

HOUSE BILL NO. 94  
INTRODUCED BY GILBERT

IN THE HOUSE

JANUARY 7, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & LABOR.
	FIRST READING.
JANUARY 18, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
JANUARY 19, 1989	PRINTING REPORT.
JANUARY 20, 1989	SECOND READING, DO PASS.
JANUARY 21, 1989	ENGROSSING REPORT.
JANUARY 23, 1989	THIRD READING, PASSED. AYES, 94; NOES, 3.
	TRANSMITTED TO SENATE.

IN THE SENATE

JANUARY 25, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON HIGHWAYS & TRANSPORTATION.
	FIRST READING.
FEBRUARY 15, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
FEBRUARY 27, 1989	SECOND READING, CONCURRED IN.
MARCH 1, 1989	THIRD READING, CONCURRED IN. AYES, 43; NOES, 0.
	RETURNED TO HOUSE.

IN THE HOUSE

MARCH 2, 1989	RECEIVED FROM SENATE.
---------------	-----------------------

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 House BILL NO. 94  
2 INTRODUCED BY Gilbert  
3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT REGISTRATION  
5 OF MOTOR VEHICLES AS A FLEET; AND AMENDING SECTION 61-3-321,  
6 MCA."  
7

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

9 **Section 1. Definitions.** As used in [sections 1 through  
10 3], unless the context requires otherwise, the following  
11 definitions apply:

12 (1) "Department" means the department of highways.

13 (2) "Domicile" means the county in which a motor  
14 vehicle is most frequently used, dispatched, or controlled.

15 (3) "Fleet" means 100 or more motor vehicles owned or  
16 leased by a person operating the vehicles in this state.

17 **Section 2. Fleet registration -- application --**  
18 **additions to and deletions from fleet.** (1) A person owning  
19 or leasing a fleet may apply to the department to register  
20 the fleet annually through the department in lieu of  
21 registering each motor vehicle in its domicile.

22 (2) The application for fleet registration must:

23 (a) be submitted to the department prior to November 1  
24 of each year;

25 (b) include a list of the motor vehicles in the fleet;

1 (c) include the current registration receipt for each  
2 motor vehicle; and

3 (d) include any other relevant information required by  
4 the department.

5 (3) (a) A motor vehicle subject to staggered  
6 registration as provided in 61-3-313 through 61-3-316 may be  
7 added to the fleet and registered for a 1-year period based  
8 on the date of application for original registration.

9 (b) A motor vehicle added to the fleet in this manner  
10 then must be registered as part of the fleet as provided in  
11 [section 3].

12 (c) Any other motor vehicle may continue to be  
13 registered annually with fees and taxes on the motor vehicle  
14 prorated for the registration period as provided in part 5  
15 of this chapter.

16 (4) A motor vehicle may be removed from a fleet if the  
17 owner of the fleet surrenders to the department the current  
18 registration receipt and the license plate for the vehicle  
19 no later than December 31. If the receipt or license plate  
20 has been lost or stolen, the owner shall submit an affidavit  
21 explaining why he is not able to surrender the receipt or  
22 license plate.

23 **Section 3. Vehicles subject to staggered registration**  
24 **-- fees and taxes -- disposition.** (1) Any motor vehicle in  
25 the fleet that is subject to staggered registration under

1 61-3-313 through 61-3-316 must be registered as part of the  
 2 fleet on the following renewal date. The department shall  
 3 collect the remaining fees and taxes due for the  
 4 registration year after crediting the registrant for the  
 5 period that was previously paid.

6 (2) (a) The department shall compute fees and taxes  
 7 due on each motor vehicle in the fleet as provided in part 5  
 8 of this chapter, based on its domicile.

9 (b) The department shall also collect and retain for  
 10 administrative costs a registration fee of \$7.50 for each  
 11 motor vehicle in the fleet in lieu of the registration fee  
 12 provided for in 61-3-321.

13 (c) All fees and taxes must be paid no later than  
 14 February 15 each year.

15 (d) The fees and taxes collected must be distributed  
 16 by the department as provided in part 5 of this chapter,  
 17 based on the domicile of each motor vehicle.

