3                ~~fcjfbj~~ No tax may be assessed against motor vehicles  
 4        that constitute inventory of motor vehicle dealers as of  
 5        January 1. These vehicles and all other motor vehicles  
 6        brought into the state subsequent to January 1 as motor  
 7        vehicle dealers' inventories shall be assessed to their  
 8        respective purchasers as of the dates the vehicles are  
 9        registered by the purchasers.  
 10               ~~tdtfcj~~ "Purchasers" includes dealers who apply for  
 11        registration or reregistration of motor vehicles except as  
 12        otherwise provided by 62-3-502.  
 13               ~~tdtfdi~~ Goods, wares and merchandise of motor vehicle  
 14        dealers other than new motor vehicles and new mobile homes  
 15        shall be assessed at market value as of January 1.  
 16               ~~fcj~~ In all cases where taxes or a fee in lieu of tax  
 17        were required to be paid, the applicant for registration or  
 18        reregistration of a motor vehicle other than a mobile home  
 19        is not relieved of the duty of paying taxes or the fee in  
 20        lieu of tax if the taxes or fees have not been paid by a  
 21        prior applicant or owner.  
 22               Section 24--Section 23-2-621, HCA, is amended to read:  
 23               "23-2-621--Certificate of ownership----~~fcj~~----No  
 24        snowmobile may be operated upon any public lands or  
 25        easements, lakes, rivers, streams, roadways or shoulders of

1        roadways, streets or highways unless a certificate of  
 2        ownership has first been obtained from the division of motor  
 3        vehicles in accordance with the laws of this state.  
 4               ~~fcj~~ Before such certificate may be obtained, the owner  
 5        of a snowmobile shall make application for a  
 6        certificate of ownership with the county treasurer of the  
 7        county in which the owner resides upon forms to be  
 8        furnished for this purpose which shall ~~must~~ require the  
 9        following information:  
 10               ~~fcj~~ name of owner;  
 11               ~~fcj~~ residence by town and county;  
 12               ~~fcj~~ business or home mail address;  
 13               ~~tdt~~ name and address of lien holders;  
 14               ~~tdt~~ amount due under contract or lien;  
 15               ~~tdt~~ name and address of manufacturer;  
 16               ~~tdt~~ model number or name;  
 17               ~~tdt~~ serial number and  
 18               ~~tdt~~ name and address of dealer or other person from  
 19        whom acquired;  
 20               ~~tdt~~ The application shall ~~must~~ be signed by at least  
 21        one owner or by a property authorized officer or  
 22        representative of the owner.  
 23               ~~tdt~~ If a certificate of ownership for a snowmobile has  
 24        previously been issued under the provisions of this party,  
 25        the application for a new certificate must be accompanied by

1 the immediately previous certificate or by an affidavit upon  
 2 a prescribed form stating under oath that the vehicle had  
 3 not been operated during the immediately previous year. This  
 4 subsection does not apply to snowmobiles that are purchased  
 5 as new and unused machines or that were operated when the  
 6 provisions of this part were not in force and effect.

7 (5) Upon completion of the application in  
 8 quintuplicate on forms furnished by the division of motor  
 9 vehicles, the county treasurer shall issue to the applicant  
 10 two copies of the application, one of which shall be marked  
 11 "five copy" and forward one copy and the original  
 12 application to the division which shall cause to be entered  
 13 the information contained in the application upon the  
 14 corresponding records of its office and shall furnish the  
 15 applicant a certificate of ownership which shall contain the  
 16 information found on the application and a permanent  
 17 ownership number. The certificate of ownership is not  
 18 required to be renewed annually and is valid as long as the  
 19 person holding it owns the snowmobile.

20 (6) The owner shall at all times retain possession of  
 21 the certificate of ownership except when the same is being  
 22 transmitted to and from the division for endorsement or  
 23 cancellation. The owner of a snowmobile shall display his  
 24 certificate of ownership number on both sides of the coupling  
 25 of the snowmobile and shall maintain the number in legible

1 condition at all times. The number shall read from left to  
 2 right and be marked in Arabic numerals in block characters  
 3 of good proportion and shall be a minimum of 3 inches in  
 4 height, excluding border or trim and of a color that  
 5 contrasts with the color of the background.

6 (7) Upon application for a certificate of ownership a  
 7 fee of \$3 shall be paid to the county treasurer, one-half of  
 8 which fee shall be forwarded by the county treasurer to the  
 9 division of motor vehicles.

10 (8) Before a tax paid decal indicating that the fee in  
 11 line of property tax has been paid on the snowmobile for the  
 12 current year may be applied for pursuant to the laws of this  
 13 state, the owner must present the certificate of ownership  
 14 or copy of completed application therefor as a prerequisite  
 15 to completing the application for the tax paid decal.

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

17 "23-2-612--Transfer--of--interest--(i)--Except as  
 18 provided in subsection (3), upon a transfer of any  
 19 certificate of ownership to a snowmobile registered as  
 20 required under the provisions of this part, the person whose  
 21 title or interest is to be transferred shall write his  
 22 signature with pen and ink upon the certificate of ownership  
 23 issued for the snowmobile in the appropriate space provided  
 24 upon the reverse side of the certificate and such signature  
 25 shall be acknowledged before a notary public."

1       name--and--address--of--the-dealer--and-a-description-of-the  
2       snowmobile--including-its-serial-number--the--dealer--shall  
3       keep--a-copy-of-the-sticker-for-his-records-and-shall-send-a  
4       copy-of-the-sticker-to-the-division.

5               {57}--The-provisions-of-subsection-{2}--of-this--section,  
6       requiring---a--transferee--to--forward--the--certificate--of  
7       ownership--after--endorsement--to--the--division--do--not--apply--in  
8       the--event--of--the--transfer--of--a--snowmobile--to--a--duly--licensed  
9       snowmobile--dealer--intending--to--resell--the--snowmobile--and--who  
10      operates--it--only--for--demonstration--purposes--but--every--such  
11      dealer--upon--transferring--such--interest--shall--deliver--the  
12      certificate--of--ownership--with--an--application--for--a--new  
13      certificate--executed--by--the--new--owner--in--accordance--with--the  
14      provisions--of--this--part--the--division--upon--receipt--of--the  
15      certificate--of--ownership--and--application--for--a--new  
16      certificate--together--with--the--conditional--sales--contract--or  
17      other--lien--if--any--shall--issue--a--new--certificate--of  
18      ownership--together--with--a--statement--of--any--conditional--sales  
19      contract--mortgage--or--other--lien--.

20               Section-26--Section-23-2-6t6--MCA--is--amended--to--read--  
21               "23-2-6t6--Display--of--tax--paid--decals-----application  
22       and--issuance-----use--of--fees---{1}--No--snowmobile--may--be  
23       operated--by--any--person--in--the--state--of--Montana--unless--there  
24       is--displayed--in--a--conspicuous--place--on--it--a--decal--as--visual  
25       proof--that--Montana--personel--property--taxes--have--the--fee--in

1 fees--of--property--tax--has been paid on it for the current  
 2 years  
 3 (2)--Application for the tax paid decet shall be made  
 4 to--the--county--treasurer--upon--forms--to--be--furnished--for--this  
 5 purpose--which--may--be--obtained--from--the--division--of--motor  
 6 vehicles--or--at--the--county--assessor's--treasurer's--office--in  
 7 the--county--where--the--owner--resides--The--application--shall  
 8 contain--the--following--information  
 9 (a)--name--of--owner  
 10 (b)--address  
 11 (c)--certificate--of--ownership--number  
 12 (d)--name--of--manufacturer  
 13 (e)--model--number  
 14 (f)--motor  
 15 (g)--horsepower  
 16 (h)--year--of--manufacture  
 17 (i)--statement--evidencing--assessment--and--payment--of--the  
 18 fee--in--lieu--of--property--tax--and  
 19 (j)--such--other--information--as--the--division--of--motor  
 20 vehicles--may--require  
 21 (3)--The--application--shall--be--signed--by--the--county  
 22 treasurer--and--transmitted--by--him--to--the--division--of--motor  
 23 vehicles--accompanied--by--a--fee--of--\$2--Upon--receipt--of--the  
 24 application--in--approved--form--the--division--of--motor--vehicles  
 25 or--county--treasurer--shall--issue--to--the--applicant--a--decet--in

1 the--style--and--design--prescribed--by--the--division--and--of--a  
 2 different--color--than--the--preceding--year--numbered--in  
 3 sequence  
 4 (4)--Before--fitting--the--application--with--the--county  
 5 treasurer--the--applicant--shall--submit--it--to--the--county  
 6 assessor--of--the--county--and--the--county--assessor--shall--enter  
 7 on--the--application--in--a--place--provided--for--that--purpose--the  
 8 market--value--and--taxable--value--of--the--snowmobile--for--the  
 9 year--for--which--the--application--is--made  
 10 (5)(i)--The--applicant--shall--pay--the--county--treasurer  
 11 the--application--fee--and--the--personal--property--taxes--assessed  
 12 against fee--in--lieu--of--property--tax--on the--snowmobile--for  
 13 the--current--year--before--the--application--may--be--accepted--by  
 14 the--county--treasurer  
 15 (5)(ii)--All--moneys money collected--from--payment--of--the  
 16 application--fees--and--all--interest--accruing--from--use--of--these  
 17 moneys--shall--be--turned--over--to--the--state--treasurer--and  
 18 placed--in--the--earmarked--revenue--fund--to--the--credit--of--the  
 19 department--with--\$1--designated--for--use--in--enforcing--the  
 20 purposes--of--this--part--and--\$1--designated--for--use--in--the  
 21 development--maintenance--and--operation--of--snowmobile  
 22 facilities--"  
 23 Section--27--Section--23-2-617--is--amended--to--read  
 24 "23-2-617--Duplicate--decet--In--the--event--any--tax--paid  
 25 decet indicating--that--the--fee--in--lieu--of--property--tax--has

1    ~~been--paid--on--a--snowmobile--for-the-current-year is--lost--~~  
 2    ~~mislabeled--or--becomes--illegal--by--the--person--to--whom--the--same~~  
 3    ~~was--issued--shall--immediately--make--application--for--and--may~~  
 4    ~~obtain--a--duplicate--thereof--upon--payment--of--a--fee--of--\$1--to~~  
 5    ~~the--county--treasurer--"~~  
 6       Section 28--Section 23-2-618, MCA, is amended to read:  
 7       "23-2-618--Application to be made--annually-----grace  
 8       period-----proof-of-purchase--(t) Application must be made  
 9       annually to--the--county--treasurer--for--the--issuance--of  
 10      tax-paid--decal--annually ~~a--decal--indicating--that--the--fee--in~~  
 11      ~~item--of--property--tax--has--been--paid--for--the--current--year--at~~  
 12      ~~tax--paid--decal--expire--on--June--30--of--each--year--~~  
 13       (2) An owner of a--newly--purchased--snowmobile--shall  
 14      have--a--grace--period--of--20--calendar--days--from--the--date--of  
 15      purchase--to--make--application--for--a--current--tax--paid--decal  
 16      provided--that--at--all--times--during--that--period--a--bill--of--sale  
 17      or--other--proof--of--purchase--reciting--the--date--of--purchase  
 18      shall--be--carried--by--the--operator--or--with--the--snowmobile--An  
 19      owner--or--operator--of--such--a--snowmobile--being--operated--after  
 20      the--20--day--grace--period--without--a--current--tax--paid--decal  
 21      displayed--on--the--snowmobile--shall--be--subject--to--the  
 22      penalties--of--23-2-642~~(t)~~--as--amended--"  
 23       Section 29--Section 23-2-642, MCA, is amended to read:  
 24       "23-2-642--Penalties--(t) The failure--to--display--a  
 25      current--tax--paid--decal ~~indicating--that--the--fee--in--item--of~~

1    ~~property--tax--has--been--paid--on--the--snowmobile--for--the--current~~  
 2    ~~year--during--the--time--provided--in--this--part--is--a--misdemeanor~~  
 3    ~~punishable--by--a--fine--of--not--less--than--\$10--or--more--than--\$50--~~  
 4       (2) A person who violates any other provision of this  
 5       part--or--a--rule--adopted--pursuant--thereto--shall--pay--a--civil  
 6       penalty--of--not--less--than--\$15--or--more--than--\$500--for--each  
 7       separate--violation--  
 8       (3) A person who willfully violates any other  
 9       provision--of--this--part--or--a--rule--adopted--pursuant--thereto  
 10      shall--pay--a--civil--penalty--of--not--less--than--\$50--or--more--than  
 11      \$1,000--for--each--separate--violation--  
 12       (4) A manufacturer who certifies that a new snowmobile  
 13      can--meet--the--sound--level--limitations--imposed--by--this--part  
 14      shall--be--subject--to--the--penalty--provisions--of--subsections  
 15      (2)--and--(3)--if--any--machine--so--certified--does--not--meet--the  
 16      appropriate--sound--level--limitation--For--the--purposes--of--this  
 17      section--every--sale--of--a--new--snowmobile--that--does--not--meet  
 18      the--sound--level--limitations--imposed--by--this--part--constitutes  
 19      a--separate--violation--"  
 20       SECTION 15. SECTION 15-6-113, MCA, IS AMENDED TO READ:  
 21       "15-6-113. Class twelve property -- description --  
 22      taxable percentage. (1) Class twelve property includes:  
 23       (a) boats and all watercraft;  
 24       (b) aircraft; and  
 25       (c) motorcycles; and

1 ~~tdtcl~~ large farm machinery valued in the official  
 2 guide tractors and farm implements and department valuation  
 3 schedules.

4 (2) Class twelve property is taxed at 11% of its  
 5 market value."

6 SECTION 16. SECTION 10-2-301, MCA, IS AMENDED TO READ:  
 7 "10-2-301. Free license plates to disabled veterans.  
 8 Any person who is a veteran of the armed service of the  
 9 United States and 100% disabled because of an injury which  
 10 that has been determined by the veterans administration to  
 11 be service connected and who is a citizen and resident of  
 12 the state of Montana and who is the owner of a passenger  
 13 automobile or of a truck up to and including three-quarter  
 14 ton GVW-rated capacity ~~shall be provided with~~ is entitled to  
 15 receive free license plates upon payment of the taxable value for such  
 16 property tax equal to 1% of the taxable value for such  
 17 automobile or truck and upon proof of 100% service-connected  
 18 disability."

