

HOUSE BILL NO. 167

INTRODUCED BY ASAY, HAYNE, KELLER

IN THE HOUSE

January 14, 1985	Introduced and referred to Committee on State Administration.
January 22, 1985	Committee recommend bill do pass as amended. Report adopted.
January 23, 1985	Bill printed and placed on members' desks.
January 26, 1985	Second reading, do pass. Considered correctly engrossed.
January 28, 1985	Third reading, passed. Transmitted to Senate.

IN THE SENATE

January 29, 1985	Introduced and referred to Committee on Fish and Game.
March 20, 1985	Committee recommend bill be concurrred in. Report adopted.
March 22, 1985	Second reading, concurred in.
March 25, 1985	Third reading, concurred in. Ayes, 49; Noes, 0. Returned to House.

IN THE HOUSE

March 26, 1985	Received from Senate. Sent to enrolling. Reported correctly enrolled.
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1 House BILL NO. 167
 2 INTRODUCED BY Arny Wayne Keller
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE
 5 REGISTRATION PERIODS FOR SNOWMOBILES AND MOTORBOATS AND THE
 6 LICENSURE PERIODS FOR SNOWMOBILE AND MOTORBOAT DEALERS;
 7 AMENDING SECTIONS 23-2-512, 23-2-513, 23-2-515, 23-2-618,
 8 AND 23-2-619, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE
 9 AND AN APPLICABILITY DATE."

10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 12 Section 1. Section 23-2-512, MCA, is amended to read:
 13 "23-2-512. Identification number. (1) The owner of
 14 each motorboat requiring numbering by this state shall file
 15 an application for number in the office of the county
 16 treasurer where the motorboat is owned or taxable on forms
 17 prepared and furnished by the division of motor vehicles.
 18 The application must be signed by the owner of the motorboat
 19 and be accompanied by a fee of \$1. Any alteration, change,
 20 or false statement contained in the application will render
 21 the certificate of number void. Upon receipt of the
 22 application in approved form, the county treasurer shall
 23 issue to the applicant a certificate of number prepared and
 24 furnished by the division of motor vehicles, stating the
 25 number assigned to the motorboat and the name and address of

1 the owner.
 2 (2) Before filing the application with the county
 3 treasurer, the applicant shall submit it to the county
 4 assessor, who shall enter on the application, in a space to
 5 be provided for that purpose, the market value and taxable
 6 value of the motorboat for the year for which the
 7 application for registration is made.
 8 (3) The applicant, upon the filing of the application,
 9 shall pay to the county treasurer the registration fee and
 10 the personal property taxes assessed against the motorboat
 11 or vessel for the current year of registration before the
 12 application for registration or reregistration may be
 13 accepted by the county treasurer.
 14 (4) Should the ownership of a motorboat change, a new
 15 application form with fee must be filed within a reasonable
 16 time with the county treasurer and a new certificate of
 17 number assigned in the same manner as provided for in an
 18 original assignment of number.
 19 (5) If an agency of the United States government has
 20 in force a comprehensive system of identification numbering
 21 for motorboats in the United States, the numbering system
 22 employed pursuant to this part by the division of motor
 23 vehicles must be in conformity.
 24 (6) Every certificate of number and the license decals
 25 assigned under this part continues in effect for a period

1 not to exceed 1 year unless terminated or discontinued in
 2 accordance with the provisions of this part. Certificates of
 3 number and license decals must show the date of expiration
 4 and may be renewed by the owner in the same manner provided
 5 for in the initial securing of the certificate.

6 (7) Certificates of number expire on ~~April-30~~ December
 7 31 of each year and may not be in effect unless renewed
 8 under this part.

9 (8) In event of transfer of ownership, the purchaser
 10 shall furnish the county treasurer notice within a
 11 reasonable time of the acquisition of all or any part of his
 12 interest, other than the creation of a security interest, in
 13 a motorboat numbered in this state or of the loss, theft,
 14 destruction, or abandonment of the motorboat. The transfer,
 15 loss, theft, destruction, or abandonment terminates the
 16 certificate of number for the motorboat. Recovery from theft
 17 or transfer of a part interest that does not affect the
 18 owner's right to operate the motorboat does not terminate
 19 the certificate of number.

20 (9) A holder of a certificate of number shall notify
 21 the county treasurer within reasonable time if his address
 22 no longer conforms to the address appearing on the
 23 certificate and furnish the county treasurer with his new
 24 address. The division of motor vehicles may provide by rule
 25 for the surrender of the certificate bearing the former

1 address and its replacement with a certificate bearing the
 2 new address or the alteration of an outstanding certificate
 3 to show the new address of the holder.

4 (10) (a) The number assigned must be painted on or
 5 attached to each outboard side of the forward half of the
 6 motorboat or, if there are no such sides, at a corresponding
 7 location on both outboard sides of the foredeck of the
 8 motorboat. The number assigned must read from left to right
 9 in Arabic numerals and block characters of good proportion
 10 at least 3 inches tall excluding border or trim of a color
 11 that contrasts with the color of the background and be so
 12 maintained as to be clearly visible and legible. The number
 13 may not be placed on the obscured underside of the flared
 14 bow where it cannot be easily seen from another vessel or
 15 ashore. No numerals, letters, or devices other than those
 16 used in connection with the identifying number issued may be
 17 placed in the proximity of the identifying number. No
 18 numerals, letters, or devices that might interfere with the
 19 ready identification of the motorboat by its identifying
 20 number may be carried as to interfere with the motorboat's
 21 identification. No number other than the number and license
 22 decal assigned to a motorboat or granted reciprocity under
 23 this part may be painted, attached, or otherwise displayed
 24 on either side of the forward half of the motorboat.

25 (b) The certificate of number shall be pocket size and

1 available to federal, state, or local law enforcement
2 officers at all reasonable times for inspection on the
3 motorboat whenever the motorboat is on waters of this state.

4 (c) Boat liveries are not required to have the
5 certificate of number on board each motorboat, but a rental
6 agreement must be carried on board livery motorboats in
7 place of the certificate of number.

8 (11) Fees collected under this section shall be
9 transmitted to the state treasurer who shall deposit the
10 fees in the motorboat certificate identification account of
11 the state special revenue fund. These fees shall be used
12 only for the administration and enforcement of this part, as
13 amended.

