

IN THE SENATE

## Apri1 20. 1981

Returned from House. Concurred in. gent to enrolling.

Reported correctiy enrolled.


A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE MCTOR VEHICLE DEALER LANS BY CHANGING THE FEES; REVISING OISTRIBUTION OF DEALER PLATES; PROVIDING FDR DEMONSTRATOR plates and uses; providing for recreational vehicle dealer LICENSING; AND AMENDING SECTIONS 61-4-101 THROUGH 61-4-103, MCA."
be it enacted by the legislature of the state of montaiga:
NEin_SECIIDN: Section l. Recreational vehicle. The term "recreational vehicle" as used in 61-4-101 through 61-4-105 includes travel trailers as defined in 61-1-131, motor homes as cefined in 61-1-130, and other self-propelled vehicles originally designed or permanently altered to provide temporary facilities for recreational, travel, or camping use.

Section 2. Section 61-4-101, MCA, is anended to read:
m61-4-101. Application for dealer's license. (1) Every personp firm, corporation or association which, for comaission or profit, engages in the business of buying. selling, exchanging, or acting as a brcker of new motor vehiclas. recreational xehiclese used motor vehiclesp trailers (except trailers having an unloaded weight of less
than 500 pounds), semitrailers, or sjecial mobile equipment as defined in 61-1-104 shall file, by mail or otherwise, in the office of the division a verified application for Bicensure as a dealer, on a blank to be furnished by the division for that purpose and containing the information required. The application and all of the information contained in it shall be verified oy the Montana highway patrol. Each application must be accompanied by the license fee hereinafter specified. A dealer"s license must be renewed and paid for annually, and an application for relicensure must be filed not later than January 1 of each year. If an application for revewat Lenewal of a license has been received by the division prior to the expiration of the license, the dealer may operate his business and display dealer plates under the expired license between January 1 and February 15 following expiration.
(2) To quelify for 1 icensure and the issuance and use of m", "UD", ngy", "DTR", or MMCD" plates as hereinafter provided, the applicant must furnish the following information and qualify under the following provisions:
(a) To qualify as a new motor vehicle dealer and for the use of "D" plates, the applicant must:
(i) state the nom? under which the business is to be conducted and the locetion of the premises (street address, city, county, and state) where records are kept, sales are
made, and stock of motor vehicles is displayed;
(ii) state the name and address of all owners or persons having an interest in the business, frovided that in the case of corporation, the names and addresses of the president and secretary are sufficient;
(iii) state the name and make of all motor vehicles handled and the name and address of the manufacturer. importer, or distributor with whom the applicant has a written new motor vehicle franchise or sales agreement;
(iv) execute a certificate to the effect that the applicant has a permanent building for the display and sale of new motor vehicles at the location of the premises where sales are conducted;
(v) execute a certificate to the effect that the applicant has a bona fide service department for the repair, service, and maintenance of motor veinicles; and
(vi) execute a certificate to the effect that the applicant is a bona fide dealer in new motor vehicles and that he is recognized by a manufacturer, ifiporter, or distributor as a dealer in new motor vehicles.
(b) Ta qualify as a used motor vehicle dealer and for the use of "UD" plates or as a recreational xeniclen trailer, semitrailerp or special mobile equipment dealer and for the use of "DTR" plates or as a motorcycle dealer and for the use of "MCD" plates, the applicant must, in addition
to the matters set forth in subsections (i) and (ii) of subsection (2)(a) above, provide:
(i) a statement that the applicant has a building or lot and a siqn readable at minimum distance of 150 feet and indicating the firm name and headquarters as the principal place of business; and
(ii) a cartificate to the effect that the apnlicant is a bona fide dealer in used motor vehicles, recreational yehiclese trailers, senitrailers, special mobile equipment, or motorcycles• An__applicant_fer__a_recreational_yedicle dealer_-lisense_must_also indicate_on_the_same_certificate that_be_is_recognized__by_a_manufacturere_impertare__or distributor_zs_a_dealer_in_recreational_yebiclese
(c) To qualify for a used motor vehicle desler"s license, a person must submit an annual application for thet license and comply with the provisions of 61-4-102(5) in addition to fulfilling the requirements of subsection ( 2 )(b) above.
(d) The provisions of subsection (?)(c) above do not apply to an applicant who is licensed as a motor vehicie wrecking facility under the provisions of Titie 75 , chapter 10, part 5.
(3) The applicant for a dealer's license shall also file with his application a good and sufficient bond in the suw of $\$ 5,000$, and the bond shall be conditioned that the
applicant shall conduct his business in accordance with the requirements of the law. All bonds shall run to the state of Montana and shall be approved by the division and filed in its office and shall be renewed annually."
Section 3. Section 61-4-102, MCA, is amended to read:
"61-4-102. Fees. (1) Upon making such application, the applicant shall pay to the division, in addition to the fees required of dealers under the provisions of subsection (2), a fee of 55 . Upon receipt of the application, fee, and bond, as provided above, the division shall examine the application, and may, prior to issuing a license, make individual Investigation of the truth of the statenents contained in the application. If the division is satisfied that the applicent qualifies for the issuance of a dealer"s license under the provisions of this chaptery it may thereupon issue the same.
(2) Registration or license fees shall be paidupon registration or reregistration of dealers in motor veniclese recreational_yehiclese or trailers as follows:
(a) Lil all dealers in motor venicles and_recreational rebicles, a fee of 54525 which shall entitle such dealer to twe-sets $\rho$ ne_set of number plates, and $\$ 5 \$ 25$ additional fee for each additional set of number plates up-te-six-setsy and--sz--additional--fee--fer--esen-additionat-set-ef-nummer płatesy-as-may-be-apptfed-forts_subject_to_the_followias

## Limitutions_on_the_number_of_additional__sets_alloned_a dealer:

1A)__5\%_of the_first_100 vehicle_sales_for the_prexious vear: plus
(3)_3\%_of_the_next_100_xehicle_sales_for_the_-prexiosis year: plus
(f)_2\%_of_yehicle__sales__in__excess__of_200_for_the prexious_yeari_and
(D) _ank_additional sets_upon_a_showing_of good_cause Dx the apolicant dealer te the_diyislone
(ii)_in_addition_to_the__dealer_plates_allowed_under subsection_(2)(al(ile_a_dealer_who_bas_purchased_one_or_more sets of dealer_olates_is_entitled_to_ourchase_demonstrator plates__at_a__cost_determined_hy the_dixision_to_offset the cest_of ocoductione_Demonstrator olates_shall_be_used__in Lieu_of a dealer plate_but only as set_fortb_in subsestion (6)_and_uist be_distinguished_from_dealer_olates_in_a_manner stetermineg_uy the diyisione
(b) dealers in motorcycies and trailers, including housetrailers. $\$ 45$.
(3) If any dealer is originally rogistered 6 months after the time of registration as set by law, the registration or license fee for the remalnder of such year shall be one-half of the regular fee above given.
(4) A dealer in motor vehiclesp_resceational_yehiclese