19 SECTION 17. COORDINATION WITH HOUSE BILL 213. IF  
 20 HOUSE BILL 213, INTRODUCED IN THE 46TH LEGISLATURE, IS  
 21 PASSED AND SIGNED BY THE GOVERNOR:

22 (1) PROPERTY IN THE FOLLOWING SUBSECTIONS OF HOUSE  
 23 BILL 213 ARE CLASSIFIED IN SECTION 2 OF HOUSE BILL 848:  
 24 (A) SUBSECTIONS (1)(B) AND (1)(D) OF SECTION 9;  
 25 (B) AUTOMOBILES AND LIGHT TRUCKS IN SUBSECTION (1)(A)

1 OF SECTION 9; AND  
 2 (C) SUBSECTIONS (1)(B) THROUGH (1)(D) OF SECTION 9;  
 3 AND  
 4 (2) SECTION 5 OF HOUSE BILL 213 IS AMENDED TO READ AS  
 5 FOLLOWS:  
 6 NEW SECTION. Section 5. Class five property --  
 7 description -- taxable percentage. (1) Class five property  
 8 includes:  
 9 (a) all property used and owned by cooperative rural  
 10 electrical and cooperative rural telephone associations  
 11 organized under the laws of Montana, except property owned  
 12 by cooperative organizations described in subsection (1)(c)  
 13 of [section 7];  
 14 (b) air and water pollution control equipment as  
 15 defined in this section; and  
 16 ~~tdtcl~~ truck-campers--motor-homes--and-camping-and  
 17 travel-trailers--including-fifth-wheel--trailers--owned--by  
 18 and--actually--used--primarily--by-a-person-60--years--of--age--or  
 19 older--who  
 20 +++--is--retired--from--full--employment--and  
 21 +++--whose--total--income--from--all--sources--is--not--more  
 22 than--\$7,000--for--a--single--person--or--\$8,000--for--a--married  
 23 couple;  
 24 ~~tdtcl~~ new industrial property as defined in this  
 25 section.

1       (2) "Air and water pollution equipment" means  
 2 facilities, machinery, or equipment used to reduce or  
 3 control water or atmospheric pollution or contamination by  
 4 removing, reducing, altering, disposing, or storing  
 5 pollutants, contaminants, wastes, or heat. The department of  
 6 health and environmental sciences shall determine if such  
 7 utilization is being made.

8       (3) "New industrial property" means any new industrial  
 9 plant, including land, buildings, machinery, and fixtures,  
 10 used by new industries during the first 3 years of their  
 11 operation. The property may not have been assessed within  
 12 the state of Montana prior to July 1, 1961.

13       (4) (a) "New industry" means any person, corporation,  
 14 firm, partnership, association, or other group that  
 15 establishes a new plant in Montana for the operation of a  
 16 new industrial endeavor, as distinguished from a mere  
 17 expansion, reorganization, or merger of an existing  
 18 industry.

19       (b) New industry includes only those industries that:  
 20       (i) manufacture, mill, mine, produce, process, or  
 21 fabricate materials;

22       (ii) do similar work, employing capital and labor, in  
 23 which materials unserviceable in their natural state are  
 24 extracted, processed, or made fit for use or are  
 25 substantially altered or treated so as to create commercial

1       products or materials; or  
 2       (iii) engage in the mechanical or chemical  
 3 transformation of materials or substances into new products  
 4 in the manner defined as manufacturing in the 1972 Standard  
 5 Industrial Classification Manual prepared by the United  
 6 States office of management and budget.

7       (5) New industrial property does not include:  
 8       (a) property used by retail or wholesale merchants,  
 9 commercial services of any type, agriculture, trades, or  
 10 professions;

11       (b) a plant that will create adverse impact on  
 12 existing state, county, or municipal services; or

13       (c) property used or employed in any industrial plant  
 14 that has been in operation in this state for 3 years or  
 15 longer.

16       (6) Class five property is taxed at 3% of its market  
 17 value.

18       Section 18. Repealer. Sections SECTION 15-6-121 and  
 19 15-8-203y-MCAy-area MCAz IS repealed.

20       Section 19. Applicability. This act applies to motor  
 21 homes, travel trailers, campers, AUTOMOBILES, LIGHT TRUCKS,  
 22 MOTORCYCLES, and snowmobiles registered during and after  
 23 1980.

-End-

HOUSE BILL NO. 848

INTRODUCED BY QUILICI, MENAHAN, DAILY, HARRINGTON,  
ELLERO, PAVLOVICH, SCULLY, HUENNEKENS

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A FEE--IN  
6 ~~THE~~--~~EE~~ IN LIEU OF PROPERTY TAX FOR ~~AUTOMOBILES~~--~~EIGHT~~  
7 ~~TRUCKS~~--~~MOTORCYCLES~~ MOTOR HOMES, TRAVEL TRAILERS,  
8 SNOWMOBILES, AND CAMPERS; AMENDING SECTIONS ~~15-2-302~~  
9 15-6-101, 15-6-110, 15-6-111, ~~15-6-313~~ 15-6-201, ~~15-8-201~~  
10 ~~15-9-202~~--~~23-2-611~~--~~23-2-612~~--~~25-2-616~~--~~THROUGH~~~~23-2-618~~,  
11 ~~23-2-642~~--~~61-3-303~~ 61-3-317--~~61-3-322~~, ~~61-3-441~~, ~~61-3-442~~,  
12 ~~61-3-501~~--~~THROUGH~~ 15-8-201, 15-8-202, 23-2-611, 23-2-612,  
13 23-2-616 ~~THROUGH~~ 23-2-618, 23-2-642, 61-3-317, 61-3-322,  
14 61-3-441, 61-3-442, 61-3-501 ~~THROUGH~~ ~~61-3-502~~--~~61-3-503~~--~~AND~~  
15 61-3-504, AND ~~61-3-509~~, 61-3-509, MCA; REPEALING SECTIONS  
16 SECTION SECTIONS 15-6-121 AND 15-8-203 AND 15-8-203, MCA,  
17 AND PROVIDING FOR COORDINATION WITH HOUSE BILL 213."

19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA,

20 NEW SECTION--Section-is--Fee---in---ieu---of---tax---for  
21 certain-vehicles---{2}--There-is-a-fee-in---ieu---of---property  
22 tax---imposed---on---motor-homes---travel-trailers---and-campers---  
23 The-fee-is-in-addition-to-annual-registration-fees---  
24 {2}--The-fee-imposed-by-subsection-{2}--need-not-be-paid  
25 by-a-dealer-for-vehicles-that-constitute---inventory---of---the

## 1. **dealerships**

2 SECTION 1--THERE IS A NEW MCA SECTION THAT READS--  
3 legislative--finding--it is the determination of the  
4 legislature that the existing method of property taxation  
5 for motor vehicles is difficult to administer and  
6 inefficient--therefore the legislature hereby provides a  
7 new method for determination of property tax which is more  
8 equitable and easier to administer.

9 SECTION 2--THERE IS A NEW MEA SECTION THAT READS+

10 Class-[feleven]--property-----description---{+}--Class

11 [feleven]--property--includes+

12     {a}--automobiles

13     {b}--light-trucks

14     {c}--motor-homes

15     {d}--travel-trailers

16     {e}--snowmobiles

17     {f}--motorcycles and

18     {g}--campers

19     {27}--{a}--"light--truck"--means--a--truck--with--a

20 manufacturer's-rated-capacity-of-three-quarters-of-a-ton--or

21 less.

22     {b}--"Motor--home"--means--a--self-propelled--motor--vehicle

23 originally--designed--or--permanently--altered--to--provide

24 temporary--facilities--for--recreational--travel--or--camping

25 uses.

1        ~~tr~~--"travel-trailer"--means-a-trailer-32-feet--or--less  
 2        in-length-and-8-feet-or-less-in-width-originally-designed-or  
 3        permanently-altered--to--provide--temporary--facilities-for  
 4        recreational, travel, or camping uses.

5        (3)--There-is-a-property-tax-imposed-on-classes--[eleven]  
 6        property--in--accordance--with--the--schedules--provided--in  
 7        [sections-3-through-7]--and-collected--under--the--procedure  
 8        established--in--Title--15--chapter--16--the-tax-imposed-in  
 9        [sections-3-through-7]--need-not-be-paid--by--a--dealer--for  
 10       vehicles--that--constitute--inventory--of--the--dealership.

11       ~~t~~--local--and--state--will--levies--may--not--be--applied  
 12       against--the--value--of--property--in--this--class--. However--that  
 13       portion--of--a--county's--taxable--value--represented--by--the  
 14       taxable--value--of--automobiles--light--trucks--mobile--homes,  
 15       travel--trailers--campers--motorcycles--and--snowmobiles  
 16       registered--in--the--county--during--calendar--year--1979--shall  
 17       remain--in--the--county's--taxable--value--for--all--purposes--except  
 18       will--levy--calculations.

19       SECTION 3--THERE-IS-A-NEW-MCA-SECTION-THAT-READS:  
 20       Schedules--of--property-taxes--for--automobiles--and--light  
 21       trucks--{(1)}--the--owner--of--an--automobile--or--a--light--truck  
 22       weighing--more--than--3,000--pounds--manufacturer's--shipping  
 23       weight--shall--pay--a--property--tax--based--on--the--age--of--the  
 24       vehicle--according--to--the--following--schedule:  
 25       less--than--2--years--old-----\$125

1        2--years--old--and--less--than--3--years--old-----\$18  
 2        3--years--old--and--less--than--4--years--old-----95  
 3        4--years--old--and--less--than--5--years--old-----80  
 4        5--years--old--and--less--than--6--years--old-----65  
 5        6--years--old--and--less--than--7--years--old-----50  
 6        7--years--old--and--less--than--8--years--old-----35  
 7        8--years--old--and--less--than--9--years--old-----20  
 8        9--years--old--and--older-----15  
 9        (2)--The--owner--of--an--automobile--or--light--truck--weighing  
 10       3,000--pounds--or--less--manufacturer's--shipping--weight--shall  
 11       pay--a--property--tax--based--on--the--age--of--the--vehicle--according  
 12       to--the--following--schedule:  
 13       less--than--2--years--old-----\$15  
 14       2--years--old--and--less--than--3--years--old-----100  
 15       3--years--old--and--less--than--4--years--old-----85  
 16       4--years--old--and--less--than--5--years--old-----70  
 17       5--years--old--and--less--than--6--years--old-----55  
 18       6--years--old--and--less--than--7--years--old-----40  
 19       7--years--old--and--less--than--8--years--old-----25  
 20       8--years--old--and--older-----15  
 21       (3)--The--age--of--an--automobile--or--light--truck--is  
 22       determined--by--subtracting--the--manufacturer's--designated  
 23       model--year--from--the--current--calendar--year.  
 24       SECTION 4--THERE-IS-A-NEW-MCA-SECTION-THAT-READS:  
 25       Schedule--of--property--taxes--for--motorcycles--{(1)}--Except

1 as provided in 15-6-201v the owner of a motorcycle with a  
 2 piston displacement of more than 100 cubic centimeters shall  
 3 pay a property tax based on the age of the motorcycle  
 4 according to the following schedule:

5 less than 3 years old ----- \$25  
 6 3 years old and less than 4 years old ----- 26  
 7 4 years old and less than 6 years old ----- 28  
 8 6 years old and older ----- 5

9 (2) Except as provided in 15-6-201v the owner of a  
 10 motorcycle with a piston displacement of 100 cubic  
 11 centimeters or less shall pay a property tax of one-half of  
 12 the amount required for the age of the motorcycle under the  
 13 schedule in subsection (1) except that the minimum property  
 14 tax for a motorcycle under this subsection is \$5.

15 SECTION 1. THERE IS A NEW MCA SECTION THAT READS:

16 Fee in lieu of tax for certain vehicles. (1) There is a  
 17 fee in lieu of property tax imposed on motor homes, travel  
 18 trailers, and campers. The fee is in addition to annual  
 19 registration fees.

20 (2) The fee imposed by subsection (1) need not be paid  
 21 by a dealer for vehicles that constitute inventory of the  
 22 dealership.

23 NEW SECTION Section 2. Schedule of fees PROPERTY  
 24 TAXES FEES for motor homes. (1) The owner of a motor home  
 25 shall pay a fee TAX FEE based on the age of the motor home

1 according to the following schedule:

2 less than 2 years old	\$200
3 2 years old and less than 3 years old	180
4 3 years old and less than 4 years old	145
5 4 years old and less than 5 years old	100
6 5 years old and less than 6 years old	75
7 6 years old and less than 7 years old	50
8 7 years old and less than 8 years old	25
9 8 years old and older	15

10 (2) The age of a motor home is determined by  
 11 subtracting the manufacturer's designated model year from  
 12 the current calendar year.

13 NEW SECTION Section 3. Schedule of fees PROPERTY  
 14 TAXES FEES for travel trailers and campers. (1) The fee  
 15 imposed by [section 2] PROPERTY-TAX FEE IMPOSED BY [SECTION  
 16 1] on a travel trailer less than 3 years old is \$40. In all  
 17 other cases the fee PROPERTY-TAX FEE is \$15.

18 (2) The fee imposed by [section 2] PROPERTY-TAX FEE  
 19 IMPOSED BY [SECTION 1] on a camper less than 3 years old is  
 20 \$35. In all other cases the fee PROPERTY-TAX FEE is \$15.

21 (3) The age of a travel trailer or camper is  
 22 determined by subtracting the manufacturer's designated  
 23 model year from the current calendar year.

24 NEW SECTION Section 4. Fee-in-lieu-of-tax SCHEME  
 25 OF PROPERTY-TAX FEE IN LIEU OF TAX on snowmobiles. (1) There

1       is-a-fee-in-lieu-of-tax-on-snowmobiles\*

2                t2j--The-fee THE PROPERTY TAX THERE IS A FEE IN LIEU OF  
3        TAX ON SNOWMOBILES.

4                121 THE FEE for a snowmobile less than 4 years old is  
5        \$22. In all other cases the fee PROPERTY-TAX FEE is \$15.

6                t3t2t31 The age of a snowmobile is determined by  
7        subtracting the manufacturer's designated model year from  
8        the current calendar year.

9                t4j--The--fee--need--not--be--paid--by--a--dealer--for  
10      snowmobiles--that--constitute--inventory--of--the--dealerships.

11        NEW SECTION--Section-5--Motor--home--"Motor---home"  
12      means--a-self-propelled-motor-vehicle-originally-designed-or  
13      permanently-altered-to--provide--temporary--facilities--for  
14      recreational--travel--or--camping--use.

15        NEW SECTION--Section-6--"Travel---trailer"--"Travel  
16      trailer"--means-a-trailer-32-feet-or-less--in--length--and--8  
17      feet--or--less--in--width--originally-designed-or-permanently  
18      altered-to--provide--temporary--facilities--for--recreational  
19      travel--or--camping--use.