14 (12) An owner of a motorboat must within a reasonable
15 time notify the division of motor vehicles, giving the
16 motorboat's identifying number and the owner's name when
17 that motorboat becomes documented as a vessel of the United
18 States or is transferred, lost, destroyed, abandoned, or
19 frauded or within 60 days after change of state of principal
20 use."

21 Section 2. Section 23-2-513, MCA, is amended to read:

22 "23-2-513. Dealer's identification number. (1) A
23 dealer or manufacturer may apply directly to the division of
24 motor vehicles for one identifying number and one or more
25 certificates of number. A dealer's or manufacturer's

1 identifying number shall be displayed on his boat while the
2 boat is operating for a purpose related to the buying,
3 selling, or exchanging of the boat by the dealer or
4 manufacturer.

5 (2) The application for a dealer's or manufacturer's
6 identifying number must include his name and business
7 address. Each dealer or manufacturer will have one
8 identifying number assigned to his business.

9 (3) An application for dealer's or manufacturer's
10 identifying number and certificate of number must be
11 accompanied by the following fees:

12 (a) for the identifying number, first certificate of
13 number, and set of license decals, \$5;

14 (b) for each additional certificate of number and set
15 of license decals applied for in any application, \$2.

16 (4) The division of motor vehicles shall issue
17 certificates of number for the identifying numbers assigned
18 to a dealer or manufacturer in the same manner as provided
19 in 23-2-512(1) and (10), as amended, except that no boat may
20 be described in the certificate and each certificate must
21 state that the identifying number has been assigned to a
22 dealer or manufacturer. A dealer's or manufacturer's
23 certificate of number expires on ~~April 30~~ December 31 of the
24 year for which it is issued.

25 (5) A dealer's or manufacturer's identifying number

1 shall be displayed in the same manner as provided in
 2 23-2-512(10), as amended, except that the number may be
 3 temporarily attached. The last three letters shall be "DLR"
 4 for dealer and "MFR" for manufacturer. These letters shall
 5 be included, respectively, in dealer or manufacturer
 6 identification numbers only.

7 (6) No person other than a dealer or manufacturer or
 8 an employee of a dealer or manufacturer may display or use a
 9 dealer's or manufacturer's identifying number. A dealer's or
 10 manufacturer's identifying number may be displayed only on
 11 motorboats owned by the dealer or manufacturer.

12 (7) No dealer or manufacturer or employee of a dealer
 13 or manufacturer may use a dealer's or manufacturer's
 14 identifying number for any purpose other than the purpose
 15 described in subsection (1) of this section."

16 Section 3. Section 23-2-515, MCA, is amended to read:

17 "23-2-515. License decals to be displayed. (1) Every
 18 Montana boat numbered in accordance with the provisions of
 19 23-2-512 and 23-2-513 shall be required to display license
 20 decals. For this purpose the county treasurer, upon receipt
 21 of a certificate of tax of personal property showing payment
 22 of tax on the motorboat for the current year, shall issue a
 23 pair of decals prepared and furnished by the division of
 24 motor vehicles with all new certificates of number and
 25 renewals thereof.

1 (2) The decals shall be of a style and design
 2 prescribed by the division of motor vehicles and shall be a
 3 color differing from the preceding year. The license decal
 4 will be serially numbered and have the expiration date of
 5 ~~April--30~~ December 31 of the appropriate year printed
 6 thereon.

7 (3) License decals shall be displayed only in the
 8 following manner: one valid license decal on each side of
 9 the forward half, 3 inches aft of the identifying numbers."

10 Section 4. Section 23-2-618, MCA, is amended to read:

11 "23-2-618. Application for registration and decals to
 12 be made annually -- grace periods. Application must be made
 13 annually to the county treasurer for registration and the
 14 issuance of a decal indicating that the fee in lieu of
 15 property tax has been paid for the current year. All
 16 registrations and decals expire on ~~June-30~~ December 31 of
 17 each year."

18 Section 5. Section 23-2-619, MCA, is amended to read:

19 "23-2-619. Dealer registration certificate -- use of
 20 fees. (1) A dealer registration certificate shall be issued
 21 in accordance with this part.

22 (2) The dealer application shall be accompanied by an
 23 application fee of \$5 and a registration fee of \$5. Upon
 24 receipt of the dealer application and payment of fees, the
 25 dealer shall be issued two dealer snowmobile identification

1 cards which shall be carried by the dealer or the dealer's
2 customer when demonstrating the dealer's snowmobiles.

3 (3) No bond is required of the dealer.

4 (4) The dealer shall have a principal place of
5 business where he shall maintain all his business records
6 and display and sell merchandise.

7 (5) An applicant for renewal of a snowmobile dealer
8 registration shall certify that he has sold 3 or more
9 snowmobiles during the preceding year or pay an additional
10 \$50 renewal registration fee or provide a copy of a written
11 new snowmobile franchise or sales agreement that the
12 applicant has with a manufacturer, importer, or distributor.

13 (6) Additional dealer snowmobile identification cards
14 as required by need justified to the division of motor
15 vehicles may be purchased by the dealer for a fee of \$2.

16 (7) Dealer registration certificates and
17 identification cards expire on ~~June-30~~ December 31 following
18 the date of issuance.

19 (8) (a) The dealer application fees and all interest
20 accruing from use of this money shall be deposited in the
21 state special revenue fund to the credit of the department,
22 with one-half designated for use in enforcing the purposes
23 of this part and one-half designated for use in the
24 development, maintenance, and operation of snowmobile
25 facilities.

1 (b) All money collected from dealer registration and
2 renewal registration fees shall be deposited in the motor
3 vehicle recording account of the state special revenue
4 fund."

5 NEW SECTION. Section 6. Extension of authority. Any
6 existing authority of the department of fish, wildlife, and
7 parks and the department of justice to make rules on the
8 subject of the provisions of this act is extended to the
9 provisions of this act.

10 NEW SECTION. Section 7. Implementation. (1)
11 Certificates of number and license decals for motorboats and
12 motorboat dealers expiring on April 30, 1985, shall be
13 renewed for the period from March 1, 1985, to December 31,
14 1985, and all amounts collected in connection with the
15 issuance must be prorated for that portion of the year.

