

HOUSE BILL NO. 225

1/17 Introduced
1/17 Referred to Highways & Transportation
1/18 Fiscal Note Requested
1/25 Fiscal Note Received
2/07 Hearing
Died in Committee

HOUSE BILL NO. 225

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 2 INTRODUCED BY *Menehan HART Roney Harbue Moore*
Paulovich Marko Keman *Shannon Joe Dean* *Janet Moore* *KREBER*
 3
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REMOVE THE *Smith*
 5 REQUIREMENT THAT BACK VEHICLE TAXES OR FEES BE PAID PRIOR TO *James*
 6 REGISTRATION FOR A MOTOR VEHICLE NOT REGISTERED OR OPERATED *Devin*
 7 IN THE PREVIOUS YEAR; AMENDING SECTION 61-3-303, MCA; AND
 8 PROVIDING AN APPLICABILITY DATE."

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

11 Section 1. Section 61-3-303, MCA, is amended to read:

12 "61-3-303. Application for registration. (1) Every
 13 owner of a motor vehicle operated or driven upon the public
 14 highways of this state shall for each motor vehicle owned,
 15 except as herein otherwise expressly provided, file or cause
 16 to be filed in the office of the county treasurer where the
 17 motor vehicle is owned or taxable an application for
 18 registration or reregistration upon a blank form to be
 19 prepared and furnished by the division. The application
 20 shall contain:

- 21 (a) name and address of owner, giving county, school
- 22 district, and town or city within whose corporate limits the
- 23 motor vehicle is taxable, if taxable, or within whose
- 24 corporate limits the owner's residence is located if the
- 25 motor vehicle is not taxable;

1 (b) name and address of the holder of any security
2 interest in the motor vehicle;

3 (c) description of motor vehicle, including make, year
4 model, engine or serial number, manufacturer's model or
5 letter, gross weight, type of body, and if truck, the rated
6 capacity;

7 (d) in case of reregistration, the license number for
8 the preceding year; and

9 (e) such other information as the division may
10 require.

11 (2) A person who files an application for registration
12 or reregistration of a motor vehicle, except of a mobile
13 home as defined in 15-1-101(1), shall upon the filing of the
14 application pay to the county treasurer:

15 (a) the registration fee, as provided in 61-3-311 and
16 61-3-321; and

17 (b) ~~unless--it-has-been-previously-paid~~ the applicable
18 taxes or fees as follows:

- 19 (i) the personal property taxes assessed;
- 20 (ii) the new motor vehicle sales tax against the
- 21 vehicle for the current year of registration and/or the
- 22 license fee imposed by 61-3-532; or
- 23 (iii) in the case of a motor home, travel trailer, or
- 24 camper, the fee in lieu of property tax for the current year
- 25 of registration.



1 (3) The application may not be accepted by the county
2 treasurer unless the payments required by subsection (2) for
3 the current year of registration accompany the application.
4 The county treasurer may not assess or collect taxes or fees
5 for any period other than the current year of registration
6 if the vehicle was not registered or operated on the
7 highways of the state in the previous year, regardless of
8 the period of time since the vehicle was previously
9 registered or operated.

10 (4) The county treasurer may make full and complete
11 investigation of the tax status of the vehicle. Any
12 applicant for registration or reregistration must submit
13 proof from the tax or other appropriate records of the
14 proper county at the request of the county treasurer."

15 NEW SECTION. Section 2. Extension of authority. Any
16 existing authority of the department of revenue or division
17 of motor vehicles to make rules on the subject of the
18 provisions of this act is extended to the provisions of this
19 act.

20 NEW SECTION. Section 3. Applicability. This act
21 applies to motor vehicles registered on or after January 1,
22 1986.

-End-

STATE OF MONTANA
FISCAL NOTE

REQUEST NO. FN 132-85

Form BD-15

In compliance with a written request received January 18, 19 85, there is hereby submitted a Fiscal Note for H.B. 225 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to remove the requirement that back vehicle taxes or fees be paid prior to registration for a motor vehicle not registered or operated in the previous year.

ASSUMPTIONS:

1. There were 645,100 light vehicles registered in Montana in FY 1984.
2. Taxes are delinquent on 2,591 light vehicles (.4%).
3. .4% of the taxes on all other motor vehicles are delinquent.
4. The taxable value of .4% of other categories of motor vehicles is \$15,211.
5. No new car sales taxes are delinquent.
6. The average fee in lieu of tax for light automobiles and trucks is \$48.90.
7. Motor vehicle fees and taxes are allocated on the basis of relative mill levies.
8. The University System levy is 6 mills; the School Foundation Program levy is 45 mills; the average state mill levy is 237 mills.



BUDGET DIRECTOR
Office of Budget and Program Planning

Date: Jan 23, 1985
HB 225

ESTIMATED EFFECT ON REVENUE IN A TYPICAL YEAR:

1)	<u>School Foundation Program</u>	<u>University System</u>	<u>Local Revenue</u>
Back taxes	.045 X \$15,211 = \$ 684	.006 X \$ 15,211 = \$ 91	.186 X \$ 15,211 = \$ 2,829
Back fees in lieu of taxes	$\frac{.045}{.237}$ X \$126,699 = <u>\$24,057</u>	$\frac{.006}{.237}$ X \$126,699 = <u>\$3,208</u>	$\frac{.186}{.237}$ X \$126,699 = <u>\$ 99,435</u>
Totals	(\$24,741)	(\$3,299)	(\$102,264)

2)
 Estimated Increase (Decrease)

School Foundation Program	(\$24,741)
University System	<u>(\$ 3,299)</u>
Total	(\$28,040)