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or traijers who shall maintein more than one place of
business or who shall maintain any branch establishment or
establishments must register and pay a registration or
license fee for each such place of tusiness or
establishment.
    (5) A new applicant for a used motor venicle dealer
license shall pay $300 to the division in addition tc any
other sums required by this section or other provisions of
the law. An applicant for a renewal of a used motor vehicie
dealer license shall certify under oath that he has sold
more than five used motor vehicles during the preceding
calendar year or pay an additional $300 before he may be
1icensed.
    (6)_Demonstrator__plates orovided__for_in_subszation
(2)(a)fiif_max bemsed_only_as_follows:
    (a)_Nem_and_used_ootor vehisle_or_recreational vebicle
demonstrator_olates_may_be_usedz
    4i)_to_demonstrate_motor_vebicles_beld_for_sales_wben
operated__by_an__individual_holding__a__yalid__operatoris
license__proxided_that_a_dated_demonstratien__permite__valid
for_no_roce_than_12 hourse_is_carried_in_the_vebicle_at_all
times_it_is_operated_by_any_such_indixidual:
    fii)_on_motor_xehicles_ownedz_beld_fer_sale_ande__in
facte__ayailable_for_sale_by_tbe_firm_wben_operated_by_an
officer_or bona_fide_full=time_emploxee_of_the_dealere_Any
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4iii) on motor vehisles being tested for_repairi
(iv)_on_motar_-xehicles_heins_moyed_to or_frouna_motor yehicle_dealer:s_place_of_business_for_sale:
(x)_on_motor vehicles_heing_moxed_to_or fror_moter vehicle_service_and_repair_facilities_before_sale:
(xi)_on_-wotor vehicles_heing_moyed_to_or_from_riotor mehicle exhititions_within_the_staten_proxided__any__such exhibition does not exceed a period_of 20 deyse

Lh) Bobile home_and_trailec dealer demonstrator plates May_be_used:
(i) _on_units_hauled_to_or_from_the_placs_of_business of_the_manfacturer_and_the_place_of_business_of_the_dealer oL_to and from_ulaces of busingss of the dealer:

Liil_on_mobile_homes_halled_to_a_fustomer's_location for_set=up_after_sale:
(iii) on_trakel_trailers_held_forsala_to demenstrate the tomiag_calability of the_xehiclen orovided that_a_dated demonstration_permite_valid_for_not_more_hilan_72_hcurss_is carried_uith_the vebicle_atmall_tiaes:
(iv)_on_any_motor_yehicle_owned by the dealer that_is used_only to move_vehicles_legally bearing_mohile_home_and travel_trailer_dealer license_plates_of_tpr bealer_oming


#### Abstract

any such_motor_yehicle: Lx1_on__xehicles_being_moyed__to or froc__yehicle exhibitions_mithin__the_staten_provided_any_suct_exhibition dees_not_exceed_a_period_of_20_dayse"

Section 4. Section 61-4-103, MCA, is amended to read: "61-4-103. Assignment of dealer plates. (1) Upon the licensing of a dealer as a new motor vehicie dealer used motor vehicle dealer, recreational_yebicle_-dealerg or trailer, semitrailer, or special mobile equipment dealer, or a dealer of the motorcycle-type vehicle, the division shall assign to such dealer a distinctive serial license number as a dealer and after payment of fees furnish every qualified dealer in motor vehicles with not-tess-than-twe such sets of number platesp-and-as-meny-more as required according to need, which need shall be justified by the dealar with the initial application for license and each renewal. Assicned number plates shall be similar to number plates furnished to owners of motor vehicles but shall bear thereong in addition to the serial number assigned such dealer, the letter "D" if the dealer is authorized to sell new motor vehicles (including trucks and truck trailers); the letters__ugk"_-if the__dealer is authorized_to sell recreational_ysticlesi the letters muon if the dealer is authorized to sell used motor venicles (including used trucks and used truck trailers)i the letters "DTR" if the dealer is authorized to sell


trailers, semitrailers, or special mobile equipment (new or used): and the letters MMCD" if the deder is authorized to sell vehicles of the motorcycle type (new or used).
(2) With the exception of a dealer authorized to seil new notor vehicles (including trucks and truck trailers) and to use the mo" plate or_demonstrator_plate, no dealer authorized to transact business under the provisions of this section may offer for sale or trade any vehicle described in this section except such vehicles as are authorized by the plates assigned to him. If an applicant wishes to sell more than one type of vehicle, he shall make application for each separate authorization. No deater plate assigned to a dealer may be used on any vehicle other than the type described in this section. A dealer authorized to sell new motor vehicles and assigned a "D" plete ordemonstrator plate is authorized to sell both new and used motor vehicles fincluding trucks and truck trailers), and apu sucb plates may be displayed on either new or used motor vehicles by a licensed dealer in new vehicles.
(3) The division shall cause to be placed on each set of license piates issued to a dealer a serial number assigned to each dealer and the actual number of license plates issued to each dealer. The number of the dealer shall follow the prefix of the countyp and the number of plates issura the dealer shall follow the prefix of the county and
the number of the dealerg the dealer's number to be separated from the county prefix by a dash, and the number of plates issued to a dealer to be separated from the dealer"s number by a dashp as follows: dealer number 4 in Lewis and Clark County would be numbered $5-4$ and if the dealer were issued three sats of plates, they would be numbered consecutively as follows, 5-4-1, 5-4-2, and 5-4-3.
(4) Dealers properly licensed under this section are authorized to use and display dealer's license plates on any motor vehicle held for bona fide sale or used in the conduct of the dealer's business in selling or demonstrating notor vehiclest and_operated_by._or_under_the_sontrcl_of the dealere_his_officers_or_empleyeesa__Eor_purposes_of_this proxision._-"officers_and_employess."_include_only__such persons.._lsted_on_the_manufactureris_franchise_agreemant or the_importer's_distribution_agreement_ands_tbeir_spousese.er such_other persons_upon_wom_-_the_dealer_has_maid_social security taxes_as an full-time_employeese No dealer's license Flate shall be used or displayed on vehicles normally used for hire, lease, or rental or for purposes not incident to the business of a motor vehicle dealer. Each dealer is accountable for each plate issued and shall certify quarterly to the division the disposition of each dealer plate assigned to the dealerp including the name, addressp and occupation of the person primarily using each plate.
(5) If it shall appear to the satisfaction of the division, from information furnished to it by the sheriff or any other law enforcement officer, that day such dealer has been inproperly licensed, has used the dealer's license in a manner other than the one herein authorized, or is not qualified as a dealer under the requirements of this secticn, the division may revoke such dealer's license. No person, firmy corporation, or association shall, for commission or profit, engage in the business of buyino. selifing, exchanging, or acting as a broker of new motor venicles, trailersp or semitrailers unless duly licensed in compliance with this section (except trailers having an unladen weight of 1 ess than 500 pounds)."

