

HOUSE BILL 574

Introduced by Grady

2/04	Introduced
2/06	Referred to Highways & Transportation
2/07	Fiscal Note Requested
2/09	Hearing
2/13	Fiscal Note Received
2/16	Tabled in Committee
2/16	Fiscal Note Printed

1 House BILL NO. 574  
2 INTRODUCED BY Erudy  
3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THAT A  
5 LICENSE PLATE BE DISPLAYED ON THE REAR OF A MOTOR VEHICLE;  
6 REQUIRING THE DEPARTMENT OF JUSTICE TO ISSUE NEW NUMBER  
7 PLATES FOR MOTOR VEHICLES BEGINNING JANUARY 1, 1990;  
8 EXTENDING UNTIL JULY 1, 1996, THE VALIDITY OF COMMEMORATIVE  
9 CENTENNIAL LICENSE PLATES; AMENDING SECTIONS 2-89-302,  
10 61-3-301, 61-3-321, 61-3-331, 61-3-332, AND 61-3-510, MCA;  
11 AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN  
12 APPLICABILITY DATE."  
13

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

15 **Section 1.** Section 2-89-302, MCA, is amended to read:

16 "2-89-302. (Temporary) Commemorative centennial  
17 license plates. (1) Notwithstanding the 4-year period  
18 provided for in 61-3-332(2), the department of justice may  
19 issue commemorative centennial license plates for a  
20 different period if requested by the Montana statehood  
21 centennial office, at prices to be agreed upon by the  
22 department and the office as provided in 2-89-303.

23 (2) Commemorative license plates may be:

24 (a) collectors' license plates, intended to be  
25 collectors' items only, distinctively marked or colored.

1 Such plates may be designated as not valid for the purpose  
2 of licensing motor vehicles within the state; or  
3 (b) special or limited duration license plates valid  
4 for licensing motor vehicles in the state and carrying the  
5 same general centennial design as regularly issued license  
6 plates provided for in 2-89-301, except that they may differ  
7 from such regular license plates by:

8 (i) color;

9 (ii) use of a distinctive series of registration  
10 numbers or special prefixes or suffixes for the  
11 registration numbers; and

12 (iii) by other details not distracting from legibility  
13 or recognition of the license plate.

14 (3) (a) The proceeds from the sale of commemorative  
15 license plates, after payment of the agreed price to the  
16 department, must be used for centennial activities of the  
17 office as provided in part 1 of this chapter.

18 (b) A county shall assess an additional fee of \$3 for  
19 each set of commemorative centennial license plates issued  
20 in the county to defray the costs incurred by the county  
21 treasurer. The county treasurer shall collect the fee and  
22 deposit the money in the county general fund.

23 (c) The issuance of commemorative license plates must  
24 be made at no direct cost to the state.

25 (4) Commemorative license plates that are valid for

1 licensing a motor vehicle must carry the assigned county  
2 number, as established in 61-3-332~~(8)~~(10), either within the  
3 registration numbers or by means of an affixed nonremovable  
4 sticker bearing the appropriate county designation and used  
5 in accordance with instructions by the department.  
6 (Terminates July 1, 1991--sec. 5, Ch. 674, L. 1985.)"

7 **Section 2.** Section 61-3-301, MCA, is amended to read:

8 **"61-3-301. Registration -- license plate required --**  
9 **display.** (1) Except as otherwise provided herein in this  
10 section, no a person shall may not operate a motor vehicle  
11 upon the public highways of this state unless such the  
12 vehicle is properly registered and has the proper number  
13 plates plate conspicuously displayed, ~~one on the front and~~  
14 ~~one on the rear of the vehicle, each~~ securely fastened to  
15 prevent it from swinging and unobstructed from plain view,  
16 ~~except--that--trailers,--semitrailers,--quadricycles,--and~~  
17 ~~motorcycles--shall--have--but--one--number--plate--conspicuously~~  
18 ~~displayed--on--the--rear.~~ No a person shall may not display on  
19 such a vehicle at the same time any number assigned to it  
20 under any motor vehicle law except as provided in this  
21 chapter. A junk vehicle, as defined in Title 75, chapter  
22 10, part 5, chapter-10, Title-75, being driven or towed to  
23 an auto wrecking graveyard for disposal is exempt from the  
24 provisions of this section.