18 **Section 4.** Section 61-3-321, MCA, is amended to read:

19 "~~61-3-321. Registration fees of vehicles --~~  
 20 ~~public-owned-vehicles-exempt-from--license--or--registration~~  
 21 ~~fees----~~ disposition of fees -- exemptions. (1) Registration  
 22 or license fees shall be paid upon registration or  
 23 reregistration of motor vehicles, trailers, house trailers,  
 24 and semitrailers, in accordance with this chapter, as  
 25 follows:

1 (a) motor vehicles weighing 2,850 pounds or under  
 2 (other than motortrucks), \$5;

3 (b) motor vehicles weighing over 2,850 pounds (other  
 4 than motortrucks), \$10;

5 (c) electrically driven passenger vehicles, \$10;

6 (d) all motorcycles and quadricycles, \$2;

7 (e) tractors and/or trucks, \$10;

8 (f) buses shall be classed as motortrucks and licensed  
 9 accordingly;

10 (g) trailers and semitrailers less than 2,500 pounds  
 11 maximum gross loaded weight and house trailers of all  
 12 weights, \$2;

13 (h) trailers and semitrailers over 2,500 up to 6,000  
 14 pounds maximum gross loaded weight (except house trailers),  
 15 \$5;

16 (i) trailers and semitrailers over 6,000 pounds  
 17 maximum gross loaded weight, \$10;

18 (j) trailers used exclusively in the transportation of  
 19 logs in the forest or in the transportation of oil and gas  
 20 well machinery, road machinery, or bridge materials, new and  
 21 secondhand, shall pay a fee of \$15 annually, regardless of  
 22 size or capacity.

23 (2) All rates shall be 25% higher for motor vehicles,  
 24 trailers, and semitrailers not equipped with pneumatic  
 25 tires.

(3) "Tractor", as specified in this section, means any motor vehicle except passenger cars used for towing a trailer or semitrailer.

(4) If any motor vehicle, housetrailer, trailer, or semitrailer is originally registered 6 months after the time of registration as set by law, the registration or license fee for the remainder of the year shall be one-half of the regular fee.

(5) An additional fee of \$3 per year for each registration of a vehicle shall be collected as a registration fee. Revenue from this fee shall be forwarded by the respective county treasurers to the state treasurer for deposit in the motor vehicle recording account of the state special revenue fund.

(6) The provisions of this part with respect to the payment of registration fees shall not apply to or be binding upon motor vehicles, trailers or semitrailers, or tractors owned or controlled by the United States of America or any state, county, or city.

(7) The provisions of this section relating to the payment of registration fees do not apply when number plates are transferred to a replacement vehicle under 61-3-317, 61-3-332(7), or 61-3-335.

(8) The provisions of this section relating to the payment of registration fees do not apply to a motor vehicle

registered as part of a fleet under [sections 1 through 3]."

**Section 5. Extension of authority.** Any existing authority to make rules on the subject of the provisions of [this act] is extended to the provisions of [this act].

**Section 6. Codification instruction.** [Sections 1 through 3] are intended to be codified as an integral part of Title 61, chapter 3, part 3, and the provisions of Title 61, chapter 3, part 3, apply to [sections 1 through 3].

-End-

## STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB094, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to permit registration of motor vehicles as a fleet; and amending Section 61-3-321, MCA.

ASSUMPTIONS:

1. Fees and taxes except for the registration fee will remain the same and will be distributed as is currently stated in the law.
2. Registration fees will be collected and retained by the Department of Highways instead of the counties.
3. Five companies will utilize fleet registration.
4. Each company will register 500 vehicles.
5. Total registration fee is \$7.50 per vehicle.
6. \$4.50 of the registration fee will offset the cost of computerizing registration.

FISCAL IMPACT:

	<u>Current Law</u>	<u>FY90 Proposed Law</u>	<u>Difference</u>		<u>Current Law</u>	<u>FY91 Proposed Law</u>	<u>Difference</u>
<u>Department of Highways</u>							
<u>Expenditures:</u>							
Operating Expenses	-0-	\$ 11,250	\$ 11,250		-0-	\$ 11,250	\$ 11,250
<u>Revenues:</u>							
Highway Special	-0-	18,750	18,750		-0-	18,750	18,750
Net Effect:		\$ 7,500	\$ 7,500			\$ 7,500	\$ 7,500
<u>Department of Justice</u>							
<u>Revenues:</u>							
Motor Vehicle Registration	\$4,709,000	\$4,701,500	(\$ 7,500)		\$4,709,000	\$4,701,500	(\$ 7,500)



1/14/89

RAY SHACKLEFORD, BUDGET DIRECTOR DATE  
OFFICE OF BUDGET AND PROGRAM PLANNING



BOB GILBERT, PRIMARY SPONSOR

DATE

Fiscal Note for HB094, as introduced

HB 94

EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:

Under current law 61-3-321, MCA, the registration fee is \$10 per vehicle.  
Five companies x 500 vehicles x \$10 registration fee= \$25,000.  
This would result in a \$25,000 loss to the counties each year.

