

HOUSE BILL NO. 491

INTRODUCED BY ZABROCKI

BY REQUEST OF THE DEPARTMENT OF JUSTICE,  
DIVISION OF MOTOR VEHICLES

IN THE HOUSE

January 26, 1985	Introduced and referred to Committee on Highways and Transportation.
February 19, 1985	Committee recommend bill do pass as amended. Report adopted.
	Bill printed and placed on members' desks.
February 20, 1985	Second reading, do pass.
	Considered correctly engrossed.
February 21, 1985	Third reading, passed.
	Transmitted to Senate.

IN THE SENATE

February 22, 1985	Introduced and referred to Committee on Highways and Transportation.
March 28, 1985	Committee recommend bill be concurred in. Report adopted.
March 30, 1985	Second reading, concurred in.
April 1, 1985	Third reading, concurred in. Ayes, 48; Noes, 0.
	Returned to House.

IN THE HOUSE

April 2, 1985

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.

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 2    INTRODUCED BY Zakowski  
 3                                    BY REQUEST OF THE DEPARTMENT OF JUSTICE,  
 4                                    DIVISION OF MOTOR VEHICLES

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 6    A BILL FOR AN ACT ENTITLED: "AN ACT RELATING TO MOTOR  
 7    VEHICLE WRECKING FACILITIES' JUNK VEHICLE RECORDS AND  
 8    REQUIREMENTS FOR REPORTING TO THE DIVISION OF MOTOR  
 9    VEHICLES; AMENDING SECTIONS 75-10-512 AND 75-10-513, MCA."

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

12                    Section 1. Section 75-10-512, MCA, is amended to read:  
 13                    "75-10-512. Records required of facilities. (1) Every  
 14    motor vehicle wrecking facility shall maintain books or  
 15    files in which are kept a record and description of every  
 16    junk vehicle obtained by it, together with the name of the  
 17    person from whom the vehicle was purchased.

18                    (2) This record shall also contain:

19                    (a) the certificate of title, or sheriff's certificate  
 20    of sale ~~or a written release from the former owner, or~~  
 21    sheriff's release;

22                    (b) the name of the state where the vehicle was last  
 23    registered;

24                    (c) the number of the last license plate;

25                    (d) the make of the vehicle;

1                    (e) the motor or identification number or serial  
 2    number;  
 3                    (f) the date purchased;  
 4                    (g) the disposition of motor and chassis."

5                    Section 2. Section 75-10-513, MCA, is amended to read:  
 6                    "75-10-513. Disposal of junk vehicles -- fees and  
 7    records. (1) When a motor vehicle wrecking facility submits  
 8    a junk vehicle to the disposal program, it shall pay a  
 9    disposal fee of \$2 for each vehicle submitted ~~and it shall~~  
 10    ~~surrender to the department all records maintained as~~  
 11    ~~required in 75-10-512~~, and the vehicle is then the property  
 12    of the state.

13                    (2) Monthly, each wrecking facility shall mail to the  
 14    division of motor vehicles a list, on a form approved by the  
 15    division, of all junk vehicles received during the month,  
 16    stating the year, make, and identification number of each  
 17    vehicle. Any certificate of title received for junk vehicles  
 18    during the month must accompany each list."

19                    NEW SECTION. Section 3. Extension of authority. Any  
 20    existing authority of the department of justice, division of  
 21    motor vehicles, to make rules on the subject of the  
 22    provisions of this act is extended to the provisions of this  
 23    act.

-End-

INTRODUCED BILL  
 HB 491

APPROVED BY COMMITTEE  
ON HIGHWAYS & TRANSPORTATION

HOUSE BILL NO. 491

INTRODUCED BY ZABROCKI

BY REQUEST OF THE DEPARTMENT OF JUSTICE,

DIVISION OF MOTOR VEHICLES

A BILL FOR AN ACT ENTITLED: "AN ACT RELATING TO MOTOR VEHICLE WRECKING FACILITIES' JUNK VEHICLE RECORDS AND REQUIREMENTS FOR REPORTING TO THE DIVISION OF MOTOR VEHICLES; AMENDING SECTIONS 75-10-512 AND 75-10-513, MCA."

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

Section 1. Section 75-10-512, MCA, is amended to read:

"75-10-512. Records required of facilities. (1) Every motor vehicle wrecking facility shall maintain books or files in which are kept a record and description of every junk vehicle obtained by it, together with the name AND ADDRESS of the person from whom the vehicle was purchased.

(2) This record shall also contain:

(a) the certificate of title OWNERSHIP, or sheriff's certificate of sale or-a-written--release--from--the--former owner, NOTARIZED BILL OF SALE FROM THE FORMER OWNER, or sheriff's release;

(b) the name of the state where the vehicle was last registered;

~~(c)--the-number-of-the-last-license-plate;~~

~~(d)(C)~~ the make of the vehicle;

~~(e)(D)~~ the motor or identification number or serial number;

~~(f)(E)~~ the date purchased;

~~(g)(F)~~ the disposition of motor--and--chassis THE VEHICLE."

Section 2. Section 75-10-513, MCA, is amended to read:

"75-10-513. Disposal of junk vehicles -- fees and records. (1) When a motor vehicle wrecking facility submits a junk vehicle to the disposal program, it shall pay a disposal fee of \$2 for each vehicle submitted ~~and-it-shall surrender-to--the--department--all--records--maintained--as required--in-75-10-512,~~ and the vehicle is then the property of the state.

(2) Monthly QUARTERLY, each wrecking facility shall mail to the division of motor vehicles a list, on a form approved by the division, of all junk vehicles received during the month QUARTER, stating the year, make, and THE COMPLETE identification number of each vehicle. Any certificate of title OWNERSHIP received for junk vehicles during-the-month must accompany each list. THE DIVISION SHALL ISSUE A RECEIPT OF THE CERTIFICATE OF OWNERSHIP IF REQUESTED BY THE LICENSED FACILITY AND SUCH RECEIPT MAY SERVE AS AN INSTRUMENT FOR RECLAIMING THE CERTIFICATE OF OWNERSHIP IF THE VEHICLE IS REBUILT.

1       (3) A MOTOR VEHICLE GRAVEYARD SHALL SUBMIT TO THE  
2 DEPARTMENT THE RECORDS, DOCUMENTS, AND OTHER INFORMATION  
3 CONCERNING JUNK VEHICLES RECEIVED BY IT THAT ARE REQUIRED BY  
4 RULES OF THE DEPARTMENT."

5       NEW SECTION. Section 3. Extension of authority. Any  
6 existing authority of the DEPARTMENT OF HEALTH AND  
7 ENVIRONMENTAL SCIENCES OR THE department of justice,  
8 division of motor vehicles, to make rules on the subject of  
9 the provisions of this act is extended to the provisions of  
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Section 2. Section 75-10-513, MCA, is amended to read:

"75-10-513. Disposal of junk vehicles -- fees and records. (1) When a motor vehicle wrecking facility submits a junk vehicle to the disposal program, it shall pay a disposal fee of \$2 for each vehicle submitted ~~and it shall surrender to the department all records maintained as required in 75-10-512,~~ and the vehicle is then the property of the state.

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REFERENCE BILL

HB 491





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