# HOUSE BILL NO. 167

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## 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 TH	IE SENATE
January 29, 1985	Introduced and referred to Committee on Fish and Game.
March 20, 1985	Committee recommend bill be concurred 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 TH	IE HOUSE
March 26, 1985	Received from Senate.
	Sent to enrolling.
	Reported correctly enrolled.

HOUSE BILL NO. 167 INTRODUCED BY August Harpe Holles 1 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE 4

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

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

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

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.

(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.

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

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

6 (7) Certificates of number expire on April-30 December
7 <u>31</u> 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 shall furnish the county treasurer notice within a 10 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 owner's right to operate the motorboat does not terminate 18 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 address and its replacement with a certificate bearing the
 new address or the alteration of an outstanding certificate
 to show the new address of the holder.

(10) (a) The number assigned must be painted on or 4 5 attached to each outboard side of the forward half of the 6 motorboat or, if there are no such sides, at a corresponding location on both outboard sides of the foredeck of the 7 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 maintained as to be clearly visible and legible. The number 12 may not be placed on the obscured underside of the flared 13 14 bow where it cannot be easily seen from another vessel or 15 ashore. No numerals, letters, or devices other than those used in connection with the identifying number issued may be 16 placed in the proximity of the identifying number. No 17 numerals, letters, or devices that might interfere with the 18 ready identification of the motorboat by its identifying 19 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 this part may be painted, attached, or otherwise displayed 23 on either side of the forward half of the motorboat. 24 25 (b) The certificate of number shall be pocket size and

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available to federal, state, or local law enforcement officers at all reasonable times for inspection on the motorboat whenever the motorboat is on waters of this state. (c) Boat liveries are not required to have the certificate of number on board each motorboat, but a rental agreement must be carried on board livery motorboats in 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 identifying number shall be displayed on his boat while the
 boat is operating for a purpose related to the buying,
 selling, or exchanging of the boat by the dealer or
 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 set15 of license decals applied for in any application, \$2.

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

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

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shall be displayed in the same manner as provided in
 23-2-512(10), as amended, except that the number may be
 temporarily attached. The last three letters shall be "DLR"
 for dealer and "MFR" for manufacturer. These letters shall
 be included, respectively, in dealer or manufacturer
 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 Montana boat numbered in accordance with the provisions of 18 23-2-512 and 23-2-513 shall be required to display license 19 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 renewals thereof. 25

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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 following manner: one valid license decal on each side of 8 the forward half, 3 inches aft of the identifying numbers." 9 Section 4. Section 23-2-618, MCA, is amended to read: 1.0 11 "23-2-618. Application for registration and decals to be made annually -- grace periods. Application must be made 12 13 annually to the county treasurer for registration and the issuance of a decal indicating that the fee in lieu of 14 property tax has been paid for the current year. All 15 registrations and decals expire on June-30 December 31 of 16 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.

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

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

(3) No bond is required of the dealer.

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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.

(5) An applicant for renewal of a snowmobile dealer 7 registration shall certify that he has sold 3 or more 8 snowmobiles during the preceding year or pay an additional э \$50 renewal registration fee or provide a copy of a written 10 snowmobile franchise or sales agreement that the 11 new applicant has with a manufacturer, importer, or distributor. 12 (6) Additional dealer snowmobile identification cards 13 as required by need justified to the division of motor 14 vehicles may be purchased by the dealer for a fee of \$2. 15

16 (7) Dealer registration certificates and
17 identification cards expire on *Fune-30* <u>December 31</u> following
18 the date of issuance.

(B) (a) The dealer application fees and all interest accruing from use of this money shall be deposited in the state special revenue fund to the credit of the department, with one-half designated for use in enforcing the purposes of this part and one-half designated for use in the development, maintenance, and operation of snowmobile facilities. (b) All money collected from dealer registration and
 renewal registration fees shall be deposited in the motor
 vehicle recording account of the state special revenue
 fund."