20        Section-7--Section--61-3-303y-HEAVY--is--amended--to--read:  
21        "61-3-303z--Application--for--registration---t7j--Every  
22      owner--of-a-motor-vehicle--operated--or--driven--upon--the--public  
23      highways--of--this--state--shall--for--each--motor--vehicle--owned  
24      except--as--herein--otherwise--expressly--provided--file--or--cause  
25      to--be--filed--in--the--office--of--the--county--treasurer--where--the

1        motor--vehicle--is--owned--or--taxable--an--application--for  
2        registration--or--reregistration--upon--a--blank--form--to--be  
3        prepared--and--furnished--by--the--division--the--application  
4        shall--contain:

5                t6j--name--and--address--of--owner--giving--county--school  
6        district--and--town--or--city--within--whose--corporate--limits--the  
7        motor--vehicle--is--taxable;

8                t7j--name--and--address--of--conditional--sales--vendor  
9        mortgagee--or--holder--of--other--lien--against--the--motor  
10      vehicle--with--statement--of--amount--owing--under--such--contract  
11      or--lien;

12                t8j--description--of--motor--vehicle--including--make--year  
13      model--engine--or--serial--number--manufacturer's--model--or  
14      letter--gross--weight--type--of--body--and--if--truck--the--rated  
15      capacity;

16                t9j--in--case--of--reregistration--the--license--number--for  
17      the--preceding--year--and

18                t10j--such--other--information--as--the--division--may  
19      requires;

20                t2j--A--person--who--files--an--application--for--registration  
21      or--reregistration--of--a--motor--vehicle--except--of--a--mobile  
22      home--as--defined--in--15-1-101t7j--shall--upon--the--fitting--of--the  
23      application pay--to--the--county--treasurer

24                t11j--pay--to--the--county--treasurer--the--registration--fee  
25      as--provided--in--61-3-311--and--61-3-321--and

1        ~~fb) pay--the--personal--property--taxes--assessed--on--the~~  
 2        ~~new--motor--vehicle--sales--tax--against--the--vehicle--for--the~~  
 3        ~~current--year--of--registration, or--in--the--case--of--a--motor~~  
 4        ~~home--travel--trailer--or--camper--the--fee--in--lieu--of--property~~  
 5        ~~tax--for--the--current--year--of--registration, unless--the--same~~  
 6        ~~shall--have--been--theretofore--paid--for--the--year--before--the~~  
 7        ~~application--for--registration--or--reregistration--may--be~~  
 8        ~~accepted--by--the--county--treasurer.~~

9        ~~(3) The--county--treasurer--may--make--full--and--complete~~  
 10      ~~investigation--of--the--tax--status--of--the--vehicle. Any~~  
 11      ~~applicant--for--registration--or--reregistration--must--submit~~  
 12      ~~proof--from--the--tax--records--of--the--proper--county--at--the~~  
 13      ~~request--of--the--county--treasurer."~~

14      Section 6--Section 61-3-317, HCA, is amended to read:  
 15      "61-3-317--New registration required--for--transferred  
 16      vehicle-----grace--period---penalty---display--of--proof--of  
 17      purchases--~~(1)~~ Except as otherwise provided herein, the new  
 18      owner--of--the--transferred--motor--vehicle--shall--have--the--grace  
 19      period--of--20--calendar--days--from--the--date--of--purchase--to--make  
 20      application--and--pay--the--taxes--as--provided--by--part--5--of--this  
 21      chapter ~~or--the--fee--in--lieu--of--tax--as--provided--by--Section--13~~  
 22      ~~unless--the--tax--or--fee--has--been--paid--for--the--year--as--if--the~~  
 23      ~~same--was--being--registered--for--the--first--time--in--that~~  
 24      ~~registration--year--if--the--motor--vehicle--was--not--purchased~~  
 25      ~~from--a--duty--licensed--motor--vehicle--dealer--as--provided--in~~

1        ~~this--chapter--it--shall--not--be--a--violation--of--this--chapter--or~~  
 2        ~~any--other--law--for--the--purchaser--to--operate--the--vehicle--upon~~  
 3        ~~the--streets--and--highways--of--this--state--without--a--certificate~~  
 4        ~~of--registration--during--the--20--day--period--provided--that--at~~  
 5        ~~all--times--during--that--period--a--bill--of--sale--or--other--proof~~  
 6        ~~of--purchase--reciting--the--date--of--purchase--shall--be--clearly~~  
 7        ~~displayed--in--the--rear--window--of--the--motor--vehicle.~~  
 8        Registration--and--license--fees--collected--under--61-3-321--are  
 9        not--required--to--be--paid--when--a--license--plate--is--transferred  
 10      under--this--section--and--61-3-335--Failure--to--make  
 11      application--within--the--time--provided--herein--shall--subject  
 12      the--purchaser--to--a--penalty--of--\$10--The--penalty--shall--be  
 13      collected--by--the--county--treasurer--at--the--time--of  
 14      registration--and--shall--be--in--addition--to--the--fees--otherwise  
 15      provided--by--law.  
 16      (2) Any--purchaser--of--a--new--or--used--motor--vehicle--from  
 17      a--duty--licensed--motor--vehicle--dealer--shall--have--the--grace  
 18      period--of--20--calendar--days--from--the--date--of--purchase--to--make  
 19      application--for--registration--and--to--obtain--registration  
 20      plates--and--it--shall--not--be--a--violation--of--this--chapter--or  
 21      any--other--law--for--such--purchaser--to--operate--such--vehicle  
 22      upon--the--streets--and--highways--of--this--state--without--a  
 23      certificate--of--registration--and--registration--plates--during  
 24      the--20--day--period--provided--that--at--all--times--during--said  
 25      period--the--sticker--issued--by--the--dealer--at--the--time--of

1 purchase-shall-remain-affixed-to-said-vehicle-as-provided-in  
 2 61-4-111--Failure--to-make-such-application-within-the-time  
 3 provided-herein-subjects-the-purchaser-to-a-penalty-of--\$100--  
 4 The--penalty--is--to-be-collected-by-the-county-treasurer-at  
 5 the-time-of-registration-and-is--in--addition--to--the--fees  
 6 otherwise-provided-by-law--  
 7 Section-9--Section--61-3-322v-MCA--is-amended-to-read--  
 8 "61-3-322v--Certificates-of-registration-----issuance  
 9 fit--Upon-completion-of-the-application-for-registration--on  
 10 forms-furnished-by-the-divisions--the-county-treasurer--shall  
 11 file--one--copy-in-his-office-and-issue-to-the-applicant--two  
 12 copies-of-the-application--marked--"Owner's--Certificate--of  
 13 Registration--and-Tax-Receipt"--one-of-which-shall-be-marked  
 14 "file-copy"--  
 15 fit--The-certificate-of-registration--shall--contain--upon  
 16 the-face--thereof  
 17 fit--the-date-issued  
 18 fit--the-registration-number-assigned-to-the-owner--and  
 19 the-vehicle  
 20 fit--the-name-and-complete-address-of-the-owner--or--the  
 21 names-and-addresses-of-joint-owners  
 22 fit--the--name--and--complete--address--of--any--conditional  
 23 sales--vendor--and--also--the--name--and--address--of--any--other  
 24 tenor-as--shown--by--said--application  
 25 fit--a--description--of--the--registered--vehicle--including

1 the--year--built--and--serial--number--if--any--  
 2 fit--any--lien--against--such--motor--vehicle--and--the--amount  
 3 due--at--the--date--of--registration--and  
 4 fit--such--other--statement--of--facts--as--may--be--determined  
 5 by--the--division--  
 6 fit--Every--owner--upon--receiving--a--registration--receipt  
 7 shall--write--his--signature--thereon--with--pen--and--ink--in--the  
 8 space--provided--Every--such--registration--receipt--or--a  
 9 notarized--photostatic--copy--thereof--or--a--duplicate--thereof  
 10 furnished--by--the--division--shall--at--all--times--be--carried--in  
 11 the--vehicle--to--which--it--refers--or--shall--be--carried--by--the  
 12 person--driving--or--in--control--of--such--vehicle--who--shall  
 13 display--the--same--upon--demand--of--a--police--officer--or--any  
 14 officer--or--employee--of--the--division--or--the--highway  
 15 department--  
 16 fit--Upon--receipt--of--application--for--registration--in  
 17 quintuplicate--and--payment--of--license--fees--and--taxes--as--herein  
 18 provided--the--county--treasurer--shall  
 19 fit--file--one--copy--of--said--application--in--his--office  
 20 fit--issue--to--the--applicant--two--copies--of--the  
 21 application--entitled--"Owner's--Certificate--of--Registration  
 22 and--Tax--Receipt"--one--of--which--shall--be--marked--"file-copy"--  
 23 end  
 24 fit--forward--one--copy--to--the--county--clerk--and--recorder--  
 25 fit--the--county--treasurer--shall--duly--forward--to--the

1 division-one-copy-of-the-application ~~all--applications~~ for  
 2 registration received--that--day  
 3 ~~to~~~~if~~--it--shall--not--be--necessary--for--the--county  
 4 treasurer--in--said--receipt--to--segregate--the--amount--of--said  
 5 taxes--for--state--county--school--district--and--municipal  
 6 purposes--"

7 Section--10--Section--61-3-441v-MCAv--is--amended--to--read--  
 8 ~~"61-3-441v--Tax--paid--fee--paid--decal--required--on--camper~~  
 9 ~~----application--for--decal---- application--fee----issuance.~~  
 10 ~~11--No--camper--subject--to--taxation--in--Montana--shall--may--be~~  
 11 ~~operated--by--any--person--in--the--state--of--Montana--on--the--public~~  
 12 ~~highways--or--streets--in--this--state--unless--there--is--displayed~~  
 13 ~~in--a--conspicuous--place--thereon--a--decal--as--visual--proof--that~~  
 14 ~~Montana--personal--property--taxes--have--the--fee--in--lieu--of--tax~~  
 15 ~~has--been--paid--thereon--for--the--current--year.~~

16 ~~17--Application--for--the--issuance--of--such--tax--paid--the~~  
 17 ~~decal--shall--be--made--to--the--department--of--revenue--or--the~~  
 18 ~~county--treasurer--upon--forms--to--be--furnished--for--this~~  
 19 ~~purpose--which--may--be--obtained--from--the--department--or--at--the~~  
 20 ~~county--assessor's--treasurer's--office--in--the--county--wherein~~  
 21 ~~the--owner--resides--and--is--to--provide--for--substantially--the~~  
 22 ~~following--information:~~

23 ~~ta)--name--of--owner;~~  
 24 ~~tb)--address;~~  
 25 ~~tc)--name--of--manufacturer;~~

1 ~~td)--model--number;~~  
 2 ~~te)--make;~~  
 3 ~~tf)--year--of--manufacture;~~  
 4 ~~tg)--statement--evidencing--assessment--and--payment--of--the~~  
 5 ~~fee--in--lieu--of--property--tax--and~~  
 6 ~~th)--such--other--information--as--the--department--may~~  
 7 ~~requires;~~

8 ~~19--Said--the--application--shall--must--be--signed--by--the~~  
 9 ~~county--treasurer--and--transmitted--by--him--to--the--department~~  
 10 ~~accompanied--by--a--on--application--fee--of--\$1--Upon--receipt--of~~  
 11 ~~the--application--in--approved--form--the--department--or--county~~  
 12 ~~treasurer--shall--issue--to--the--applicant--a--decal--in--the--style~~  
 13 ~~and--design--prescribed--by--the--department--and--of--a--different~~  
 14 ~~color--than--the--preceding--year--numbered--numerically."~~

15 Section--11--Section--61-3-442v-MCAv--is--amended--to--read--  
 16 ~~"61-3-442v--Annual--application--for--decal--"~~  
 17 Application  
 18 may--be--made--to--the--department--of--revenue--or--county--treasurer  
 19 for--the--issuance--of--tax--paid--camper--decal--annually--when--the  
 20 motor--vehicle--to--which--the--camper--is--customarily--attached--is  
 21 registered--"

22 Section--12--Section--61-3-503v-MCAv--is--amended--to--read--  
 23 ~~"61-3-503v--When--vehicle--property--tax--is--due--"~~  
 24 Property--taxes--and--new--car--taxes--and--fees--in--lieu--of--tax  
 25 ~~on--a--motor--home--or--travel--trailer--shall--must--be--paid--on--the~~  
 26 ~~date--of--registration--or--reregistration--of--the--vehicle."~~

1       12) If the anniversary date for reregistration of a  
 2 vehicle shall pass while the vehicle is owned and  
 3 held for sale by a licensed new or used car dealership property  
 4 taxes shall or the fee in lieu of property taxes shall be on  
 5 such vehicle property reported with the department of  
 6 revenue until the vehicle is sold and thereafter the  
 7 purchaser shall pay the pro rata balance of the taxes or the  
 8 fee in lieu of tax due and owing on the vehicle.

9       13) In the event a vehicle's registration period is  
 10 changed under 61-3-315, all taxes and other fees due thereon  
 11 shall be prorated and paid from the last day of the old  
 12 period until the first day of the new period in which the  
 13 vehicle shall be registered. Thereafter taxes and other fees  
 14 must be paid from the first day of the new period for a  
 15 minimum period of 1 year when the change is to a 12 month  
 16 registration period, taxes and fees shall be prorated and  
 17 paid based on the same tax year as the original registration  
 18 period. Thereafter during the appropriate anniversary  
 19 registration period each vehicle shall again register or  
 20 reregister and shall pay all taxes and fees due thereon for  
 21 a 12 month period.

22       14) THE FEE NEED NOT BE PAID BY A DEALER FOR SNOWMOBILES  
 23 THAT CONSTITUTE INVENTORY OF THE DEALERSHIP.

24       SECTION 5. THERE IS A NEW MCA SECTION THAT READS:  
 25       Motor home. "Motor home" means a self-propelled motor

1       vehicle originally designed or permanently altered to  
 2 provide temporary facilities for recreational, travel, or  
 3 camping use.

4       SECTION 6. THERE IS A NEW MCA SECTION THAT READS:  
 5       Travel trailer. "Travel trailer" means a trailer 32  
 6 feet or less in length and 8 feet or less in width  
 7 originally designed or permanently altered to provide  
 8 temporary facilities for recreational, travel, or camping  
 9 use.

