SENATE BILL NO. 15

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INTRODUCED BY KOLSTAD

BY REQUEST OF THE CODE COMMISSIONER

IN THE SENATE

January 7, 1985	Introduced and referred to Committee on Highways and Transportation.
January 9, 1985	Committee recommend bill do pass. Report adopted.
January 10, 1985	Bill printed and placed on members' desks.
January 11, 1985	Second reading, do pass.
January 14, 1985	Considered correctly engrossed.
January 15, 1985	Third reading, passed. Ayes, 49; Noes, 0.
	Transmitted to House.
IN THE	HOUSE
January 16, 1985	Introduced and referred to Committee on Highways and Transportation.
March 13, 1985	Committee recommend bill be concurred in. Report adopted.
March 16, 1985	Second reading, concurred in.
March 18, 1985	Third reading, concurred in.
	Returned to Senate.

IN THE SENATE

March 18, 1985	Received from House.
March 19, 1985	Sent to enrolling.
	Reported correctly enrolled.

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SENATE BILL NO. 15

1

2 AN ACT TO GENERALLY REVISE AND CLARIFY CERTAIN SPECIAL 3 VEHICLE LICENSE LAWS; AMENDING SECTIONS 10-2-301 THROUGH 4 10-2-303, 49-4-304, AND 61-3-446, MCA; REPEALING SECTION 5 61-3-443, MCA; AND RENUMBERING SECTIONS 10-2-301 THROUGH 6 10-2-304, MCA.

7 General summary of purpose of bill: Under the present laws there are special license plate provisions for owners 8 9 of motor vehicles who are disabled veterans, former prisoners of war, or handicapped persons. These provisions 10 11 are located in three separate titles of the codes. The 12 provisions are duplicative in some instances. The main purpose of the bill is to unify the provisions within the 13 14 special registration part of the motor vehicle registration 15 laws in Title 61, MCA.

16 Section 1. 10-2-301. This amendment deletes the requirement in subsection (1) that a disabled veteran be a 17 citizen. That requirement is subsumed by the requirement 18 19 that he be a resident of the state of Montana. In 20 subsection (2) the language describing the numbering of the disabled veterans' plates is modified to conform with that 21 22 in 61-3-443 through 61-3-445.

23 Section 2. <u>10-2-302</u>. This section is amended by 24 clarifying that the special license plates for disabled 25 veterans are not transferable. The internal reference to 26 section 10-2-301 is bracketed since sections 10-2-301 27 through 10-2-304 are proposed to be renumbered in Title 61, 28 chapter 3, part 4.

29 Section 3. 10-2-303. Same as explanation for section 30 2.

Section 4. 49-4-304. In subsection (1) an internal 31 reference to 61-3-445 is inserted to direct the reader to 32 the special license plate provisions of Title 61. In 33 34 subsection (3) the reference to special license plate is omitted since it is redundant with the declaration in 35 the plate bear a representation of a 61-3-445 36 that wheelchair as the symbol of a handicapped person. 37

38 Section 5. <u>61-3-446</u>. This section is amended to remove 39 and replace reference to 61-3-443, which is repealed by 40 section 6 because of renumbering. The reference will be 41 replaced with the new numbers assigned under section 7. 1 Section 6. 61-3-443. This section is repealed as 2 redundant with section 10-2-301.

3 Section 7. This codification instruction directs the 4 renumbering and integration of sections 10-2-301 through 5 10-2-304 with Title 61, chapter 3, part 4, thus integrating 6 special license plate laws.

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2	INTRODUCED BY KOLSTAD
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5	A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE AND
6	CLARIFY CERTAIN SPECIAL VEHICLE LICENSE LAWS; AMENDING
7	SECTIONS 10-2-301 THROUGH 10-2-303, 49-4-304, AND 61-3-446,
8	MCA; REPEALING SECTION 61-3-443, MCA; AND RENUMBERING
9	SECTIONS 10-2-301 THROUGH 10-2-304, MCA."
10	
11	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12	Section 1. Section 10-2-301, MCA, is amended to read:
13	"10-2-301. bicense Special license plates to
14	disabled veteransspecial-inscriptions. (1) Any person
15	who is a veteran of the armed services of the United States
16	and 100% disabled because of an injury which has been
17	determined by the veterans administration to be service
18	connected and who is a citizen-and resident of the state of
19	Montana and who is the owner of a passenger automobile or of
20	a truck up to and including three-quarter ton GVW-rated
21	capacity shall be provided with specially inscribed license
22	plates upon payment of a fee of \$5 for such automobile or
23	truck and upon proof of 100% service-connected disability.
24	(2) The motor vehicle division shall assign to each
25	veteran qualified under subsection (1) who applies according