TECHNICAL OR MECHANICAL DEFECTS OR CONFLICTS WITH EXISTING LEGISLATION:

Section 61-3-321 (5), MCA, provides a \$3.00 registration fee which is deposited in the Motor Vehicle Registration State Special Revenue Fund. The proposed bill omits this fee which results in a loss of an estimated \$7,500 per year to the Department of Justice.

APPROVED BY COMM. ON BUSINESS  
AND ECONOMIC DEVELOPMENT

1 HOUSE BILL NO. 94  
2 INTRODUCED BY GILBERT  
3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT REGISTRATION  
5 OF MOTOR VEHICLES AS A FLEET;~~AND AMENDING SECTION 61-3-321,~~  
6 MEA."  
7  
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
9 NEW SECTION. **Section 1.** Definitions. As used in  
10 {sections 1 through 3}, unless the context requires  
11 otherwise, the following definitions apply:  
12 {1}--"Department"--means the department of highways;  
13 {2}{1} "Domicile" means the county in which a motor  
14 vehicle is most frequently used, dispatched, or controlled.  
15 {3}{2} "Fleet" means 100 or more motor vehicles owned  
16 or leased by a person operating the vehicles in this state.  
17 NEW SECTION. **Section 2.** Fleet registration --  
18 application -- additions to and deletions from fleet. (1) A  
19 person owning or leasing a fleet may apply to the department  
20 OF HIGHWAYS to register the fleet annually through the  
21 department OF HIGHWAYS in lieu of registering each motor  
22 vehicle in its domicile.  
23 (2) The application for fleet registration must:  
24 (a) be submitted to the department OF HIGHWAYS prior  
25 to November 1 of each year;

1 (b) include a list of the motor vehicles in the fleet;  
2 (c) include the current registration receipt for each  
3 motor vehicle; and  
4 (d) include any other relevant information required by  
5 the department OF HIGHWAYS.  
6 (3) {a} A motor vehicle subject---to---staggered  
7 registration-as-provided-in-61-3-313-through-61-3-316 may be  
8 added to the fleet and-registered-for-a-1-year-period--based  
9 on-the-date-of-application-for-original-registration.  
10 {b}--A--motor-vehicle-added-to-the-fleet-in-this-manner  
11 then-must-be-registered-as-part-of-the-fleet-as-provided--in  
12 {section-3};  
13 {c}--Any---other---motor---vehicle---may---continue---to---be  
14 registered-annually-with-fees-and-taxes-on-the-motor-vehicle  
15 prorated-for-the-registration-period-as-provided-in--part--5  
16 of-this-chapter;  
17 (4) A motor vehicle may be removed from a fleet if the  
18 owner of the fleet surrenders to the department OF HIGHWAYS  
19 the current registration receipt and the license plate for  
20 the vehicle no later than December 31. If the receipt or  
21 license plate has been lost or stolen, the owner shall  
22 submit an affidavit explaining why he is not able to  
23 surrender the receipt or license plate.  
24 NEW SECTION. **Section 3.** Vehicles subject to staggered  
25 registration -- fees and taxes -- disposition. (1) Any motor



vehicle in the fleet that is subject to staggered registration under 61-3-313 through 61-3-316 must MAY be registered as part of the fleet on the following FLEET renewal date. The department OF HIGHWAYS shall collect the remaining fees and taxes due for the registration year after crediting the registrant for the period that was previously paid.

(2) (a) The department OF HIGHWAYS shall compute fees and taxes due on each motor vehicle in the fleet as provided in part 5 of this chapter, based on its domicile.