10       SECTION 7. SECTION 61-3-303, MCA, IS AMENDED TO READ:  
 11       "61-3-303. Application for registration. (1) Every  
 12 owner of a motor vehicle operated or driven upon the public  
 13 highways of this state shall for each motor vehicle owned,  
 14 except as herein otherwise expressly provided, file or cause  
 15 to be filed in the office of the county treasurer where the  
 16 motor vehicle is owned or taxable an application for  
 17 registration or reregistration upon a blank form to be  
 18 prepared and furnished by the division. The application  
 19 shall contain:

20       (a) name and address of owner, giving county, school  
 21 district, and town or city within whose corporate limits the  
 22 motor vehicle is taxable;

23       (b) name and address of conditional sales vendor,  
 24 mortgagee, or holder of other lien against the motor  
 25 vehicle, with statement of amount owing under such contract

1 or lien;

2 (c) description of motor vehicle, including make, year  
 3 model, engine or serial number, manufacturer's model or  
 4 letter, gross weight, type of body, and if truck, the rated  
 5 capacity;

6 (d) in case of reregistration, the license number for  
 7 the preceding year; and

8 (e) such other information as the division may  
 9 require.

10 (2) A person who files an application for registration  
 11 or reregistration of a motor vehicle, except of a mobile  
 12 home as defined in 15-1-101(1), shall upon the filing of the  
 13 application pay to the county treasurer:

14 (a) pay-to-the-county-treasurer the registration fee,  
 15 as provided in 61-3-311 and 61-3-321; and

16 (b) pay the personal property taxes assessed or, the  
 17 new motor vehicle sales tax against the vehicle for the  
 18 current year of registration, or in the case of a motor  
 19 home, travel trailer or camper, the fee in lieu of property  
 20 tax for the current year of registration, unless the same  
 21 shall have been theretofore paid for the year, before the  
 22 application for registration or reregistration may be  
 23 accepted by the county treasurer.

24 (3) The county treasurer may make full and complete  
 25 investigation of the tax status of the vehicle. Any

1 applicant for registration or reregistration must submit  
 2 proof from the tax records of the proper county at the  
 3 request of the county treasurer."

4 SECTION 8. SECTION 61-3-317, MCA, IS AMENDED TO READ:  
 5 "61-3-327. New registration required for transferred  
 6 vehicle -- grace period -- penalty -- display of proof of  
 7 purchase. (1) Except as otherwise provided herein, the new  
 8 owner of the transferred motor vehicle shall have the grace  
 9 period of 20 calendar days from the date of purchase to make  
 10 application and pay the taxes as provided by part 5 of this  
 11 chapter or the fee in lieu of tax as provided by [section 1]  
 12 unless the tax or fee has been paid for the year, as if the  
 13 same was being registered for the first time in that  
 14 registration year. If the motor vehicle was not purchased  
 15 from a duly licensed motor vehicle dealer as provided in  
 16 this chapter, it shall not be a violation of this chapter or  
 17 any other law for the purchaser to operate the vehicle upon  
 18 the streets and highways of this state without a certificate  
 19 of registration during the 20-day period; provided, that at  
 20 all times during that period a bill of sale or other proof  
 21 of purchase reciting the date of purchase shall be clearly  
 22 displayed in the rear window of the motor vehicle.  
 23 Registration and license fees collected under 61-3-321 are  
 24 not required to be paid when a license plate is transferred  
 25 under this section and 61-3-335. Failure to make

1 application within the time provided herein shall subject  
 2 the purchaser to a penalty of \$10. The penalty shall be  
 3 collected by the county treasurer at the time of  
 4 registration, and shall be in addition to the fees otherwise  
 5 provided by law.

6 (2) Any purchaser of a new or used motor vehicle from  
 7 a duly licensed motor vehicle dealer shall have the grace  
 8 period of 20 calendar days from the date of purchase to make  
 9 application for registration and to obtain registration  
 10 plates, and it shall not be a violation of this chapter or  
 11 any other law for such purchaser to operate such vehicle  
 12 upon the streets and highways of this state without a  
 13 certificate of registration and registration plates during  
 14 the 20-day period; provided that at all times during said  
 15 period the sticker issued by the dealer at the time of  
 16 purchase shall remain affixed to said vehicle as provided in  
 17 61-4-111. Failure to make such application within the time  
 18 provided herein subjects the purchaser to a penalty of \$10.  
 19 The penalty is to be collected by the county treasurer at  
 20 the time of registration and is in addition to the fees  
 21 otherwise provided by law."

22 SECTION 9. SECTION 61-3-322, MCA, IS AMENDED TO READ:  
 23 "61-3-322. Certificates of registration -- issuance.  
 24 (1) Upon completion of the application for registration, on  
 25 forms furnished by the division, the county treasurer shall

1 file one copy in his office and issue to the applicant two  
 2 copies of the application marked "Owner's Certificate of  
 3 Registration and Tax Receipt", one of which shall be marked  
 4 "file copy".

5 (2) The certificate of registration shall contain upon  
 6 the face thereof:

7 (a) the date issued;

8 (b) the registration number assigned to the owner and  
 9 the vehicle;

10 (c) the name and complete address of the owner, or the  
 11 names and addresses of joint owners;

12 (d) the name and complete address of any conditional  
 13 sales vendor, and also the name and address of any other  
 14 lienor as shown by said application;

15 (e) a description of the registered vehicle including  
 16 the year built and serial number, if any;

17 (f) any lien against such motor vehicle and the amount  
 18 due at the date of registration; and

19 (g) such other statement of facts as may be determined  
 20 by the division.

21 (3) Every owner, upon receiving a registration receipt  
 22 shall write his signature thereon with pen and ink in the  
 23 space provided. Every such registration receipt or a  
 24 notarized photostatic copy thereof or a duplicate thereof  
 25 furnished by the division shall at all times be carried in

1 the vehicle to which it refers or shall be carried by the  
 2 person driving or in control of such vehicle, who shall  
 3 display the same upon demand of a police officer or any  
 4 officer or employee of the division or the highway  
 5 department.

6 ~~44--Upon-receipt-of-application-for--registration--in  
 7 quintuplety--and-payment-of-license-fees-and-taxes-as-herein  
 8 provided, the county treasurer shall~~

9 ~~45--file-one-copy-of-said-application-in--his--office at  
 10 tbh--issue--to---the---applicant--two--copies--of--the  
 11 application--entitled--"Owner's--Certificate--of--Registration  
 12 and--Tax--Receipt"--one--of--which--shall--be--marked--"file--copy"--  
 13 and~~

14 ~~46--forward-one-copy-to-the-county-clerk-and-recorder--  
 15 47141 The county treasurer shall daily forward to the  
 16 division one copy of the application all applications for  
 17 registration received that day.~~

18 ~~48151 It shall not be necessary for the county  
 19 treasurer, in said receipt, to segregate the amount of said  
 20 taxes for state, county, school district, and municipal  
 21 purposes."~~

22 SECTION 10. SECTION 61-3-441, MCA, IS AMENDED TO READ:  
 23 ~~49151. Tax-paid Fee-paid decal required on camper  
 24 -- application for decal -- application fee -- issuance. (1)~~  
 25 No camper, subject to taxation in Montana, shall ~~may~~ be

1 operated by any person ~~in-the-state-of-Montana~~ on the public  
 2 highways or streets ~~in this state~~ unless there is displayed  
 3 in a conspicuous place thereon a decal as visual proof that  
 4 ~~Montana--personel--property--taxes--have the fee in lieu of tax~~  
 5 has been paid thereon for the current year.

6 (2) Application for the issuance of ~~such-tax-paid~~ the  
 7 decal shall be made to the department of revenue or the  
 8 county treasurer upon forms to be furnished for this  
 9 purpose, which may be obtained from the department or at the  
 10 county ~~assessor's~~ ~~treasurer's~~ office in the county wherein  
 11 the owner resides, and is to provide for substantially the  
 12 following information:

13 (a) name of owner;  
 14 (b) address;  
 15 (c) name of manufacturer;  
 16 (d) model number;  
 17 (e) make;  
 18 (f) year of manufacture;  
 19 (g) statement evidencing assessment-and payment of the  
 20 fee in lieu of property tax; and  
 21 (h) such other information as the department may  
 22 require.

23 (3) ~~5ed~~ The application shall ~~must~~ be signed by the  
 24 county treasurer and transmitted by him to the department  
 25 accompanied by ~~a~~ an application fee of \$1. Upon receipt of

1 the application in approved form the department or county  
 2 treasurer shall issue to the applicant a decal in the style  
 3 and design prescribed by the department and of a different  
 4 color than the preceding year, numbered numerically."

5 SECTION 11. SECTION 61-3-442, MCA, IS AMENDED TO READ:

6 "61-3-442. Annual application for decals. Application  
 7 may be made to the department of revenue or county treasurer  
 8 for the issuance of tax-paid camper decals annually when the  
 9 motor vehicle to which the camper is customarily attached is  
 10 registered."

11 SECTION 12. SECTION 61-3-501, MCA, IS AMENDED TO READ:

12 "61-3-501. When vehicle property tax is due. (1) Property taxes ~~and~~, new car taxes, and fees ~~in lieu of tax~~  
 13 ~~on a motor home or travel trailer shall~~ must be paid on the  
 14 date of registration or reregistration of the vehicle.

15 (2) If the anniversary date for reregistration of a  
 16 vehicle ~~shall pass~~ while the vehicle is owned and  
 17 held for sale by a licensed new or used car dealer, property  
 18 taxes ~~shall or the fee in lieu of property taxes~~ abate on  
 19 such vehicle properly reported with the department of  
 20 revenue until the vehicle is sold and thereafter the  
 21 purchaser shall pay the pro rata balance of the taxes ~~or the~~  
 22 ~~fee in lieu of tax~~ due and owing on the vehicle.

23 (3) In the event a vehicle's registration period is  
 24 changed under 61-3-315, all taxes and other fees due thereon

1 shall be prorated and paid from the last day of the old  
 2 period until the first day of the new period in which the  
 3 vehicle shall be registered. Thereafter taxes and other fees  
 4 must be paid from the first day of the new period for a  
 5 minimum period of 1 year. When the change is to a later  
 6 registration period, taxes and fees shall be prorated and  
 7 paid based on the same tax year as the original registration  
 8 period. Thereafter, during the appropriate anniversary  
 9 registration period, each vehicle shall again register or  
 10 reregister and shall pay all taxes and fees due thereon for  
 11 a 12-month period."

12 Section 13. Section 61-3-502, MCA, is amended to read:

13 "61-3-502. Sales tax on new motor vehicles --  
 14 exemptions. (1) In consideration of the right to use the  
 15 highways of the state, there shall be imposed a tax upon all  
 16 sales of new motor vehicles for which a license is sought  
 17 and an original application for title is made. The tax  
 18 shall be paid by the purchaser when he applies for his  
 19 original Montana license through the county treasurer.

20 (2) The sales tax shall be:

21 (a) 1 1/2% of the F.O.B. factory list price or F.O.B.  
 22 port of entry list price, during the first quarter of the  
 23 year or prorated one-twelfth for each month or part of month  
 24 for a registration period other than a calendar year or  
 25 calendar quarter;

3 (c) 3/4 of 1% during the third quarter of the year;  
4 (d) 3/8 of 1% during the fourth quarter of the year.

8                   (4) The proceeds from this tax shall be remitted to  
9 the state treasurer every 30 days for credit to the state  
10 highway account of the earmarked revenue fund.

11 (5) The new vehicle is not subject to any--other  
12 assessment--or--taxation--or--fee--in-lieu-of-tax PROPERTY  
13 TAXATION-AS-WELL-AS-THE-SALES-TAX-IMPOSED--IN--THIS--SECTION  
14 ANY OTHER ASSESSMENT, TAXATION, OR FEE IN LIEU OF TAX during  
15 the calendar year in which the original application for  
16 title is made.

17       (6) (a) The applicant for original registration of any  
18       wholly new and unused motor vehicle or new motor vehicle  
19       furnished without charge by the dealer to the school  
20       district for use as a traffic education motor vehicle by a  
21       school district operating a state-approved traffic education  
22       program within the state, whether or not previously licensed  
23       or titled to the school district, except a mobile home as  
24       defined in 15-1-101(1), acquired by original contract after  
25       January 1 of any year shall be required, whenever such

1     vehicle has not been otherwise assessed, to pay the motor  
2     vehicle sales tax provided by this section irrespective of  
3     whether the vehicle was in the state of Montana on January 1  
4     of the year.

(b) No such motor vehicle may be registered or licensed under the provisions of this subsection unless the application for registration is accompanied by a statement of origin to be furnished by the dealer selling the vehicle, showing that the vehicle has not previously been registered or owned, except as otherwise provided herein, by any person, firm, corporation, or association that is not a new motor vehicle dealer holding a franchise or distribution agreement from a new car manufacturer, distributor, or importer.

15 (7) Motor vehicles operating exclusively for  
16 transportation of persons for hire within the limits of  
17 incorporated cities or towns and within 15 miles from such  
18 limits are exempt from subsection (1). Motor vehicles  
19 brought or driven into Montana by a nonresident migratory  
20 bona fide agricultural worker temporarily employed in  
21 agricultural work in this state where those motor vehicles  
22 are used exclusively for transportation of agricultural  
23 workers are also exempt from subsection (1). Vehicles  
24 lawfully displaying a licensed dealer's plate as provided in  
25 61-4-102 are exempt from subsection (1) when moving to or

1 from a dealer's place of business when unladen or laden with  
 2 dealer's property only, and in the case of vehicles having a  
 3 gross laden weight of less than 24,000 pounds, while in the  
 4 process of demonstration in the course of the dealer's  
 5 business."

6 Section 14. Section 61-3-503, MCA, is amended to read:  
 7 "61-3-503. Assessment. (1) A person who files an  
 8 application for registration or reregistration of a motor  
 9 vehicle, except ~~of other-than-a-motor-home-travel-trailers~~  
 10 or ~~EXCEPT--OF OTHER THAN A MOTOR HOME, TRAVEL TRAILER, OR~~ a  
 11 mobile home as defined in 15-1-101(1), shall before filing  
 12 such application with the county treasurer submit the same  
 13 to the county assessor of the county. The county assessor  
 14 shall enter on the application in a space to be provided for  
 15 that purpose the ~~market-value-and-taxable-value-of PROPERTY~~  
 16 ~~TAX-BASE-ON MARKET VALUE AND TAXABLE VALUE OF~~ the vehicle for  
 17 the year for which the application for registration is made.