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1	to the rules of the division a registration designation
2	bearing the letters and character "DV-" followed by a-number
3	matching-the-sequence-in-which-the-designations-are-assigned
4	three or four consecutive numbers, and the division shall
5	issue to the disabled veteran two special license plates
6	bearing the inscription assigned to him.
7	(3) The special license plates may be reregistered or
B	renewed upon payment of the fees required in subsection (1)
9	and compliance with the rules of the division."
10	Section 2. Section 10-2-302, MCA, is amended to read:
11	"10-2-302. Plates <u>Disabled veterans' plates</u>
12	nontransferable. The special license plates for disabled
13	<u>veterans</u> issued pursuant to [10-2-301] shall are not be
14	transferable."
15	Section 3. Section 10-2-303, MCA, is amended to read:
16	"10-2-303. Veterans ¹ Disabled veterans ¹ plates limited
17	to one automobile or truck. No disabled veteran is entitled
18	to <u>special</u> license plates <u>for disabled veterans</u> under
19	<pre>[10-2-301] for more than one passenger automobile or one</pre>
20	truck up to and including three-quarter ton GVW-rated
21	capacity."
22	Section 4. Section 49-4-304, MCA, is amended to read:
23	"49-4-304. Special license plate or card to be
24	provided and displayed. (1) The division of motor vehicles
25	shall provide a special license plate <u>under 61-3-445</u> or <u>a</u>

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1 card to be displayed on or in a motor vehicle to indicate a
2 parking privilege granted under this part. The special
3 license plate shall be affixed to the vehicle according to
6 61-3-301, or the card shall be prominently displayed in the
9 windshield of a vehicle when the parking privilege is being
9 used by the handicapped person in a vehicle other than the
9 one to which his special license plate is affixed.

8 (2) Upon application under 49~4-303, a handicapped 9 person who does not hold a driver's license or does not own 10 a vehicle may receive a card described in subsection (1) to 11 be displayed in a vehicle in which the handicapped person is 12 being conveyed when the parking privilege is being used.

13 (3) The special-license-plate-or card must each bear a
14 representation of a wheelchair as the symbol of a
15 handicapped person."

16 Section 5. Section 61-3-446, MCA, is amended to read: 17 "61-3-446. Retention of special license plates. If during a registration year the holder of special license 19 plates issued under 61-3-443 [10-2-301], 61-3-444, or 20 61-3-445 disposes of the vehicle to which the plates are 21 affixed, he shall retain the plates and may affix them to 22 another vehicle."

23 <u>NEW SECTION.</u> Section 6. Repealer. Section 61-3-443,
24 MCA, is repealed.

25 NEW SECTION. Section 7. Codification instruction.

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- 1 Sections 10-2-301 through 10-2-304, MCA, are intended to be
- 2 renumbered and codified as an integral part of Title 61,
- 3 chapter 3, part 4.

-End-

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APPROVED BY COMMITTEE ON HIGHWAYS & TRANSPORTATION

1 SENATE BILL NO. 15

2 AN ACT TO GENERALLY REVISE AND CLARIFY CERTAIN SPECIAL 3 VEHICLE LICENSE LAWS; AMENDING SECTIONS 10-2-301 THROUGH 4 10-2-303, 49-4-304, AND 61-3-446, MCA; REPEALING SECTION 5 61-3-443, MCA; AND RENUMBERING SECTIONS 10-2-301 THROUGH 6 10-2-304, MCA.

7 General summary of purpose of bill: Under the present laws there are special license plate provisions for owners 8 9 of motor vehicles who are disabled veterans, former prisoners of war, or handicapped persons. These provisions 10 are located in three separate titles of the codes. The 11 12 provisions are duplicative in some instances. The main 13 purpose of the bill is to unify the provisions within the 14 special registration part of the motor vehicle registration 15 laws in Title 61, MCA.