Section 5. Codification instruction. section $l$ is intended to be codified as an integral part of title ol, chapter 1, part l, and the provisions of Title 61 apply to section 1.

In compliance with a written request received February 13 $\qquad$ 1981 $\qquad$ , there is hereby submitted a Fiscal Note for Sena te Bill 466 $\qquad$ 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

Senate Bill 466 is an act to revise the motor vehicle dealer laws by changing the fees; revising the distribution of dealer plates; providing for demonstrator plates and uses; providing for recreational vehicle dealer licensing.

## Assumptions

1. As of July 1, 1980, there were the following licensed motor vehicle dealers in the State of Montana:

| New car dealers | 358 with 5,814 sets of dealer plates; |
| :--- | ---: |
| Used car dealers | 302 with 2,166 sets of dealer plates; |
| Motorcycle dealers | 94 with 305 sets of dealer plates; |
| Trailer dealers | 297 with 898 sets of dealer plates. |

2. Recreational vehicle dealers are presently required to be licensed. This bill will require them to be a separate class, but will not increase the total number of licensed dealers.
3. The cost to produce the demonstrator plate would be $\$ 2$ per set, so the fee would be $\$ 2$.
4. Dealers would purchase plates in the following configuration:


Additional Plate Revenue
In FY 1980, $\$ 24,508$ was collected for additional dealer plates. Each dealer received 2 sets with the dealer registration fee. They could purchase up to 6 additional sets at $\$ 5$ per set. Each additional set requested above the 6 were $\$ 2$ per set.

Under the proposed change, they would receive one set with registration fee and purchase the following additional plates:

DEALER PLATES - $\$ 25$ PER SET

| New Car | 8 sets x 358 dealers x \$25 $=\$ 71,600$ |
| :---: | :---: |
| Used Car | 4 sets x 302 dealers $\mathrm{x} 25=30,200$ |
| Motorcycle | 2 sets x 94 dealers x $25=4,700$ |
| Trailer | 1 set $\times 297$ dealers $\times 25=7,425$ |
|  | \$113,925 |
|  | DEMONSTRATION PLATES - \$2 PER SET |
| New Car | 10 sets x 358 dealers x \$ $2=\$ 7,160$ |
| Used Car | 5 sets x 302 dealers x 2 $=3,020$ |
| Motorcycle | 3 sets x 94 dealers $\mathrm{x} 2=564$ |
| Trailer | 2 sets $\times 297$ dealers $\mathrm{x} \quad 2=1,188$ |
|  | \$11,932 |

Total Revenue
$\$ 125,857$

## Expenditures

Operating Expense:
Cost of demonstration permits 300,000 at $\$ 24.66 / \mathrm{m}$
FY 1.982
Cost to redesign demonstration plate

Cost of demonstration permits only
$\$ 7,398$
5,000
$\$ 12,398$
$\frac{\text { FY } 1983}{\$ 7,398}$
Fiscal Impact
Additional funds would be deposited in the motor vehicle account (02212) as follows:

|  | FY 1982 | FY 1983 |
| :---: | :---: | :---: |
| Revenue: |  |  |
| Dealer registrations |  |  |
| Current Law | \$ 47,295 | \$ 47,295 |
| Proposed Law | 26,275 | 26,275 |
| Total | \$(21,020) | \$(21,020) |
| Dealer Plates |  |  |
| Current Law | \$ 24,508 | \$ 24,508 |
| Proposed Law | 125,857 | 125,857 |
| Total | \$101,349 | \$101,349 |
| Expenditure: | \$ 12,398 | \$ 7,398 |
| Total increase to motor vehicle account | \$ 67,931 | \$ 72,931 |

## Approved by Committee on Taxation

than 500 pounds), semitrailersp or special mobile equipment as defined in 6i-1-104 shall file, by mail or otherwise, in the office of the division a verified application for licensure as a dealer, on a blank to be furnished by the division for that purpose and containing the information required. The application and all of the information contained in it shall be verified by the Montana highway patrol. Each application must be accompanied by the license fee hereinafter specified. A dealer's license must be renewed and paid for annually, and an application for relicensure must be filed not later than January 1 of each year. If an application for revewat renewal of a license has been received by the division prior to the expiration of the license, the dealer may operate his business and display dealer plates under the expired license between January 1 and February 15 following expiration.
(2) To qualify for licensure and the issuance and use of "O", "UO", ERY", "DIR", or "MCD" plates as nereinafter provided, the applicant must furnish the following information and qualify under the following provisions:
(a) To qualify as a new motor vehicle dealer and for the use of "o" plates, the applicant must:
(i) state the name under which the business is to be conducted and the location of the premises (street address. city, county, and state) where records are kept, sales are

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made, and stock of motor vehicles is displayed;
(ii) state the name and address of all owners or persons having an interest in the business, provided that in the case of a corporation, the names and addresses of the president and secretary are sufficient;
(iii) state the name and make of all motor vehicles handled and the name and address of the manufacturer, importer. or distributor with whom the applicant has a written new motor vehicle franchise or sales agrement;
(iv) execute a certificate to the effect that the applicant has a permanent building for the display and sale of new motor vehicles at the location of the premises where sales are conducted;
(v) execute a certificate to the effect that the applicant has a bana fide service department for the repair. service, and maintenance of motor vehicles; and
(vi) execute a certificate to the effect that the applicant is a bona fide dealer in new motor vehicles and that he is recognized by a manufacturer, importer, or distributor as dealer in new motor vehicles.
(b) To qualify as a used motor vehicle dealer and for the use of "UL" plates or as a recreational vehicle. trailer, semitrailer, or special mobile equipment dealer and for the use of "OIR" plates or as a motorcycle dealer and for the use of "MCON plates, the applicant must, in addition
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to the matters set forth in subsections (i) and (ii) of subsection (2)(a) above, provide:
(i) a statement that the applicant has a builing or lot and a sign readable at minimum distance of 150 feet and indicating the firm name and neadquarters as the principal place of business; and
(ii) a certificate to the effect that the applicant is a bona fide dealer in used motor vehicles, recreational vehicles. trailers, semitrailers, special mobile equipment. or motorcycles. An agglicgnt for a_recredtional yehicle dealer license must_also_indicate_on the same_certificate that_he_is recognized_by_a_manufacturerg_importerg_or distributor as_a_dealer in_recreational_vehicles.
(c) To qualify for a used motor vehicle dealer's license, a person must submit an annual application for that license and comply with the provisions of 61-4-102(5) in addition to fulfilling the requirements of subsection (2)(b) above.
(d) The provisions of subsection (2)\{c) above do not apply to an applicant who is licensed as a motor vehicle wrecking facility under the provisions of Title 75 , chapter 10. part 5.
(3) The applicant for a dealer's license shall also file with his application good and sufficient bond in the sum of $\$ 5,000$, and the bond shall be conditioned that the

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or motorcycles. An_agglicgnt for a_recreational_yehicle
dealer license_must__also_ingicate_on_the same_certificate
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applicant shall conduct his business in accordance with the requirements of the law. All bonds shall run to the state of Mantand and shall be approved by the division and filed in its office and shall be renewed annually."