(b) The department OF HIGHWAYS shall also collect and retain--for-administrative-costs a registration fee of \$7.50 for each motor vehicle in the fleet in lieu of the registration fee provided for in 61-3-321. THE DEPARTMENT SHALL RETAIN \$4.50 OF EACH REGISTRATION FEE FOR ADMINISTRATIVE COSTS AND FORWARD THE REMAINING \$3 TO THE STATE TREASURER FOR DEPOSIT IN THE MOTOR VEHICLE RECORDING ACCOUNT OF THE STATE SPECIAL REVENUE FUND IN LIEU OF THE FEE PROVIDED IN 61-3-321(5).

(c) All fees and taxes must be paid no later than February 15 each year.

(d) The fees and taxes collected must be distributed by the department OF HIGHWAYS as provided in 61-3-321 AND part 5 of this chapter, based on the domicile of each motor vehicle.

**Section 4.** ~~Section 61-3-321, MCA, is amended to read:~~

~~"61-3-321--Registration--fees---of---vehicles-----  
public-owned--vehicles--exempt--from--license-or-registration  
fees---disposition-of-fees---exemptions--(1)--Registration  
or---license---fees--shall--be--paid--upon--registration--or  
reregistration-of-motor-vehicles--trailers--housetrailers,  
and--semitrailers--in--accordance--with--this--chapter--as  
follows:~~

~~(a)--motor-vehicles--weighing--2,850--pounds--or--under  
(other-than-motortrucks)--\$5;~~

~~(b)--motor--vehicles--weighing-over-2,850-pounds--(other  
than-motortrucks)--\$10;~~

~~(c)--electrically-driven-passenger-vehicles--\$10;~~

~~(d)--all-motorcycles-and-quadracycles--\$2;~~

~~(e)--tractors-and/or-trucks--\$10;~~

~~(f)--buses-shall-be-classed-as-motortrucks-and-licensed  
accordingly;~~

~~(g)--trailers-and-semitrailers-less-than--2,500--pounds  
maximum---gross--loaded--weight--and--housetrailers--of--all  
weights--\$2;~~

~~(h)--trailers-and-semitrailers-over-2,500-up--to--6,000  
pounds--maximum--gross-loaded-weight--(except-housetrailers)--  
\$5;~~

~~(i)--trailers--and--semitrailers--over---6,000---pounds  
maximum-gross-loaded-weight--\$10;~~

1       ~~{j}--trailers-used-exclusively-in-the-transportation-of~~  
 2       ~~logs--in--the-forest-or-in-the-transportation-of-oil-and-gas~~  
 3       ~~well-machinery,--road-machinery,--or-bridge-materials,--new-and~~  
 4       ~~secondhand,--shall-pay-a-fee-of-\$15-annually,--regardless--of~~  
 5       ~~size-or-capacity.~~

6       ~~{2}--All--rates-shall-be-25%--higher-for-motor-vehicles,~~  
 7       ~~trailers,--and--semitrailers--not--equipped--with--pneumatic~~  
 8       ~~tires.~~

9       ~~{3}--"Tractor",--as-specified-in-this-section,--means-any~~  
 10       ~~motor--vehicle--except--passenger--cars--used--for--towing-a~~  
 11       ~~trailer-or-semitrailer.~~

12       ~~{4}--If-any-motor-vehicle,--house-trailer,--trailer,--or~~  
 13       ~~semitrailer-is-originally-registered-6-months-after-the-time~~  
 14       ~~of--registration--as-set-by-law,--the-registration-or-license~~  
 15       ~~fee-for-the-remainder-of-the-year-shall-be-one-half--of--the~~  
 16       ~~regular-fee.~~

17       ~~{5}--An--additional--fee--of--\$3--per--year--for--each~~  
 18       ~~registration--of--a--vehicle--shall--be--collected--as--a~~  
 19       ~~registration--fee.--Revenue-from-this-fee-shall-be-forwarded~~  
 20       ~~by-the-respective-county-treasurers-to-the--state--treasurer~~  
 21       ~~for--deposit--in--the-motor-vehicle-recording-account-of-the~~  
 22       ~~state-special-revenue-fund.~~

23       ~~{6}--The-provisions-of-this-part-with--respect--to--the~~  
 24       ~~payment--of--registration--fees--shall--not--apply--to--or--be~~  
 25       ~~binding-upon-motor-vehicles,--trailers--or--semitrailers,--or~~

1       ~~tractors-owned-or-controlled-by-the-United-States-of-America~~  
 2       ~~or-any-state,--county,--or-city.~~