16 (2) Registrations and decals for snowmobiles and
17 snowmobile dealers expiring on June 30, 1985, shall be
18 renewed for the period from July 1, 1985, to December 31,
19 1985, and all amounts collected in connection with the
20 registration must be prorated for that portion of the year.

21 NEW SECTION. Section 8. Effective date. This act is
22 effective on passage and approval and applies to
23 registration and licensure periods, as provided in section
24 7, and to subsequent periods.

-End-

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

HOUSE BILL NO. 167

INTRODUCED BY ASAY, HAYNE, KELLER

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE REGISTRATION PERIODS PERIOD FOR SNOWMOBILES-AND MOTORBOATS AND THE LICENSURE PERIODS PERIOD FOR SNOWMOBILE--AND MOTORBOAT DEALERS; AMENDING SECTIONS 23-2-512, 23-2-513, AND 23-2-515, ~~23-2-610~~--AND--~~23-2-619~~, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

Section 1. Section 23-2-512, MCA, is amended to read:

"23-2-512. Identification number. (1) The owner of each motorboat requiring numbering by this state shall file an application for number in the office of the county treasurer where the motorboat is owned or taxable on forms prepared and furnished by the division of motor vehicles. The application must be signed by the owner of the motorboat and be accompanied by a fee of \$1. Any alteration, change, or false statement contained in the application will render the certificate of number void. Upon receipt of the application in approved form, the county treasurer shall issue to the applicant a certificate of number prepared and furnished by the division of motor vehicles, stating the number assigned to the motorboat and the name and address of

the owner.

(2) Before filing the application with the county treasurer, the applicant shall submit it to the county assessor, who shall enter on the application, in a space to be provided for that purpose, the market value and taxable value of the motorboat for the year for which the application for registration is made.

(3) The applicant, upon the filing of the application, shall pay to the county treasurer the registration fee and the personal property taxes assessed against the motorboat or vessel for the current year of registration before the application for registration or reregistration may be accepted by the county treasurer.

(4) Should the ownership of a motorboat change, a new application form with fee must be filed within a reasonable time with the county treasurer and a new certificate of number assigned in the same manner as provided for in an original assignment of number.

(5) If an agency of the United States government has in force a comprehensive system of identification numbering for motorboats in the United States, the numbering system employed pursuant to this part by the division of motor vehicles must be in conformity.

(6) Every certificate of number and the license decals assigned under this part continues in effect for a period

1 not to exceed 1 year unless terminated or discontinued in
 2 accordance with the provisions of this part. Certificates of
 3 number and license decals must show the date of expiration
 4 and may be renewed by the owner in the same manner provided
 5 for in the initial securing of the certificate.

6 (7) Certificates of number expire on ~~April-30~~ December
 7 31 of each year and may not be in effect unless renewed
 8 under this part.

9 (8) In event of transfer of ownership, the purchaser
 10 shall furnish the county treasurer notice within a
 11 reasonable time of the acquisition of all or any part of his
 12 interest, other than the creation of a security interest, in
 13 a motorboat numbered in this state or of the loss, theft,
 14 destruction, or abandonment of the motorboat. The transfer,
 15 loss, theft, destruction, or abandonment terminates the
 16 certificate of number for the motorboat. Recovery from theft
 17 or transfer of a part interest that does not affect the
 18 owner's right to operate the motorboat does not terminate
 19 the certificate of number.

20 (9) A holder of a certificate of number shall notify
 21 the county treasurer within reasonable time if his address
 22 no longer conforms to the address appearing on the
 23 certificate and furnish the county treasurer with his new
 24 address. The division of motor vehicles may provide by rule
 25 for the surrender of the certificate bearing the former

1 address and its replacement with a certificate bearing the
 2 new address or the alteration of an outstanding certificate
 3 to show the new address of the holder.

4 (10) (a) The number assigned must be painted on or
 5 attached to each outboard side of the forward half of the
 6 motorboat or, if there are no such sides, at a corresponding
 7 location on both outboard sides of the foredeck of the
 8 motorboat. The number assigned must read from left to right
 9 in Arabic numerals and block characters of good proportion
 10 at least 3 inches tall excluding border or trim of a color
 11 that contrasts with the color of the background and be so
 12 maintained as to be clearly visible and legible. The number
 13 may not be placed on the obscured underside of the flared
 14 bow where it cannot be easily seen from another vessel or
 15 ashore. No numerals, letters, or devices other than those
 16 used in connection with the identifying number issued may be
 17 placed in the proximity of the identifying number. No
 18 numerals, letters, or devices that might interfere with the
 19 ready identification of the motorboat by its identifying
 20 number may be carried as to interfere with the motorboat's
 21 identification. No number other than the number and license
 22 decal assigned to a motorboat or granted reciprocity under
 23 this part may be painted, attached, or otherwise displayed
 24 on either side of the forward half of the motorboat.

25 (b) The certificate of number shall be pocket size and

1 available to federal, state, or local law enforcement
2 officers at all reasonable times for inspection on the
3 motorboat whenever the motorboat is on waters of this state.

4 (c) Boat liveries are not required to have the
5 certificate of number on board each motorboat, but a rental
6 agreement must be carried on board livery motorboats in
7 place of the certificate of number.

8 (11) Fees collected under this section shall be
9 transmitted to the state treasurer who shall deposit the
10 fees in the motorboat certificate identification account of
11 the state special revenue fund. These fees shall be used
12 only for the administration and enforcement of this part, as
13 amended.

14 (12) An owner of a motorboat must within a reasonable
15 time notify the division of motor vehicles, giving the
16 motorboat's identifying number and the owner's name when
17 that motorboat becomes documented as a vessel of the United
18 States or is transferred, lost, destroyed, abandoned, or
19 frauded or within 60 days after change of state of principal
20 use."

21 Section 2. Section 23-2-513, MCA, is amended to read:

22 "23-2-513. Dealer's identification number. (1) A
23 dealer or manufacturer may apply directly to the division of
24 motor vehicles for one identifying number and one or more
25 certificates of number. A dealer's or manufacturer's

1 identifying number shall be displayed on his boat while the
2 boat is operating for a purpose related to the buying,
3 selling, or exchanging of the boat by the dealer or
4 manufacturer.

