

HOUSE BILL NO. 795

INTRODUCED BY VINCENT, MERCER, QUILICI, HANNAH, HARP,  
HOFFMAN, PETERSON, WALLIN, EUDAILY, SQUIRES, BLAYLOCK,  
SPAETH, CLARK, BACHINI, SWYSGOOD, MENAHAN, DAILY, GOULD,  
RICE, R. NELSON, B. BROWN, WALKER, SEVERSON, HARPER,  
ADDY, O'KEEFE, BRADLEY

BY REQUEST OF THE DEPARTMENT OF JUSTICE

IN THE HOUSE

APRIL 5, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON EDUCATION & CULTURAL RESOURCES.
APRIL 6, 1989	FIRST READING.
APRIL 11, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
APRIL 12, 1989	PRINTING REPORT.
APRIL 13, 1989	SECOND READING, DO PASS.
APRIL 14, 1989	ENGROSSING REPORT.
APRIL 15, 1989	THIRD READING, PASSED. AYES, 95; NOES, 1.
	TRANSMITTED TO SENATE.

IN THE SENATE

APRIL 19, 1989	ON MOTION, RULES SUSPENDED TO ALLOW INTRODUCTION OF HOUSE BILL 795.
	INTRODUCED AND REFERRED TO COMMITTEE ON HIGHWAYS & TRANSPORTATION.
	FIRST READING.
APRIL 20, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
	SECOND READING, CONCURRED IN.

ON MOTION, RULES SUSPENDED AND BILL  
PLACED ON THIRD READING THIS DAY.

THIRD READING, CONCURRED IN.  
AYES, 43; NOES, 7.

RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

APRIL 21, 1989

RECEIVED FROM SENATE.

SECOND READING, AMENDMENTS  
CONCURRED IN.

THIRD READING, AMENDMENTS  
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

1 *HOUSE* BILL NO. *795*  
 2 INTRODUCED BY *Vannoy Mercer Zwickler - Hays*  
 3 *W. Miller* BY REQUEST OF THE DEPARTMENT OF JUSTICE *Enghairly*  
 4 *Decham* *Swigford* *Miller* *Rice*  
 5 A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE  
 6 ISSUANCE OF COLLEGIATE LICENSE PLATES; AUTHORIZING THE  
 7 COLLECTION OF DONATIONS FOR ACADEMIC SCHOLARSHIPS IN  
 8 ADDITION TO REGULAR LICENSE PLATE FEES AND THE DISTRIBUTION  
 9 OF DONATIONS TO HIGHER EDUCATION INSTITUTIONS; AMENDING  
 10 SECTION 61-3-403, MCA; AND PROVIDING AN APPLICABILITY DATE."  
 11

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

13 NEW SECTION. **Section 1.** Short title. [Sections 1  
 14 through 7] may be cited as the "Montana Collegiate License  
 15 Plates Act".

16 NEW SECTION. **Section 2.** Definition. As used in  
 17 [sections 1 through 7], the following definitions apply:

18 (1) "Collegiate license plates" means license plates  
 19 bearing the colors, numerals, letters, and insignia provided  
 20 in [section 3] and issued as provided in [sections 4 through  
 21 6].

22 (2) "Institution" means:

23 (a) a unit of the Montana university system as  
 24 designated in 20-25-201; or

25 (b) a college or university located in Montana and

1 accredited by a national or regional accrediting association  
 2 for institutions of higher learning to grant baccalaureate  
 3 degrees.

4 NEW SECTION. **Section 3.** Collegiate license plates.  
 5 (1) Subject to the provisions of 61-3-332(3) and the  
 6 requirement that collegiate license plates must have a white  
 7 reflectorized background, the department shall design, cause  
 8 to be manufactured, and issue collegiate license plates as  
 9 provided in [sections 4 through 6].

10 (2) After consultation with each institution, the  
 11 department shall prescribe the color and insignia to be  
 12 displayed on the collegiate license plates for each  
 13 institution.

