

HOUSE BILL NO. 130
INTRODUCED BY STANG, WALLIN
BY REQUEST OF THE DEPARTMENT OF JUSTICE

IN THE HOUSE

JANUARY 12, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & LABOR.
	FIRST READING.
JANUARY 19, 1989	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
JANUARY 20, 1989	PRINTING REPORT.
JANUARY 21, 1989	SECOND READING, DO PASS.
JANUARY 23, 1989	ENGROSSING REPORT.
JANUARY 24, 1989	THIRD READING, PASSED. AYES, 94; NOES, 4.
	TRANSMITTED TO SENATE.

IN THE SENATE

JANUARY 25, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & INDUSTRY.
JANUARY 27, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
FEBRUARY 1, 1989	SECOND READING, CONCURRED IN.
FEBRUARY 3, 1989	THIRD READING, CONCURRED IN. AYES, 48; NOES, 2.
	RETURNED TO HOUSE.

IN THE HOUSE

FEBRUARY 4, 1989

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 House BILL NO. 130
2 INTRODUCED BY Hand
3 BY REQUEST OF THE DEPARTMENT OF JUSTICE
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5 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING ODOMETER
6 READING DISCLOSURE REQUIREMENTS; REVISING THE LENGTH OF TIME
7 A DEALER IS REQUIRED TO PRESERVE ODOMETER RECORDS; AND
8 AMENDING SECTION 61-3-206, MCA."
9

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

11 **Section 1.** Section 61-3-206, MCA, is amended to read:

12 "61-3-206. Odometer disclosure requirements on
13 transfer of vehicle -- dealer to preserve record. (1) Except
14 as provided in subsection (3), before executing any transfer
15 of ownership document relating to a motor vehicle, each
16 seller of a motor vehicle shall record on the certificate of
17 ownership the odometer reading at the time of transfer or,
18 if the certificate of ownership does not provide for the
19 recording of the odometer reading, furnish to the purchaser
20 a written statement signed by each seller, containing the
21 following information:

- 22 (a) the odometer reading at the time of transfer;
23 (b) the date of transfer;
24 (c) the seller's name and current address;
25 (d) the purchaser's name and current address;

1 (e) the vehicle year, make, model, body style, and
2 identification number;

3 (f) one of the following statements or certification:

4 (i) a certification by the seller that, to the best of
5 his knowledge, the odometer reading reflects the actual
6 miles or kilometers the vehicle has been driven;

7 (ii) if the seller knows that the odometer reading
8 reflects the amount of mileage in excess of the designed
9 mechanical odometer limit of 99,999 miles or kilometers, he
10 shall include a statement to that effect; or

11 (iii) if the seller knows that the odometer reading
12 differs from the number of miles or kilometers the vehicle
13 has actually traveled and that the difference is greater
14 than that caused by odometer calibration error, he shall
15 include a statement that the odometer reading is not the
16 actual mileage and should not be relied upon.

17 (2) The purchaser shall acknowledge receipt of the
18 disclosure statement by signing it.

19 (3) The seller of the following types of motor
20 vehicles need not disclose the odometer reading of the
21 vehicle as required in subsection (1):

- 22 (a) a motor vehicle that is 6 10 years old or older;
23 (b) a vehicle that is not self-propelled;
24 (c) a new motor vehicle transferred between dealers
25 prior to its first retail sale, unless such vehicle has been

1 used as a demonstrator;

2 (d) a vehicle having a gross weight rating of more
3 than 16,000 pounds; or

4 (e) a vehicle sold directly by the manufacturer to an
5 agency of the United States.

6 (4) A dealer licensed under 61-4-101 shall create a
7 record of the information required in subsection (1) and
8 shall maintain and preserve that record for at least 5 years
9 after the date of sale of the motor vehicle to which the
10 information pertains."

11 NEW SECTION. Section 2. Extension of authority. Any
12 existing authority to make rules on the subject of the
13 provisions of [this act] is extended to the provisions of
14 [this act].

-End-

APPROVED BY COMM. ON BUSINESS
AND ECONOMIC DEVELOPMENT

1 HOUSE BILL NO. 130
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