

Senate Bill 223

In The Senate

January 21, 1981	Introduced and referred to Committee on State Administration.
	Fiscal note requested.
January 27, 1981	Fiscal note returned.
February 13, 1981	Committee recommend bill do not pass.

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Senate BILL NO. 223
Blaylock

INTRODUCED BY _____

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND THE DEFINITION OF "MOTOR VEHICLE WRECKING FACILITY"; AMENDING SECTION 75-10-501, MCA."

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

Section 1. Section 75-10-501, MCA, is amended to read:

"75-10-501. Definitions. Unless the context requires otherwise, in this part the following definitions apply:

(1) "Board" means the board of health and environmental sciences provided for in 2-15-2104.

(2) "Department" means the department of health and environmental sciences provided for in Title 2, chapter 15, part 21.

(3) "Junk vehicle" means a discarded, ruined, wrecked, or dismantled vehicle, including component parts, or a vehicle substantially changed in form by removal of parts or component materials and which is not lawfully and validly licensed and remains inoperative or incapable of being driven.

(4) "Motor vehicle graveyard" means a collection point established by a county for junk motor vehicles prior to their disposal.

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(5) "Motor vehicle wrecking facility" means:

(a) a facility buying, selling, or dealing in four or more vehicles per year, of a type required to be licensed, for the purpose of wrecking, dismantling, disassembling, or substantially changing the form of the motor vehicle; or

(b) a facility which buys or sells integral secondhand parts or component material thereof, in whole or in part, and deals in secondhand motor vehicle parts. A facility which buys or sells integral secondhand parts or component material of a motor vehicle, in whole or in part, is a motor vehicle wrecking facility whether or not the buying or selling price is based upon weight or any other type of classification. The term does not include a garage where wrecked or disabled motor vehicles are temporarily stored for a reasonable period of time for inspection, repairs, or subsequent removal to a junkyard. The term does not include a facility that purchases worn-out or obsolete automobile components for purposes of smelting or extraction of valuable metals.

(6) "Person" means any individual, firm, partnership, company, association, corporation, city, town, local governmental entity, or any other governmental or private entity, whether organized for profit or not.

(7) "Public view" means any point 6 feet above the surface of the center of a public road from which junk

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1 vehicles can be seen.

2 (8) "Shielding" means the construction or use of
3 fencing or manmade or natural barriers to conceal junk
4 vehicles from public view."

-End-

STATE OF MONTANA

REQUEST NO. 196-81

FISCAL NOTE

Form BD-15

In compliance with a written request received January 22, 19 81, there is hereby submitted a Fiscal Note for Senate Bill 223 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

To amend the definition of motor vehicle wrecking facility.

Assumptions

1. 15 facilities currently assessed a license fee will no longer be considered a motor vehicle wrecking facility, and will no longer be assessed a license fee.
2. The measure will have no effect upon expenditures.

<u>Fiscal Impact</u>	<u>FY 1982</u>	<u>FY 1983</u>
Under Current Law	\$8,660	\$8,660
Under Proposed Law	<u>7,910</u>	<u>7,910</u>
Total	\$ 750	\$ 750

Loss to the Motor Vehicle Recycling Fund will be \$1,500 for the biennium.

Lyle Manley, for
BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-27-81