14 (3) In addition to each institution's distinctive  
 15 color and insignia provided in subsection (1), each  
 16 collegiate license plate must:

17 (a) be imprinted consecutively with distinctive  
 18 numerals from 1 through 99999, capital letters A through Z,  
 19 or a combination of numerals and letters; and

20 (b) bear a nonremovable sticker denoting the correct  
 21 county designation under 61-3-332.

22 (4) The department shall determine the minimum and  
 23 maximum number of characters, including both numerals and  
 24 letters, on the collegiate license plates.

25 NEW SECTION. **Section 4.** Application for collegiate

1 license plates. An applicant for collegiate license plates  
2 or renewal of collegiate license plates pursuant to [section  
3 5] shall apply in the form and by the date the department  
4 requires.

5 NEW SECTION. Section 5. Issuance -- application --  
6 additional fee -- disposition. (1) The department shall  
7 issue or renew collegiate license plates upon receipt of an  
8 application that shows:

9 (a) compliance with 61-3-303, 61-3-304, 61-3-311, and  
10 61-3-312; and

11 (b) payment to the county treasurer of:

12 (i) an initial application and manufacturing fee of  
13 \$2.50, when required; and

14 (ii) an annual scholarship donation of \$20 for the  
15 benefit of the institution named in the application.

16 (2) Once each month the county treasurer shall  
17 transfer to the state treasurer the total of the amounts  
18 collected for:

19 (a) the initial application and manufacturing fee for  
20 deposit in the Montana state prison industries account in  
21 the state special revenue fund for appropriation by the  
22 legislature to pay the cost of manufacturing collegiate  
23 license plates; and

24 (b) scholarship donations provided for in subsection  
25 (1)(b)(ii), along with a schedule showing the number of

1 collegiate license plates issued and the total donations  
2 received for the benefit of each institution.

3 (3) Once each month the state treasurer shall  
4 distribute to the student academic scholarship fund or  
5 foundation of each institution an amount equal to the total  
6 donations credited to that institution and transferred to  
7 the state treasurer by the county treasurers during the  
8 preceding month.

9 NEW SECTION. Section 6. Personalized collegiate  
10 license plates. (1) Subject to the provisions of 61-3-405  
11 and 61-3-406, an application for collegiate license plates  
12 may be combined with an application for personalized plates.

13 (2) An application for personalized collegiate license  
14 plates must be made on a form supplied by the department.

15 (3) Personalized collegiate license plates must bear  
16 the distinctive color and insignia as provided in [section  
17 3].

18 NEW SECTION. Section 7. Authorization to receive and  
19 transmit donations. As provided in [section 5] and  
20 notwithstanding any other provisions of Title 7, Title 17,  
21 or this title:

22 (1) the county treasurer shall receive the annual  
23 scholarship donations provided for in [section 5] and once  
24 each month transmit those donations to the state treasurer;  
25 and

1 (2) the state treasurer shall accept the annual  
2 scholarship donations and once each month distribute the  
3 accumulated proceeds to the beneficiary institutions  
4 specified by and according to the totals contained in the  
5 county treasurers' reports.

6 **Section 8.** Section 61-3-403, MCA, is amended to read:

7 "61-3-403. Color and design of personalized license  
8 plates -- exception -- county designation. (1) The Except as  
9 provided in [section 6], the personalized license plates  
10 shall must be the same color and design as regular passenger  
11 motor vehicle license plates and shall must consist of  
12 numbers or letters, or any combination thereof, not  
13 exceeding eight positions and not less than two positions,  
14 provided that there are no conflicts with existing  
15 passenger, commercial, trailer, motorcycle, quadricycle, or  
16 special license plate series under this title.

17 (2) Upon the issuance of personalized license plates  
18 or upon the reregistration of any motor vehicle assigned  
19 personalized license plates that do not bear a county  
20 designation or no longer bear the correct county  
21 designation, the department shall provide nonremovable  
22 stickers bearing the appropriate county designation, which  
23 must be affixed to the license plates in use in accordance  
24 with instructions by the department."

25 NEW SECTION. **Section 9.** Codification instruction.

1 [Sections 1 through 7] are intended to be codified as an  
2 integral part of Title 61, chapter 3, and the provisions of  
3 Title 61, chapter 3, apply to [sections 1 through 7].