Section 3. Section 61-4-102, MCA, is amended to read:
661-4-102. Fees. (1) Upon making such application, the applicant shall par to the division, in addition to the fees required of dealers under the provisions of subsection (2). a fee of 55 . Upon receipt of the application, fee, and bond, as provided above, the division shall examine the application, and may, prior to issuing a license, make individual investigation of the truth of the statements contained in the application. If the division is satisfied that the applicant qualifies for the issuance of a dealer's license under the provisions of this chapter, it may thereupon issus the same.
(2) Registration or license fees shall be paid upon registration or reregistration of dealers in motor vehicles, recredtional vehiclesp or trailers as follows:
(a) (i) all dealers in motor vehicles and_recreational vehicles, a fee of 45 \$25, which shall entitle such dealer to two-sets one set of number plates, and $\$ 5 \$ 25$ additional fee for each additional set of number plates up-to-six-setsy and--fz--additionat--fee--for--each-additionot-set-of-number ptotesp-as-moy-be-apptied-farth subject_to the following

## limitations on_the_number of additional_sets_allowed_a dealer: <br> (A) 5\% of the first 100 vehicle_sales_for the previous yeari_plus <br> (B) _32_of the_next 100 vehicle_sales for the previous yeari plus <br> (c) 2\% of vehicle sales_in_excess of zoo for the previous_yeari_and <br> (0) any additional_sets upon a showing of good_cause by the apelicant dealer to the division. <br> LiL in addition to the dealer plotes allowed under subsection_121(aliiln_a_dealer whonas_purchased one_or nore sets_of dealer plates_is entitled_to_purchase demonstrator plates_-at_a_cost determined_bythe division_tooffset the cost of productione Demonstrator plates shall be_used in lieu_of_a_dealer plate_but_only as_set forth in subsection (6)_and_must_be_distinguished_from dealer_plates in a maner determined by the divisione

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or trailers who shall maintain more than one place of
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dealer license shall certify under oath that he has sold
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calendar year or pay an additional $\$ 300$ before he may be
licensed.
(6) Demonstrator plates_proyided for in subsection
(2) 1 allil may be used only as follows:
(a) Nes_and used motor vehicle_or recreational vehicle
demonstrator plates_may_be used:
（i）to demonstrate motor vehietesg FOR NQ MORE IHAN 72 HOURS．AN AUTHORIZED VEHICLE held for saleq when operated DY an individual holding＿a valid operator＇s licensey＝－eroyided



Cillon motor AUTHORIZED vehicles ownedrinetg－for andy in－foety＝orotiabte＝for＝sote by the＿firm＿when operated
by an officer or bona＿fide full－time employee of the dealer Any＝ニsuch－Zvehicte－sezogeroted－maz－be AND used＿to＿transport the＿dealer：s＿owntools．＿parts．and＿eguipment totatine＝＝tess than－5日是－pounds．
（iiil on motor AUTHORIZEG vehicles being tested for repairi
livion motor AUTHORIZEQ vehicles being＿moved tonor from＿a motor－rehtete dealer＂s＿place＿of business＿for salei
（v）on metor AUTHORIZED vehicles being moved to or from metornventete service and regair facilities ofore salei

Ivilon motor AUTHORIZED vehicles being moved＿to or from motor－vehrete exhibitions within the＿state，proyided gny＿such＿exhibition＿does not exceed＿a＿period＿of＿20 days．
（b）Mobile nome＿and trailer dealer demonstrator＿plates max be used：
（i）on＿units hauled＿to or from the＿place＿of business of the manufacturer and the place of business of the dealer or to and from places of business of the dealeri
（ii）on mobile homes hauled to a＿customer ssiocation for＿set＝up＿after＿sulei

Liiil on travel trailers＿held for sole to demonstrate the towing＿capability of the vehiclep＿provided＿that＿a＿dated demonstration permit．valig＿for not more＿than＿12＿hoursp＿is carried with the vehicle at all timesi
(iv) on any motor wehicle owned by the dealer that is used_only to move vehicles_legally bearing_mobile home_and travel trailer dealer license plates of the dealer owning any such motor vehiclei
(v)_on_yehicles being_moved_to_or from vehicle exhibitions_-within_the_stateg grovideg_any such exhibition does_not_exceed_a_period_of_20_days:"

Section 4. Section 61-4-103. MCA, is amended to read:
"61-4-103. Assignment of dealer plates. (1) Upon the licensing of a dealer as a new motor vehicle dealer. used motor vehicle dealer. recreational vehicle_dealerg or trailer, semitrailer, or special mobile equipment dealer, or a dealer of the motorcycle-type vehicle, the division shall assign to such dealer a distinctive serial license number as a dealer and after payment of fees furnish every qualified gealer in motor vehicles with not-less-than-two such sets of number platesp-and-as-many-mere as required according to need, which need shall be justified oy the dealer with the initial application for license and each renewal. Assigned number plates shall be similar to number plates furnished to owners of motor vehicles but shall bear thereon, in addition to the serial number assigned such dealer, the letter "D" if the dealer is authorized to sell new motor vehicles (including trucks and truck trailers); the letters nevorif the degler is authorized ta sellrecregtional vehicles; the
letters "UD" if the dealer is authorized to sell used motor vehicles fincluding used trucks and used truck trailers): the letters "OTR if the dealer is authorized to sell trailers, semitrailers, or special mobile equipment fnew or usedj; and the letters "MCD" if the dealer is authorized to sell vehicles of the motorcycle type (new or used).
(2) With the exception of a dealer authorized to sell new motor vehicles (including trucks and truck trailers) and to use the "D" plate or demonstrator_plate, no deater authorized to transact business under the provisions of this section may offer for sale or trade any vehicle described in this section except such vehicles as are authorized by the plates assigned to him. If an applicant wishes to sell more than one type of vehicle, he shall make application for each separate authorization. No Heater plate assigned to a dealer may be used on any vehicle other than the type described in this section. A dealer authorized to sell new motor vehicles and assigned a "0" plate or demonstrator_plate is authorized to sell both new and used motor vehicles fincluding trucks and truck trailers), and ${ }^{*} \theta^{*}$ such plates may be displayed on either new or used motor vehicles by a licensed dealer in new vehicles.
(3) The division shall cause to be placed on each set of license plates issued to a dealer a serial number assigned to each dealer and the actual number of license