5 <u>NEW SECTION.</u> 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 <u>NEW SECTION.</u> 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 <u>NEW SECTION</u>. 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.

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#### 49th Legislature

#### HB 0167/02

#### 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 4 REGISTRATION PERIODS PERIOD FOR SNOWMOBILES-AND MOTORBOATS 5 AND THE LICENSURE PERIODS PERIOD FOR SNOWMOBILE --- AND 6 7 MOTORBOAT DEALERS: AMENDING SECTIONS 23-2-512, 23-2-513, AND 23-2-515, 23-2-6107--AND--23-2-6197 MCA; AND PROVIDING AN 8 IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE." 9

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2 3

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

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the owner.

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2 (2) Before filing the application with the county 3 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 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 application for registration or reregistration may be 12 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 time with the county treasurer and a new certificate of 16 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 in force a comprehensive system of identification numbering 20 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

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HB 167 SECOND READING not to exceed 1 year unless terminated or discontinued in
 accordance with the provisions of this part. Certificates of
 number and license decals must show the date of expiration
 and may be renewed by the owner in the same manner provided
 for in the initial securing of the certificate.

6 (7) Certificates of number expire on April-30 December
7 <u>31</u> 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, destruction, or abandonment of the motorboat. The transfer, 14 loss, theft, destruction, or abandonment terminates the 15 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 the certificate of number. 19

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

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address and its replacement with a certificate bearing the
 new address or the alteration of an outstanding certificate
 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 ashore. No numerals, letters, or devices other than those 15 used in connection with the identifying number issued may be 16 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.

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

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available to federal, state, or local law enforcement officers at all reasonable times for inspection on the motorboat whenever the motorboat is on waters of this state. (c) Boat liveries are not required to have the certificate of number on board each motorboat, but a rental agreement must be carried on board livery motorboats in 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."

Section 2. Section 23-2-513, MCA, is amended to read: "23-2-513. Dealer's identification number. (1) A dealer or manufacturer may apply directly to the division of motor vehicles for one identifying number and one or more certificates of number. A dealer's or manufacturer's

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identifying number shall be displayed on his boat while the
 boat is operating for a purpose related to the buying,
 selling, or exchanging of the boat by the dealer or
 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;

(b) for each additional certificate of number and setof license decais applied for in any application, \$2.

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

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

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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."

Section 3. Section 23-2-515, MCA, is amended to read: 16 "23-2-515. License decals to be displayed. (1) Every 17 Montana boat numbered in accordance with the provisions of 18 23-2-512 and 23-2-513 shall be required to display license 19 decals. For this purpose the county treasurer, upon receipt 20 of a certificate of tax of personal property showing payment 21 of tax on the motorboat for the current year, shall issue a 22 pair of decals prepared and furnished by the division of 23 motor vehicles with all new certificates of number and 24 renewals thereof. 25

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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 the forward half, 3 inches aft of the identifying numbers." g Section-4---Section-23-2-6187-MCAy-is-amended-to--read-10 11 #23-2-610---Application--for-registration-and-decals-to 12 be-made-annually----grace-periods---Application-must-be-made annually-to-the-county-treasurer-for--registration--and--the 13 14 issuance--of--a--decal--indicating--that--the-fee-in-lieu-of property-tax--has--been--paid--for--the--current--year---All 15 16 registrations--and--decals--expire-on-June-30 December-31 of 17 each-vear-" Section-57--Section-23-2-6197-MCA7-is-amended-to--read+ 18 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--Boon

24 receipt-of-the-dealer-application-and-payment-of--fees7--the

25 dealer--shall-be-issued-two-dealer-snowmobile-identification

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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 t4)--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 t5;--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 applicant-has-with-a-manufacturer;-importer;-or-distributor; 12 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)--Bealer----registration-----certificates-----and 17 identification-cards-expire-on-June-30 December-31 following 18 the-date-of-issuance. 19 (B)--(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 development7--maintenance7--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-<sup>u</sup>

5 <u>NEW SECTION.</u> 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 <u>NEW SECTION.</u> 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.