16 Section 1. <u>10-2-301</u>. This amendment deletes the 17 requirement in subsection (1) that a disabled veteran be a 18 citizen. That requirement is subsumed by the requirement 19 that he be a resident of the state of Montana. In 20 subsection (2) the language describing the numbering of the 21 disabled veterans' plates is modified to conform with that 22 in 61-3-443 through 61-3-445.

23 Section 2. <u>10-2-302</u>. This section is amended by 24 clarifying that the special license plates for disabled 25 veterans are not transferable. The internal reference to 26 section 10-2-301 is bracketed since sections 10-2-301 27 through 10-2-304 are proposed to be renumbered in Title 61, 28 chapter 3, part 4.

29 Section 3. 10-2-303. Same as explanation for section 30 2.

31 Section 4. 49-4-304. In subsection (1) an internal reference to 61-3-445 is inserted to direct the reader to 32 special license plate provisions of Title 61. 33 the In subsection (3) the reference to special license plate is 34 omitted since it is redundant with the declaration in 35 36 61-3-445 that the plate bear a representation of a 37 wheelchair as the symbol of a handicapped person.

38 Section 5. <u>61-3-446</u>. This section is amended to remove 39 and replace reference to <u>61-3-443</u>, which is repealed by 40 section 6 because of renumbering. The reference will be 41 replaced with the new numbers assigned under section 7. 1 Section 6. 61-3-443. This section is repealed as 2 redundant with section 10-2-301.

3 Section 7. This codification instruction directs the 4 renumbering and integration of sections 10-2-301 through 5 10-2-304 with Title 61, chapter 3, part 4, thus integrating 6 special license plate laws.

49th Legislature

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11	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12	Section 1. Section 10-2-301, MCA, is amended to read:
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14	disabled veteransspecial-inscriptions. (1) Any person
15	who is a veteran of the armed services of the United States
16	and 100% disabled because of an injury which has been
17	determined by the veterans administration to be service
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19	Montana and who is the owner of a passenger automobile or of
20	a truck up to and including three-quarter ton GVW-rated
21	capacity shall be provided with specially inscribed license
22	plates upon payment of a fee of \$5 for such automobile or
23	truck and upon proof of 100% service-connected disability.
24	(2) The motor vehicle division shall assign to each
25	veteran qualified under subsection (1) who applies according

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to the rules of the division a registration designation 1 2 bearing the letters and character "DV-" followed by a-number matching-the-sequence-in-which-the-designations-are-assigned 3 three or four consecutive numbers, and the division shall 4 issue to the disabled veteran two special license plates 5 bearing the inscription assigned to him. 6 7 (3) The special license plates may be reregistered or renewed upon payment of the fees required in subsection (1) 8 and compliance with the rules of the division." 9 10 Section 2. Section 10-2-302, MCA, is amended to read: "10-2-302. Plates Disabled veterans' plates 11 nontransferable. The special license plates for disabled 12 veterans issued pursuant to [10-2-301] shall are not be 13 transferable." 14 Section 3. Section 10-2-303, MCA, is amended to read: 15 16 "10-2-303. Veterans' Disabled veterans' plates limited to one automobile or truck. No disabled veteran is entitled 17 to special license plates for disabled veterans under 18 [10-2-301] for more than one passenger automobile or one 19 truck up to and including three-quarter ton GVW-rated 20 21 capacity." Section 4. Section 49-4-304, MCA, is amended to read: 22 "49-4-304. Special license plate or card to be 23

24 provided and displayed. (1) The division of motor vehicles 25 shall provide a special license plate under 61-3-445 or a

-2- SECOND READING

1 card to be displayed on or in a motor vehicle to indicate a 2 parking privilege granted under this part. The special 3 license plate shall be affixed to the vehicle according to 4 61-3-301, or the card shall be prominently displayed in the 5 windshield of a vehicle when the parking privilege is being 6 used by the handicapped person in a vehicle other than the 7 one to which his special license plate is affixed.

8 (2) Upon application under 49-4-303, a handicapped
9 person who does not hold a driver's license or does not own
10 a vehicle may receive a card described in subsection (1) to
11 be displayed in a vehicle in which the handicapped person is
12 being conveyed when the parking privilege is being used.

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14 representation of a wheelchair as the symbol of a
15 handicapped person."

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23 <u>NEW SECTION.</u> Section 6. Repealer. Section 61-3-443,
24 MCA, is repealed.

