

House Bill 145

In The House

January 9, 1981	Introduced and referred to Committee on Highways and Transportation.
January 12, 1981	Fiscal note requested.
January 17, 1981	Fiscal note returned.
January 28, 1981	Fiscal note revised.
February 7, 1981	Committee recommend bill do pass as amended.
February 9, 1981	Bill printed and placed on members' desks.
February 10, 1981	Second reading pass consideration.
February 11, 1981	Second reading do pass.
February 12, 1981	Correctly engrossed.
February 13, 1981	Third reading passed.

In The Senate

February 14, 1981	Introduced and referred to Committee on State Administration.
March 4, 1981	Committee recommend bill concurred.
March 6, 1981	Second reading concurred.
March 7, 1981	On motion taken from Bills and Journal and referred to second reading. Motion adopted.
March 9, 1981	Second reading indefinitely postponed.

In The House

March 10, 1981	Returned from Senate indefinitely postponed.
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1                    HOUSE      BILL NO. 145  
 2    INTRODUCED BY *Handley* *Phillips*  
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4    A BILL FOR AN ACT ENTITLED:    "AN ACT AMENDING SECTION  
 5    61-3-317, MCA, AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO  
 6    PRESCRIBE THE FORM OF PROOF OF PURCHASE TO BE DISPLAYED IN  
 7    VEHICLES."

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

9            Section 1. Section 61-3-317, MCA, is amended to read:

10           "61-3-317. New registration required for transferred  
 11    vehicle -- grace period -- penalty -- display of proof of  
 12    purchase. Except as otherwise provided herein, the new owner  
 13    of a transferred motor vehicle shall have a grace period of  
 14    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 61-3-521  
 17    unless the tax or fee has been paid for the year, as if the  
 18    vehicle were 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 is not a violation of this chapter or any  
 22    other law for the purchaser to operate the vehicle upon the  
 23    streets and highways of this state without a certificate of  
 24    registration during the 20-day period, provided that at all

1    times during that period ~~a bill of sale or~~ other proof of  
 2    purchase in a form prescribed by the division, issued and  
 3    recorded by the county treasurer or by a law enforcement  
 4    officer authorized by the division, upon payment of a fee of  
 5    \$1, reciting the date of purchase is clearly displayed in  
 6    the rear window of the motor vehicle. Registration and  
 7    license fees collected under 61-3-321 are not required to be  
 8    paid when a license plate is transferred under this section  
 9    and 61-3-335. Failure to make application within the time  
 10    provided herein subjects the purchaser to a penalty of \$10.  
 11    The penalty shall be collected by the county treasurer at  
 12    the time of registration and shall be in addition to the  
 13    fees otherwise provided by law."

-End-

-2- INTRODUCED BILL  
 HB 145

STATE OF MONTANA

REQUEST NO. 77-81

FISCAL NOTE

Form BD-15

In compliance with a written request received January 12, 19 81, there is hereby submitted a Fiscal Note for H. B. 145 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

House Bill No. 145 authorizes the Division of Motor Vehicles to prescribe the form of proof of purchase to be displayed in vehicles, and creates a fee of \$1.00 therefore.

ASSUMPTIONS:

1. That motor vehicle title transfers will remain at their FY 1980 levels throughout the biennium.
2. No estimate can be made of the administrative costs associated with issuing the 20-day proof of purchase document.
3. That the \$1.00 fee will be distributed to the issuing county's general fund.

LOCAL GOVERNMENT IMPACT:

	FY 1982			FY 1983		
	Estimated Amount Under Current Law	Estimated Amount Under Proposed Law	Increase	Estimated Amount Under Current Law	Estimated Amount Under Proposed Law	Increase
Local Government Impact:						
Effect on Revenue by Source:						
20-Day Proof of Purchase Sticker Fees	\$ -0-	\$ 121,813.	\$ 121,813.	\$ -0-	\$ 121,813.	\$ 121,813.
Total Revenue	\$ -0-	\$ 121,813.	\$ 121,813.	\$ -0-	\$ 121,813.	\$ 121,813.
Net Effect						
Local Government General Funds	\$ -0-	\$ 121,813.	\$ 121,813.	\$ -0-	\$ 121,813.	\$ 121,813.

TECHNICAL NOTE:

The bill does not make clear where the \$1.00 fee is to be deposited after being collected.

*David M. Lewis*  
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-17-81

STATE OF MONTANA

REQUEST NO. 77-81

FISCAL NOTE

Form BD-15

In compliance with a written request received January 26, 19 81, there is hereby submitted a Fiscal Note for House Bill 145 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). 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.

This is a revised fiscal note.

Description of Proposed Legislation

House Bill 145 authorizes the Division of Motor Vehicles to prescribe the form of proof of purchase to be displayed in vehicles, and creates a fee of \$1 therefore.