3       ~~{7}--The--provisions--of--this--section--relating-to-the~~  
 4       ~~payment-of-registration-fees-do-not-apply-when-number-plates~~  
 5       ~~are-transferred-to-a--replacement--vehicle--under--61-3-317,~~  
 6       ~~61-3-332{7},--or-61-3-335.~~

7       ~~{8}--The--provisions--of--this--section--relating-to-the~~  
 8       ~~payment-of-registration-fees-do-not-apply-to-a-motor-vehicle~~  
 9       ~~registered-as-part-of-a-fleet-under-{sections-1-through-3}.~~

10       ~~NEW SECTION. Section 4. Extension of authority. Any~~  
 11       ~~existing authority to make rules on the subject of the~~  
 12       ~~provisions of [this act] is extended to the provisions of~~  
 13       ~~[this act].~~

14       ~~NEW SECTION. Section 5. Codification instruction.~~  
 15       ~~[Sections 1 through 3] are intended to be codified as an~~  
 16       ~~integral part of Title 61, chapter 3, part 3, and the~~  
 17       ~~provisions of Title 61, chapter 3, part 3, apply to~~  
 18       ~~[sections 1 through 3].~~

-End-

## HOUSE BILL NO. 94

INTRODUCED BY GILBERT

A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT REGISTRATION OF MOTOR VEHICLES AS A FLEET;--AND--AMENDING--SECTION--61-3-321; MEA."

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

NEW SECTION. Section 1. Definitions. As used in [sections 1 through 3], unless the context requires otherwise, the following definitions apply:

{1}--"Department"--means--the--department--of--highways--

{2}{1} "Domicile" means the county in which a motor vehicle is most frequently used, dispatched, or controlled.

{3}{2} "Fleet" means 100 or more motor vehicles owned or leased by a person operating the vehicles in this state.

NEW SECTION. Section 2. Fleet registration -- application -- additions to and deletions from fleet. (1) A person owning or leasing a fleet may apply to the department OF HIGHWAYS to register the fleet annually through the department OF HIGHWAYS in lieu of registering each motor vehicle in its domicile.

(2) The application for fleet registration must:

(a) be submitted to the department OF HIGHWAYS prior to November 1 of each year;

(b) include a list of the motor vehicles in the fleet;

(c) include the current registration receipt for each motor vehicle; and

(d) include any other relevant information required by the department OF HIGHWAYS.

(3) {a} A motor vehicle subject---to---staggered registration--as--provided--in--61-3-313--through--61-3-316 may be added to the fleet and--registered--for--a--1-year--period--based--on--the--date--of--application--for--original--registration.

{b}--A--motor--vehicle--added--to--the--fleet--in--this--manner then--must--be--registered--as--part--of--the--fleet--as--provided--in--{section--3}--

{c}--Any---other---motor---vehicle---may---continue---to---be registered--annually--with--fees--and--taxes--on--the--motor--vehicle prorated--for--the--registration--period--as--provided--in--part--5 of--this--chapter--

(4) A motor vehicle may be removed from a fleet if the owner of the fleet surrenders to the department OF HIGHWAYS the current registration receipt and the license plate for the vehicle no later than December 31. If the receipt or license plate has been lost or stolen, the owner shall submit an affidavit explaining why he is not able to surrender the receipt or license plate.

NEW SECTION. Section 3. Vehicles subject to staggered registration -- fees and taxes -- disposition. (1) Any motor

vehicle in the fleet that is subject to staggered registration under 61-3-313 through 61-3-316 must MAY be registered as part of the fleet on the following FLEET renewal date. The department OF HIGHWAYS shall collect the remaining fees and taxes due for the registration year after crediting the registrant for the period that was previously paid.

(2) (a) The department OF HIGHWAYS shall compute fees and taxes due on each motor vehicle in the fleet as provided in part 5 of this chapter, based on its domicile.

(b) The department OF HIGHWAYS shall also collect and retain--for-administrative-costs a registration fee of \$7.50 for each motor vehicle in the fleet in lieu of the registration fee provided for in 61-3-321. THE DEPARTMENT SHALL RETAIN \$4.50 OF EACH REGISTRATION FEE FOR ADMINISTRATIVE COSTS AND FORWARD THE REMAINING \$3 TO THE STATE TREASURER FOR DEPOSIT IN THE MOTOR VEHICLE RECORDING ACCOUNT OF THE STATE SPECIAL REVENUE FUND IN LIEU OF THE FEE PROVIDED IN 61-3-321(5).