5 (2) The application for a dealer's or manufacturer's
6 identifying number must include his name and business
7 address. Each dealer or manufacturer will have one
8 identifying number assigned to his business.

9 (3) An application for dealer's or manufacturer's
10 identifying number and certificate of number must be
11 accompanied by the following fees:

12 (a) for the identifying number, first certificate of
13 number, and set of license decals, \$5;

14 (b) for each additional certificate of number and set
15 of license decals applied for in any application, \$2.

16 (4) The division of motor vehicles shall issue
17 certificates of number for the identifying numbers assigned
18 to a dealer or manufacturer in the same manner as provided
19 in 23-2-512(1) and (10), as amended, except that no boat may
20 be described in the certificate and each certificate must
21 state that the identifying number has been assigned to a
22 dealer or manufacturer. A dealer's or manufacturer's
23 certificate of number expires on ~~April 30~~ December 31 of the
24 year for which it is issued.

25 (5) A dealer's or manufacturer's identifying number

1 shall be displayed in the same manner as provided in
 2 23-2-512(10), as amended, except that the number may be
 3 temporarily attached. The last three letters shall be "DLR"
 4 for dealer and "MFR" for manufacturer. These letters shall
 5 be included, respectively, in dealer or manufacturer
 6 identification numbers only.

7 (6) No person other than a dealer or manufacturer or
 8 an employee of a dealer or manufacturer may display or use a
 9 dealer's or manufacturer's identifying number. A dealer's or
 10 manufacturer's identifying number may be displayed only on
 11 motorboats owned by the dealer or manufacturer.

12 (7) No dealer or manufacturer or employee of a dealer
 13 or manufacturer may use a dealer's or manufacturer's
 14 identifying number for any purpose other than the purpose
 15 described in subsection (1) of this section."

16 Section 3. Section 23-2-515, MCA, is amended to read:

17 "23-2-515. License decals to be displayed. (1) Every
 18 Montana boat numbered in accordance with the provisions of
 19 23-2-512 and 23-2-513 shall be required to display license
 20 decals. For this purpose the county treasurer, upon receipt
 21 of a certificate of tax of personal property showing payment
 22 of tax on the motorboat for the current year, shall issue a
 23 pair of decals prepared and furnished by the division of
 24 motor vehicles with all new certificates of number and
 25 renewals thereof.

1 (2) The decals shall be of a style and design
 2 prescribed by the division of motor vehicles and shall be a
 3 color differing from the preceding year. The license decal
 4 will be serially numbered and have the expiration date of
 5 ~~April--30~~ December 31 of the appropriate year printed
 6 thereon.

7 (3) License decals shall be displayed only in the
 8 following manner: one valid license decal on each side of
 9 the forward half, 3 inches aft of the identifying numbers."

10 ~~Section 4.--Section 23-2-618, MCA, is amended to read:~~
 11 ~~"23-2-618.--Application--for--registration--and--decals--to~~
 12 ~~be--made--annually----grace--periods:--Application--must--be--made~~
 13 ~~annually--to--the--county--treasurer--for--registration--and--the~~
 14 ~~issuance--of--a--decal--indicating--that--the--fee--in--lieu--of~~
 15 ~~property--tax--has--been--paid--for--the--current--year:--All~~
 16 ~~registrations--and--decals--expire--on--June--30~~ December 31 ~~of~~
 17 ~~each--year."~~

18 ~~Section 5.--Section 23-2-619, MCA, is amended to read:~~

19 ~~"23-2-619.--Dealer--registration--certificate----use--of~~
 20 ~~fees:--(1)--A--dealer--registration--certificate--shall--be--issued~~
 21 ~~in--accordance--with--this--part:~~

22 ~~(2)--The--dealer--application--shall--be--accompanied--by--an~~
 23 ~~application--fee--of--\$5--and--a--registration--fee--of--\$5:--Upon~~
 24 ~~receipt--of--the--dealer--application--and--payment--of--fees,--the~~
 25 ~~dealer--shall--be--issued--two--dealer--snowmobile--identification~~

1 cards which shall be carried by the dealer or the dealer's
2 customer when demonstrating the dealer's snowmobiles.

3 (3) No bond is required of the dealer.

4 (4) The dealer shall have a principal place of
5 business where he shall maintain all his business records
6 and display and sell merchandise.

7 (5) An applicant for renewal of a snowmobile dealer
8 registration shall certify that he has sold 3 or more
9 snowmobiles during the preceding year or pay an additional
10 \$50 renewal registration fee or provide a copy of a written
11 new snowmobile franchise or sales agreement that the
12 applicant has with a manufacturer, importer, or distributor.

13 (6) Additional dealer snowmobile identification cards
14 as required by need justified to the division of motor
15 vehicles may be purchased by the dealer for a fee of \$2.

16 (7) Dealer registration certificates and
17 identification cards expire on June 30 December 31 following
18 the date of issuance.

19 (8) (a) The dealer application fees and all interest
20 accruing from use of this money shall be deposited in the
21 state special revenue fund to the credit of the department,
22 with one-half designated for use in enforcing the purposes
23 of this part and one-half designated for use in the
24 development, maintenance, and operation of snowmobile
25 facilities.

1 (b) All money collected from dealer registration and
2 renewal registration fees shall be deposited in the motor
3 vehicle recording account of the state special revenue
4 fund.

5 NEW SECTION. Section 4. Extension of authority. Any
6 existing authority of the department of fish, wildlife, and
7 parks and the department of justice to make rules on the
8 subject of the provisions of this act is extended to the
9 provisions of this act.

10 NEW SECTION. Section 5. Implementation. (1)
11 Certificates of number and license decals for motorboats and
12 motorboat dealers expiring on April 30, 1985, shall be
13 renewed for the period from March MAY 1, 1985, to December
14 31, 1985, and all amounts collected in connection with the
15 issuance must be prorated for that portion of the year.

