SENATE BILL NO. 101

1/1	1 :	Ιn	t	r	οċ	lu	C	e	d

- 1/11 Referred to Highways & Transportation
 1/14 Fiscal Note Requested
 1/19 Fiscal Note Received

- 1/22 Hearing
 2/01 Adverse Committee Report
 2/01 Bill Killed

REFER TO HIGHWAYS AND TRANSPORTATION

2 INTRODUCED BY CONCRETE

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A BILL FOR AN ACT ENTITLED: "AN ACT REMOVING THE REQUIREMENT FOR A FRONT LICENSE PLATE ON A MOTOR VEHICLE; AMENDING SECTIONS 61-3-301, 61-3-331 THROUGH 61-3-335, 61-3-342, 61-3-401 THROUGH 61-3-405, 61-3-411, 61-3-421 THROUGH 61-3-423, 61-3-425, AND 61-3-443 THROUGH 61-3-446, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

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

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section 1. Section 61-3-301, MCA, is amended to read:

"61-3-301. Registration -- license plate required -
display. (1) Except as otherwise provided herein, no person shall operate a motor vehicle upon the public highways of this state unless such vehicle is properly registered and has the one proper number plates plate conspicuously displayed; --one--on--the--front--and--one on the rear of the vehicle, each securely fastened to prevent it from swinging and unobstructed from plain view; --except-that-trailers; semitrailers; -and-motorcycles--shall--have--but--one--number plate--conspicuously--displayed-on-the-rear. No person shall display on such vehicle at the same time any number assigned

to it under any motor vehicle law except as provided in this

chapter. A junk vehicle, as defined in part 5, chapter 10,



- 1 Title 75, being driven or towed to an auto wrecking 2 graveyard for disposal is exempt from the provisions of this 3 section.
- 4 (2) No person shall purchase or display on a vehicle 5 any license plate bearing the number assigned to any county 6 as provided in 61-3-332 other than the county of his permanent residence at the time of application for 7 registration. However, the owner of any motor vehicle requiring a license plate on any motor vehicle used in the public transportation of persons or property may make 10 application therefor in any county through which the motor 11 12 vehicle passes in its regularly scheduled route, and the license plate so issued bearing the number assigned to said 13 county may be displayed on the motor vehicle in any other 14 15 county of the state.
- 16 (3) It is unlawful to use <u>a</u> license <u>plates plate</u>
 17 issued to one vehicle on any other vehicle, trailer, or
 18 semitrailer unless legally transferred as provided by
 19 statute, or to repaint <u>an</u> old license <u>plates</u> <u>plate</u> to
 20 resemble <u>a</u> current license <u>plates</u> <u>plate</u>.
- 21 (4) Any person violating these provisions is guilty of 22 a misdemeanor and subject to the penalty set out in 23 61-3-601."
- Section 2. Section 61-3-331, MCA, is amended to read:
- 25 "61-3-331. Assignment of number plates. The county

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treasurer shall, at the time of issuing a registration 2 receipt under 61-3-322, assign such motor vehicle a 3 distinctive number, viz., the license plate number, and deliver to the applicant two one license plates plate, as 5 received from the division, which shall bear such distinctive numbers. The division shall ship said license 6 7 plates to the various county treasurers by freight, so that they will be received by the county treasurer on or before 8 9 January 1 of each year."

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Section 3. Section 61-3-332, MCA, is amended to read: "61-3-332. Number plates. (1) Every motor vehicle which shall be driven upon the streets or highways of this state shall display both--front--and on the rear a number plate, bearing the distinctive number assigned such vehicle. Such number plate shall be in eight series: one series for owners of motorcars, one for owners of motor vehicles of the motorcycle type, one for trailers, one for trucks, one for dealers in vehicles of the motorcycle type which shall bear the distinctive letters "MCD" or the letters "MC" and the word "DEALER", one for franchised dealers in new motorcars (including trucks and trailers) or new and used motorcars (including trucks and trailers) which shall bear the distinctive letter "D" or the word "DEALER", one for dealers: in used motorcars only (including used trucks and trailers) which shall bear the distinctive letters "UD" or the letter

"U" and the word "DEALER", and one for dealers in trailers
and/or semitrailers (new or used) which shall bear not
distinctive letters "DTR" or the letters "TR" and the worl
"DEALER". All such markings for the aforementioned linds of
dealers' plates shall be placed on the number plates
assigned thereto in such position thereon as the division
may designate.