(c) All fees and taxes must be paid no later than February 15 each year.

(d) The fees and taxes collected must be distributed by the department OF HIGHWAYS as provided in 61-3-321 AND part 5 of this chapter, based on the domicile of each motor vehicle.

~~Section 4. Section 61-3-321, MCA, is amended to read:~~

~~"61-3-321. Registration fees of vehicles public-owned vehicles exempt from license or registration fees disposition of fees exemptions (1) Registration or license fees shall be paid upon registration or reregistration of motor vehicles, trailers, house trailers, and semitrailers, in accordance with this chapter, as follows:~~

~~(a) motor vehicles weighing 2,850 pounds or under (other than motor trucks), \$5;~~

~~(b) motor vehicles weighing over 2,850 pounds (other than motor trucks), \$10;~~

~~(c) electrically driven passenger vehicles, \$10;~~

~~(d) all motorcycles and quadricycles, \$2;~~

~~(e) tractors and/or trucks, \$10;~~

~~(f) buses shall be classed as motor trucks and licensed accordingly;~~

~~(g) trailers and semitrailers less than 2,500 pounds maximum gross loaded weight and house trailers of all weights, \$2;~~

~~(h) trailers and semitrailers over 2,500 up to 6,000 pounds maximum gross loaded weight (except house trailers), \$5;~~

~~(i) trailers and semitrailers over 6,000 pounds maximum gross loaded weight, \$10;~~

1 {j}--trailers-used-exclusively-in-the-transportation-of  
 2 logs--in--the-forest-or-in-the-transportation-of-oil-and-gas  
 3 well-machinery, road-machinery, or-bridge-materials, new-and  
 4 secondhand, shall-pay-a-fee-of-\$15-annually,--regardless--of  
 5 size-or-capacity.

6 {2}--All--rates-shall-be-25%--higher-for-motor-vehicles,  
 7 trailers,--and--semitrailers--not--equipped--with--pneumatic  
 8 tires.

9 {3}--"Tractor",--as-specified-in-this-section,--means--any  
 10 motor--vehicle--except--passenger--cars--used--for--towing-a  
 11 trailer-or-semitrailer.

12 {4}--If-any-motor-vehicle,--housetrailer,--trailer,--or  
 13 semitrailer-is-originally-registered-6-months-after-the-time  
 14 of--registration--as-set-by-law,--the-registration-or-license  
 15 fee-for-the-remainder-of-the-year-shall-be-one-half--of--the  
 16 regular-fee.

17 {5}--An--additional--fee--of--\$3--per--year--for--each  
 18 registration--of--a--vehicle--shall--be--collected--as--a  
 19 registration--fee.--Revenue-from-this-fee-shall-be-forwarded  
 20 by-the-respective-county-treasurers-to-the--state--treasurer  
 21 for--deposit--in--the-motor-vehicle-recording-account-of-the  
 22 state-special-revenue-fund.

23 {6}--The-provisions-of-this-part-with--respect--to--the  
 24 payment--of--registration--fees--shall--not--apply--to--or--be  
 25 binding-upon-motor-vehicles, trailers--or--semitrailers,--or

1 tractors-owned-or-controlled-by-the-United-States-of-America  
 2 or-any-state, county, or-city.

3 {7}--The--provisions--of--this--section-relating-to-the  
 4 payment-of-registration-fees-do-not-apply-when-number-plates  
 5 are-transferred-to-a--replacement--vehicle--under--61-3-317,  
 6 61-3-332{7}, or-61-3-335.

7 {8}--The--provisions--of--this--section-relating-to-the  
 8 payment-of-registration-fees-do-not-apply-to-a-motor-vehicle  
 9 registered-as-part-of-a-fleet-under-{sections-1-through-3}."

10 NEW SECTION. Section 4. Extension of authority. Any  
 11 existing authority to make rules on the subject of the  
 12 provisions of [this act] is extended to the provisions of  
 13 [this act].

14 NEW SECTION. Section 5. Codification instruction.  
 15 [Sections 1 through 3] are intended to be codified as an  
 16 integral part of Title 61, chapter 3, part 3, and the  
 17 provisions of Title 61, chapter 3, part 3, apply to  
 18 [sections 1 through 3].