1 plates issued to each dealer. The number of the dealer shall follow the prefix of the county, and the number of plates issued the dealer shall follow the prefix of the county and the number of the dealer, the dealer's number to be separated from the county prefix by a dash, and the number of plates issued to a dealer to be separated from the dealer"s number by a dast, as follows: dealer number 4 in Lewis and Clark County would be numbered 5-4, and if the dealer were issued three sets of plates, they would be numbered consecutively as follows, 5-4-1, 5-4-2, and 5-4-3.
(4) Dealers properiy licensed under this section are authorized to use and display dealer's license plates on any notor vehicle held for bona fide sale or used in the conduct of the dealer's business in selling or demonstrating motor vehicles. ond operated by or under the control of the dealer: his officers or employees. For purposes of this provisione *officers and employees" include_only such persons listed_on the manufactureris franchise_dareegent_or the importer's distribution agreement and, their_spousesg or such_other persons_upon_whom_the_dealer has_paid_social security taxes_as full-time employee. No dealer"s license plate shall be used or displayed on vehicles normally used for hire, lease, or rental or for purposes not incident to the business of a motor vehicle dealer. Each dealer is accountable for each plate issued and shall certify
quarterly to the division the disposition of each dealer plate assigned to the dealer, inclusing the name, address, and occupation of the person primarily using edch plate.
(5) If it shall appear to the satisfaction of the division, from information furnished to it by the sheriff or any other law enforcement officer, that any such dealer has been improperly licensed, has used the dealer's license in a manner other than the one herein authorized, or is not qualified as a dealer under the requirements of this section, the division may revoke such dealer"s license. No person, firm, corporation, or association shall. for commission or profit, engage in the business of buying. selling, exchanging. or acting as abroker of new motor vehicles. Erailers, or semitrailers unless duly licensed in compliance with this section lexcept trailers having an unladen weight of less than 500 poundsl."

Section 5. Codification instruction. Section 1 is intended to be codified as an integral part of ritle 6l, chapter 1. part 1 , and the provisions of Title bl apply to section 1.

## SENATE BILL NO. 466 INTRODUCEO BY GRAHAM

a Eill for an act entitled: "an act to revise the motor vehicle dealer lans by changing the fees; pevising distribution of jealer plates; providing for oemonsirator PLATES ANJ USES; PROVIOING FOR RECREATIONAL VEHICLE DEALER LICENSING; AND AMENOING SECTIONS 61-4-101 THROUGH 6I-4-103, MCA."

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3F if enactfo gy the legislature of the state uf montana:
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    NEW_SEGIION. Section 1 . Recreational vehicle. The
    term "recreational vehicle" as used in 61-4-101 through
61-4-105 includes travel trailers as defined in 61-1-131.
notor homes as defined in 61-1-130, and other self-propelled
vehicles originally designed or permanenty altered to
provide temporary facilities for recreational, travel, or
camping use.
Section 2. Section 61-4-101, MCA, is amended to read:
"s1-4-101. Application for dealer's license. (I) Every
person, firm, corporation, or association which, for
commission or profit, engages in the business of buying,
selling, exchanging, or acting as a broker of new motor
vehicles, recreational vehiclesp used motor vehicles,
trailers fexcept trailers having an unloaded weight of less
than 500 pounds), semitrailers, or special mobile equipment as defined in 61-1-104 shall file, by mail or otherwise, in the office of the division a verified application for licensure as a dealer. on a blank to be furnished by the division for that purpose and containing the information required. The application and all of the information contained in it shall be verified by the Montana highway patrol. Each application must be accompanied by the license fee hereinafter specified. A dealer's license must be renewed and gaad for annually, and an application for relicensure must be filed not later than January 1 of each yedr. If an application for fevemat renewal of a license has been received by the division prior to the expiration of the license, the dealer may operate his business and display dealer plates under the expired license between January 1 and February 15 following expiration.
(2) To qualify for licensure and the issuance and use af "D", "UD", "RV". "OTR", or "MCD" plates as nereinafter provided, the applicant must furnish the following information and qualify under the following provisions:
(a) To qualify as a new motor vehicle dealer and for the use of mo plates, the applicant must:
(i) state the name under which the business is to be conducted and the location of the premises (street address. city, county, and statel where records are kept, sales are
made, and stock of motor vehicles is displayed;
(ii) state the name and address of all owners or persons having an interest in the business, provided that in the case of a corporation, the names and addresses of the president and secretary are sufficient;
(iii) state the name and make of all motor vehicles handled and the name and address of the manufacturer. importer, or distributor with whom the applicant has a written new motor vehicle franchise or sales agreement:
(iv) execute a certificate to the effect that the applicant has a permanent building for the display and sale of new motor vehicles at the location of the premises where sales are conducted;
(v) execute a certificate to the effect that the applicant has a bona fide service department for the repair. service, and maintenance of motor vehicles; and
(vi)execute a certificate to the effect that the applicant is a bona fide dealer in new motor vehicles and that the is recognized by a manufacturer, importer, or distributor as a dealer in new motor vehicles.
(b) To qualify as a used motor vehicle dealer and for the use of "ư" plates or as a recreational vehicleg trailer, semitrailer, or special mobile equipment dealer and for the use of "UTR" plates or as a motorcycle dealer and for the use of "MCD" plates, the applicant musty in addition
to the matters set forth in subsections (i) and (ii) of subsection (2)(a) above, provide:
(i) a statement that the applicant has a builiing or lot and a sign readable at minimum distance of $i s 0$ feet and indicating the firm name and headquarters as the principal place of business; and
(ii) a certificate to the effect that the applicant is a bona fide dealer in used motor vehicles, recreational vehicles: trailers, semitrailers, special mobile equipment, or motorcycles. An deplicant for an_recreational_nehicle dealer license must also_indicate_on_the_same_certificate that_he_is_recognized by_o_manfacturerg_importerg_or distributor as_a dealer in_recreational_vehicles.
$(c)$ To qualify for a used motor vehicle dealer's license, a person must submit an annual application for that license and comply with the provisions of 61-4-102(5) in addition to fulfilling the requirements of subsection (2)(b) above.
(d) The provisions of subsection (2)(c) above do not apply to an applicant who is licensed as a motor vehicle wrecking facility under the provisions of Title 75 , chapter 10. part 5.
(3) The applicant for a dealer's license shall also file with his application a good and sufficient bond in the sum of $\$ 5,000$, and the bond shall be conditioned that the
applicant shall conduct his business in accordance with the requirements of the law. All bonds shall run to the state of Montana and shall be approved by the division and filed in its office and shall be renewed annually."