18 (2) Except as provided in subsection (3) motor  
 19 vehicles, except ~~other-than-motor-homes-travel-trailers--or~~  
 20 ~~EXCEPT OTHER THAN MOTOR HOMES, TRAVEL TRAILERS, OR~~ mobile  
 21 homes as defined in 15-1-101(1), are assessed for taxes on  
 22 January 1 in each year irrespective of the time fixed by law  
 23 for the assessment of other classes of personal property and  
 24 irrespective of whether the levy and tax may be a lien upon  
 25 real property within the state. In no event may any motor

1 vehicle be subject to assessment, levy, and taxation more  
 2 than once in each year.

3 (3) Vehicles subject to the provisions of 61-3-313  
 4 through 61-3-316 shall be assessed as of the first day of  
 5 the year in which the registration period occurs and a lien  
 6 for taxes and fees due thereon shall occur on the  
 7 anniversary date of the registration and shall continue  
 8 thereafter until such fees and taxes shall have been paid."

9 Section 15. Section 61-3-504, MCA, is amended to read:  
 10 "61-3-504. Computation of tax. The amount of taxes on  
 11 the a motor vehicle, except ~~other-than-a-motor-home-travel~~  
 12 ~~trailers PROPERTY-LISTED-IN-SECTION-23 A MOTOR HOME, TRAVEL~~  
 13 ~~TRAILER~~ or a mobile home as defined in 15-1-101(1), is  
 14 computed and determined by the county treasurer on the basis  
 15 of the levy of the year preceding the current year of  
 16 application for registration or reregistration. The  
 17 determination is entered on the application form in a space  
 18 provided therefor."

19 Section 16--Section 61-3-509, MCA, is amended to read:  
 20 "61-3-509--Disposition-of-taxes and fees in lieu of  
 21 tax--The county treasurer shall credit ~~on~~ taxes on motor  
 22 vehicles so and fees in lieu of tax on motor homes and  
 23 travel trailers collected to a motor vehicle suspense fund  
 24 and at some time between March 1 and March 10 of each year  
 25 and every 60 days thereafter the county treasurer shall

1 distribute the same money in the motor vehicle suspense fund  
 2 in the relative--proportions--required--by--the--levies--for  
 3 state,--county,--school--district,--and--municipal--purposes--in  
 4 the--same--manner--as--other--personal--property--taxes--are  
 5 distributed."

6 NEW SECTION--Section 12--Disposition--of--fees--in--lieu  
 7 of--tax--on--snowmobiles--the--county--treasurer--shall--credit  
 8 all--fees--in--lieu--of--tax--collected--on--snowmobiles--to--the  
 9 county--motor--vehicle--suspense--fund--provided--for--in--61-3-509.

10 SECTION 16. SECTION 61-3-509, MCA, IS AMENDED TO READ:  
 11 "61-3-509. Disposition of taxes and fees in lieu of  
 12 tax. The county treasurer shall credit all taxes on motor  
 13 vehicles so and fees in lieu of tax on motor homes and  
 14 travel trailers collected to a motor vehicle suspense fund,  
 15 and at some time between March 1 and March 10 of each year  
 16 and every 60 days thereafter, the county treasurer shall  
 17 distribute the same money in the motor vehicle suspense fund  
 18 in the relative proportions required by the levies for  
 19 state, county, school district, and municipal purposes in  
 20 the same manner as other personal property taxes are  
 21 distributed."

22 SECTION 17. THERE IS A NEW MCA SECTION THAT READS:  
 23 Disposition of fees in lieu of tax on snowmobiles. The  
 24 county treasurer shall credit all fees in lieu of tax  
 25 collected on snowmobiles to the county motor vehicle

1 suspense fund provided for in 61-3-509.

2 Section 18. Section 15-6-101, MCA, is amended to read:  
 3 "15-6-101. Property subject to taxation --  
 4 classification. (1) All property in this state is subject to  
 5 taxation, except as provided otherwise.

6 (2) For the purpose of taxation, the taxable property  
 7 in the state shall be classified in accordance with 15-6-102  
 8 through 15-6-127 15-6-120."

9 Section 19. Section 15-6-110, MCA, is amended to read:  
 10 "15-6-110. Class nine property -- description --  
 11 taxable percentage. (1) Class nine property includes:

12 (a) automobiles,--motor--trucks,--and--other AUTOMOBILES,  
 13 MOTOR TRUCKS, AND OTHER power-driven cars and vehicles of  
 14 all kinds except motor homes, mobile homes, motorcycles,  
 15 aircraft, camper trailers, AUTOMOBILES,--MOTORCYCLES,--EIGHT  
 16 TRAILERS and truck campers; and

17 (b) furniture and fixtures used in commercial, office,  
 18 and hotel activities, except improvements included in class  
 19 thirteen.

20 (2) Class nine property is taxed at 13.3% of its  
 21 market value."

22 Section 20. Section 15-6-111, MCA, is amended to read:  
 23 "15-6-111. Class ten property -- description --  
 24 taxable percentage. (1) Class ten property includes:

25 (a) aerial, surface, and portable ski lifts and ski

1       tows, including the towers, cables, ropes, sheave  
 2       assemblies, conveying devices, power units, and all  
 3       accessories; and

4       (b) manufacturing and mining machinery, fixtures, and  
 5       supplies, except those included in class eighteen, and  
 6       ~~tej--camper-trailers-and-truck-campers--valued--in--the~~  
 7       ~~"Montana--Recreational-Vehicle-Appraisal-Guide"~~

8       (2) Class ten property is taxed at 12 $\frac{1}{2}$  of market  
 9       value."

10       Section 21. Section 15-6-201, MCA, is amended to read:  
 11       "15-6-201. Exempt categories." (1) (a) The property of  
 12       the United States, the state, counties, cities, towns,  
 13       school districts, irrigation districts organized under the  
 14       laws of Montana and not operating for profit, municipal  
 15       corporations, public libraries; buildings, with land they  
 16       occupy and furnishings therein, owned by a church and used  
 17       for actual religious worship and for residences of the  
 18       clergy, together with adjacent land reasonably necessary for  
 19       convenient use of such buildings owned by a church; such  
 20       other property as is used exclusively for agricultural and  
 21       horticultural societies, for educational purposes,  
 22       hospitals, and all property, both real and personal, without  
 23       limitation as to amount except that real property owned  
 24       shall not exceed 640 acres, owned and held by any  
 25       association or corporation organized under Title 35, chapter

1       20 or 21, Cemeteries, provided such cemeteries and any land  
 2       claimed to be exempt are not maintained and operated for  
 3       private or corporate profit; institutions of purely public  
 4       charity; evidence of debt secured by mortgages of record  
 5       upon real or personal property in the state of Montana; and  
 6       public art galleries and public observatories not used or  
 7       held for private or corporate profit are exempt from  
 8       taxation, but no more land than is necessary for such  
 9       purpose is exempt.

10       (b) As used in this subsection, the term "institutions  
 11       of purely public charity" includes organizations owning and  
 12       operating facilities for the care of the retired or aged or  
 13       chronically ill, which are not operated for gain or profit,  
 14       and the terms "public art galleries" and "public  
 15       observatories" mean only such art galleries and  
 16       observatories, whether of public or private ownership, as  
 17       are open to the public without charge or fee at all  
 18       reasonable hours and are used for the purpose of education  
 19       only.

20       (2) All household goods and furniture, including  
 21       clocks, musical instruments, sewing machines, and wearing  
 22       apparel of members of the family, used by the owner for  
 23       personal and domestic purposes or for furnishing or  
 24       equipping the family residence are exempt from taxation.

25       (3) A truck canopy cover or topper weighing less than

1 300 pounds and having no accommodations attached is exempt  
 2 from taxation and the fee in lieu of tax AND THE FEE IN LIEU  
 3 OF TAX.

4 ~~that--A-MOTORCYCLE-RATED-AT--2--HORSEPOWER--OR--LESS--IS~~  
 5 ~~EXEMPT-FROM-TAXATION."~~

6 Section-22--Section-15-8-201v-MEAy-is-amended-to-read+  
 7 "15-8-201v--General-assessment-day---(1)--The-department  
 8 of--revenue--or--its--agent--must--between-January-1-and-the  
 9 second-Monday-of-July-in-each-year--ascertain-the--names--of  
 10 all--taxable--inhabitants-and-assess-all--property--subject--to  
 11 taxation-in-each-county--The-department-or--its--agent--must  
 12 assess--property--to--the--person--by--who--it-was-owned-or  
 13 claimed--or--in--whose--possession--or--control--it-was--at--midnight  
 14 of-January-1--next--preceding--it--must--also--ascertain--and  
 15 assess--all--mobile--homes--arriving--in--the--county--after  
 16 midnight-of-January-1--next--preceding--No-mistake-in-the-name  
 17 of--the--owner--or--supposed--owner--of--real--property--however,  
 18 renders--the--assessment--invalid.

19 (2)--The--procedure--provided--by--this--section--may--not  
 20 apply--to--

21 (a)--motor--vehicles--that--are--required--by--15-8-202--to--be  
 22 assessed--on--January-1--or--upon--their--anniversary--registration  
 23 date;

24 (b)--motor--homes--and--travel--trailers--subject--to--a--fee  
 25 in-lieu-of--property-tax

1 (b)(1)(a)--livestock--which--are--required--by--15-24-908--to--be  
 2 assessed--on--an--average--inventory--basis--in--each--county;  
 3 (b)(1)(b)--property--defined--in--61-1-184(f)(2)--as--"specter  
 4 mobile--equipment"--that--is--subject--to--assessment--for--personal  
 5 property--taxes--on--the--date--that--application--is--made--for--a  
 6 specter--mobile--equipment--plate; and  
 7 (b)(1)(c)--mobile--homes--held--by--a--distributor--or--dealer--of  
 8 mobile--homes--as--a--part--of--his--stock--in--trade; and  
 9 (b)(1)(d)--snowmobiles--that--are--required--by--15-8-203--to--be  
 10 assessed--as--of--duty--is  
 11 (3)--credits--must--be--assessed--as--provided--in  
 12 15-1-101(t)(1)(b);"

13 Section-23--Section-15-8-202v-MEAy-is-amended-to-read+  
 14 "15-8-202v--Motor--vehicle--assessment---(1)--The  
 15 department--or--its--agent--must--in--each--year--ascertain--and  
 16 assess--all--motor--vehicles--except other--than--motor--homes--  
 17 travel--trailers--or--mobile--homes--in--each--county--subject--to  
 18 taxation--as--of--January-1--or--as--of--the--anniversary  
 19 registration--date--of--those--vehicles--subject--to--61-3-313  
 20 through--61-3-316--and--61-3-501--The--motor--vehicles--shall--be  
 21 assessed--in--each--year--to--the--persons--by--whom--owned--or  
 22 claimed--or--in--whose--possession--or--control--they--were--at  
 23 midnight--of--January-1--or--the--anniversary--registration--date  
 24 thereof--whichever--is--applicable.

25 (b)(1)(e)--camper--which--is--customarily--attached--to--a--motor

1        vehicle shall be assessed at the time the vehicle is  
 2        assessed.

3        (c)(1) No tax may be assessed against motor vehicles  
 4        that constitute inventory of motor vehicle dealers as of  
 5        January 1. These vehicles and all other motor vehicles  
 6        brought into the state subsequent to January 1 as motor  
 7        vehicle dealers inventories shall be assessed to their  
 8        respective purchasers as of the dates the vehicles are  
 9        registered by the purchasers.

10       (d)(1) "Purchasers" includes dealers who apply for  
 11       registration or reregistration of motor vehicles, except as  
 12       otherwise provided by 61-3-502.

13       (d)(2) Goods, wares, and merchandise of motor vehicle  
 14       dealers other than new motor vehicles and new mobile homes  
 15       shall be assessed at market value as of January 1.

16       (2) In all cases where taxes or a fee in lieu of tax  
 17       were required to be paid by the applicant for registration or  
 18       reregistration of a motor vehicle other than a mobile home  
 19       is not relieved of the duty of paying taxes or the fee in  
 20       lieu of tax if the taxes or fees have not been paid by a  
 21       prior applicant or owner."

22       Section 24, Section 23-2-631, MEA, is amended to read:  
 23       "23-2-631. Certificate of ownership. (1) No  
 24       snowmobile may be operated upon any public lands, trails,  
 25       easements, lakes, rivers, streams, roadways or shoulders of

1        roadways, streets, or highways unless a certificate of  
 2       ownership has first been obtained from the division of motor  
 3       vehicles in accordance with the laws of this state.  
 4       (2) Before such certificate may be obtained, the owner of a snowmobile shall make application apply for a  
 5       certificate of ownership with the county treasurer of the  
 6       county in which the owner resides upon forms to be  
 7       furnished for this purpose which shall that must require the  
 8       following information:

10       (a) name of owner;  
 11       (b) residence by town and county;  
 12       (c) business or home mail address;  
 13       (d) name and address of ten holder;  
 14       (e) amount due under contract or ten;  
 15       (f) name and address of manufacturer;  
 16       (g) model number or name;  
 17       (h) serial number and  
 18       (i) name and address of dealer or other person from  
 19       whom acquired;  
 20       (j) the application shall must be signed by at least  
 21       one owner or by a property authorized officer or  
 22       representative of the owner;  
 23       (4) If a certificate of ownership for a snowmobile has  
 24       previously been issued under the provisions of this part  
 25       the application for a new certificate must be accompanied by

1 the-immediately-previous-certificate-or-by-an-affidavit-upon  
 2 a-prescribed-form-stating-under-oath-that-the-vehicle-had  
 3 not-been-operated-during-the-immediately-previous-years-this  
 4 subsection--does-not-apply-to-snowmobiles-that-are-purchased  
 5 as-new-and-unused-machines-or-that-were-operated--when--the  
 6 provisions-of-this-part-were-not-in-force-and-effects

7 {5)--Upon----completion----of----the---application---in  
 8 quintuplicate-on-forms-furnished-by-the--division--of--motor  
 9 vehicles--the-county-treasurer-shall-issue-to-the-applicant  
 10 two-copies-of-the-application, one-of-which-shall-be--marked  
 11 "file--copy",--and--forward--one--copy--and--the--original  
 12 application-to-the-division, which-shall-cause-to-be-entered  
 13 the--information--contained--in--the--application--upon--the  
 14 corresponding--records--of-its-office, and-shall-furnish-the  
 15 applicant-a-certificate-of-ownership-which-shall-contain-the  
 16 information--found--on--the--application--and--a---permanent  
 17 ownership--numbers--The--certificate--of--ownership--is--not  
 18 required-to-be-renewed-annually-and-is--valid-as-long-as--the  
 19 person-holding-it-owns-the-snowmobiles

20 {6)--The--owner-shall-at-all-times-retain-possession-of  
 21 the-certificate-of-ownership,-except-when-the-same-is--being  
 22 transmitted--to--and--from--the--division-for-endorsement-or  
 23 cancellations-The-owner-of-a-snowmobile--shall--display--his  
 24 certificate-of-ownership-number-on-both-sides-of-the-covering  
 25 of--the--snowmobile-and-shall-maintain-the-number-in-legible

1 condition-at-all-times--the-number-shall-read-from--left--to  
 2 right--and-be-marked-in-Arabic-numerals,-in-block-characters  
 3 of-good-proportions--and-shall-be-a-minimum-of--3--inches--in  
 4 height--excluding--border--or--trim,--and--of--a-color-that  
 5 contrasts-with-the-color-of-the-background.