-End-

## HOUSE BILL NO. 94

INTRODUCED BY GILBERT

A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT REGISTRATION  
OF MOTOR VEHICLES AS A FLEET;--AND--AMENDING--SECTION--61-3-321;7  
MEA."

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

NEW SECTION. **Section 1. Definitions.** As used in  
[sections 1 through 3], unless the context requires  
otherwise, the following definitions apply:

{1}--"Department"--means the department of highways;

{2}{1} "Domicile" means the county in which a motor  
vehicle is most frequently used, dispatched, or controlled.

{3}{2} "Fleet" means 100 or more motor vehicles owned  
or leased by a person operating the vehicles in this state.

NEW SECTION. **Section 2. Fleet registration** --  
application -- additions to and deletions from fleet. (1) A  
person owning or leasing a fleet may apply to the department  
OF HIGHWAYS to register the fleet annually through the  
department OF HIGHWAYS in lieu of registering each motor  
vehicle in its domicile.

(2) The application for fleet registration must:

(a) be submitted to the department OF HIGHWAYS prior  
to November 1 of each year;

(b) include a list of the motor vehicles in the fleet;

(c) include the current registration receipt for each  
motor vehicle; and

(d) include any other relevant information required by  
the department OF HIGHWAYS.

(3) {a} A motor vehicle subject---to---staggered  
registration-as-provided-in-61-3-313-through-61-3-316 may be  
added to the fleet and-registered-for-a-1-year-period--based  
on-the-date-of-application-for-original-registration.

{b}--A--motor-vehicle-added-to-the-fleet-in-this-manner  
then-must-be-registered-as-part-of-the-fleet-as-provided--in  
{section-3}.

{c}--Any---other---motor---vehicle---may---continue---to---be  
registered-annually-with-fees-and-taxes-on-the-motor-vehicle  
prorated-for-the-registration-period-as-provided-in--part--5  
of-this-chapter.

(4) A motor vehicle may be removed from a fleet if the  
owner of the fleet surrenders to the department OF HIGHWAYS  
the current registration receipt and the license plate for  
the vehicle no later than December 31. If the receipt or  
license plate has been lost or stolen, the owner shall  
submit an affidavit explaining why he is not able to  
surrender the receipt or license plate.

NEW SECTION. **Section 3. Vehicles subject to staggered  
registration -- fees and taxes -- disposition.** (1) Any motor

vehicle in the fleet that is subject to staggered registration under 61-3-313 through 61-3-316 must MAY be registered as part of the fleet on the following FLEET renewal date. The department OF HIGHWAYS shall collect the remaining fees and taxes due for the registration year after crediting the registrant for the period that was previously paid.

(2) (a) The department OF HIGHWAYS shall compute fees and taxes due on each motor vehicle in the fleet as provided in part 5 of this chapter, based on its domicile.

(b) The department OF HIGHWAYS shall also collect and ~~retain--for-administrative-costs~~ a registration fee of \$7.50 for each motor vehicle in the fleet in lieu of the registration fee provided for in 61-3-321. THE DEPARTMENT SHALL RETAIN \$4.50 OF EACH REGISTRATION FEE FOR ADMINISTRATIVE COSTS AND FORWARD THE REMAINING \$3 TO THE STATE TREASURER FOR DEPOSIT IN THE MOTOR VEHICLE RECORDING ACCOUNT OF THE STATE SPECIAL REVENUE FUND IN LIEU OF THE FEE PROVIDED IN 61-3-321(5).

(c) All fees and taxes must be paid no later than February 15 each year.

(d) The fees and taxes collected must be distributed by the department OF HIGHWAYS as provided in 61-3-321 AND part 5 of this chapter, based on the domicile of each motor vehicle.