16 (2) Registrations and decals for snowmobiles and
17 snowmobile dealers expiring on June 30, 1985, shall be
18 renewed for the period from July 1, 1985, to December 31,
19 1985, and all amounts collected in connection with the
20 registration must be prorated for that portion of the year.

21 NEW SECTION. Section 6. Effective date. This act is
22 effective on passage and approval and applies to
23 registration and licensure periods, as provided in section 7
24 5, and to subsequent periods.

-End-

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INTRODUCED BY ASAY, HAYNE, KELLER

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE REGISTRATION PERIODS PERIOD FOR SNOWMOBILES-AND MOTORBOATS AND THE LICENSURE PERIODS PERIOD FOR SNOWMOBILE---AND MOTORBOAT DEALERS; AMENDING SECTIONS 23-2-512, 23-2-513, AND 23-2-515, 23-2-618,--AND--23-2-619, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

Section 1. Section 23-2-512, MCA, is amended to read:

"23-2-512. Identification number. (1) The owner of each motorboat requiring numbering by this state shall file an application for number in the office of the county treasurer where the motorboat is owned or taxable on forms prepared and furnished by the division of motor vehicles. The application must be signed by the owner of the motorboat and be accompanied by a fee of \$1. Any alteration, change, or false statement contained in the application will render the certificate of number void. Upon receipt of the application in approved form, the county treasurer shall issue to the applicant a certificate of number prepared and furnished by the division of motor vehicles, stating the number assigned to the motorboat and the name and address of

the owner.

(2) Before filing the application with the county treasurer, the applicant shall submit it to the county assessor, who shall enter on the application, in a space to be provided for that purpose, the market value and taxable value of the motorboat for the year for which the application for registration is made.

(3) The applicant, upon the filing of the application, shall pay to the county treasurer the registration fee and the personal property taxes assessed against the motorboat or vessel for the current year of registration before the application for registration or reregistration may be accepted by the county treasurer.

(4) Should the ownership of a motorboat change, a new application form with fee must be filed within a reasonable time with the county treasurer and a new certificate of number assigned in the same manner as provided for in an original assignment of number.

(5) If an agency of the United States government has in force a comprehensive system of identification numbering for motorboats in the United States, the numbering system employed pursuant to this part by the division of motor vehicles must be in conformity.

(6) Every certificate of number and the license decals assigned under this part continues in effect for a period



1 not to exceed 1 year unless terminated or discontinued in
 2 accordance with the provisions of this part. Certificates of
 3 number and license decals must show the date of expiration
 4 and may be renewed by the owner in the same manner provided
 5 for in the initial securing of the certificate.

6 (7) Certificates of number expire on ~~April-30~~ December
 7 31 of each year and may not be in effect unless renewed
 8 under this part.

9 (8) In event of transfer of ownership, the purchaser
 10 shall furnish the county treasurer notice within a
 11 reasonable time of the acquisition of all or any part of his
 12 interest, other than the creation of a security interest, in
 13 a motorboat numbered in this state or of the loss, theft,
 14 destruction, or abandonment of the motorboat. The transfer,
 15 loss, theft, destruction, or abandonment terminates the
 16 certificate of number for the motorboat. Recovery from theft
 17 or transfer of a part interest that does not affect the
 18 owner's right to operate the motorboat does not terminate
 19 the certificate of number.

20 (9) A holder of a certificate of number shall notify
 21 the county treasurer within reasonable time if his address
 22 no longer conforms to the address appearing on the
 23 certificate and furnish the county treasurer with his new
 24 address. The division of motor vehicles may provide by rule
 25 for the surrender of the certificate bearing the former

1 address and its replacement with a certificate bearing the
 2 new address or the alteration of an outstanding certificate
 3 to show the new address of the holder.

4 (10) (a) The number assigned must be painted on or
 5 attached to each outboard side of the forward half of the
 6 motorboat or, if there are no such sides, at a corresponding
 7 location on both outboard sides of the foredeck of the
 8 motorboat. The number assigned must read from left to right
 9 in Arabic numerals and block characters of good proportion
 10 at least 3 inches tall excluding border or trim of a color
 11 that contrasts with the color of the background and be so
 12 maintained as to be clearly visible and legible. The number
 13 may not be placed on the obscured underside of the flared
 14 bow where it cannot be easily seen from another vessel or
 15 ashore. No numerals, letters, or devices other than those
 16 used in connection with the identifying number issued may be
 17 placed in the proximity of the identifying number. No
 18 numerals, letters, or devices that might interfere with the
 19 ready identification of the motorboat by its identifying
 20 number may be carried as to interfere with the motorboat's
 21 identification. No number other than the number and license
 22 decal assigned to a motorboat or granted reciprocity under
 23 this part may be painted, attached, or otherwise displayed
 24 on either side of the forward half of the motorboat.

25 (b) The certificate of number shall be pocket size and

1 available to federal, state, or local law enforcement
2 officers at all reasonable times for inspection on the
3 motorboat whenever the motorboat is on waters of this state.

4 (c) Boat liveries are not required to have the
5 certificate of number on board each motorboat, but a rental
6 agreement must be carried on board livery motorboats in
7 place of the certificate of number.

8 (11) Fees collected under this section shall be
9 transmitted to the state treasurer who shall deposit the
10 fees in the motorboat certificate identification account of
11 the state special revenue fund. These fees shall be used
12 only for the administration and enforcement of this part, as
13 amended.

14 (12) An owner of a motorboat must within a reasonable
15 time notify the division of motor vehicles, giving the
16 motorboat's identifying number and the owner's name when
17 that motorboat becomes documented as a vessel of the United
18 States or is transferred, lost, destroyed, abandoned, or
19 frauded or within 60 days after change of state of principal
20 use."

21 Section 2. Section 23-2-513, MCA, is amended to read:

22 "23-2-513. Dealer's identification number. (1) A
23 dealer or manufacturer may apply directly to the division of
24 motor vehicles for one identifying number and one or more
25 certificates of number. A dealer's or manufacturer's

1 identifying number shall be displayed on his boat while the
2 boat is operating for a purpose related to the buying,
3 selling, or exchanging of the boat by the dealer or
4 manufacturer.

5 (2) The application for a dealer's or manufacturer's
6 identifying number must include his name and business
7 address. Each dealer or manufacturer will have one
8 identifying number assigned to his business.