(2)--Registrations--and--decals--for--snowmobiles---and 16 snowmobile--dealers--expiring--on--dune--307--19857-shall-be 17 18 renewed-for-the-period-from-July-17-19857--to--December--317 19857--and--all--amounts--collected--in--connection-with-the 19 20 registration-must-be-prorated-for-that-portion-of-the--year-21 NEW SECTION. Section 6. Effective date. This act is effective on passage and approval and 22 applies to registration and licensure periods, as provided in section 7 23 5, and to subsequent periods. 24

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HOUSE BILL NO. 167

INTRODUCED BY ASAY, HAYNE, KELLER

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE 5 REGISTRATION PERIODS <u>PERIOD</u> FOR SNOWMOBILES-AND MOTORBOATS 6 AND THE LICENSURE PERIODS <u>PERIOD</u> FOR SNOWMOBILE---AND 7 MOTORBOAT DEALERS; AMENDING SECTIONS 23-2-512, 23-2-513, <u>AND</u> 8 23-2-515, 23-2-6187--AND--23-2-6197 MCA; AND PROVIDING AN 9 IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

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

(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.

24 (6) Every certificate of number and the license decals25 assigned under this part continues in effect for a period

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THIRD READING

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

6 (7) Certificates of number expire on April-30 December
7 <u>31</u> of each year and may not be in effect unless renewed
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(8) In event of transfer of ownership, the purchaser 9 shall furnish the county treasurer notice within a 10 reasonable time of the acquisition of all or any part of his 11 interest, other than the creation of a security interest, in 12 a motorboat numbered in this state or of the loss, theft, 13 destruction, or abandonment of the motorboat. The transfer, 14 loss, theft, destruction, or abandonment terminates the 15 certificate of number for the motorboat. Recovery from theft 16 or transfer of a part interest that does not affect the 17 owner's right to operate the motorboat does not terminate 18 the certificate of number. 19

(9) A holder of a certificate of number shall notify the county treasurer within reasonable time if his address no longer conforms to the address appearing on the certificate and furnish the county treasurer with his new address. The division of motor vehicles may provide by rule for the surrender of the certificate bearing the former address and its replacement with a certificate bearing the
 new address or the alteration of an outstanding certificate
 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 motorboat or, if there are no such sides, at a corresponding б location on both outboard sides of the foredeck of the 7 motorboat. The number assigned must read from left to right 8 q in Arabic numerals and block characters of good proportion 10 at least 3 inches tall excluding border or trim of a color that contrasts with the color of the background and be so 11 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 placed in the proximity of the identifying number. No 17 18 numerals, letters, or devices that might interfere with the 19 ready identification of the motorboat by its identifying number may be carried as to interfere with the motorboat's 20 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.

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

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available to federal, state, or local law enforcement
 officers at all reasonable times for inspection on the
 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."

Section 2. Section 23-2-513, MCA, is amended to read:
"23-2-513. Dealer's identification number. (1) A
dealer or manufacturer may apply directly to the division of
motor vehicles for one identifying number and one or more
certificates of number. A dealer's or manufacturer's

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identifying number shall be displayed on his boat while the
 boat is operating for a purpose related to the buying,
 selling, or exchanging of the boat by the dealer or
 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 set15 of license decals applied for in any application, \$2.

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

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

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

Section 3. Section 23-2-515, MCA, is amended to read: 16 "23-2-515. License decals to be displayed. (1) Every 17 Montana boat numbered in accordance with the provisions of 18 19 23-2-512 and 23-2-513 shall be required to display license decals. For this purpose the county treasurer, upon receipt 20 of a certificate of tax of personal property showing payment 21 of tax on the motorboat for the current year, shall issue a 22 pair of decals prepared and furnished by the division of 23 motor vehicles with all new certificates of number and 24 25 renewals thereof.