- (2) All number plates for motor vehicles shall be issued for a minimum period of 4 years, shall bear a distinctive marking, and shall be furnished by the state. In years when a number plates—are plate is not issued, the division shall provide a nonremovable stickers sticker bearing appropriate registration numbers which shall be affixed to the license plates plate in use.
 - shall be of metal 6 inches wide and 12 inches in length. For number plates issued after 1976, the outline of the state of Montana shall be used as a distinctive border on such license plates, and the word "Montana" with the year shall be placed across the bottom of the plate. Such registration plate shall be treated with a reflectorized background material according to specifications prescribed by the division.
- (4) The distinctive registration numbers shall begin with a number one or with a letter-number combination such

- as "A 1" or "AA 1", or any other similar combination of 1 letters and numbers and be numbered consecutively for each series of plates. The distinctive registration number or 3 letter-number combination assigned to the vehicle shall appear on the plate preceded by the number of the county and appearing in horizontal order on the same horizontal baseline, and the county number shall be separated from the distinctive registration number by a separation mark unless a letter-number combination is used. The dimensions of such 9 numerals and letters shall be determined by the division, 10 provided that all county and registration numbers shall be 11 of equal height. 12
 - (5) For the use of tax-exempt motor vehicles that are also exempt from the light vehicle license fee as provided in subsection (2)(a) of 61-3-532, in addition to the markings herein provided, number plates shall have thereon the following distinctive markings:

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(a) For vehicles owned by the state the division may designate the prefix number for the various state departments, and all numbered plates issued to state departments shall bear the words "State Owned" and no year number will be indicated thereon as these numbered plates will be of a permanent nature and will be replaced by the division at such time when the physical condition of numbered plates requires same.

- (b) For vehicles 1 owned the counties. 2 municipalities, irrigation districts organized under the laws of Montana and not operating for profit, and school districts and used and operated by officials and employees thereof in line of duty as such, and for vehicles on loan from the United States government or the state of Montana, 6 7 to, or owned by, the civil air patrol and used and operated by officials and employees thereof in the line of duty as such, there shall be placed on the number plates assigned 9 10 thereto, in such position thereon as the division may designate, the letter "X" or the word "EXEMPT". Distinctive 11 registration numbers for plates assigned to motor vehicles 12 13 of each of the counties in the state and those of the municipalities and school districts situated within each of 14 said counties and those of the irrigation districts which 15 16 obtain plates within each county shall begin with number one and be numbered consecutively. 17
 - (6) On all number plates assigned to motor vehicles of the truck and trailer type, other than tax-exempt trucks that are also exempt from the light vehicle license fee as provided in subsection (2)(a) of 61-3-532 and tax exempt trailers, there shall appear the letter "T" or the word "TRUCK" for plates assigned to trucks and the letters "TR" or the word "TRAILER" for plates assigned to trailers and housetrailers. The letters "MC" or the word "CYCLE" shall

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appear for plates assigned to vehicles of the motorcycle type.

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- (7) Number-plates A number plate issued to a passenger car, truck, trailer, or vehicle of the motorcycle type may be transferred only to a replacement passenger car, truck, trailer, or motorcycle type vehicle. No registration or license fee may be assessed upon a transfer of a number plate under 61-3-317 and 61-3-335.
- 9 (8) For the purpose of this chapter, the several 10 counties of the state shall be assigned numbers as follows: 11 Silver Bow, 1; Cascade, 2; Yellowstone, 3; Missoula, 4; 12 Lewis and Clark, 5; Gallatin, 6; Flathead, 7; Fergus, 8; 1.3 Powder River, 9; Carbon, 10; Phillips, 11; Hill, 12; 14 Ravalli, 13; Custer, 14; Lake, 15; Dawson, 16; Roosevelt, 15 17; Beaverhead, 18; Chouteau, 19; Valley, 20; Toole, 21; Big Horn, 22; Musselshell, 23; Blaine, 24; Madison, 25; Pondera, 16 17 26; Richland, 27; Powell, 28; Rosebud, 29; Deer Lodge, 30; 18 Teton, 31: Stillwater, 32: Treasure, 33: Sheridan, 34: 19 Sanders, 35; Judith Basin, 36; Daniels, 37; Glacier, 38; Fallon, 39: Sweet Grass, 40: McCone, 41: Carter, 42; 20 21 Broadwater, 43; Wheatland, 44; Prairie, 45; Granite, 46; 22 Meagher, 47; Liberty, 48; Park, 49; Garfield, 50; Jefferson, 23 51; Wibaux, 52; Golden Valley, 53; Mineral, 54; Petroleum, 24 55; Lincoln, 56. Any new counties shall be assigned numbers by the division as they may be formed, beginning with the 25

number 57."