Assumptions

1. Approximately 50% of title transfers are between individuals rather than dealers.
2. Fiscal note assumes a maximum of 75,000 will obtain proof of purchase.
3. Division of Motor Vehicles will furnish forms.
4. That the \$1 fee will be distributed to the issuing counties' general fund.

Local Government Impact

	FY 1982			FY 1983		
	Estimated Amount Under Current Law	Estimated Amount Under Proposed Law	Increase	Estimated Amount Under Current Law	Estimated Amount Under Proposed Law	Increase

Effect on Revenue by Source:

0-day Proof of Purchase Sticker Fee	\$ 0	\$75,000	\$75,000	\$ 0	\$75,000	\$75,000
et Effect General Fund	\$ 0	\$75,000	\$75,000	\$ 0	\$75,000	\$75,000

ocal Government Revenues will increase by \$150,000 for the biennium.

fiscal Impact

otor Vehicle Fund  
ivision of Motor Vehicles

ostage & Printing \$ 2,000 \$ 2,000 \$ 2,000 \$ 2,000

tate expenditures will increase by \$4,000 for the biennium.

echnical Note

This bill does not make clear where the \$1 fee is to be deposited after being collected.

*Syle Manley, for*  
BUDGET DIRECTOR  
Office of Budget and Program Planning  
Date: 1-28-81

Approved by Committee  
on Highways & Transportation

HOUSE BILL NO. 145

INTRODUCED BY YARDLEY, MATSKO, MOORE, PHILLIPS

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION 61-3-317, MCA, AUTHORIZING THE DIVISION OF MOTOR VEHICLES TO PRESCRIBE THE FORM OF PROOF OF PURCHASE TO BE DISPLAYED IN VEHICLES."

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

Section 1. Section 61-3-317, MCA, is amended to read:

"61-3-317. New registration required for transferred vehicle -- grace period -- penalty -- display of proof of purchase. Except as otherwise provided herein, the new owner of a transferred motor vehicle shall have a grace period of 20 calendar days from the date of purchase to make application and pay the taxes, as provided by part 5 of this chapter or the fee in lieu of tax as provided by 61-3-521 unless the tax or fee has been paid for the year, as if the vehicle were being registered for the first time in that registration year. If the motor vehicle was not purchased from a duly licensed motor vehicle dealer as provided in this chapter, it is not a violation of this chapter or any other law for the purchaser to operate the vehicle upon the streets and highways of this state without a certificate of registration during the 20-day period, provided that at all

times during that period ~~a bill of sale or~~ other proof of purchase in a form prescribed by the division, issued and recorded KEPT AT RECORD by the county treasurer or by a law enforcement officer authorized by the division, upon payment of a fee of \$1 \$2, HALF OF WHICH SHALL GO TO THE STATE GENERAL FUND AND HALF OF WHICH SHALL GO TO THE COUNTY GENERAL FUND, reciting the date of purchase is clearly displayed in the rear window of the motor vehicle. Registration and license fees collected under 61-3-321 are not required to be paid when a license plate is transferred under this section and 61-3-335. Failure to make application within the time provided herein subjects the purchaser to a penalty of \$10. The penalty shall be collected by the county treasurer at the time of registration and shall be in addition to the fees otherwise provided by law."

-End-

SECOND READING

## HOUSE BILL NO. 145

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times during that period ~~a bill of sale or other~~ proof of purchase in a form prescribed by the division, issued and recorded ~~K&PI AT RECORD~~ by the county treasurer or by a law enforcement officer authorized by the division, upon payment of a fee of \$1 \$2, HALF OF WHICH SHALL GO TO THE STATE GENERAL FUND AND HALF OF WHICH SHALL GO TO THE COUNTY GENERAL FUND, reciting the date of purchase is clearly displayed in the rear window of the motor vehicle. Registration and license fees collected under 61-3-321 are not required to be paid when a license plate is transferred under this section and 61-3-335. Failure to make application within the time provided herein subjects the purchaser to a penalty of \$10. The penalty shall be collected by the county treasurer at the time of registration and shall be in addition to the fees otherwise provided by law."

-end-

THIRD READING

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3 recorded KEPT AT RECORD by the county treasurer or by a law  
4 enforcement officer authorized by the division, upon payment  
5 of a fee of \$1 \$2, HALF OF WHICH SHALL GO TO THE STATE  
6 GENERAL FUND AND HALF OF WHICH SHALL GO TO THE COUNTY  
7 GENERAL FUND, reciting the date of purchase is clearly  
8 displayed in the rear window of the motor vehicle.  
9 Registration and license fees collected under 61-3-321 are  
10 not required to be paid when a license plate is transferred  
11 under this section and 61-3-335. Failure to make application  
12 within the time provided herein subjects the purchaser to a  
13 penalty of \$10. The penalty shall be collected by the county  
14 treasurer at the time of registration and shall be in  
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