6 {7)--Upon-application-for-a-certificate-of-ownership-a  
 7 fee-of-\$3-shall-be-paid-to-the-county-treasurer,-one-half-of  
 8 which-fee-shall-be-forwarded-by-the-county-treasurer-to--the  
 9 division-of-motor-vehicles.

10 {8)--Before-a-tax-paid-decal indicating that the fee in  
 11 the--of--property-tax--has--been--paid--on--the--snowmobile--for--the  
 12 current--year may-be-applied-for-pursuant-to-the-laws-of-this  
 13 state--the--owner--must--present--the--certificate--of--ownership  
 14 or--copy--of--completed--application--therefore-as-a--prerequisite  
 15 to-completing--the--application--for--the--tax--paid--decal."

16 Section-25--Section-23-2-612-MCA-is-amended-to-reads  
 17 "23-2-612--Transfer--of--interest--{7)--Except--as  
 18 provided--in--subsection--{3},--upon--a--transfer--of--any  
 19 certificate--of--ownership--to--a--snowmobile--registered-as  
 20 required--under--the--provisions--of--this--part--the--person--whose  
 21 title--or--interest--is--to--be--transferred--shall--write--his  
 22 signature--with--pen--and--ink--upon--the--certificate--of--ownership  
 23 issued--for--the--snowmobile--in--the--appropriate--space--provided  
 24 upon--the--reverse--side--of--the--certificate--and--such--signature  
 25 shall--be--acknowledged--before--a--notary--public."

1        t2) -- Within 20 calendar days thereafter, the transferee  
 2 shall forward the certificate of ownership so endorsed  
 3 together with the information required under this part to  
 4 the division of motor vehicles, which shall file the same  
 5 upon receipt thereof. No certificate of ownership may be  
 6 issued by the division until the outstanding certificates  
 7 are surrendered to that office or their loss established to  
 8 its reasonable satisfaction. The division shall collect a  
 9 fee of \$3 for each application for transfer of ownership.

10        t3) -- A purchaser of a new or used snowmobile from a  
 11 licensed snowmobile dealer has a grace period of 20 calendar  
 12 days from the date of purchase to make application for a  
 13 certificate of ownership and to obtain a tax paid decal  
 14 indicating that the fee in lieu of property tax has been  
 15 paid on the snowmobile for the current year. It is not a  
 16 violation of this part or any other law for the purchaser to  
 17 operate such a snowmobile without a certificate of ownership  
 18 and a tax paid decal during the 20 day period. During this  
 19 period the sticker provided for in subsection t4) shall  
 20 remain affixed to the snowmobile.

21        t4) -- Prior to the delivery of the snowmobile to the  
 22 purchaser, the dealer shall issue and affix to the  
 23 snowmobile a sticker in a form to be prescribed by the  
 24 division of motor vehicles. The sticker shall contain the  
 25 name and address of the purchaser, the date of sale, the

1        name and address of the dealer, and a description of the  
 2 snowmobile, including its serial number. The dealer shall  
 3 keep a copy of the sticker for his records and shall send a  
 4 copy of the sticker to the division.  
 5        t5) -- The provisions of subsection t2) of this section  
 6 requiring a transferee to forward the certificate of  
 7 ownership after endorsement to the division do not apply in  
 8 the event of the transfer of a snowmobile to a duly licensed  
 9 snowmobile dealer intending to resell the snowmobile and who  
 10 operates it only for demonstration purposes but every such  
 11 dealer upon transferring such interest shall deliver the  
 12 certificate of ownership with an application for a new  
 13 certificate executed by the new owner in accordance with the  
 14 provisions of this part. The division upon receipt of the  
 15 certificate of ownership and application for a new  
 16 certificate, together with the conditional sales contract or  
 17 other items, if any, shall issue a new certificate of  
 18 ownership together with a statement of any conditional sales  
 19 contract, mortgage or other items.

20        Section 26 -- Section 23-2-616-M6A is amended to read:  
 21        "23-2-616 -- Display of tax paid decals -- Application  
 22 and issuance -- use of fees -- (1) No snowmobile may be  
 23 operated by any person in the state of Montana unless there  
 24 is displayed in a conspicuous place on it a decal as visual  
 25 proof that Montana personal property taxes have the fee in

1 lien--of--property--tax--has been-paid-on-it-for-the-current  
 2 years.

3       t2--Application-for-the-tax-paid-decal-shall--be--made  
 4 to--the-county-treasurer-upon-forms-to-be-furnished-for-this  
 5 purpose, which-may-be-obtained-from-the--division--of--motor  
 6 vehicles--or--at-the-county-assessor's treasurer's-office-in  
 7 the-county-where-the-owner-resides--the--application--shall  
 8 contain-the-following-information:

9       t3--name-of-owner

10      t4--address

11      t5--certificate-of-ownership-number

12      t6--name-of-manufacturer

13      t7--model-number

14      t8--make

15      t9--horsepower

16      t10--year-of-manufacturer

17      t11--statement-evidencing-assessment-and-payment-of the  
 18 fee-in-lieu-of property-tax-and

19      t12--such--other--information--as-the-division-of-motor  
 20 vehicles-may-require

21      t13--The-application-shall--be--signed--by--the--county  
 22 treasurer--and--transmitted--by-him-to-the-division-of-motor  
 23 vehicles-accompanied-by-a-fee-of \$2--Upon--receipt--of--the  
 24 application-in-approved-form--the-division-of-motor-vehicles  
 25 or--county-treasurer-shall-issue-to-the-applicant-a-decal-in

1      the-style-and-design-prescribed-by-the--division--and--a  
 2 different--color--than--the--preceding--years--numbered--in  
 3 sequences

4       t14--Before-fitting--the--application--with--the--county  
 5 treasurer--the--applicant--shall--submit--it--to-the-county  
 6 assessor-of-the-county-and-the-county-assessor--shall--enter  
 7 on--the-application-in-a-place-provided-for-that-purpose-the  
 8 market-value-and-taxable-value-of--the--snowmobile--for--the  
 9 year-for-which-the-application-is-made

10      t15--The--applicant--shall--pay-the-county-treasurer  
 11 the-application-fee-and-the-personal-property-taxes-assessed  
 12 against fee-in-lieu-of property-tax-on the--snowmobile--for  
 13 the--current--year--before-the-application-may-be-accepted-by  
 14 the-county-treasurer

15      t16--All-moneys ~~money~~ collected-from-payment-of--the  
 16 application fees-and-all-interest-accruing-from-use-of-these  
 17 moneys--shall--be--turned--over--to--the-state-treasurer-and  
 18 placed-in-the-cormarked-revenue-fund-to-the--credit--of--the  
 19 department--with--\$1--designated--for--use-in-enforcing-the  
 20 purposes-of-this-part-and--\$1--designated--for--use--in--the  
 21 development--maintenance--and--operation--of--snowmobile  
 22 facilities."

23      Section-27--Section-23-2-617--is-amended-to-read  
 24 "#23-2-617--Duplicate-decal--in-the-event-any-tax-paid  
 25 decal indicating-that-the-fee-in-lieu-of--property--tax--has

1 been--paid--on--a--snowmobile--for--the--current--year is--testy  
 2 substituted--or--becomes--illegal--the--person--to--whom--the--same  
 3 was--issued--shall--immediately--make--application--for--and--may  
 4 obtain--a--duplicate--thereof--upon--payment--of--a--fee--of--\$1--to  
 5 the--county--treasurer--"

6 Section--28--Section--23-2-618--is--amended--to--read--  
 7 "23-2-618--Application--to--be--made--annually-----grace  
 8 period-----proof--of--purchases--(i)--Application--must--be--made  
 9 annually--to--the--county--treasurer--for--the--issuance--of  
 10 tax--paid--decals--annually a--decal--indicating--that--the--fee--in  
 11 lieu--of--property--tax--has--been--paid--for--the--current--year--A--t  
 12 tax--paid--decals--expire--on--June--30--of--each--year--

13 (2)--An--owner--of--a--newly--purchased--snowmobile--shall  
 14 have--a--grace--period--of--20--calendar--days--from--the--date--of  
 15 purchase--to--make--application--for--a--current--tax--paid--decal  
 16 provided--that--at--all--times--during--that--period--a--bill--of--sale  
 17 or--other--proof--of--purchase--reciting--the--date--of--purchase  
 18 shall--be--carried--by--the--operator--or--with--the--snowmobile--An  
 19 owner--or--operator--of--such--a--snowmobile--being--operated--after  
 20 the--20--day--grace--period--without--a--current--tax--paid--decal  
 21 displayed--on--the--snowmobile--shall--be--subject--to--the  
 22 penalties--of--23-2-642--as--amended--"

23 Section--29--Section--23-2-642--is--amended--to--read--  
 24 "23-2-642--Penalties--(i)--The--fitter--to--display--a  
 25 current--tax--paid--decal-- indicating--that--the--fee--in--lieu--of

1 property--tax--has--been--paid--on--the--snowmobile--for--the--current  
 2 year--during--the--time--provided--in--this--part--is--a--misdemeanor  
 3 punishable--by--a--fine--of--not--less--than--\$10--or--more--than--\$50--  
 4 (2)--A--person--who--violates--any--other--provision--of--this  
 5 part--or--a--rule--adopted--pursuant--thereto--shall--pay--a--civill  
 6 penalty--of--not--less--than--\$15--or--more--than--\$500--for--each  
 7 separate--violations--

8 (3)--A--person--who--willfully--violates--any--other  
 9 provision--of--this--part--or--a--rule--adopted--pursuant--thereto  
 10 shall--pay--a--civill--penalty--of--not--less--than--\$50--or--more--than  
 11 \$1000--for--each--separate--violation--

12 (4)--A--manufacturer--who--certifies--that--a--new--snowmobile  
 13 can--meet--the--sound--level--limitations--imposed--by--this--part  
 14 shall--be--subject--to--the--penalty--provisions--of--subsections  
 15 (2)--and--(3)--if--any--machine--so--certified--does--not--meet--the  
 16 appropriate--sound--level--limitations--for--the--purposes--of--this  
 17 section--every--sale--of--a--new--snowmobile--that--does--not--meet  
 18 the--sound--level--limitations--imposed--by--this--part--constitutes  
 19 a--separate--violation--"

20 SECTION--27--SECTION--25-6-113--IS--AMENDED--TO--READ--  
 21 "25-6-113--Class--twelve--property-----description--  
 22 taxable--percentages--(i)--Class--twelve--property--includes--  
 23 (a)--boats--and--all--watercraft--  
 24 (b)--aircraft--and--  
 25 (c)--motorcycles--and--

1        ~~td~~~~td~~--large-farm-machinery--valued--in--the--offices  
 2        guide--tractors-and-farm-implements-and-department-valuation  
 3        schedules--  
 4        ~~td~~~~td~~--class-twelve-property--is--taxed--at--~~1%~~--of--its  
 5        market-values--  
 6        SECTION-16--~~SECTION-10-2-301~~--MEAN--IS-AMENDED-TO-READ--  
 7        "~~10-2-301~~--Free--license--plates-to-disabled-veterans--  
 8        Any-person-who-is-a-veteran-of--the--armed--service--of--the  
 9        United--States--and--100%-disabled--because-of-an-injury-which  
 10        that has-been-determined-by-the-veterans--administration--to  
 11        be--service--connected--and-who-is-a-citizen-and-resident-of  
 12        the-state-of-Montana-and-who-is-the--owner--of--a--passenger  
 13        automobile--or--of-a-truck-up-to-and-including-three-quarter  
 14        ton-GVM-rated-capacity-shall-be-provided-with is entitled to  
 15        receive free--license--plates--upon--payment--of--person's  
 16        property--tax--equal--to--~~1%~~--of--the-taxable-value-for-such  
 17        automobile-or-truck-and-open-proof-of-100%-service-connected  
 18        disability--"  
 19        SECTION-17--COORDINATION-WITH--HOUSE--BILL--233--IS  
 20        HOUSE--BILL--233--INTRODUCED--IN--THE--46TH-LEGISLATURE--IS  
 21        PASSED-AND-SIGNED-BY-THE-GOVERNOR--  
 22        ~~td~~--PROPERTY-IN-THE--FOLLOWING--SUBSECTIONS--OF--HOUSE  
 23        BILL-233-ARE-CLASSIFIED-IN-SECTION-2-OF-HOUSE-BILL-848--  
 24        ~~td~~--SUBSECTIONS--~~1~~~~1~~~~1~~--AND--~~1~~~~1~~~~1~~--OF-SECTION-9--  
 25        ~~td~~--AUTOMOBILES--AND-LIGHT-TRUCKS-IN-SUBSECTION--~~1~~~~1~~~~1~~

1        OF-SECTION-9-AND  
 2        ~~td~~--SUBSECTIONS--~~1~~~~1~~~~1~~--THROUGH--~~1~~~~1~~~~1~~--OF--SECTION-9--  
 3        AND  
 4        ~~td~~--SECTION-5-OF-HOUSE-BILL-233-IS-AMENDED-TO-READ-AS  
 5        FOLLOWS--  
 6        NEW-SECTION--Section-5--class--five--property-----  
 7        description-----taxable-percentage--~~td~~--class-five--property  
 8        includes--  
 9        ~~td~~--~~td~~-property-used-and-owned-by--cooperative--rural  
 10        electric--and--cooperative--rural--telephone--associations  
 11        organized-under-the-laws-of-Montana--except--property--owned  
 12        by--cooperative-organizations-described-in-subsection--~~1~~~~1~~~~1~~  
 13        of-section-7--  
 14        ~~td~~--air--and--water--pollution--control--equipment--as  
 15        defined-in-this-section--and  
 16        ~~td~~--truck--campers--motor--homes--and--camping-and  
 17        travel-trailers--including-fifth-wheel--trailers--owned--by  
 18        and--actually--used-priority-by-a-person-60-years-of-age-or  
 19        older--who--  
 20        ~~td~~--is-retired-from-full-employment--and  
 21        ~~td~~--whose-total-income-from-all-sources-is--not--more  
 22        than--\$7,000--for--a--single--person-or--\$8,000--for-a-married  
 23        couple--  
 24        ~~td~~--new-industrial--property--as--defined--in--this  
 25        section--

1       {2}--"Air---and---water---pollution---equipment"--means  
 2       facilities--machinery--or--equipment--used--to--reduce--or  
 3       control--water--or--atmospheric--pollution--or--contamination--by  
 4       removing--reducing--altering--disposing--or--storing  
 5       pollutants--contaminants--wastes--or--heat--the--department--of  
 6       health--and--environmental--sciences--shall--determine--if--such  
 7       utilization--is--being--used.