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Section 4. Section 61-3-333, MCA, is amended to read:

"61-3-333. Replacing a number plates plate. In the event of loss, mutilation, or destruction of a number plates plate, and/or validation devices device, the owner of the registered motor vehicle may obtain from the division duplicates a duplicate thereof upon filing sworn declaration showing such fact and payment of a fee of \$2. In the event of loss, mutilation, or destruction of a pioneer plates, duplicates plate, a duplicate may be obtained in the same manner upon payment of a fee of \$5."

Section 5. Section 61-3-334, MCA, is amended to read:

"61-3-334. Expiration of registration on transfer of ownership of vehicle -- duty to remove plates plate. Upon the transfer of ownership of a motor vehicle, the registration of the motor vehicle shall expire and it shall be the duty of the transferor immediately to remove the license plates plate from the vehicle."

Section 6. Section 61-3-335, MCA, is amended to read:

"61-3-335. Transfer of license plates plate to another

motor vehicle. (1) Should the transferor make application
for the registration of another motor vehicle at any time
during the remainder of the current registration year as
shown on the original certificate of registration, he may
file an application in the office of the county treasurer

where the motor vehicle is registered, upon a form to be prepared and furnished by the division, accompanied by the original certificate of registration, for the transfer of the license plates plate. The application for transfer of the license plates plate from the motor vehicle for which originally issued to a motor vehicle acquired by the same person in whose name the original license plates—were plate was issued shall be made within 20 days from date of acquiring the vehicle. The use of the license plates plate shall not be legalized until proper transfer of the license plates plate has been made.

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- (2) bicense-plates A license plate may be transferred pursuant to this section without transferring ownership of the first vehicle.
- (3) Upon transfer of the license plates plate, the registration of the motor vehicle from which the license plates—were plate was transferred expires. The certificate of registration for such vehicle must be surrendered to the county treasurer with the application for transfer."
- Section 7. Section 61-3-342, MCA, is amended to read:

 "61-3-342. Temporary windshield sticker. Any purchaser
 of a motor vehicle who is unable to obtain a license plates
 plate from the county treasurer at the time he makes
 application for registration or reregistration of the
 vehicle because the certificate of ownership is lost, in the

1 possession of third parties, or in the process of reissuance in this state or elsewhere may, upon making affidavit to that effect upon a form prescribed by the division and upon 3 the payment of a fee of \$2 to be collected by the county treasurer and remitted to the division, obtain from the county treasurer of the county in which the vehicle is to be 6 registered a temporary windshield sticker of such size. color, and design as the division may prescribe, to be validated by the county treasurer for a period of 60 days 9 from the date of issuance. The purchaser, upon displaying 10 the sticker on the lower right-hand corner of the windshield 11 12 of the motor vehicle, may operate the vehicle during the period for which the windshield sticker has been validated 13 14 without displaying the registration certificate or number plates -- or plate for the current year. The county treasurer 15 may not sell, and no person may purchase, more than one 16 60-day temporary windshield sticker for any vehicle, the 17 ownership of which has not changed since the issuance of the 18 previous 60-day windshield sticker." 19

Section 8. Section 61-3-401, MCA, is amended to read:

"61-3-401. Definition of personalized license plates

plate. Personalized license plates plate, as used in

61-3-401 through 61-3-406, mean--license-plates means a

license plate that have has displayed upon them it the

registration number assigned to the passenger motor vehicle

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for which such registration number was issued in a combination of letters or numbers, or both, requested by the owner of the vehicle."

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Section 9. Section 61-3-402, MCA, is amended to read: "61-3-402. Personalized license plates plate authorized. Any person who is the registered owner of a motor vehicle, a truck, motor home, camping trailer, motorcycle, or other vehicle for the owner's personal use registered with the division or who makes application for original registration of a motor vehicle may upon payment of the fee prescribed in 61-3-406 apply to the division for a personalized license plates plate in the manner prescribed in 61-3-405, which plates plate shall be affixed to the motor vehicle for which registration is sought in lieu of the regular license plates plate provided for in this chapter."