9 (3) An application for dealer's or manufacturer's
10 identifying number and certificate of number must be
11 accompanied by the following fees:

12 (a) for the identifying number, first certificate of
13 number, and set of license decals, \$5;

14 (b) for each additional certificate of number and set
15 of license decals applied for in any application, \$2.

16 (4) The division of motor vehicles shall issue
17 certificates of number for the identifying numbers assigned
18 to a dealer or manufacturer in the same manner as provided
19 in 23-2-512(1) and (10), as amended, except that no boat may
20 be described in the certificate and each certificate must
21 state that the identifying number has been assigned to a
22 dealer or manufacturer. A dealer's or manufacturer's
23 certificate of number expires on ~~April 30~~ December 31 of the
24 year for which it is issued.

25 (5) A dealer's or manufacturer's identifying number

1 shall be displayed in the same manner as provided in
 2 23-2-512(10), as amended, except that the number may be
 3 temporarily attached. The last three letters shall be "DLR"
 4 for dealer and "MFR" for manufacturer. These letters shall
 5 be included, respectively, in dealer or manufacturer
 6 identification numbers only.

7 (6) No person other than a dealer or manufacturer or
 8 an employee of a dealer or manufacturer may display or use a
 9 dealer's or manufacturer's identifying number. A dealer's or
 10 manufacturer's identifying number may be displayed only on
 11 motorboats owned by the dealer or manufacturer.

12 (7) No dealer or manufacturer or employee of a dealer
 13 or manufacturer may use a dealer's or manufacturer's
 14 identifying number for any purpose other than the purpose
 15 described in subsection (1) of this section."

16 Section 3. Section 23-2-515, MCA, is amended to read:

17 "23-2-515. License decals to be displayed. (1) Every
 18 Montana boat numbered in accordance with the provisions of
 19 23-2-512 and 23-2-513 shall be required to display license
 20 decals. For this purpose the county treasurer, upon receipt
 21 of a certificate of tax of personal property showing payment
 22 of tax on the motorboat for the current year, shall issue a
 23 pair of decals prepared and furnished by the division of
 24 motor vehicles with all new certificates of number and
 25 renewals thereof.

1 (2) The decals shall be of a style and design
 2 prescribed by the division of motor vehicles and shall be a
 3 color differing from the preceding year. The license decal
 4 will be serially numbered and have the expiration date of
 5 ~~April--30~~ December 31 of the appropriate year printed
 6 thereon.

7 (3) License decals shall be displayed only in the
 8 following manner: one valid license decal on each side of
 9 the forward half, 3 inches aft of the identifying numbers."

10 ~~Section 4.--Section 23-2-618, MCA, is amended to read:~~
 11 ~~"23-2-618.--Application--for--registration--and--decals--to~~
 12 ~~be--made--annually---grace--periods---Application--must--be--made~~
 13 ~~annually--to--the--county--treasurer--for--registration--and--the~~
 14 ~~issuance--of--a--decal--indicating--that--the--fee--in--lieu--of~~
 15 ~~property--tax--has--been--paid--for--the--current--year,--All~~
 16 ~~registrations--and--decals--expire--on--June--30~~ December 31 ~~of~~
 17 ~~each--year."~~

18 ~~Section 5.--Section 23-2-619, MCA, is amended to read:~~
 19 ~~"23-2-619.--Dealer--registration--certificate---use--of~~
 20 ~~fees--(1)--A--dealer--registration--certificate--shall--be--issued~~
 21 ~~in--accordance--with--this--part:~~

22 ~~(2)--The--dealer--application--shall--be--accompanied--by--an~~
 23 ~~application--fee--of--\$5--and--a--registration--fee--of--\$5. Upon~~
 24 ~~receipt--of--the--dealer--application--and--payment--of--fees,--the~~
 25 ~~dealer--shall--be--issued--two--dealer--snowmobile--identification~~

1 cards which shall be carried by the dealer or the dealer's
 2 customer when demonstrating the dealer's snowmobiles.
 3 (3) No bond is required of the dealer.
 4 (4) The dealer shall have a principal place of
 5 business where he shall maintain all his business records
 6 and display and sell merchandise.
 7 (5) An applicant for renewal of a snowmobile dealer
 8 registration shall certify that he has sold 3 or more
 9 snowmobiles during the preceding year or pay an additional
 10 \$50 renewal registration fee or provide a copy of a written
 11 new snowmobile franchise or sales agreement that the
 12 applicant has with a manufacturer, importer, or distributor.
 13 (6) Additional dealer snowmobile identification cards
 14 as required by need justified to the division of motor
 15 vehicles may be purchased by the dealer for a fee of \$2.
 16 (7) Dealer registration certificates and
 17 identification cards expire on June 30 December 31 following
 18 the date of issuance.
 19 (8) (a) The dealer application fees and all interest
 20 accruing from use of this money shall be deposited in the
 21 state special revenue fund to the credit of the department,
 22 with one half designated for use in enforcing the purposes
 23 of this part and one half designated for use in the
 24 development, maintenance, and operation of snowmobile
 25 facilities.

1 (b) All money collected from dealer registration and
 2 renewal registration fees shall be deposited in the motor
 3 vehicle recording account of the state special revenue
 4 fund.
 5 NEW SECTION. Section 4. Extension of authority. Any
 6 existing authority of the department of fish, wildlife, and
 7 parks and the department of justice to make rules on the
 8 subject of the provisions of this act is extended to the
 9 provisions of this act.
 10 NEW SECTION. Section 5. Implementation. (1)
 11 Certificates of number and license decals for motorboats and
 12 motorboat dealers expiring on April 30, 1985, shall be
 13 renewed for the period from March MAY 1, 1985, to December
 14 31, 1985, and all amounts collected in connection with the
 15 issuance must be prorated for that portion of the year.
 16 (2) Registrations and decals for snowmobiles and
 17 snowmobile dealers expiring on June 30, 1985, shall be
 18 renewed for the period from July 1, 1985, to December 31,
 19 1985, and all amounts collected in connection with the
 20 registration must be prorated for that portion of the year.
 21 NEW SECTION. Section 6. Effective date. This act is
 22 effective on passage and approval and applies to
 23 registration and licensure periods, as provided in section 7
 24 5, and to subsequent periods.