**~~Section 4. Section 61-3-321, MCA, is amended to read:~~**

~~"61-3-321.---Registration---fees---of---vehicles-----  
public-owned--vehicles--exempt--from--license--or--registration  
fees---disposition-of-fees---exemptions--(1)---Registration  
or---license---fees--shall--be--paid--upon--registration--or  
reregistration--of--motor-vehicles,--trailers,--house-trailers,  
and--semitrailers,--in--accordance--with--this--chapter,--as  
follows:~~

- ~~(a)---motor-vehicles--weighing--2,850--pounds--or--under  
(other-than-motor-trucks),--\$5;~~
- ~~(b)---motor--vehicles--weighing--over--2,850--pounds--(other  
than-motor-trucks),--\$10;~~
- ~~(c)---electrically-driven-passenger-vehicles,--\$10;~~
- ~~(d)---all-motorcycles-and-quadracycles,--\$2;~~
- ~~(e)---tractors-and/or-trucks,--\$10;~~
- ~~(f)---buses--shall--be--classed--as--motor-trucks--and--licensed  
accordingly;~~
- ~~(g)---trailers-and-semitrailers--less--than--2,500--pounds  
maximum--gross--loaded--weight--and--house-trailers--of--all  
weights,--\$2;~~
- ~~(h)---trailers-and-semitrailers--over--2,500--up--to--6,000  
pounds--maximum--gross--loaded--weight--(except-house-trailers),  
\$5;~~
- ~~(i)---trailers--and--semitrailers--over---6,000--pounds  
maximum--gross--loaded--weight,--\$10;~~

1       ~~{1}--trailers-used-exclusively-in-the-transportation-of~~  
2       ~~logs--in--the-forest-or-in-the-transportation-of-oil-and-gas~~  
3       ~~well-machinery,--road-machinery,--or-bridge-materials,--new-and~~  
4       ~~secondhand,--shall-pay-a-fee-of-\$15-annually,--regardless--of~~  
5       ~~size-or-capacity,;~~  
6       ~~{2}--All--rates-shall-be-25%--higher-for-motor-vehicles,;~~  
7       ~~trailers,--and--semitrailers--not--equipped--with--pneumatic~~  
8       ~~tires,;~~  
9       ~~{3}--"Tractor",--as-specified-in-this-section,--means-any~~  
10       ~~motor--vehicle,--except--passenger--cars--used--for--towing-a~~  
11       ~~trailer-or-semitrailer,;~~  
12       ~~{4}--If-any-motor-vehicle,--housetrailer,--trailer,--or~~  
13       ~~semitrailer-is-originally-registered-6-months-after-the-time~~  
14       ~~of--registration--as-set-by-law,--the-registration-or-license~~  
15       ~~fee-for-the-remainder-of-the-year-shall-be-one-half-of--the~~  
16       ~~regular-fee,;~~  
17       ~~{5}--An--additional--fee--of--\$3--per--year--for--each~~  
18       ~~registration--of--a--vehicle--shall--be--collected--as--a~~  
19       ~~registration--fee,--Revenue-from-this-fee-shall-be-forwarded~~  
20       ~~by-the-respective-county-treasurers-to-the--state--treasurer~~  
21       ~~for--deposit--in--the-motor-vehicle-recording-account-of-the~~  
22       ~~state-special-revenue-fund,;~~  
23       ~~{6}--The-provisions-of-this-part-with--respect--to--the~~  
24       ~~payment--of--registration--fees--shall--not--apply--to-or-be~~  
25       ~~binding-upon-motor-vehicles,--trailers--or--semitrailers,--or~~

1       ~~tractors-owned-or-controlled-by-the United-States-of-America~~  
2       ~~or-any-state,--county,--or-city,;~~  
3       ~~{7}--The--provisions--of--this--section-relating-to-the~~  
4       ~~payment-of-registration-fees-do-not-apply-when-number-plates~~  
5       ~~are-transferred-to-a--replacement--vehicle--under--61-3-317,~~  
6       ~~61-3-332{7},--or-61-3-335,;~~  
7       ~~{8}--The--provisions--of--this--section-relating-to-the~~  
8       ~~payment-of-registration-fees-do-not-apply-to-a-motor-vehicle~~  
9       ~~registered-as-part-of-a-fleet-under-{sections-1-through-3},"~~  
10       ~~NEW SECTION. Section 4. Extension of authority. Any~~  
11       ~~existing authority to make rules on the subject of the~~  
12       ~~provisions of [this act] is extended to the provisions of~~  
13       ~~[this act].~~  
14       ~~NEW SECTION. Section 5. Codification instruction.~~  
15       ~~[Sections 1 through 3] are intended to be codified as an~~  
16       ~~integral part of Title 61, chapter 3, part 3, and the~~  
17       ~~provisions of Title 61, chapter 3, part 3, apply to~~  
18       ~~[sections 1 through 3].~~

-End-