25 (2) No a person shall may not purchase or display on a

1 vehicle any license plate bearing the number assigned to any  
2 county as provided in 61-3-332 other than the county of his  
3 permanent residence at the time of application for  
4 registration. However, the owner of any motor vehicle  
5 requiring a license plate on any motor vehicle used in the  
6 public transportation of persons or property may make  
7 application ~~therefor~~ in any county through which the motor  
8 vehicle passes in its regularly scheduled route, and the  
9 license plate so issued bearing the number assigned to ~~said~~  
10 the county may be displayed on the motor vehicle in any  
11 other county of the state.

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

16 (4) Any person violating these provisions is guilty of  
17 a misdemeanor and subject to the penalty set out in  
18 61-3-601."

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

20 **"61-3-321. Registration fees of vehicles --**  
21 **public-owned vehicles exempt from license or registration**  
22 **fees -- disposition of fees.** (1) Registration or license  
23 fees shall must be paid upon registration or reregistration  
24 of motor vehicles, trailers, housetrailers, and  
25 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 quadricycles, \$2;

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

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

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

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

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

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

(2) All rates ~~shall~~ must be 25% higher for motor vehicles, trailers, and semitrailers not equipped with pneumatic 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~~ must be one-half of the regular fee.

(5) An additional fee of \$3 per year for each registration of a vehicle ~~shall~~ must be collected as a registration fee. Revenue from this fee ~~shall~~ must 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~~ may 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 a number ~~plates-are~~ plate is transferred to a replacement vehicle under 61-3-317, 61-3-332~~(7)~~, or 61-3-335."

**Section 4.** Section 61-3-331, MCA, is amended to read:  
"61-3-331. Assignment of number plates. The county

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

10 **Section 5.** Section 61-3-332, MCA, is amended to read:

11 "61-3-332. Number plates. (1) Every motor vehicle  
 12 which ~~shall be~~ is driven upon the streets or highways of  
 13 ~~this--state--shall~~ Montana must display both-front-and on the  
 14 rear a number plate, bearing the distinctive number assigned  
 15 ~~such to the~~ vehicle. Such ~~The~~ number plate--shall plates  
 16 must be in eight series: one series for owners of motorcars,  
 17 one for owners of motor vehicles of the motorcycle or  
 18 quadricycle type, one for trailers, one for trucks, one for  
 19 dealers in vehicles of the motorcycle or quadricycle type  
 20 ~~which shall~~ that must bear the distinctive letters "MCD" or  
 21 the letters "MC" and the word "DEALER", one for franchised  
 22 dealers in new motorcars (including trucks and trailers) or  
 23 new and used motorcars (including trucks and trailers) which  
 24 ~~shall~~ must bear the distinctive letter "D" or the word  
 25 "DEALER", one for dealers in used motorcars only (including

1 used trucks and trailers) which ~~shall~~ must bear the  
 2 distinctive letters "UD" or the letter "U" and the word  
 3 "DEALER", and one for dealers in trailers and/or  
 4 semitrailers (new or used) which ~~shall~~ must bear the  
 5 distinctive letters "DTR" or the letters "TR" and the word  
 6 "DEALER". All ~~such~~ markings for the ~~aforementioned~~ kinds of  
 7 dealers' plates ~~shall~~ must be placed on the number plates  
 8 assigned ~~thereto~~ to the kinds of dealers in such the  
 9 position ~~thereon--as~~ that the department ~~may--designate~~  
 10 designates.

11 (2) All number plates for motor vehicles ~~shall~~ must be  
 12 issued for a minimum period of 4 years, ~~shall~~ must bear a  
 13 distinctive marking, and ~~shall~~ must be furnished by the  
 14 state. In years when number plates are not issued, the  
 15 department shall provide nonremovable stickers bearing  
 16 appropriate registration numbers, which ~~shall~~ must be  
 17 affixed to the license plates in use.