4 NEW SECTION. **Section 10.** Extension of authority. Any  
5 existing authority to make rules on the subject of the  
6 provisions of [this act] is extended to the provisions of  
7 [this act].

8 NEW SECTION. **Section 11.** Applicability. [Sections 4  
9 through 7] apply to registrations of motor vehicles  
10 occurring after December 31, 1990.

-End-

## STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB795, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act authorizing the issuance of collegiate license plates; authorizing the collection of donations for academic scholarships in addition to regular license plate fees and the distribution of donations to higher education institutions; amending Section 61-3-403, MCA; and providing an applicability date.

ASSUMPTIONS:

1. 10,000 sets of collegiate license plates will be issued in FY91.
2. The application and manufacturing fee per set will be \$2.50.
3. The annual scholarship donation will be \$20 for the benefit of the institution named in the application.
4. Purchasers of the collegiate license plates will be alumni, staff, and students of Montana's colleges and universities.
5. Applies to registrations of motor vehicles occurring after December 31, 1990.

FISCAL IMPACT:


		<u>FY90</u>			<u>FY91</u>	
<u>Revenue:</u>	<u>Current</u>	<u>Proposed</u>	<u>Difference</u>	<u>Current</u>	<u>Proposed</u>	<u>Difference</u>
	<u>Law</u>	<u>Law</u>		<u>Law</u>	<u>Law</u>	
General Fund	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ 25,000	\$ 25,000
Scholarship						
Collections	-0-	-0-	-0-	-0-	200,000	200,000
TOTAL	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$225,000	\$ 225,000

Expenditures:

Department of Institutions						
Operating Expenses	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ 25,000	\$ 25,000
Scholarship Accounts						
University System Unit	-0-	-0-	-0-	-0-	165,522	165,522
Carroll College	-0-	-0-	-0-	-0-	15,608	15,608
College of Great Falls	-0-	-0-	-0-	-0-	13,788	13,788
Rocky Mountain						
College	-0-	-0-	-0-	-0-	5,082	5,082
TOTAL	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$200,000	\$ 200,000

Net Effect:

\$ -0-      \$ -0-

  
 \_\_\_\_\_  
 DAVE LEWIS, BUDGET DIRECTOR

DATE

OFFICE OF BUDGET AND PROGRAM PLANNING

  
 \_\_\_\_\_  
 JOHN VINCENT, PRIMARY SPONSOR

DATE

4/12/89

Fiscal Note for HB795, as introduced

HB 795

APPROVED BY COMM. ON EDUCATION  
AND CULTURAL RESOURCES

## HOUSE BILL NO. 795

INTRODUCED BY VINCENT, MERCER, QUILICI, HANNAH, HARP,  
HOFFMAN, PETERSON, WALLIN, EUDAILY, SQUIRES, BLAYLOCK,  
SPAETH, CLARK, BACHINI, SWYSGOOD, MENAHAN, DAILY, GOULD,  
RICE, R. NELSON, B. BROWN, WALKER, SEVERSON, HARPER,  
ADDY, O'KEEFE, BRADLEY

BY REQUEST OF THE DEPARTMENT OF JUSTICE

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE  
ISSUANCE OF COLLEGIATE LICENSE PLATES; AUTHORIZING THE  
COLLECTION OF DONATIONS FOR ACADEMIC SCHOLARSHIPS IN  
ADDITION TO REGULAR LICENSE PLATE FEES AND THE DISTRIBUTION  
OF DONATIONS TO HIGHER EDUCATION INSTITUTIONS; AMENDING  
SECTION 61-3-403, MCA; AND PROVIDING AN APPLICABILITY DATE."

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

NEW SECTION. **Section 1.** Short title. [Sections 1  
through 7] may be cited as the "Montana Collegiate License  
Plates Act".

NEW SECTION. **Section 2.** Definition. As used in  
[sections 1 through 7], the following definitions apply:

(1) "Collegiate license plates" means license plates  
bearing the colors, numerals, letters, and insignia provided  
in [section 3] and issued as provided in [sections 4 through  
6].