8       {3}--"New-industrial-property"--means--any--new--industrial  
 9       plant--including--land--buildings--machinery--and--fixtures--  
 10      used--by--new--industries--during--the--first--3--years--of--their  
 11      operations--The--property--may--not--have--been--assessed--within  
 12      the--state--of--Montana--prior--to--July--1,--1962.

13       {4}--{5}--"New--industry"--means--any--person--corporations  
 14      firms--partnership--association--or--other--group--that  
 15      establishes--a--new--plant--in--Montana--for--the--operation--of--a  
 16      new--industrial--endeavor--as--distinguished--from--a--mere  
 17      expansion--reorganization--or--merger--of--an--existing  
 18      industry.

19       {6}--"New-industry--includes--only--those--industries--that--  
 20      {7}--manufacture--mitly--mine--produce--process--or  
 21      fabricate--materials.

22       {7}--do--similar--work--employing--capital--and--labor--in  
 23      which--materials--unserviceable--in--their--natural--state--are  
 24      extracted--processed--or--made--fit--for--use--or--are  
 25      substantially--altered--or--treated--so--as--to--create--commercial

1       products--or--materialist--or  
 2                {8}--engage--in--the--mechanical--or--chemical  
 3       transformation--of--materials--or--substances--into--new--products  
 4       in--the--manner--defined--as--manufacturing--in--the--1972--Standard  
 5       Industrial--Classification--Manual--prepared--by--the--United  
 6       States--office--of--management--and--budgets.  
 7                {9}--New--industrial--property--does--not--include  
 8                {10}--property--used--by--retail--or--wholesale--merchants,  
 9                commercial--services--of--any--type--agriculture--trades--or  
 10          professionist  
 11                {12}--a--plant--that--will--create--adverse--impact--on  
 12          existing--state--county--or--municipal--services--or  
 13                {14}--property--used--or--employed--in--any--industrial--plant  
 14          that--has--been--in--operation--in--this--state--for--3--years--or  
 15          longer.  
 16                {17}--class--five--property--is--taxed--at--3%--of--its--market  
 17          values.

18       SECTION 22. SECTION 15-8-201, MCA, IS AMENDED TO READ:  
 19       "15-8-201. General assessment day. (1) The department  
 20      of revenue or its agent must, between January 1 and the  
 21      second Monday of July in each year, ascertain the names of  
 22      all taxable inhabitants and assess all property subject to  
 23      taxation in each county. The department or its agent must  
 24      assess property to the person by whom it was owned or  
 25      claimed or in whose possession or control it was at midnight

1 of January 1 next preceding. It must also ascertain and  
 2 assess all mobile homes arriving in the county after  
 3 midnight of January 1 next preceding. No mistake in the name  
 4 of the owner or supposed owner of real property, however,  
 5 renders the assessment invalid.

6 (2) The procedure provided by this section may not  
 7 apply to:

8 (a) motor vehicles that are required by 15-8-202 to be  
 9 assessed on January 1 or upon their anniversary registration  
 10 date;

11 (b) motor homes and travel trailers subject to a fee  
 12 in lieu of property tax;

13 ~~(b)(c)~~ livestock which are required by 15-24-908 to be  
 14 assessed on an average inventory basis in each county;

15 ~~(d)(d)~~ property defined in 61-1-104(2) as "special  
 16 mobile equipment" that is subject to assessment for personal  
 17 property taxes on the date that application is made for a  
 18 special mobile equipment plate; and

19 ~~(d)(d)~~ mobile homes held by a distributor or dealer of  
 20 mobile homes as a part of his stock-in-trade; and

21 ~~(e)--snowmobiles--that--are--required--by--15-8-203--to--be~~  
 22 ~~assessed--as--of--duty--is~~

23 (3) Credits must be assessed as provided in  
 24 15-1-101(1)(b)."

25 SECTION 23. SECTION 15-8-202, MCA, IS AMENDED TO READ:

1 "15-8-202. Motor vehicle assessment. (1) (a) The  
 2 department or its agent must, in each year, ascertain and  
 3 assess all motor vehicles ~~except other than motor homes,~~  
 4 ~~travel trailers, or~~ mobile homes in each county subject to  
 5 taxation as of January 1 or as of the anniversary  
 6 registration date of those vehicles subject to 61-3-313  
 7 through 61-3-316 and 61-3-501. The motor vehicles shall be  
 8 assessed in each year to the persons by whom owned or  
 9 claimed or in whose possession or control they were at  
 10 midnight of January 1 or the anniversary registration date  
 11 thereof, whichever is applicable.

12 ~~(b)--A--camper--which--is--customarily--attached--to--a--motor~~  
 13 ~~vehicle--shall--be--assessed--at--the--time--the--vehicle--is~~  
 14 ~~assessed.~~

15 ~~(c)~~ No tax may be assessed against motor vehicles  
 16 that constitute inventory of motor vehicle dealers as of  
 17 January 1. These vehicles and all other motor vehicles  
 18 brought into the state subsequent to January 1 as motor  
 19 vehicle dealers' inventories shall be assessed to their  
 20 respective purchasers as of the dates the vehicles are  
 21 registered by the purchasers.

22 ~~(d)~~ "Purchasers" includes dealers who apply for  
 23 registration or reregistration of motor vehicles, except as  
 24 otherwise provided by 61-3-502.

25 ~~(e)~~ Goods, wares, and merchandise of motor vehicle

1 dealers, other than new motor vehicles and new mobile homes,  
 2 shall be assessed at market value as of January 1.

3 (2) In all cases where taxes or a fee in lieu of tax  
 4 were required to be paid, the applicant for registration or  
 5 reregistration of a motor vehicle, other than a mobile home,  
 6 is not relieved of the duty of paying taxes or the fee in  
 7 lieu of tax if the taxes or fees have not been paid by a  
 8 prior applicant or owner."

9 SECTION 24. SECTION 23-2-611, MCA, IS AMENDED TO READ:

10 "23-2-611. Certificate of ownership. (1) No snowmobile  
 11 may be operated upon any public lands, trails, easements,  
 12 lakes, rivers, streams, roadways or shoulders of roadways,  
 13 streets, or highways, unless a certificate of ownership has  
 14 first been obtained from the division of motor vehicles in  
 15 accordance with the laws of this state.

16 (2) Before ~~such certificate may be obtained~~--the The  
 17 owner of a snowmobile shall ~~make application~~ apply for a  
 18 certificate of ownership with the county treasurer of the  
 19 county in which the owner resides, upon forms to be  
 20 furnished for this purpose ~~which shall~~ that must require the  
 21 following information:

22 (a) name of owner;  
 23 (b) residence by town and county;  
 24 (c) business or home mail address;  
 25 (d) name and address of lien holder;

1 (e) amount due under contract or lien;  
 2 (f) name and address of manufacturer;  
 3 (g) model number or name;  
 4 (h) serial number; and  
 5 (i) name and address of dealer or other person from  
 6 whom acquired.

7 (3) The application ~~shall~~ must be signed by at least  
 8 one owner or by a properly authorized officer or  
 9 representative of the owner.

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

19 (5) Upon completion of the application in  
 20 quintuplicate on forms furnished by the division of motor  
 21 vehicles, the county treasurer shall issue to the applicant  
 22 two copies of the application, one of which shall be marked  
 23 "file copy", and forward one copy and the original  
 24 application to the division, which shall cause to be entered  
 25 the information contained in the application upon the

1 corresponding records of its office, and shall furnish the  
 2 applicant a certificate of ownership which shall contain the  
 3 information found on the application and a permanent  
 4 ownership number. The certificate of ownership is not  
 5 required to be renewed annually and is valid as long as the  
 6 person holding it owns the snowmobile.

7 (6) The owner shall at all times retain possession of  
 8 the certificate of ownership, except when the same is being  
 9 transmitted to and from the division for endorsement or  
 10 cancellation. The owner of a snowmobile shall display his  
 11 certificate of ownership number on both sides of the cowling  
 12 of the snowmobile and shall maintain the number in legible  
 13 condition at all times. The number shall read from left to  
 14 right and be marked in Arabic numerals, in block characters  
 15 of good proportion, and shall be a minimum of 3 inches in  
 16 height, excluding border or trim, and of a color that  
 17 contrasts with the color of the background.

18 (7) Upon application for a certificate of ownership, a  
 19 fee of \$3 shall be paid to the county treasurer, one-half of  
 20 which fee shall be forwarded by the county treasurer to the  
 21 division of motor vehicles.

22 (8) Before a tax-paid decal indicating that the fee in  
 23 lieu of property tax has been paid on the snowmobile for the  
 24 current year may be applied for pursuant to the laws of this  
 25 state, the owner must present the certificate of ownership

1 or copy of completed application therefor as a prerequisite  
 2 to completing the application for the tax-paid decal."

3 SECTION 25, SECTION 23-2-612, MCA, IS AMENDED TO READ:  
 4 "23-2-612. Transfer of interest. (1) Except as  
 5 provided in subsection (3), upon a transfer of any  
 6 certificate of ownership to a snowmobile registered as  
 7 required under the provisions of this part, the person whose  
 8 title or interest is to be transferred shall write his  
 9 signature with pen and ink upon the certificate of ownership  
 10 issued for the snowmobile in the appropriate space provided  
 11 upon the reverse side of the certificate, and such signature  
 12 shall be acknowledged before a notary public.

13 (2) Within 20 calendar days thereafter, the transferee  
 14 shall forward the certificate of ownership so endorsed,  
 15 together with the information required under this part, to  
 16 the division of motor vehicles, which shall file the same  
 17 upon receipt thereof. No certificate of ownership may be  
 18 issued by the division until the outstanding certificates  
 19 are surrendered to that office or their loss established to  
 20 its reasonable satisfaction. The division shall collect a  
 21 fee of \$3 for each application for transfer of ownership.

22 (3) A purchaser of a new or used snowmobile from a  
 23 licensed snowmobile dealer has a grace period of 20 calendar  
 24 days from the date of purchase to make application for a  
 25 certificate of ownership and to obtain a tax-paid decal

1 indicating that the fee in lieu of property tax has been  
 2 paid on the snowmobile for the current year. It is not a  
 3 violation of this part or any other law for the purchaser to  
 4 operate such a snowmobile without a certificate of ownership  
 5 and a tax-paid decal during the 20-day period. During this  
 6 period the sticker, provided for in subsection (4), shall  
 7 remain affixed to the snowmobile.

8 (4) Prior to the delivery of the snowmobile to the  
 9 purchaser, the dealer shall issue and affix to the  
 10 snowmobile a sticker (in a form to be prescribed by the  
 11 division of motor vehicles). The sticker shall contain the  
 12 name and address of the purchaser, the date of sale, the  
 13 name and address of the dealer, and a description of the  
 14 snowmobile, including its serial number. The dealer shall  
 15 keep a copy of the sticker for his records and shall send a  
 16 copy of the sticker to the division.

17 (5) The provisions of subsection (2) of this section,  
 18 requiring a transferee to forward the certificate of  
 19 ownership after endorsement to the division, do not apply in  
 20 the event of the transfer of a snowmobile to a duly licensed  
 21 snowmobile dealer intending to resell the snowmobile and who  
 22 operates it only for demonstration purposes, but every such  
 23 dealer, upon transferring such interest, shall deliver the  
 24 certificate of ownership with an application for a new  
 25 certificate executed by the new owner in accordance with the

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

7 SECTION 26. SECTION 23-2-616, MCA, IS AMENDED TO READ:  
 8 "23-2-616. Display of tax-paid decals -- application  
 9 and issuance -- use of fees. (1) No snowmobile may be  
 10 operated by any person in the state of Montana unless there  
 11 is displayed in a conspicuous place on it a decal as visual  
 12 proof that Montana-personal-property-taxes-have the fee in  
 13 lieu of property tax has been paid on it for the current  
 14 year.

15 (2) Application for the tax-paid decal shall be made  
 16 to the county treasurer upon forms to be furnished for this  
 17 purpose, which may be obtained from the division of motor  
 18 vehicles or at the county assessor's treasurer's office in  
 19 the county where the owner resides. The application shall  
 20 contain the following information:

- 21 (a) name of owner;
- 22 (b) address;
- 23 (c) certificate of ownership number;
- 24 (d) name of manufacturer;
- 25 (e) model number;

1       (f) make;  
 2       (g) horsepower;  
 3       (h) year of manufacture;  
 4       (i) statement evidencing assessment and payment of the  
 5       fee in lieu of property tax; and  
 6       (j) such other information as the division of motor  
 7       vehicles may require.

8       (3) The application shall be signed by the county  
 9       treasurer and transmitted by him to the division of motor  
 10      vehicles accompanied by a fee of \$2. Upon receipt of the  
 11      application in approved form, the division of motor vehicles  
 12      or county treasurer shall issue to the applicant a decal in  
 13      the style and design prescribed by the division and of a  
 14      different color than the preceding year, numbered in  
 15      sequence.

16       ~~(4) Before fitting the application with the county  
 17       treasurer, the applicant shall submit it to the county  
 18       assessor of the county and the county assessor shall enter  
 19       on the application in a place provided for that purpose the  
 20       market value and taxable value of the snowmobile for the  
 21       year for which the application is made.~~

22       ~~(5) The applicant shall pay the county treasurer  
 23       the application fee and the personal property taxes assessed  
 24       against fee in lieu of property tax on the snowmobile for  
 25       the current year before the application may be accepted by~~

1       the county treasurer.  
 2       ~~(6) All moneys money collected from payment of the~~  
 3       application fees and all interest accruing from use of these  
 4       moneys shall be turned over to the state treasurer and  
 5       placed in the earmarked revenue fund to the credit of the  
 6       department, with \$1 designated for use in enforcing the  
 7       purposes of this part and \$1 designated for use in the  
 8       development, maintenance, and operation of snowmobile  
 9       facilities."

