

HOUSE BILL NO. 421
INTRODUCED BY WALDRON
BY REQUEST OF THE DEPARTMENT OF JUSTICE

IN THE HOUSE

January 22, 1981	Introduced and referred to Committee on Highways and Transportation.
January 31, 1981	Committee recommend bill do pass. Report adopted.
February 2, 1981	Bill printed and placed on members' desks.
February 3, 1981	Second reading, do pass.
February 4, 1981	Considered correctly engrossed.
February 6, 1981	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 7, 1981	Introduced and referred to Committee on Highways and Transportation.
March 7, 1981	Committee recommend bill be concurred in. Report adopted.
March 10, 1981	Second reading, concurred in.
March 12, 1981	Third reading, concurred in. Ayes, 32; Nays, 18.

IN THE HOUSE

March 13, 1981	Returned from Senate. Concurred in. Sent to enrolling. Reported correctly enrolled.
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 5 A BILL FOR AN ACT ENTITLED: "AN ACT MAKING IT UNLAWFUL FOR
 6 A MOTOR VEHICLE DEALER TO ISSUE MORE THAN ONE STICKER PER
 7 VEHICLE SALE; AND PROVIDING A PENALTY FOR IMPROPER USE
 8 THEREOF; AMENDING SECTION 61-4-111, MCA."

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

11 Section 1. Section 61-4-111, MCA, is amended to read:

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

24 (a) Prior to his delivery of the vehicle to the
 25 purchaser, the dealer shall issue and affix to the rear

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

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

1 statement of any conditional sales contract, mortgage, or
 2 other lien as provided in 61-3-202. Transmission of said
 3 documents by the dealer to the county treasurer may be
 4 accomplished either by personal delivery or by first class
 5 mail, in which event they shall be deemed to have been
 6 delivered at the time of mailing.

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

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

23 NEW SECTION. Section 2. Penalty. Any person violating
 24 the provisions of 61-4-111 or 61-4-112 is guilty of a
 25 misdemeanor and subject to a fine of not less than \$25 and

1 not more than \$100. Every violation of 61-4-111 and 61-4-112
 2 is considered a separate offense.

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Approved by Committee
on Highways & Transportation

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In such cases, the dealer shall not be required to make
application for a new certificate of ownership or for
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vehicle, but upon his transfer of ownership thereof to a
person other than a licensed motor vehicle dealer, the
following acts shall be required of the dealer on or before
the times herein set forth:

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purchaser, the dealer shall issue and affix to the rear

window of said vehicle a sticker in form to be prescribed by
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manner prescribed in subsection (1)(b) hereof, and a copy
shall be retained by the dealer for his file. It is
unlawful for the dealer to issue more than one sticker per
vehicle sale.

(b) Within 4 working days following the date of
delivery of said vehicle, the dealer shall forward to the
county treasurer of the county where the purchaser resides
the certificate of ownership and certificate of registration
(if the same are then in his possession), with an
application for registration executed by the new owner in
accordance with the provisions of 61-3-322, and a copy of
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treasurer, together with the conditional sales contract or
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SECOND READING

HB 421

1 statement of any conditional sales contract, mortgage, or
 2 other lien as provided in 61-3-202. Transmission of said
 3 documents by the dealer to the county treasurer may be
 4 accomplished either by personal delivery or by first class
 5 mail, in which event they shall be deemed to have been
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