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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 following manner: one valid license decal on each side of 8 9 the forward half, 3 inches aft of the identifying numbers." 10 Section-4---Section-23-2-618--MCAy-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 Becember-31 of 17 each-vear+" 18 Section-5---Section-23-2-6197-MCAy-is-amended-to--read+ 19 "23-2-619---Degler--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--fees7--the 25 dealer--shall-be-issued-two-dealer-snowmobile-identification

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1	cards-which-shall-be-carried-by-the-dealer-orthedealer's
2	customer-when-demonstrating-the-dealer's-snowmobiles.
3	<pre>t3;No-bond-is-required-of-the-dealer-</pre>
4	<pre>(4)Thedealershallhaveaprincipalplaceof</pre>
5	business-where-he-shall-maintain-allhisbusinessrecords
6	and-display-and-sell-merchandise-
7	(5)Anapplicantforrenewal-of-a-snowmobile-dealer
в	registration-shall-certifythathehassold3ormore
9	snowmobilesduringthe-preceding-year-or-pay-an-additional
10	\$50-renewal-registration-fee-or-provide-a-copy-of-awritten
11	newsnowmobilefranchiseorsalesagreementthatthe
12	applicant-has-with-a-manufacturer7-importer7-or-distributor;
13	<pre>(6)Additional-dealer-snowmobile-identificationcards</pre>
14	asrequiredbyneedjustifiedtothe-division-of-motor
15	vehicles-may-be-purchased-by-the-dealer-for-a-fee-of-92.
16	(7)Bealerregistrationcertificatesand
17	identification-cards-expire-on-June-30 <u>December-31</u> following
18	the-date-of-issuance.
19	<pre>(8)(a)-Thedealerapplication-fees-and-all-interest</pre>
20	accruing-from-use-of-this-money-shall-bedepositedinthe
21	statespecial-revenue-fund-to-the-credit-of-the-department;
22	with-one-half-designated-for-use-in-enforcingthepurposes
23	ofthispartandone-halfdesignatedforuseinthe
24	development7maintenance7andoperationofsnowmobile
25	facilities-

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{b}--All--money--collected-from-dealer-registration-and renewal-registration-fees-shall-be-deposited--in--the--motor vehicle--recording--account--of--the--state--special-revenue fund."

5 <u>NEW SECTION.</u> 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.

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

16 (2)--Registrations--and--decals--for--snowmobiles---and 17 snowmobile--dealers--expiring--on--June--307--19857-shall-be 18 renewed-for-the-period-from-July-17-19857--to--Becember--317 19 19857--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.

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#### HOUSE BILL NO. 167

IN	NTRODUCED	BY	ASAY,	HAYNE,	KELLER

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE 5 REGISTRATION PERIODS <u>PERIOD</u> FOR SNOWMOBILES-AND MOTORBOATS 6 AND THE LICENSURE PERIODS <u>PERIOD</u> FOR SNOWMOBILE---AND 7 MOTORBOAT DEALERS; AMENDING SECTIONS 23-2-512, 23-2-513, <u>AND</u> 8 23-2-515, 23-2-6107--AND--23-2-6197 MCA; AND PROVIDING AN 9 IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

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

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.

(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.

24 (6) Every certificate of number and the license decals25 assigned under this part continues in effect for a period



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

6 (7) Certificates of number expire on April-30 December
7 <u>31</u> 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.

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

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

(10) (a) The number assigned must be painted on or 4 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 maintained as to be clearly visible and legible. The number 12 13 may not be placed on the obscured underside of the flared 14 bow where it cannot be easily seen from another vessel or ashore. No numerals, letters, or devices other than those 15 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 number may be carried as to interfere with the motorboat's 20 identification. No number other than the number and license 21 decal assigned to a motorboat or granted reciprocity under 22 23 this part may be painted, attached, or otherwise displayed 24 on either side of the forward half of the motorboat.

