

SB 296 INTRODUCED BY HARDING, WALKER, MERCER, ET AL.
IDENTIFICATION OF LIQUIFIED PETROLEUM GAS POWERED
VEHICLES

2/05 INTRODUCED
2/05 REFERRED TO HIGHWAYS & TRANSPORTATION
2/05 FISCAL NOTE REQUESTED
2/12 FISCAL NOTE RECEIVED
2/17 HEARING
2/17 REREFERRED TO RULES
2/20 COMMITTEE RULED AMENDMENT NOT WITHIN
SCOPE OF BILL; BILL RETURNED TO
COMMITTEE ON HIGHWAYS & TRANSPORTATION
DIED IN COMMITTEE

1
 2 INTROSUCED BY *Senator Elsdon Walters* BILL NO. *296*
 3 *Marcel P. Reynolds*

4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING
 5 IDENTIFICATION OF VEHICLES POWERED BY LIQUEFIED PETROLEUM
 6 GAS; ESTABLISHING A REGISTRATION FEE; AMENDING SECTIONS
 7 15-71-101, 15-71-103, AND 61-3-301, MCA; AND PROVIDING A
 8 DELAYED EFFECTIVE DATE."

9
 10 WHEREAS, the undisclosed presence of a full or
 11 partially full liquefied petroleum fuel tank in a motor
 12 vehicle presents a serious hazard to firefighters attempting
 13 to extinguish a fire in that vehicle.

14
 15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

16 NEW SECTION. Section 1. Identification of liquefied
 17 petroleum powered vehicles. (1) No motor vehicle powered by
 18 liquefied petroleum gas may be operated on the public
 19 highways unless it is identified with a weather-resistant
 20 diamond-shaped label, issued by the department of highways
 21 after the payment of the fee provided in subsection (2). The
 22 label must be located on an exterior vertical or near
 23 vertical surface on the lower right rear of the vehicle, on
 24 the trunk lid of a vehicle so equipped, but not on the
 25 bumper of the vehicle, and it must be inboard from any other

1 markings. The label must be approximately 4 3/4 inches long
 2 by 3 1/4 inches high. The marking must consist of a border
 3 and the word PROPANE, 1 inch minimum height centered in a
 4 diamond of silver or white reflective luminous material on a
 5 black background.

6 (2) The department of highways shall furnish the label
 7 upon payment of an annual tax fee of \$3, receipt for which
 8 must be carried in the motor vehicle at all times and
 9 produced upon demand of a law enforcement officer. The
 10 receipt must identify the motor vehicle by:

- 11 (a) name and address of the owner;
- 12 (b) description of motor vehicle, including make, year
- 13 model, engine or serial number, manufacturer's model or
- 14 letter, gross weight, type of body, and if truck, the rated
- 15 capacity; and
- 16 (c) such other information as the department may
- 17 require.

18 (3) The department of highways shall issue a
 19 validating sticker to be affixed to the label upon payment
 20 of each subsequent year's annual tax fee.

21 Section 2. Section 15-71-101, MCA, is amended to read:
 22 "15-71-101. Tax to be collected on motor vehicles
 23 self-propelled by a liquefied petroleum gas. (1) The
 24 department of highways shall, under the rules issued by the
 25 department of revenue, collect or cause to be collected from



1 owners or operators of motor vehicles powered by any
2 liquefied petroleum gas an annual license tax fee on each
3 such vehicle, which license tax fee is prorated on a
4 quarterly basis and may be paid quarterly, semiannually, or
5 annually according to the following schedule:

6 (a) passenger cars and pickups whose licensed gross
7 vehicle weight is 10,000 pounds or less, \$60;

8 (b) motor trucks and truck tractors whose licensed
9 gross vehicle weight is over 10,000 pounds and less than
10 18,000 pounds, \$80;

11 (c) motor trucks and truck tractors whose licensed
12 gross vehicle weight is 18,000 pounds or more and less than
13 48,000 pounds, \$200;

14 (d) motor trucks and truck tractors whose licensed
15 gross vehicle weight is 48,000 pounds or more, \$1,000.

16 (2) Upon payment of the tax required by this section
17 and after determining that the motor vehicle meets the
18 requirements of [section 1], the department of highways
19 shall provide a certificate to be carried in each vehicle,
20 which is valid for a period no less than a calendar quarter
21 or for such further calendar period for which the tax is
22 paid."