Section 10. Section 61-3-403, MCA, is amended to read:

"61-3-403. Color and design of personalized plates

plate -- county designation. (1) The personalized license

plates plate shall be the same color and design as a regular

passenger motor vehicle license plates plate and shall

consist of numbers or letters, or any combination thereof

not exceeding eight positions and not less than two

positions, provided that there are no conflicts with

existing passenger, commercial, trailer, motorcycle, or

special license plate series under this title.

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plate or upon the reregistration of any motor vehicle assigned a personalized license plates plate that do does not bear a county designation or no longer bear bears the correct county designation, the division shall provide a nonremovable stickers sticker bearing the appropriate county designation which must be affixed to the license plates plate in use in accordance with instructions by the division."

Section 11. Section 61-3-404, MCA, is amended to read: "61-3-404. Personalized license plates plate restricted to registered owner. Personalized A personalized license plates plate shall be issued only to the registered owner of the vehicle upon which they-are it is displayed." Section 12. Section 61-3-405, MCA, is amended to read: "61-3-405. Application for personalized plates plate. An applicant for a personalized license plates plate or renewal of such plates plate in subsequent years pursuant to 61-3-401 through 61-3-406 shall file an application therefor in the form and by the date the division requires, indicating thereon the combination of letters or numbers, or both, requested as a registration number. There shall be no duplication of registration numbers, and the division may refuse to issue any combination of letters or numbers, or

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both, that may carry connotations offensive to good taste and decency or which are misleading or a duplication of \underline{a} license plate provided for elsewhere in this title."

section 13. Section 61-3-411, MCA, is amended to read:

"61-3-411. Registration of motor vehicles owned and operated solely as collectors' items. (1) An owner of a motor vehicle more than 30 years old, used solely as a collectors' item and not for general transportation purposes, may file with the division an application for the registration of the motor vehicle, stating the name and address of the owner, the name and address of the person from whom purchased, the make of the motor vehicle, the gross weight thereof, the year and number of the model, and the manufacturer's identification number and serial number and setting forth a specific statement that the vehicle is owned and operated solely as a collectors' item and not for general transportation purposes. The application shall be sworn to before an officer authorized to administer oaths.

- (2) The registration fee for all such motor vehicles weighing 2,850 pounds or less is \$5, and the registration fee for all such motor vehicles weighing more than 2,850 pounds is \$10.
- (3) Upon receipt of the application for registration and payment of the registration fee, the division shall file the application and register the motor vehicle therein

- described in the manner specified in 61-3-101 and shall deliver to the applicant:
- 3 (a) for motor vehicles manufactured in 1933 or 4 earlier, two one license plates plate bearing the 5 inscription "Pioneer--Montana" and the registration number; 6 or
- 7 (b) for motor vehicles manufactured in 1934 or later
 8 and more than 30 years old, two one license plates
 9 bearing the inscription "Vintage--Montana" and the
 10 registration number.
- 11 (4) The year of issuance shall not be shown on the 12 plates.
 - (5) Annual renewal of the registration of any such motor vehicle is not required, and the registration is valid as long as the vehicle is in existence; provided, however, that upon sale of such motor vehicle, the purchaser is required to renew the registration thereof and pay the license fees hereinbefore specified."
- Section 14. Section 61-3-421, MCA, is amended to read:

 "61-3-421. Amateur radio operators -- special license

 plate. Any motor vehicle owner and resident of this state

 who holds an unrevoked and unexpired official amateur radio

 station license and operator's license, "conditional" or

 higher class, issued by the federal communications

 commission of the United States, shall upon written

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1 application on form prescribed by the division, accompanied 2 by proof of ownership of such amateur radio station license 3 and operator's license, be issued a lettered license plates 4 in--pairs--(two--identically--lettered--plates) plate, in 5 addition to the regular license plates plate prescribed by 6 law. There shall be stamped or impressed upon such special 7 license plates plate in clear lettering the official amateur radio call letters of such owner as assigned to such owner 9 by said federal communications commission, and said plates 10 plate so lettered shall be renewed concurrently with, and at 11 the time of, the issuance of the regular motor vehicle 12 license plates plate."

Section 15. Section 61-3-422, MCA, is amended to read:

"61-3-422. Issuance -- application -- additional fee.

The division shall issue said lettered license plates plate
to amateur radio operators upon application showing:

- (1) proof that applicant is the owner and holder of such amateur radio station license and operator's license;
- (2) compliance with the state motor vehicle laws relating to registration and licensing of motor vehicles, and upon the payment, or proof of the payment, of the regular license fee for a license plate as provided by law; and
- 24 (3) payment of a \$5 additional fee."