Section 3. Section 61-4-102, MCA, is amended to read:
"61-4-102. Fees. (1) Upon making such application, the applicant shall pay to the division, in addition to the fees required of dealers under the provisions of subsection (2). a fee of 55. Upon receipt of the application, fee, and bond. as provided above, the division shall examine the application, and may, prior to issuing a license, make individual investigation of the truth of the statements contained in the application. If the division is satisfied that the applicant qualifies for the issuance of a dealer's license under the provisions af this chapter, it may thereupon issue the same.
(2) Registration or license fees shall be paid upon registration or reregistration of dealers in motor vehicles, recreational vehiclesg or trailers as follows:
(a) (i) all dealers in motor vehicles and recreationgl vehicles. a fee of $\$ 45 \$ 25$, which shall entitle such dealer to emo-sets one_set of number plates, and $\$ 5 \$ 25$ additional fee for each additional set of number plates op-to-six-setst and--fz--additronot--fee--for--each-additionat-set-of-number ptatesp-as-may-be-apptred-forty_subject_to_the_following
(4) A dealer in motor vehiclesprecreational vehicles.

## linitations on the number of additional sets allowed_a dealer: <br> 1Al 5 药 of the first 100 vehicle sales_for the previous yeari_plus <br> 18) 3\% of the next 100 vehicle_sales_for the previous yeari_elus <br> (C1_ $\leq \boldsymbol{t}$ of vehicle sales_in excess_of 200 for the grevious_yeari_and <br> (0) any additional_sets ugon_a_showing_of_-good_cause ox the applicant dealer to the_division. <br> lillin_addition_to the dealer_plates_allowed_under subsection_(2)(a)(i):_d_dealer who has_purchased_one or more Sets_of dealer plates_is entitled to_ purchase__demonstrator plates_ot_-a_cost_determined_by_the division to offset_the cost of production ofemonstrator plates shall be_used in lieu_of a_dealer plate but_only as set forth in subsection 161_and_must_be_distinguished from dealer plates in_ananner determined by the divisione <br> (b) dealers in motorcycles and trailersp including housetrailers. $\$ 45$. <br> (3) If any dealer is originally registered 6 months after the time of registration as set by law, the registration or license fee for the remainder of such year shall be one-half of the regular fee above given.

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 than-5日g-gounds.

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(iv) on moter AUIHDRLZEO vehicles being moved to_or from_a motor -rehtete dealeris_olace of business for sabei

IvL on moter AUTHORLZED vehicles being moved toogr From motor vehrete service and regair facilities ofore salei
(vil on motor AUTHORIZED venicles being moved_tor or from motorzvehtete exhibitions_within the_stateg_orovided ony_such_exhibition_dges_not_exceed_a_perigd_of_20_dayse
(b) Mobile home_and_trailer dealer demonstrator_plates may_be useds
(il_on_units hauled_to or from the_place_of business of the manufacturer and the place of business qif the odealer or to and from_places_of business of the dealer:
(ii)_on mobile homes hauled to a_customerts_locgtion for set-ug after_salei
(iilion travel trailers_held_for sale_to dodemonstrate the towing_capability of the vehiclep_provided_thot andated demonstration permitg_valid_for not_more than_72_hourso_is carried_with the_vehicle at_all_times:
(iv) on _any_motor vehicle ouned by the dealer that is used_only to move vehicles legally bearing_mobile_home_ and travel trailer dealer license_plates of the dealer owning any_such_motor vehicle;
(v)_on_wehicles_being_moved_to_or_from vehicle exhibitions within_the stoteq provided_any such exhibition does_not_exceed_o_period of 20_dayse"
Section 4. Section 61-4-103. MCA, is amended to read:
n61-4-103. Assignment of dealer plates. (1) Upon the licensiny of a dealer as a new motor vehicle dealer, used notor vehicle dealer, recreational_vehicle_dealerg or trailer, semitrailer, or special mobile equipment dealer, or a dealer of the motorcycle-type vehicle, the division shall assign to such dealer a distinctive serial license number ds a dealer and after payment of fees furnish every qualified deder in motor vehicles with not-less-than-tw such sets of number platest-and-as-meny-mere as required accoring to need, which need shall be justified by the dealer with the initial application for license and each renewal. Assigned number plates shall be similar to number plates furnished to owners of motor vehicles but shall bear thereon, in addition to the serial number assigned such dealer, the letter wno if the dealer is authorized to sell new motor vehicles (including trucks and truck trailers); the letters_mpyn if the _dealer is_authorized ta_sell recreational vehicles; the
letters "uo" if the dealer is authorized to sell usec motor vehicles (including used trucks and used truck trailers); the letters "DIR" if the dealer is authorized to sell trailers. semitrailersp or special mobile equipment (new or used); and the letters "MCD" if the dealer is authorized to sell vehicles of the motorcycle type (new or used).
(2) With the exception of a dealer authorized to sell new motor vehicles (including trucks and truck trailers) and to use the "D" plate or_demonstrator_plate, no dealer duthorized to transact business under the provisions of this section may offer for sale or trade any vehicle described in this section except such vehicles as are authorized by the plates assigned to him. If an applicant wishes to sell more than one type of vehicle, he shall make application for each separate authorization. No deater plate assigned to a dealer may be used on any vehicle other than the type described in this section. A dealer authorized to sell new motor vehicles and assigned a mon plate or demonstrator_elate is authorized to sell both $n=w$ and used motor vehicles fincluding trucks and truck trailers), and ugu such plates may be displayed on either new or used motor vehicles by a licensed dealer in new vehicles.
(3) The division shall cause to be placed on each set of license plates issued to a dealer a serial number assigned to each dealer and the actual number of license
plates issued to each dealer. The number of the dealer shall follow the prefix of the county, and the number of plates issued the dealer shall follow the prefix of the county and the number of the dealer, the dealer's number to be separated from the county prefix by a dash, and the number of plates issued to a dealer to be separated fram the dealer"s number by a dash, as follows: dealer number 4 in Lewis and clark County would be numbered 5-4, and if the dealer were issued three sets of plates, they would be numbered consecutively ds follows, 5-4-1, 5-4-2, and 5-4-3.
(4) Dealers properly licensed under this section are authorized to use and display dealer's license plates on any motor vehicle held for bona fide sale or used in the conduct of the dealer's business in selling or demonstrating motor vehicles ond operated_oby_or under the control of the dealerg his_officers_or emploxees. For purposes_of this proyisiong "officers_and employees"_include_only__such persons listed_on_the_manufactureris_franchise_agreenent_or the_importer's_distribution_agreement andz_their_spouses:or such_other persons_upon_whom the dealer has_paid social security taxes_as_a_full-time employee. No dealer's license plate shall be used or displayed on vehicles normally used for hire, lease, or rental or for purposes not incident to the business of a motor vehicle dealer. Each dealer is accountable for each plate issued and shall certify
quarterly to the division the disposition of each dealer plate assigned to the deder, including the name, iddress, and occupation of the person primarily using each plate.
(5) If it shall appear to the satisfaction of the Givision, from information furnished to it by the sheriff or any other law enforcement officer, that any such dealer has been improperly licensed, has used the dealer's license in a manner other than the one herein duthorized, or is not qualified as a dealer under the requirements of this section, the division may revoke such dealer's license. No person, firm, corporation, or association shall, for commission or profit, engage in the business of juyin't selling, exchanging, or acting as a broker of new notor vehicles, trailers, or semitrailers unless duly licensed in compliance with this section lexcept trailers having an unladen weight of less than 500 pounds)."