23 Section 3. Section 15-71-103, MCA, is amended to read:

24 "15-71-103. Certificate, receipt, and fee fees
25 nontransferable. The identifying certificate, and the

1 license fee paid under 15-71-101, and the receipt issued and
2 the fee paid under [section 1] for each vehicle shall are
3 not be transferable on the sale or change of ownership to
4 any person or vehicle other than that for which it was
5 issued, with one exception. If the owner of a vehicle for
6 which a current certificate ~~has~~ and receipt have been issued
7 replaces the vehicle, the remaining amount of tax paid for
8 the unused calendar period may be credited to the tax
9 payable for the issuance of a new certificate. The credit
10 may not exceed the amount applicable to the unused period,
11 and a refund is not allowed."

12 Section 4. Section 61-3-301, MCA, is amended to read:

13 "61-3-301. Registration -- license plate required --
14 display. (1) Except as otherwise provided herein, no person
15 shall operate a motor vehicle upon the public highways of
16 this state unless such vehicle is properly registered and
17 has:

18 (a) the proper number plates conspicuously displayed,
19 one on the front and one on the rear of the vehicle, each
20 securely fastened to prevent it from swinging and
21 unobstructed from plain view, except that trailers,
22 semitrailers, quadricycles, and motorcycles shall have but
23 one number plate conspicuously displayed on the rear. No
24 person shall display on such vehicle at the same time any
25 number assigned to it under any motor vehicle law except as

1 provided in this chapter. A junk vehicle, as defined in part
 2 5, chapter 10, Title 75, being driven or towed to an auto
 3 wrecking graveyard for disposal is exempt from the
 4 provisions of this section.

5 (b) on a vehicle powered by liquefied petroleum gas,
 6 the label required in [section 1].

7 (2) No person shall purchase or display on a vehicle
 8 any license plate bearing the number assigned to any county
 9 as provided in 61-3-332 other than the county of his
 10 permanent residence at the time of application for
 11 registration. However, the owner of any motor vehicle
 12 requiring a license plate on any motor vehicle used in the
 13 public transportation of persons or property may make
 14 application therefor in any county through which the motor
 15 vehicle passes in its regularly scheduled route, and the
 16 license plate so issued bearing the number assigned to said
 17 county may be displayed on the motor vehicle in any other
 18 county of the state.

19 (3) It is unlawful to use license plates issued to one
 20 vehicle on any other vehicle, trailer, or semitrailer unless
 21 legally transferred as provided by statute, or to repaint
 22 old license plates to resemble current license plates.

23 (4) Any person violating these provisions is guilty of
 24 a misdemeanor and subject to the penalty set out in
 25 61-3-601."

1 NEW SECTION. Section 5. Extension of authority. Any
 2 existing authority of the department of revenue or the
 3 department of highways to make rules on the subject of the
 4 provisions of this act is extended to the provisions of this
 5 act.

6 NEW SECTION. Section 6. Codification instruction.
 7 Section 1 is intended to be codified as an integral part of
 8 Title 15, chapter 71, and the provisions of Title 15,
 9 chapter 71, apply to section 1.

10 NEW SECTION. Section 7. Effective date. This act is
 11 effective January 1, 1988.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB296, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

A bill for an act entitled: "An act requiring identification of vehicles powered by liquified petroleum gas; established a registration fee; amending sections 15-71-101, 15-71-103 and 61-3-301, MCA; and providing a delayed effective date."

ASSUMPTIONS:

1. All motor vehicles powered by liquified petroleum gas shall display a decal specifying "Propane".
2. The decal shall be furnished by the Department of Highways.
3. The Department of Highways shall collect \$3.00 for each decal issued.
4. 1,500 vehicles shall be required to purchase decals annually.
5. A decal would cost approximately \$.40 each.
6. The effective date of the proposed legislation, January 1, 1988, fully impacts FY88.

FISCAL IMPACT:

	<u>FY88</u>			<u>FY89</u>		
	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>
<u>Revenue:</u>						
Hwy Earmarked Special Revenue	\$ 0	\$ 4,500	\$ 4,500	\$ 0	\$ 4,500	\$ 4,500
<u>Expenditures:</u>						
Operating Expense	\$ 0	\$ 600	\$ 600	\$ 0	\$ 600	\$ 600
<u>Fund Information:</u>						
Net Effect						
Hwy Earmarked Special Revenue	\$ 0	\$ 3,900	\$ 3,900	\$ 0	\$ 3,900	\$ 3,900

David L. Hunter

DATE 2/9/87

DAVID L. HUNTER, BUDGET DIRECTOR
Office of Budget and Program Planning

DATE

ETHEL HARDING, PRIMARY SPONSOR

Fiscal Note for SB296, as introduced.

SB 296