

HOUSE BILL NO. 492

INTRODUCED BY PETERSON

BY REQUEST OF THE DEPARTMENT OF JUSTICE,
MOTOR VEHICLES DIVISION

IN THE HOUSE

January 26, 1985	Introduced and referred to Committee on Business and Labor.
February 2, 1985	Committee recommend bill do pass as amended. Report adopted.
February 4, 1985	Bill printed and placed on members' desks.
February 5, 1985	Second reading, do pass. Considered correctly engrossed.
February 6, 1985	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 7, 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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5
 6 A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE
 7 RESPONSIBILITY OF A MOTOR VEHICLE DEALER REGARDING PROVISION
 8 OF INFORMATION TO THE COUNTY TREASURER AND MOTOR VEHICLES
 9 DIVISION UPON TRANSFER OF A NEW MOTOR VEHICLE BY THE DEALER;
 10 AMENDING SECTION 61-4-112, MCA."

11
 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 13 Section 1. Section 61-4-112, MCA, is amended to read:
 14 "61-4-112. ~~Applicability--of-sticker-provisions-to-new~~
 15 ~~car-purchases~~ New motor vehicles -- transfers by dealers.
 16 ~~The--provisions-of-subsection-(1)(a)-of-61-4-112,-pertaining~~
 17 ~~to-the-issuance--of--a--sticker--by--the--dealer--placement~~
 18 ~~thereof--upon--the--rear--windshield-of-the-vehicle-prior-to~~
 19 ~~delivery,-and-transmission-of-a-copy-of-said-sticker-to--the~~
 20 ~~county--treasurer,-either-personally-or-by-first-class-mail~~
 21 ~~within-10-days-following-delivery-of-said-vehicle,-shall--be~~
 22 ~~applicable--to--sales--of--new--motor-vehicles-as-well-as-to~~
 23 ~~sales-of-used-motor--vehicles:~~ (1) When a motor vehicle
 24 dealer transfers a new motor vehicle to a purchaser or other
 25 recipient, the dealer shall:

1 (a) issue and affix a sticker as prescribed in
 2 61-4-111(1)(a) for transfers of used motor vehicles and
 3 retain a copy of the sticker;
 4 (b) within 4 working days following the date of
 5 delivery of the new motor vehicle, forward to the county
 6 treasurer of the county where the purchaser or recipient
 7 resides:
 8 (i) one copy of the sticker issued under subsection
 9 (1)(a);
 10 (ii) an application for certificate of title executed
 11 by the purchaser or recipient;
 12 (iii) an application for registration executed by the
 13 purchaser or recipient as provided in 61-3-322;
 14 (iv) a statement of origin as prescribed in
 15 61-3-502(7)(b); and
 16 (v) a copy of the conditional sales contract or other
 17 lien, if any.
 18 (2) Upon receipt from the county treasurer of the
 19 documents required under subsection (1), the division shall
 20 issue a certificate of ownership and certificate of
 21 registration together with a statement of any conditional
 22 sales contract, mortgage, or other lien as provided in
 23 61-3-202."

-End-



APPROVED BY COMM. ON
BUSINESS AND LABOR

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24 dealer transfers a new motor vehicle to a purchaser or other
25 recipient, the dealer shall:

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6 treasurer of the county where the purchaser or recipient
7 resides:
8 (i) one copy of the sticker issued under subsection
9 (1)(a);
10 (ii) an application for certificate of title WITH A
11 NOTICE OF SECURITY INTEREST, IF ANY, executed by the
12 purchaser or recipient; AND
13 ~~{iii}-an-application-for-registration-executed-by-the~~
14 ~~purchaser-or-recipient-as-provided-in-61-3-322;~~
15 ~~{iv}{III} a statement of origin as prescribed in~~
16 ~~61-3-502(7)(b);-and~~
17 ~~{v}-a-copy-of-the-conditional-sales-contract-or-other~~
18 ~~lien-if-any.~~
19 (2) Upon receipt from the county treasurer of the
20 documents required under subsection (1), the division shall
21 issue a certificate of ownership and certificate of
22 registration together with a statement of any conditional
23 sales-contract, mortgage, or other lien as provided in
24 61-3-202."

-End-



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A BILL FOR AN ACT ENTITLED: "AN ACT TO CLARIFY THE RESPONSIBILITY OF A MOTOR VEHICLE DEALER REGARDING PROVISION OF INFORMATION TO THE COUNTY TREASURER AND MOTOR VEHICLES DIVISION UPON TRANSFER OF A NEW MOTOR VEHICLE BY THE DEALER; AMENDING SECTION 61-4-112, MCA."

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

Section 1. Section 61-4-112, MCA, is amended to read:

"61-4-112. ~~Applicability of sticker provisions to new car purchases~~ New motor vehicles -- transfers by dealers.
~~The provisions of subsection (1)(a) of 61-4-111, pertaining to the issuance of a sticker by the dealer, placement thereof upon the rear windshield of the vehicle prior to delivery, and transmission of a copy of said sticker to the county treasurer, either personally or by first class mail within 10 days following delivery of said vehicle, shall be applicable to sales of new motor vehicles as well as to sales of used motor vehicles.~~ (1) When a motor vehicle dealer transfers a new motor vehicle to a purchaser or other recipient, the dealer shall:

(a) issue and affix a sticker as prescribed in 61-4-111(1)(a) for transfers of used motor vehicles and retain a copy of the sticker;

(b) within 4 working days following the date of delivery of the new motor vehicle, forward to the county treasurer of the county where the purchaser or recipient resides:

(i) one copy of the sticker issued under subsection (1)(a);

(ii) an application for certificate of title WITH A NOTICE OF SECURITY INTEREST, IF ANY, executed by the purchaser or recipient; AND

~~(iii) an application for registration executed by the purchaser or recipient as provided in 61-3-322;~~

~~(iv)(III) a statement of origin as prescribed in 61-3-502(7)(b); and~~

~~(v) a copy of the conditional sales contract or other lien, if any.~~

(2) Upon receipt from the county treasurer of the documents required under subsection (1), the division shall issue a certificate of ownership and certificate of registration together with a statement of any conditional sales contract, mortgage, or other lien as provided in 61-3-202."

-End-

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HB 492

THIRD READING

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 20 documents required under subsection (1), the division shall
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-End-