Section 5. Codification instruction. Section 1 is intended to be codified as an integral part of litle sl, chapter i. part 1 , and the provisions of Title 61 apply to section 1.

## SENATE BILL NO. 466 <br> Introduced br graham

A BILL FOR AN ACT ENTITLED: TAN ACT TO REVISE THE MOTOR VEHICLE DEALER LAWS BY CHANGING THE FEESi REVISING distrigution of dealer plates; provioing fur demanstrator PLATES AND USES; PROVIDIMG FQR RECREATIOMAL VEHICLE DEALER LICENSING: AND AMENDIMG SECTIONS 61-4-101 THRDUGH 61-4-103. MCA."
be it enacted by the legislature of the state of montana:
NEH SECIION. Section i. Recreational vehicle. The term mrecreational vehicle" as used in 6l-4-101 through 61-4-105 includes travel trailers as defined in 61-1-131. motor homes as defined in 61-1-130, and other self-propelied vehicles originally designed or permanently altered to provide temporary facilities for recreational, travel, or camping use.

Section 2. Section 61-4-101. MCA, is amended to read:
661-4-101. Application for dealer's license. (1) Every person, firme corporation, or association which, for commission or prafit, engages in the business of buying, selling, exchanging, or acting as a broker of new motor vehicles, recreational vehiclesp used motor vehicles, trailers (except trailers having an unloaded weight of less
than 500 pounds): semitrailerst or special mobile equipment as defined in 61-1-104 shall file, by mail or otherwise, in the office of the division a verified application for licensure as a dealer. on a blank to be furnished by the division for that purpose and containing the information required. The application and all of the information contained in it shall be verified by the Montana highway patrol. Each application must be accompanied by the license fee hereinafter specified. A dealer's license must be renewed and paid for annually and an application for relicensure must be filed not later than january 1 of each year. If an application for revewot renewal of a license has been received by the division prior to the expiration of the license, the dealer may operate his business and display dealer plates under the expired license between January 1 and February 15 following expiration.
(2) To qualify for licensure and the issuance and use
 provided, the appiicant must furnish the following information and qualify under the following provisions:
(a) To qualify as a new motor vehicle dealer and for the use of mow plates, the applicant must:
(i) State the name under which the business is to be conducted and the location of the premises (street address, city, county, and statel where records are kept, sales are

REFERENCE BILL
made, and stock of motor vehicles is displayed;
(ii) state the name and address of all owners or
persons having an interest in the business, provided that in
the case of a corporation, the names and addresses of the
president and secretary are sufficient;
(iii) state the name and make of all mot vehicles
handled and the name and address of the manufacturer.
importer. or distributor with whom the applicant has a
writzen new motor vehiclefranchise or sales agreement;
(iv) execute a certificate to the effect that the
applicant has a permanent building for the display and saie
of new motor vehicles at the location of the premises where
sales are conducted;
(v) execute a certificate to the effect that the
applicant has a bona fide service department for the repair.
service, and maintenance of motor vehicies; and
(vi) execute a certificate to the effect that the
applicant is a bona fide dealer in new motor vehicles and
that the is recognized by a manufacturer. inporter, or
distributor as a dealer in new motor vehiclese
(b) To qualify as ased motor vehicle dealer and for
the use of "UD" plates or as a recreational vehicleg
trailer, semitrailer; or special mobile equipment dealer and
for the use of motra plates or as a motorcycle dealer and
for the use of ${ }^{\left(M C D^{\prime \prime}\right.}$ plates, the applicant must, in addition
to the matters set forth in subsections (i) and (ii) of subsection (2)(a) above, provide:
(i) a statement that the applicant has a builuing or lot and a sign readable at a ninimum distance of 150 feet and indicating the firm name and headquarters as the principal place of business; and
(ii) a certificate to the effect that the applicant is a Dona fide dealer in used motor vehicles, recreational vehiclesg trailers, semitrailers, special mobile equipment. or motorcycles. An_applicant_for a_recreational vehicle dealer license_nust also indicate_on the same certificate that he is_recognized by a manufacturer importer, or distributor as a dealer in recreational vehicleso
(c) To qualify for a used motor vehicle dealer's license, a person must submit an annual application for that license and comply with the provisions of 61-4-102(5) in addition to fulfilling the requirements of subsection (z)(b) above.
(d) The provisions of subsection (2)(c) above do not apply to an applicant who is licensed as a motor vehicle wrecking facility under the provisions of Title 75 , chapter 10. part 5.
(3) The applicant for a dealer's license shall also file with his application a good and sufficient bond in the sum of $\$ 5.000$, and the bond shall be conditioned that the
applicant shall conduct his business in accordance with the requirements of the law. All bonds shall run to the state of Montana and shall be approved by the division and filed in its office and shall be renewed annuallyow

Section 3. Section o1-4-102, MCA, is amended to read:
*61-4-102. Fees. (1) Upon making such appifation, the applicant shall pay to the division in addition to the fees required of dealers under the provisions of subsection (2). a fee of 55 . Upon receipt of the application. fee, and bond, as provided above, the division shall examine the application, and may, prior to issuing a license, make individual investigation of the truth of the statements contained in the application. If the division is satisfied that the applicant qualifies for the issuance of a dealer"s license under the provisions of this chapter, it may ther eupon issue the same.
(2) Registration or license fees shall be paid upon registration or reregistration of dealers in motor vehicles, recreational yehicles, or trailers as follows:
(a) (i) all dealers in motor vehicles and recreational vehicles, a fee of $\$ 45$ \$25, which shall entitle such dealer to two-sets one_set of number plates, and $\$ 5 \underline{25}$ additional Fee for each additional set of number plates ap-to-six-setsp and--sz--odditionat--fee--for--esen-aditetorat-set-of-number pfatest-as-mor-be-apptied-forty_subject_to_the following

## limitations on the number of additional sets alloued a dealer: <br> (A) 53 of the first_loo vehicle sales for the previous yearinglus <br> (B) 3玉_of the next 100 vehicle_sales for the ureyious year: plus <br> (C) 2\% of vehicle sales in excess of 200 for the previous yeari_and <br> (D) any additional sets upon_a_shouing_of good cause by the applicant dealer_to the division.

fillin_addition to the dealer plates allowed under subsection_(2lialilig_A_dealer who hos_ourchased one or more sets of dealer Rlates is entitled to purchase demonstrator Rlates at_a_cost determined by the division to offset the Cost of production. pemonstrator plates shall be used_in lieu of a dealer plate_but only as set forth in subsection 16) and must be distinguished from dealer plates_in_onaner determined_by the_division.
(b) dealers in motorcycles and trailers, including housetrailers, \$45.
(3) If any dealer is originally registered 6 months after the time of registration as set by law the registration or license fee for the remainder of such year shall be one-half of the regular fee above given.
(4) dealer in motor vehicles, recreational venicies,