10       ~~SECTION 27. SECTION 23-2-617, MCA, IS AMENDED TO READ:~~  
 11       "23-2-617. Duplicate decal. In the event any tax-paid  
 12       decal indicating that the fee in lieu of property tax has  
 13       been paid on a snowmobile for the current year is lost,  
 14       mutilated, or becomes illegible, the person to whom the same  
 15       was issued shall immediately make application for and may  
 16       obtain a duplicate thereof, upon payment of a fee of \$1 to  
 17       the county treasurer."

18       ~~SECTION 28. SECTION 23-2-618, MCA, IS AMENDED TO READ:~~  
 19       "23-2-618. Application to be made annually -- grace  
 20       period -- proof of purchase. (1) Application must be made  
 21       annually to the county treasurer for the issuance of  
 22       tax-paid-decals-annually a decal indicating that the fee in  
 23       lieu of property tax has been paid for the current year. All  
 24       tax-paid decals expire on June 30 of each year.  
 25       (2) An owner of a newly purchased snowmobile shall

1 have a grace period of 20 calendar days from the date of  
 2 purchase to make application for a current tax-paid decal,  
 3 provided that at all times during that period a bill of sale  
 4 or other proof of purchase reciting the date of purchase  
 5 shall be carried by the operator or with the snowmobile. An  
 6 owner or operator of such a snowmobile being operated after  
 7 the 20-day grace period without a current tax-paid decal  
 8 displayed on the snowmobile shall be subject to the  
 9 penalties of 23-2-642(1), as amended."

10 SECTION 29. SECTION 23-2-642, MCA, IS AMENDED TO READ:  
 11 "23-2-642. Penalties. (1) The failure to display a  
 12 current tax-paid decal indicating that the fee in lieu of  
 13 property tax has been paid on the snowmobile for the current  
 14 year during the time provided in this part is a misdemeanor,  
 15 punishable by a fine of not less than \$10 or more than \$50.

16 (2) A person who violates any other provision of this  
 17 part or a rule adopted pursuant thereto shall pay a civil  
 18 penalty of not less than \$15 or more than \$500 for each  
 19 separate violation.

20 (3) A person who willfully violates any other  
 21 provision of this part or a rule adopted pursuant thereto  
 22 shall pay a civil penalty of not less than \$50 or more than  
 23 \$1,000 for each separate violation.

24 (4) A manufacturer who certifies that a new snowmobile  
 25 can meet the sound-level limitations imposed by this part

1 shall be subject to the penalty provisions of subsections  
 2 (2) and (3) if any machine so certified does not meet the  
 3 appropriate sound level limitation. For the purposes of this  
 4 section, every sale of a new snowmobile that does not meet  
 5 the sound-level limitations imposed by this part constitutes  
 6 a separate violation."

7 Section 30. Repealer. Sections SECTION SECTION  
 8 15-6-121 and 15-8-203, MCA, are ~~MCA~~ AND 15-8-203, MCA,  
 9 ARE repealed.

10 Section 31. Applicability. This act applies to motor  
 11 homes, travel trailers, campers, ~~AUTOMOBILES~~, ~~TRUCKS~~,  
 12 ~~MOTORCYCLES~~ and snowmobiles registered during and after  
 13 1980.

-End-

April 16, 1979

SENATE STANDING COMMITTEE REPORT  
(Taxation)

That House Bill No. 848, third reading bill, be amended as follows:

1. Title, lines 4 and 5.  
Following: "A"  
Strike: "FEE IN LIEU OF"

2. Title, line 5.  
Following: "FOR"  
Insert: "AUTOMOBILES, LIGHT TRUCKS, MOTORCYCLES,"

3. Title, line 6.  
Following: "SECTIONS"  
Insert: "10-2-301,"

4. Title, line 7.  
Following: "15-6-111,"  
Insert: "15-6-113,"  
Following: "15-6-201,"  
Strike: remainder of line 7 and lines 8 and 9 in their entirety  
Insert: "61-3-502, 61-3-503, AND"

5. Title, line 10.  
Following: "61-3-504,"  
Strike: "AND 61-3-509,"

6. Title, lines 10 and 11.  
Following: "REPEALING"  
Strike: "SECTIONS"  
Insert: "SECTION"  
Following: "15-6-121"  
Strike: "AND 15-8-203"

7. Title, line 11.  
Following: "MCA"  
Insert: "; AND PROVIDING FOR COORDINATION WITH HOUSE BILL 213"

8. Page 1, line 14.  
Following: line 13  
Strike: section 1 in its entirety  
Insert: "Section 1. Legislative finding. It is the determination of the legislature that the existing method of property taxation for motor vehicles is difficult to administer and inefficient. Therefore the legislature hereby provides a new method for determination of property tax, which is more equitable and easier to administer.

Section 2. THERE IS A NEW MCA SECTION THAT READS:  
Class [eleven] property - description. (1) Class [eleven] property includes:  
(a) automobiles;  
(b) light trucks;  
(c) motor homes;

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(d) travel trailers;  
(e) snowmobiles;  
(f) motorcycles; and  
(g) campers.

(2)(a) "Light truck" means a truck with a manufacturer's rated capacity of three-quarters of a ton or less.

(b) "Motor home" means a self-propelled motor vehicle originally designed or permanently altered to provide temporary facilities for recreational, travel, or camping use.

(c) "Travel trailer" means a trailer 32 feet or less in length and 8 feet or less in width originally designed or permanently altered to provide temporary facilities for recreational, travel, or camping use.

(3) There is a property tax imposed on class [eleven] property in accordance with the schedules provided in [sections 3 through 7], and collected under the procedure established in Title 15, chapter 16. The tax imposed in [sections 3 through 7] need not be paid by a dealer for vehicles that constitute inventory of the dealership.

(4) Local and state mill levies may not be applied against the value of property in this class. However, that portion of a county's taxable value represented by the taxable value of automobiles, light trucks, mobile homes, travel trailers, campers, motorcycles, and snowmobiles registered in the county during calendar year 1979 shall remain in the county's taxable value for all purposes except mill levy calculations.

Section 3. THERE IS A NEW MCA SECTION THAT READS:

Schedules of property taxes for automobiles and light trucks.  
(1) The owner of an automobile or a light truck weighing more than 3,000 pounds, manufacturer's shipping weight, shall pay a property tax based on the age of the vehicle according to the following schedule:

less than 2 years old	\$125
2 years old and less than 3 years old	110
3 years old and less than 4 years old	95
4 years old and less than 5 years old	80
5 years old and less than 6 years old	65
6 years old and less than 7 years old	50
7 years old and less than 8 years old	35
8 years old and less than 9 years old	20
9 years old and older	15

(2) The owner of an automobile or light truck weighing 3,000 pounds or less, manufacturer's shipping weight, shall pay a property tax based on the age of the vehicle according to the following schedule:

less than 2 years old	\$115
2 years old and less than 3 years old	100
3 years old and less than 4 years old	85
4 years old and less than 5 years old	70
5 years old and less than 6 years old	55
6 years old and less than 7 years old	40
7 years old and less than 8 years old	25
8 years old and older	15

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(3) The age of an automobile or light truck is determined by subtracting the manufacturer's designated model year from the current calendar year.

Section 4. THERE IS A NEW MCA SECTION THAT READS:

Schedule of property taxes for motorcycles. (1) Except as provided in 15-6-201, the owner of a motorcycle with a piston displacement of more than 100 cubic centimeters shall pay a property tax based on the age of the motorcycle according to the following schedule:

less than 3 years old	\$ 25
3 years old and less than 4 years old	20
4 years old and less than 6 years old	10
6 years old and older	5

(2) Except as provided in 15-6-201, the owner of a motorcycle with a piston displacement of 100 cubic centimeters or less shall pay a property tax of one-half of the amount required for the age of the motorcycle under the schedule in subsection (1) except that the minimum property tax for a motorcycle under this subsection is \$5.

Renumber: subsequent sections

9. Page 1, line 21.

Following: "of"

Strike: "fees"

Insert: "property taxes"

10. Page 1, line 22.

Following: "pay a"

Strike: "fee"

Insert: "tax"

11. Page 2, line 11.

Following: "of"

Strike: "fees"

Insert: "property taxes"

12. Page 2, line 12.

Following: "The"

Strike: "fee imposed by [section 1]"

Insert: "property tax"

13. Page 2, line 14.

Following: "the"

Strike: "fee"

Insert: "property tax"

14. Page 2, line 15.

Following: "The"

Strike: "fee imposed by [section 1]"

Insert: "property tax"

15. Page 2, line 16.

Following: "the"

Strike: "fee"

Insert: "property tax"

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16. Page 2, line 20.

Following: "4."

Strike: "Fee in lieu of tax"

Insert: "Schedule of property tax"

17. Page 2, line 21.

Following: "(1)"

Strike: "There is a fee in lieu of tax on snowmobiles."

(2) The fee"

Insert: "The property tax"

18. Page 2, line 24.

Following: "the"

Strike: "Fee"

Insert: "property tax"

Renumber: subsequent subsection

19. Page 3, line 3.

Following: line 2

Strike: lines 3-25, pages 4-10, and lines 1-15 on page 11.

Renumber: subsequent sections

20. Page 12, line 15.

Following: "is"

Strike: "not"

Following: "to"

Strike: "any other assessment, taxation, or fee in lieu of tax"

Insert: "property taxation as well as the sales tax imposed in this section"

21. Page 14, line 11.

Following: "of"

Strike: "other than a motor home, travel trailer, or"

Insert: "except of"

22. Page 14, line 16.

Following: "the"

Strike: "market value and taxable value of"

Insert: "property tax due on"

23. Page 14, line 20.

Following: "except"

Strike: "other than motor homes, travel trailers, or"

Insert: "except"

24. Page 15, lines 11 and 12.

Following: "than"

Strike: "a motor home, travel trailer,"

Insert: "property listed in [section 2]"

25. Page 15, line 18.

Following: line 17

Strike: lines 18-25, and lines 1-8 on page 16

Renumber: subsequent sections

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26. Page 16, line 19.

Following: "(a)"  
Strike: "automobiles, motor trucks, and other"

27. Page 16, line 21.

Following: "trailers,"  
Insert: "automobiles, motorcycles, light trucks,"

28. Page 19, line 8.

Following: "taxation"

Strike: "and the fee in lieu of tax"

29. Page 19.

Following: line 8

Insert: "(4) A motorcycle rated at 2 horsepower or less is  
exempt from taxation."

30. Page 19, line 9.

Following: line 8

Strike: lines 9-25 on page 19, pages 20-29, and lines 1-22 on  
page 30 in their entirety

31. Page 30.

Following: line 22

Insert: "Section 15. Section 15-6-113, MCA, IS AMENDED TO READ:  
"15-6-113. Class twelve property -- description -- taxable  
percentage. (1) Class twelve property includes:

(a) boats and all watercraft;  
(b) aircraft; and  
(c) motorcycles; and

fdt(c) large farm machinery valued in the official guide tractors  
and farm implements and department valuation schedules.

(2) Class twelve property is taxed at 11% of its market value."

Section 16. Section 10-2-301, MCA, IS AMENDED TO READ:

"10-2-301. Free license plates to disabled veterans.

Any person who is a veteran of the armed service of the United  
States and 100% disabled because of an injury which that has been  
determined by the veterans administration to be service connected  
and who is a citizen and resident of the state of Montana and who  
is the owner of a passenger automobile or of a truck up to and  
including three-quarter ton GVW-rated capacity shall be provided  
with is entitled to receive free license plates upon payment of  
personal property tax equal to 1% of the taxable value for such  
automobile or truck and upon proof of 100% service-connected dis-  
ability."

"Section 17. Coordination with House Bill 213. If House Bill  
213, introduced in the 46th legislature, is passed and signed by  
the governor;

(1) property in the following subsections of House Bill 213  
are classified in section 2 of House Bill 848;

(a) subsections (1)(d) and (1)(b) of section 8;  
(b) automobiles and light trucks in subsection (1)(a) of  
section 9; and

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(c) subsections (1)(b) through (1)(d) of section 9; and  
(2) section 5 of House Bill 213 is amended to read as follows:  
NEW SECTION. Section 5. Class five property -- description --  
taxable percentage. (1) Class five property includes:

(a) all property used and owned by cooperative rural electrical  
and cooperative rural telephone associations organized under the  
laws of Montana, except property owned by cooperative organizations  
described in subsection (1)(c) of [section 7];

(b) air and water pollution control equipment as defined in  
this section; and

fdt(c) track campers, motor homes, and camping and travel  
trailers, including fifth-wheel trailers, owned by and actually  
used primarily by a person 60 years of age or older who  
(i) is retired from full employment; and  
(ii) whose total income from all sources is not more than  
\$7,000 for a single person or \$8,000 for a married couple;

fdt(c) new industrial property as defined in this section.

(2) "Air and water pollution equipment" means facilities,  
machinery, or equipment used to reduce or control water or  
atmospheric pollution or contamination by removing, reducing,  
altering, disposing, or storing pollutants, contaminants, wastes,  
or heat. The department of health and environmental sciences  
shall determine if such utilization is being made.

(3) "New industrial property" means any new industrial plant,  
including land, buildings, machinery, and fixtures, used by new  
industries during the first 3 years of their operation. The  
property may not have been assessed within the state of Montana  
prior to July 1, 1961.

(4)(a) "New industry" means any person, corporation, firm,  
partnership, association, or other group that establishes a new  
plant in Montana for the operation of a new industrial endeavor,  
as distinguished from a mere expansion, reorganization, or merger  
of an existing industry.

(b) New industry includes only those industries that:

(i) manufacture, mill, mine, produce, process, or fabricate  
materials;

(ii) do similar work, employing capital and labor, in which  
materials unserviceable in their natural state are extracted,  
processed, or made fit for use or are substantially altered or  
treated so as to create commercial products or materials; or

(iii) engage in the mechanical or chemical transformation of  
materials or substances into new products in the manner defined  
as manufacturing in the 1972 Standard Industrial Classification  
Manual prepared by the United States office of management and  
budget.

(5) New industrial property does not include:

(a) property used by retail or wholesale merchants, commercial  
services of any type, agriculture, trades, or professions;

(b) a plant that will create adverse impact on existing  
state, county, or municipal services; or

(c) property used or employed in any industrial plant that has  
been in operation in this state for 3 years or longer.

(6) Class five property is taxed at 3% of its market value."

Renumber: subsequent sections

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32. Page 30, lines 23 and 24.

Following: "Repealer."

Strike: "Sections"

Insert: "Section"

Following: "15-6-121"

Strike: "and 15-8-203, MCA, are"

Insert: ", MCA, is"

33. Page 31, line 1.

Following: "campers,"

Insert: "automobiles, light trucks, motorcycles,"