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25 Section 16. Section 61-3-423, MCA, is amended to read:

plates plate for each operator. The division shall make such rules as may be necessary to procure compliance with all the laws of the state regulating the issuance of motor vehicle licenses relating to the use and operation of motor vehicles before issuing the lettered license plates. The division shall not issue more than one identical-pair-of lettered license plates plate for any licensed amateur radio station in any one licensing period."

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Section 17. Section 61-3-425, MCA, is amended to read: "61-3-425. Special plates plate -- how affixed to car -- sale or transfer of auto -- revocation or expiration of radio license. The lettered license plates plate, as herein provided, are is to replace the regular license plates plate on the motor vehicle owned by said amateur radio licensee for such period of time as the amateur radio license is in force under the federal communications commission and the special license issued hereunder is in force, but no longer. Whenever such official amateur radio license is revoked or expires for whatever reason, such license plate shall be removed immediately by the owner of the motor vehicle and the regular plates plate again placed or mounted on the motor vehicle as in other cases. When the motor vehicle is sold or otherwise transferred, the owner and holder of valid official amateur radio station and operator's license shall

another motor vehicle owned by him upon such reasonable conditions as may be prescribed by the division. On the revocation or expiration of the amateur radio station and operator's licenses, the lettered license plates plate as issued shall be returned and surrendered to the division."

Section 18. Section 61-3-443, MCA, is amended to read:

"61-3-443. Special license plates plate -- disabled veteran. A motor vehicle owner and resident of this state who is a veteran of the armed services of the United States and is 100% disabled because of an injury which has been determined by the veterans administration to be service connected, upon written application on a form prescribed by the division, must be issued a license plates plate specially inscribed with the letters and character DV- and three or four consecutive numbers."

have the right to transfer the lettered plates plate to

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Section 19. Section 61-3-444, MCA, is amended to read:

"61-3-444. Special license plates plate -- ex-prisoner
of war. A motor vehicle owner and resident of this state who
is a veteran of the armed services of the United States and
was captured and held prisoner by a military force of a
foreign nation, documented by his service record, upon
written application on the form prescribed by the division,
must be issued a license plates plate inscribed with the
words "ex-prisoner of war", or such abbreviation as the

division considers appropriate, and three or four
consecutive numbers."

Section 20. Section 61-3-445, MCA, is amended to read:

"61-3-445. Special license plate plate -- the
handicapped. A motor vehicle owner and resident of this
state who is eligible to receive a special parking permit
from the division under 49-4-301, upon written application
on a form prescribed by the division, must be issued a
license plates plate bearing a representation of a
wheelchair as the symbol of a handicapped person and three
or four consecutive numbers."

12 Section 21. Section 61-3-446, MCA, is amended to read:

13 "61-3-446. Retention of special license plates plate.

14 If during a registration year the holder of a special

15 license plates plate issued under 61-3-443, 61-3-444, or

16 61-3-445 disposes of the vehicle to which the plates-are

17 plate is affixed, he shall retain the plates plate and may

18 affix them it to another vehicle."

NEW SECTION. Section 22. Effective date. This act is
 effective January 1, 1986.

-End-

STATE OF MONTANA

FISCAL NOTE

REQUEST NO. FNN085-85

Form BD-15

19 85 there is hereby submitted a In compliance with a written request received January 15. pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA). Fiscal Note for S.B. 101 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:

Senate Bill 101 removes the requirement for a front license plate on a motor vehicle.

ASSUMPTIONS:

- 1. It costs \$0.70 to manufacture each license plate.
- 2. There are approximately 750,000 vehicles to be licensed.
- There are approximately 160,000 vehicles which would require new plates or replacement plates each year. 3.
- This legislation cannot be accomplished without a new issue of license plates which is estimated to cost \$1.6 million for the current two plate system.

FISCAL IMPACT:

Cost of New Plate issue Decreased Expenditures	FY 1986 \$1,600,000 674,000	s	FY 1987 \$ -0- 144,440
Net Cost	\$ 926,000		\$(144,440)

Note: The first year's savings is contingent upon a new issuance of license plates which is necessary to accomplish the proposed legislation. The second year represents the cost savings which would be realized in subsequent years. FY87 and subsequent years would be a cost savings to the Motor Vehicle Special Revenue Fund.

BUDGET DIRECTOR

Office of Budget and Program Planning

Date:

FN1:0/9