18 (3) Subject to the provisions of this section, the  
 19 department shall:

20 (a) create a new design for number plates;

21 (b) contract with the department of institutions to  
 22 manufacture the number plates; and

23 (c) issue the newly designed number plates beginning  
 24 January 1, 1990, to replace at renewal as required in  
 25 61-3-312 and 61-3-314 number plates that were issued before

that date for display on motor vehicles.

(4) Commemorative centennial license plates issued under the provisions of 2-39-302 as it read on [the effective date of this act] and that were displayed on vehicles as required in this section before July 1, 1991, may be displayed on those vehicles until July 1, 1996, notwithstanding any other provision of this chapter.

(5) In the case of motorcars and trucks, plates shall must be of metal 6 inches wide and 12 inches in length. The outline of the state of Montana shall must be used as a distinctive border on such license plates, and the word "Montana" with the year shall must be placed across the plates. Such-registration The plates shall must be treated with a reflectorized background material according to specifications prescribed by the department.

(6) The distinctive registration numbers shall must begin with a number one or with a letter-number combination such as "A 1" or "AA 1", or any other similar combination of letters and numbers. The distinctive registration number or letter-number combination assigned to the vehicle shall must 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 must be separated from the distinctive registration number by a separation mark unless a letter-number combination is used. The dimensions

of such the numerals and letters shall must be determined by the department, provided that all county and registration numbers shall must be of equal height.

(7) For the use of tax-exempt motor vehicles, in addition to the markings herein provided in this section, number plates shall--have--thereon must bear the following distinctive markings:

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

(b) For vehicles owned by the counties, 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, 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 must be placed on the number plates assigned thereto to those entities, in such a position

1 ~~thereon-as~~ that the department may designate, the letter "X"  
 2 or the word "EXEMPT". Distinctive registration numbers for  
 3 plates assigned to motor vehicles of each of the counties in  
 4 the state and those of the municipalities and school  
 5 districts situated within each of ~~said~~ the counties and  
 6 those of the irrigation districts which obtain plates within  
 7 each county ~~shall~~ must begin with number one and be numbered  
 8 consecutively.

9 ~~(6)(8)~~ On all number plates assigned to motor vehicles  
 10 of the truck and trailer type, other than tax-exempt trucks  
 11 and tax-exempt trailers, there ~~shall~~ must appear the letter  
 12 "T" or the word "TRUCK" for plates assigned to trucks and  
 13 the letters "TR" or the word "TRAILER" for plates assigned  
 14 to trailers and housetrailer. The letters "MC" or the word  
 15 "CYCLE" ~~shall~~ must appear for plates assigned to vehicles of  
 16 the motorcycle or quadricycle type.

17 ~~(7)(9)~~ Number plates issued to a passenger car, truck,  
 18 trailer, or vehicle of the motorcycle or quadricycle type  
 19 may be transferred only to a replacement passenger car,  
 20 truck, trailer, or motorcycle or quadricycle-type vehicle.  
 21 No A registration or license fee may not be assessed upon a  
 22 transfer of a number plate under 61-3-317 and 61-3-335.

23 ~~(8)(10)~~ For the purpose of this chapter, the several  
 24 counties of the state ~~shall~~ must be assigned numbers as  
 25 follows: Silver Bow, 1; Cascade, 2; Yellowstone, 3;

1 Missoula, 4; Lewis and Clark, 5; Gallatin, 6; Flathead, 7;  
 2 Fergus, 8; Powder River, 9; Carbon, 10; Phillips, 11; Hill,  
 3 12; Ravalli, 13; Custer, 14; Lake, 15; Dawson, 16;  
 4 Roosevelt, 17; Beaverhead, 18; Chouteau, 19; Valley, 20;  
 5 Toole, 21; Big Horn, 22; Musselshell, 23; Blaine, 24;  
 6 Madison, 25; Pondera, 26; Richland, 27; Powell, 28; Rosebud,  
 7 29; Deer Lodge, 30; Teton, 31; Stillwater, 32; Treasure, 33;  
 8 Sheridan, 34; Sanders, 35; Judith Basin, 36; Daniels, 37;  
 9 Glacier, 38; Fallon, 39; Sweet Grass, 40; McCone, 41;  
 10 Carter, 42; Broadwater, 43; Wheatland, 44; Prairie, 45;  
 11 Granite, 46; Meagher, 47; Liberty, 48; Park, 49; Garfield,  
 12 50; Jefferson, 51; Wibaux, 52; Golden Valley, 53; Mineral,  
 13 54; Petroleum, 55; Lincoln, 56. Any new counties ~~shall~~ must  
 14 be assigned numbers by the department as they may be formed,  
 15 beginning with the number 57."