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

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available to federal, state, or local law enforcement
 officers at all reasonable times for inspection on the
 motorboat whenever the motorboat is on waters of this state.
 (c) Boat liveries are not required to have the
 certificate of number on board each motorboat, but a rental
 agreement must be carried on board livery motorboats in
 place of the certificate of number.

8 (11) Pees 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 identifying number shall be displayed on his boat while the
 boat is operating for a purpose related to the buying,
 selling, or exchanging of the boat by the dealer or
 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 of13 number, and set of license decals, \$5;

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

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

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

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

Section 3. Section 23-2-515, MCA, is amended to read: 16 17 "23-2-515. License decals to be displayed. (1) Every Montana boat numbered in accordance with the provisions of 18 23-2-512 and 23-2-513 shall be required to display license 19 20 decals. For this purpose the county treasurer, upon receipt of a certificate of tax of personal property showing payment 21 of tax on the motorboat for the current year, shall issue a 22 23 pair of decals prepared and furnished by the division of 24 motor vehicles with all new certificates of number and 25 renewals thereof.

(2) The decals shall be of a style and design
 prescribed by the division of motor vehicles and shall be a
 color differing from the preceding year. The license decal
 will be serially numbered and have the expiration date of
 April--30 December 31 of the appropriate year printed
 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-23-2-6187-MEA7-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-23-2-6197-MCA7-is-amended-to--read: 19 #23-2-619---Bealer--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

application--fee--of--\$5--and-a-registration-fee-of-\$5--Upon
 receipt-of-the-dealer-application-and-payment-of--fees7--the
 dealer--shall-be-issued-two-dealer-snowmobile-identification

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cards-which-shall-be-carried-by-the-dealer-or--the--dealer+s 1 2 customer-when-demonstrating-the-dealer's-snowmobiles-(3)--No-bond-is-required-of-the-dealer: 3 (4)--The---dealer--shall--have--a--principal--place--of 4 business-where-he-shall-maintain-all--his--business--records 5 6 and-display-and-sell-merchandise. (5)--An--applicant--for--renewal-of-a-snowmobile-dealer 7 registration-shall-certify--that--he--has--sold--3--or--more 8 snowmobiles--during--the-preceding-year-or-pay-an-additional 9 10 \$50-renewal-registration-fee-or-provide-a-copy-of-a--written new---snowmobile--franchise--or--sales--agreement--that--the 11 applicant-has-with-a-manufacturer7-importer7-or-distributor+ 12 13 (6)--Additional-dealer-snowmobile-identification--cards as--required--by--need--justified--to--the-division-of-motor 14 15 vehicles-may-be-purchased-by-the-dealer-for-a-fee-of-\$2; f7}--Dealer----registration----certificates-----and 16 identification-cards-expire-on-June-30 December-31 following 17 18 the-date-of-issuance-(8)--(a)-The--dealer--application-fees-and-all-interest 19 accruing-from-use-of-this-money-shall-be--deposited--in--the 20 state--special-revenue-fund-to-the-credit-of-the-department; 21 with-one-half-designated-for-use-in-enforcing--the--purposes 22 of--this--part--and--one-half--designated--for--use--in--the 23 developmenty--maintenancey--and--operation---of---snowmobile 24

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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 <u>NEW SECTION.</u> 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.

10NEW SECTION.Section 5. Implementation.(1)11Certificates of number and license decals for motorboats and12motorboat dealers expiring on April 30, 1985, shall be13renewed for the period from March MAY 1, 1985, to December1431, 1985, and all amounts collected in connection with the15issuance must be prorated for that portion of the year.

16 (2)--Registrations--and--decals--for--snowmobiles---and 17 snowmobile--dealers--expiring--on--June--307--19857-shall-be 18 renewed-for-the-period-from-July-17-19857--to--Becember--317 19 19857--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.

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