-End-

HOUSE BILL NO. 167

INTRODUCED BY ASAY, HAYNE, KELLER

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE REGISTRATION PERIODS PERIOD FOR SNOWMOBILES-AND MOTORBOATS AND THE LICENSURE PERIODS PERIOD FOR SNOWMOBILE---AND MOTORBOAT DEALERS; AMENDING SECTIONS 23-2-512, 23-2-513, AND 23-2-515, 23-2-618,---AND--23-2-619, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

Section 1. Section 23-2-512, MCA, is amended to read:

"23-2-512. Identification number. (1) The owner of each motorboat requiring numbering by this state shall file an application for number in the office of the county treasurer where the motorboat is owned or taxable on forms prepared and furnished by the division of motor vehicles. The application must be signed by the owner of the motorboat and be accompanied by a fee of \$1. Any alteration, change, or false statement contained in the application will render the certificate of number void. Upon receipt of the application in approved form, the county treasurer shall issue to the applicant a certificate of number prepared and furnished by the division of motor vehicles, stating the number assigned to the motorboat and the name and address of

the owner.

(2) Before filing the application with the county treasurer, the applicant shall submit it to the county assessor, who shall enter on the application, in a space to be provided for that purpose, the market value and taxable value of the motorboat for the year for which the application for registration is made.

(3) The applicant, upon the filing of the application, shall pay to the county treasurer the registration fee and the personal property taxes assessed against the motorboat or vessel for the current year of registration before the application for registration or reregistration may be accepted by the county treasurer.

(4) Should the ownership of a motorboat change, a new application form with fee must be filed within a reasonable time with the county treasurer and a new certificate of number assigned in the same manner as provided for in an original assignment of number.

(5) If an agency of the United States government has in force a comprehensive system of identification numbering for motorboats in the United States, the numbering system employed pursuant to this part by the division of motor vehicles must be in conformity.

(6) Every certificate of number and the license decals assigned under this part continues in effect for a period



1 not to exceed 1 year unless terminated or discontinued in
 2 accordance with the provisions of this part. Certificates of
 3 number and license decals must show the date of expiration
 4 and may be renewed by the owner in the same manner provided
 5 for in the initial securing of the certificate.

6 (7) Certificates of number expire on ~~April 30~~ December
 7 31 of each year and may not be in effect unless renewed
 8 under this part.

9 (8) In event of transfer of ownership, the purchaser
 10 shall furnish the county treasurer notice within a
 11 reasonable time of the acquisition of all or any part of his
 12 interest, other than the creation of a security interest, in
 13 a motorboat numbered in this state or of the loss, theft,
 14 destruction, or abandonment of the motorboat. The transfer,
 15 loss, theft, destruction, or abandonment terminates the
 16 certificate of number for the motorboat. Recovery from theft
 17 or transfer of a part interest that does not affect the
 18 owner's right to operate the motorboat does not terminate
 19 the certificate of number.

20 (9) A holder of a certificate of number shall notify
 21 the county treasurer within reasonable time if his address
 22 no longer conforms to the address appearing on the
 23 certificate and furnish the county treasurer with his new
 24 address. The division of motor vehicles may provide by rule
 25 for the surrender of the certificate bearing the former

1 address and its replacement with a certificate bearing the
 2 new address or the alteration of an outstanding certificate
 3 to show the new address of the holder.

4 (10) (a) The number assigned must be painted on or
 5 attached to each outboard side of the forward half of the
 6 motorboat or, if there are no such sides, at a corresponding
 7 location on both outboard sides of the foredeck of the
 8 motorboat. The number assigned must read from left to right
 9 in Arabic numerals and block characters of good proportion
 10 at least 3 inches tall excluding border or trim of a color
 11 that contrasts with the color of the background and be so
 12 maintained as to be clearly visible and legible. The number
 13 may not be placed on the obscured underside of the flared
 14 bow where it cannot be easily seen from another vessel or
 15 ashore. No numerals, letters, or devices other than those
 16 used in connection with the identifying number issued may be
 17 placed in the proximity of the identifying number. No
 18 numerals, letters, or devices that might interfere with the
 19 ready identification of the motorboat by its identifying
 20 number may be carried as to interfere with the motorboat's
 21 identification. No number other than the number and license
 22 decal assigned to a motorboat or granted reciprocity under
 23 this part may be painted, attached, or otherwise displayed
 24 on either side of the forward half of the motorboat.

25 (b) The certificate of number shall be pocket size and

1 available to federal, state, or local law enforcement
 2 officers at all reasonable times for inspection on the
 3 motorboat whenever the motorboat is on waters of this state.

4 (c) Boat liveries are not required to have the
 5 certificate of number on board each motorboat, but a rental
 6 agreement must be carried on board livery motorboats in
 7 place of the certificate of number.

8 (11) Fees collected under this section shall be
 9 transmitted to the state treasurer who shall deposit the
 10 fees in the motorboat certificate identification account of
 11 the state special revenue fund. These fees shall be used
 12 only for the administration and enforcement of this part, as
 13 amended.

14 (12) An owner of a motorboat must within a reasonable
 15 time notify the division of motor vehicles, giving the
 16 motorboat's identifying number and the owner's name when
 17 that motorboat becomes documented as a vessel of the United
 18 States or is transferred, lost, destroyed, abandoned, or
 19 frauded or within 60 days after change of state of principal
 20 use."

21 Section 2. Section 23-2-513, MCA, is amended to read:

22 "23-2-513. Dealer's identification number. (1) A
 23 dealer or manufacturer may apply directly to the division of
 24 motor vehicles for one identifying number and one or more
 25 certificates of number. A dealer's or manufacturer's

1 identifying number shall be displayed on his boat while the
 2 boat is operating for a purpose related to the buying,
 3 selling, or exchanging of the boat by the dealer or
 4 manufacturer.

5 (2) The application for a dealer's or manufacturer's
 6 identifying number must include his name and business
 7 address. Each dealer or manufacturer will have one
 8 identifying number assigned to his business.