16 **Section 6.** Section 61-3-510, MCA, is amended to read:  
 17 "61-3-510. Weed control fee. (1) A special weed  
 18 control fee of 50 cents must be assessed on the annual  
 19 registration or reregistration of each motor vehicle subject  
 20 to registration. The fee must be collected by the county  
 21 treasurer.

22 (2) For purposes of this section, motor vehicle  
 23 includes:

- 24 (a) motor vehicle as defined in 61-1-102;  
 25 (b) motorcycle as defined in 61-1-105;

(c) motor-driven cycle as defined in 61-1-106; and

(d) quadricycle as defined in 61-1-133.

(3) The following vehicles are exempt from the fee:

(a) vehicles owned or controlled by the United States  
or a state, county, or city;

(b) vehicles exempt from payment of registration fees  
by 61-3-321~~(7)~~; and

(c) vehicles or equipment which is not self-propelled  
or which requires towing when moved upon a highway of this  
state."

NEW SECTION. **Section 7. 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].

NEW SECTION. **Section 8. Effective date.** [This act] is  
effective on passage and approval.

NEW SECTION. **Section 9. Applicability.** [This act]  
applies to motor vehicles registered, and display of license  
plates issued, after December 31, 1989.

-End-



## STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB574, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

A bill for an act entitled: "An act requiring that a license plate be displayed on the rear of a motor vehicle: requiring the Department of Justice to issue new number plates for motor vehicles beginning January 1, 1990; extending until July 1, 1996, the validity of commemorative centennial license plates; amending Sections 2-89-302, 61-3-301, 61-3-321, 61-3-331, 61-3-332 and 61-3-510, MCA; and providing an immediate effective date and an applicability date."

ASSUMPTIONS:

1. General reissue of single license plates.
2. License plate to be displayed on the rear of a motor vehicle.
3. Assume production to begin 1/2/90. This target date could be difficult to achieve. Design of the plates and setup for production could delay the start date.
4. A biennial appropriation would ease the time restraints.
5. Assume that 1,200,000 new plates will be shipped to counties during the 1990-91 biennium at a freight cost of \$5 per 100 plates.

FISCAL IMPACT:

	<u>Current</u>	<u>FY90</u>		<u>Current</u>	<u>FY91</u>	
<u>Expenditures:</u>	<u>Law</u>	<u>Proposed</u>	<u>Difference</u>	<u>Law</u>	<u>Proposed</u>	<u>Difference</u>
Department of Institutions	\$478,961	\$1,242,604	\$ 763,643	\$532,940	\$598,342	\$ 65,402
Department of Justice	22,000	59,000	37,000	22,000	34,000	12,000
TOTAL	\$500,961	\$1,301,604	\$ 800,643	\$554,940	\$632,342	\$ 77,402

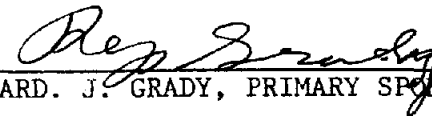
Funding:

Earmarked Special Revenue Fund	\$500,961	\$1,301,604	\$ 800,643	\$554,940	\$632,342	\$ 77,402
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DATE 2/13/89

RAY SHACKLEFORD, BUDGET DIRECTOR  
OFFICE OF BUDGET AND PROGRAM PLANNING



DATE 2/15/89

EDWARD J. GRADY, PRIMARY SPONSOR

Fiscal Note for HB574, as introduced

**HB 574**