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LC 0181/01

1 Sections 10-2-301 through 10-2-304, MCA, are intended to be

2 renumbered and codified as an integral part of Title 61,

3 chapter 3, part 4.

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THIRD READING

1 Section 6. 61-3-443. This section is repealed as 2 redundant with section 10-2-301.

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to the rules of the division a registration designation bearing the letters and character "DV-" followed by a-number matching-the-sequence-in-which-the-designations-are-assigned three or four consecutive numbers, and the division shall issue to the disabled veteran two special license plates bearing the inscription assigned to him.

7 (3) The special license plates may be reregistered or
8 renewed upon payment of the fees required in subsection (1)
9 and compliance with the rules of the division."

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Section 4. Section 49-4-304, MCA, is amended to read:
"49-4-304. Special license plate or card to be
provided and displayed. (1) The division of motor vehicles
shall provide a special license plate under 61-3-445 or a

-2- THIRD READING

1 card to be displayed on or in a motor vehicle to indicate a
2 parking privilege granted under this part. The special
3 license plate shall be affixed to the vehicle according to
4 61-3-301, or the card shall be prominently displayed in the
5 windshield of a vehicle when the parking privilege is being
6 used by the handicapped person in a vehicle other than the
7 one to which his special license plate is affixed.

8 (2) Upon application under 49-4-303, a handicapped
9 person who does not hold a driver's license or does not own
10 a vehicle may receive a card described in subsection (1) to
11 be displayed in a vehicle in which the handicapped person is
12 being conveyed when the parking privilege is being used.

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14 representation of a wheelchair as the symbol of a
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16 Section 5. Section 61-3-446, MCA, is amended to read: 17 "61-3-446. Retention of special license plates. If 18 during a registration year the holder of special license 19 plates issued under 61-3-443 (10-2-301), 61-3-444, or 20 61-3-445 disposes of the vehicle to which the plates are 21 affixed, he shall retain the plates and may affix them to 22 another vehicle."

23 <u>NEW SECTION.</u> Section 6. Repealer. Section 61-3-443,
24 MCA, is repealed.

25 NEW SECTION. Section 7. Codification instruction.

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1 Sections 10-2-301 through 10-2-304, MCA, are intended to be

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-3-

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SENATE BILL NO. 15 1 INTRODUCED BY KOLSTAD 2 BY REQUEST OF THE CODE COMMISSIONER 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO GENERALLY REVISE AND 5 CLARIFY CERTAIN SPECIAL VEHICLE LICENSE LAWS; AMENDING 6 SECTIONS 10-2-301 THROUGH 10-2-303, 49-4-304, AND 61-3-446, 7 MCA: REPEALING SECTION 61-3-443, MCA; AND RENUMBERING 8 SECTIONS 10-2-301 THROUGH 10-2-304, MCA." 9 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 11 Section 1. Section 10-2-301, MCA, is amended to read: 12 "10-2-301. bicense Special license plates to 13 disabled veterans ----special-inscriptions. (1) Any person 14 who is a veteran of the armed services of the United States 15 and 100% disabled because of an injury which has been 16 determined by the veterans administration to be service 17 connected and who is a citizen-and resident of the state of 18 Montana and who is the owner of a passenger automobile or of 19 a truck up to and including three-quarter ton GVW-rated 20 capacity shall be provided with specially inscribed license 21 plates upon payment of a fee of \$5 for such automobile or 22

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to the rules of the division a registration designation 1 bearing the letters and character "DV-" followed by a-number 2 matching-the-sequence-in-which-the-designations-are-assigned 3 three or four consecutive numbers, and the division shall 4 issue to the disabled veteran two special license plates 5 6 bearing the inscription assigned to him. 7 (3) The special license plates may be reregistered or 8 renewed upon payment of the fees required in subsection (1) 9 and compliance with the rules of the division." 10 Section 2. Section 10-2-302, MCA, is amended to read: 11 "10-2-302. Plates Disabled veterans' plates nontransferable. The special license plates for disabled 12 13 veterans issued pursuant to [10-2-301] shall are not be 14 transferable." Section 3. Section 10-2-303, MCA, is amended to read: 15 "10-2-303. Veterans' Disabled veterans' plates limited 16 to one automobile or truck. No disabled veteran is entitled 17

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REFERENCE BILL

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