(2) "Institution" means:

(a) a unit of the Montana university system as  
designated in 20-25-201; or

(b) A COMMUNITY COLLEGE DISTRICT AS DEFINED IN  
20-15-101; OR

(c) a college or university located in Montana and  
accredited by a national or regional accrediting association  
for institutions of higher learning to grant baccalaureate  
degrees.

NEW SECTION. **Section 3.** Collegiate license plates.

(1) Subject to the provisions of 61-3-332(3) and the  
requirement that collegiate license plates must have a white  
reflectorized background, the department shall design, cause  
to be manufactured, and issue collegiate license plates as  
provided in [sections 4 through 6].

(2) After consultation with each institution, the  
department shall prescribe the color and insignia to be  
displayed on the collegiate license plates for each  
institution.

(3) In addition to each institution's distinctive  
color and insignia provided in subsection (1), each  
collegiate license plate must:

(a) be imprinted consecutively with distinctive  
numerals from 1 through 99999, capital letters A through Z,  
or a combination of numerals and letters; and

(b) bear a nonremovable sticker denoting the correct county designation under 61-3-332.

(4) The department shall determine the minimum and maximum number of characters, including both numerals and letters, on the collegiate license plates.

**NEW SECTION. Section 4. Application for collegiate license plates.** An applicant for collegiate license plates or renewal of collegiate license plates pursuant to [section 5] shall apply in the form and by the date the department requires.

**NEW SECTION. Section 5. Issuance -- application -- additional fee -- disposition.** (1) The department shall issue or renew collegiate license plates upon receipt of an application that shows:

(a) compliance with 61-3-303, 61-3-304, 61-3-311, and 61-3-312; and

(b) payment to the county treasurer of:

(i) an initial application and manufacturing fee of \$2.50, when required; and

(ii) an annual scholarship donation of \$20 for the benefit of the institution named in the application.

(2) Once each month the county treasurer shall transfer to the state treasurer the total of the amounts collected for:

(a) the initial application and manufacturing fee for

deposit in the Montana state prison industries account in the state special revenue fund for appropriation by the legislature to pay the cost of manufacturing collegiate license plates; and

(b) scholarship donations provided for in subsection (1)(b)(ii), along with a schedule showing the number of collegiate license plates issued and the total donations received for the benefit of each institution.

(3) Once each month the state treasurer shall distribute to the student academic scholarship fund or foundation of each institution an amount equal to the total donations credited to that institution and transferred to the state treasurer by the county treasurers during the preceding month.

**NEW SECTION. Section 6. Personalized collegiate license plates.** (1) Subject to the provisions of 61-3-405 and 61-3-406, an application for collegiate license plates may be combined with an application for personalized plates.

(2) An application for personalized collegiate license plates must be made on a form supplied by the department.

(3) Personalized collegiate license plates must bear the distinctive color and insignia as provided in [section 3].

**NEW SECTION. Section 7. Authorization to receive and transmit donations.** As provided in [section 5] and

1 notwithstanding any other provisions of Title 7, Title 17,  
2 or this title:

3 (1) the county treasurer shall receive the annual  
4 scholarship donations provided for in [section 5] and once  
5 each month transmit those donations to the state treasurer;  
6 and

7 (2) the state treasurer shall accept the annual  
8 scholarship donations and once each month distribute the  
9 accumulated proceeds to the beneficiary institutions  
10 specified by and according to the totals contained in the  
11 county treasurers' reports.

12 **Section 8.** Section 61-3-403, MCA, is amended to read:

13 "61-3-403. Color and design of personalized license  
14 plates -- exception -- county designation. (1) The Except as  
15 provided in [section 6], the personalized license plates  
16 ~~shall~~ must be the same color and design as regular passenger  
17 motor vehicle license plates and ~~shall~~ must consist of  
18 numbers or letters, or any combination thereof, not  
19 exceeding eight positions and not less than two positions,  
20 provided that there are no conflicts with existing  
21 passenger, commercial, trailer, motorcycle, quadricycle, or  
22 special license plate series under this title.