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or trailers who shall maintain more than one place of
busimess or who shall maintain any branch establishment or
establishments must register and pay a registration or
license fee for each such place of business or
establishment.
    (5) A new applicant for a used motor vehicle dealer
license shall pay $300 to the division in addition to any
other sums required by this section or other provisions of
the law. An applicant for a renewal of a used motor vehicle
dealer license shall certify under oath that he has sold
more than five used motor vehicles during the preceding
calendar year or pay an additional $300 before he may be
iicensed.
    16)_Demonstrator__plates provided_for_in_subsection
(2)(alciil may be_used only_as follows:
    (a) New and_used_motor vehicle_or recreational vehicle
demonstrator plates may be used=
    (i) to demonstrate moeor_vemietes & FOR NO_MORE THAN ?2
HOURS, AN_AUTHORIZED_VEHICLE heId_for Salel_when operated bY
an_individual_holding_a_valid_operator*s_licensey=-grovided
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fiilon motor AUTHORIZEQ yehicles ownedrhetufor-sote andz-in=fgety-bvaitebłe-for=2ate by the_firm_mhen operated
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Dy an officer or bona fide_full-time_employee of the_dealer
 the_dealerts own tools. parts, and eguigment totating-itess than-500-pounde;
(iiil_on motor AUIHORIZEO vehicles_oring tested for regairi
(ivion moter AUTHORIZED venicles being moved to or from_d motor-vehtete dedler s place_of business for_salei
(r) on meter AUIHORILED vehicles being moved to or From motor-vetiete service and regair facsities befoge sale:
(vi) on motor AUTHORIZED vehicles Deing moved to or from motor vehiete exhibitions within the state. -arovided any_such_exhibition_does not exceed_e_period_of_ 20 days.

1b1 Mobile nome and trailer dealer demonstrator plates max be usedz
(i) on units hauled to or from the place_of business of the manufacturer and the place of business of the dealer or to_nd from_places_of business of the dealer ;
(ii) on mobile_homes hauled to a_customer is location for set-wp_after sale:
liiil on travel trailers held for sale to demonstrate the _towing cagability of the vehiclen_provided that a dated demonstration_permita valid_for not mare than 72 hours. is carried with the venicle at gll times;
(iv) on_anx notor vehicle_ouned_oy the dealer that is used_only to moye_vehicles_legally bearing_nobile nome and travel trailer dealer license_plates of the_dealer orning any_such_notor vehicle:
(v) on vehicles being moved to or fron vehicle exhibitions_mithin the statey provided_any such exhioition does not exceed a period of 20 days:*

Section 4. Section 61-4-103, MCA, is amended to read:
"61-4-103. Assignment of dealer plates. (1) Upon the licensing of a dealer as a new motor vehicle dealery used motor vehicle dealer. recreational vehicle dealerg or trailer, semitrailerp or special mobile equipment dealerp or a dealer of the motorcycle-type vehicle, the division shall assign to such dealer a distinctive serial license number as a dealer and after payment of fees furnish every qualified dealer in motor vehicles with not-tess-then-two such sets of number platest-ond-as-many-more as required according to need, which need shall be justified by the dealer with the initial application for license and each renewal. Assigned number plates shall be similar to number plates furnished to owners of motor vehicles but shall bear thereon, in addition to the serial number assigned such dealer, the letter " $D^{\prime \prime}$ if the dealer is authorized to sell new motor vehicles (including trucks and truck trailers); the letters mivn if the__dealer_is authorized to sell recreational vehiclesi the
letters muow if the deater is autharized to sell used motor vehicles (including used trucks and used truck trailers): the letters mDrR" if the dealer is authorized to sell trailers, semitrailersp or special mobile equipment (new or Used); and the letters "HCD" if the dealer is authorized to sell vehicles of the motorcycle type (new or used).
(2) With the exception of a dealer authorized to sell new motor vehicles (including trucks and truck trailers) and to use the "D" plate or demonstrator plate, no dealer authorized to transact business under the provisions of this section may offer for sale or trade any vehicle described in this section except such vehicles as are authorized by the plates assigned to him. If an applicant wishes to sell more than one type of vehicle, he shall make application for each separate authorization. No deater plate assigned to a dealer may be used on any vehicle other than the type descrioed in this section. A dealer authorized to sell new motor vehicles and assigned a " ${ }^{\prime \prime}$ plate or_demonstrator_plate is authorized to sell both new and used motor vehicles fincluding trucks and truck trailersi, and mem such plates may be displayed on either new or used motor vehicles by a licensed dealer in new vehicies.
(3) The division shall cause to be placed on each set of license plates issued to a dealer a serial number assigned to each dealer and the actual number of license
plates issued to each dealer. The number of the dealer shall follow the prefix of the county, and the number of plates issued the dealer shall follow the prefix of the county and the number of the dealer the dealer's number to be separated from the county prefix by a dash, and the number of plates issued to a dealer to be separated from the dealer's number by a dash, as follows: dealer number 4 in lewis and clark County would be numbered 5-4, and if the dealer were issued three sets of plates, they would be numbered consecutively as follows, 5-4-1, 5-4-2, and 5-4-3.
(4) Dealers properiy ticensed under this section are duthorized to use and display dealer's license plates on any motor vehicle held for bona fide sale or used in the conduct of the dealer's ousiness in selling or demonstrating motor vehiclesv and operated by or under the control of the dealer, his officers or employeese For purposes of this groyision: mofficers_and employees"_inciude_only_such gersons listed_on_the_manufacturer:s Franchise_agreement or the_importer's distribution_agreement ands their_spouseszor such other persons upon whom the dealer has paid social security taxes_as afull-time employee. No dealer's license plate shall be used or displayed on vehicles normally used for hire, lease, or rental or for purposes not incident to the business of a motor vehicle dealer. Each dealer is accountable for each plate issued and shall certify
quarterly to the division the disposition of each dealer plate assigned to the dealer, including the nane, oddress, and occupation of the person primarily using each plate.
(5) If it shall appear to the satisfaction of the division, from information furnished to it by the sheriff or any other law enforcement officer, that any such dealer has been improperly licensed, has used the dealer's license in a manner other than the one herein authorized, or is not qualified as a dealer under the requirements of this section, the division may revoke such dealer's license. No person, firm, corporation, or association shall, for commission or profit, engage in the business of tuying. selling, exchanging, or acting as a broker of new motor veniclesp trailers, or semitrailers unless duly licensto in compliance with this section lexcept trailers having an unladen weight of less than 500 pounds)."

Section 5. Codification instruction. Section 1 is intended to be codified as an integral part of titie 61 , chapter 1, part 1, and the provisions of Title 61 apply to section 1.


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