9 (3) An application for dealer's or manufacturer's
 10 identifying number and certificate of number must be
 11 accompanied by the following fees:

12 (a) for the identifying number, first certificate of
 13 number, and set of license decals, \$5;

14 (b) for each additional certificate of number and set
 15 of license decals applied for in any application, \$2.

16 (4) The division of motor vehicles shall issue
 17 certificates of number for the identifying numbers assigned
 18 to a dealer or manufacturer in the same manner as provided
 19 in 23-2-512(1) and (10), as amended, except that no boat may
 20 be described in the certificate and each certificate must
 21 state that the identifying number has been assigned to a
 22 dealer or manufacturer. A dealer's or manufacturer's
 23 certificate of number expires on ~~April 30~~ December 31 of the
 24 year for which it is issued.

25 (5) A dealer's or manufacturer's identifying number

1 shall be displayed in the same manner as provided in
 2 23-2-512(10), as amended, except that the number may be
 3 temporarily attached. The last three letters shall be "DLR"
 4 for dealer and "MFR" for manufacturer. These letters shall
 5 be included, respectively, in dealer or manufacturer
 6 identification numbers only.

7 (6) No person other than a dealer or manufacturer or
 8 an employee of a dealer or manufacturer may display or use a
 9 dealer's or manufacturer's identifying number. A dealer's or
 10 manufacturer's identifying number may be displayed only on
 11 motorboats owned by the dealer or manufacturer.

12 (7) No dealer or manufacturer or employee of a dealer
 13 or manufacturer may use a dealer's or manufacturer's
 14 identifying number for any purpose other than the purpose
 15 described in subsection (1) of this section."

16 Section 3. Section 23-2-515, MCA, is amended to read:

17 "23-2-515. License decals to be displayed. (1) Every
 18 Montana boat numbered in accordance with the provisions of
 19 23-2-512 and 23-2-513 shall be required to display license
 20 decals. For this purpose the county treasurer, upon receipt
 21 of a certificate of tax of personal property showing payment
 22 of tax on the motorboat for the current year, shall issue a
 23 pair of decals prepared and furnished by the division of
 24 motor vehicles with all new certificates of number and
 25 renewals thereof.

1 (2) The decals shall be of a style and design
 2 prescribed by the division of motor vehicles and shall be a
 3 color differing from the preceding year. The license decal
 4 will be serially numbered and have the expiration date of
 5 ~~April--30~~ December 31 of the appropriate year printed
 6 thereon.

7 (3) License decals shall be displayed only in the
 8 following manner: one valid license decal on each side of
 9 the forward half, 3 inches aft of the identifying numbers."

10 ~~Section 4.--Section 23-2-618, MCA, is amended to read:~~

11 ~~"23-2-618.--Application--for--registration--and--decals--to~~
 12 ~~be--made--annually---grace--periods---Application--must--be--made~~
 13 ~~annually--to--the--county--treasurer--for--registration--and--the~~
 14 ~~issuance--of--a--decal--indicating--that--the--fee--in--lieu--of~~
 15 ~~property--tax--has--been--paid--for--the--current--year,--All~~
 16 ~~registrations--and--decals--expire--on--June--30~~ December 31 ~~of~~
 17 ~~each--year."~~

18 ~~Section 5.--Section 23-2-619, MCA, is amended to read:~~

19 ~~"23-2-619.--Dealer--registration--certificate---use--of~~
 20 ~~fees--(1)--A--dealer--registration--certificate--shall--be--issued~~
 21 ~~in--accordance--with--this--part.~~

22 ~~(2)--The--dealer--application--shall--be--accompanied--by--an~~
 23 ~~application--fee--of--\$5--and--a--registration--fee--of--\$5,--Upon~~
 24 ~~receipt--of--the--dealer--application--and--payment--of--fees,--the~~
 25 ~~dealer--shall--be--issued--two--dealer--snowmobile--identification~~

1 cards which shall be carried by the dealer or the dealer's
2 customer when demonstrating the dealer's snowmobiles.

3 (3) No bond is required of the dealer.

4 (4) The dealer shall have a principal place of
5 business where he shall maintain all his business records
6 and display and sell merchandise.

7 (5) An applicant for renewal of a snowmobile dealer
8 registration shall certify that he has sold 3 or more
9 snowmobiles during the preceding year or pay an additional
10 \$50 renewal registration fee or provide a copy of a written
11 new snowmobile franchise or sales agreement that the
12 applicant has with a manufacturer, importer, or distributor.

13 (6) Additional dealer snowmobile identification cards
14 as required by need justified to the division of motor
15 vehicles may be purchased by the dealer for a fee of \$2.

16 (7) Dealer registration certificates and
17 identification cards expire on June 30 ~~December 31~~ following
18 the date of issuance.

19 (8) (a) The dealer application fees and all interest
20 accruing from use of this money shall be deposited in the
21 state special revenue fund to the credit of the department,
22 with one-half designated for use in enforcing the purposes
23 of this part and one-half designated for use in the
24 development, maintenance, and operation of snowmobile
25 facilities.

1 (b) All money collected from dealer registration and
2 renewal registration fees shall be deposited in the motor
3 vehicle recording account of the state special revenue
4 fund.

5 NEW SECTION. Section 4. Extension of authority. Any
6 existing authority of the department of fish, wildlife, and
7 parks and the department of justice to make rules on the
8 subject of the provisions of this act is extended to the
9 provisions of this act.

10 NEW SECTION. Section 5. Implementation. (1)
11 Certificates of number and license decals for motorboats and
12 motorboat dealers expiring on April 30, 1985, shall be
13 renewed for the period from March MAY 1, 1985, to December
14 31, 1985, and all amounts collected in connection with the
15 issuance must be prorated for that portion of the year.

16 (2) Registrations and decals for snowmobiles and
17 snowmobile dealers expiring on June 30, 1985, shall be
18 renewed for the period from July 1, 1985, to December 31,
19 1985, and all amounts collected in connection with the
20 registration must be prorated for that portion of the year.

21 NEW SECTION. Section 6. Effective date. This act is
22 effective on passage and approval and applies to
23 registration and licensure periods, as provided in section 7
24 5, and to subsequent periods.

-End-