23 (2) Upon the issuance of personalized license plates  
24 or upon the reregistration of any motor vehicle assigned  
25 personalized license plates that do not bear a county

1 designation or no longer bear the correct county  
2 designation, the department shall provide nonremovable  
3 stickers bearing the appropriate county designation, which  
4 must be affixed to the license plates in use in accordance  
5 with instructions by the department."

6 NEW SECTION. **Section 9.** Codification instruction.  
7 [Sections 1 through 7] are intended to be codified as an  
8 integral part of Title 61, chapter 3, and the provisions of  
9 Title 61, chapter 3, apply to [sections 1 through 7].

10 NEW SECTION. **Section 10.** 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 11.** Applicability. [Sections 4  
15 through 7] apply to registrations of motor vehicles  
16 occurring after December 31, 1990.

-End-

## HOUSE BILL NO. 795

INTRODUCED BY VINCENT, MERCER, QUILICI, HANNAH, HARP,  
HOFFMAN, PETERSON, WALLIN, EUDAILY, SQUIRES, BLAYLOCK,  
SPAETH, CLARK, BACHINI, SWYSGOOD, MENAHAN, DAILY, GOULD,  
RICE, R. NELSON, B. BROWN, WALKER, SEVERSON, HARPER,

ADDY, O'KEEFE, BRADLEY

BY REQUEST OF THE DEPARTMENT OF JUSTICE

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE  
ISSUANCE OF COLLEGIATE LICENSE PLATES; AUTHORIZING THE  
COLLECTION OF DONATIONS FOR ACADEMIC SCHOLARSHIPS IN  
ADDITION TO REGULAR LICENSE PLATE FEES AND THE DISTRIBUTION  
OF DONATIONS TO HIGHER EDUCATION INSTITUTIONS; AMENDING  
SECTION 61-3-403, MCA; AND PROVIDING AN APPLICABILITY DATE."

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

NEW SECTION. **Section 1.** Short title. [Sections 1  
through 7] may be cited as the "Montana Collegiate License  
Plates Act".

NEW SECTION. **Section 2.** Definition. As used in  
[sections 1 through 7], the following definitions apply:

(1) "Collegiate license plates" means license plates  
bearing the colors, numerals, letters, and insignia provided  
in [section 3] and issued as provided in [sections 4 through  
6].

(2) "Institution" means:

(a) a unit of the Montana university system as  
designated in 20-25-201; or

(b) A COMMUNITY COLLEGE DISTRICT AS DEFINED IN  
20-15-101; OR

(C) a college or university located in Montana and  
accredited by a national or regional accrediting association  
for institutions of higher learning to grant baccalaureate  
degrees.

NEW SECTION. **Section 3.** Collegiate license plates.

(1) Subject to the provisions of 61-3-332(3) and the  
requirement that collegiate license plates must have a white  
reflectorized background, the department shall design, cause  
to be manufactured, and issue collegiate license plates as  
provided in [sections 4 through 6].

(2) After consultation with each institution, the  
department shall prescribe the color and insignia to be  
displayed on the collegiate license plates for each  
institution.

(3) In addition to each institution's distinctive  
color and insignia provided in subsection (1), each  
collegiate license plate must:

(a) be imprinted consecutively with distinctive  
numerals from 1 through 99999, capital letters A through Z,  
or a combination of numerals and letters; and

(b) bear a nonremovable sticker denoting the correct county designation under 61-3-332.

(4) The department shall determine the minimum and maximum number of characters, including both numerals and letters, on the collegiate license plates.

**NEW SECTION. Section 4.** Application for collegiate license plates. An applicant for collegiate license plates or renewal of collegiate license plates pursuant to [section 5] shall apply in the form and by the date the department requires.

**NEW SECTION. Section 5.** Issuance -- application -- additional fee -- disposition. (1) The department shall issue or renew collegiate license plates upon receipt of an application that shows:

(a) compliance with 61-3-303, 61-3-304, 61-3-311, and 61-3-312; and

(b) payment to the county treasurer of:

(i) an initial application and manufacturing fee of \$2.50, when required; and

(ii) an annual scholarship donation of \$20 for the benefit of the institution named in the application.

(2) Once each month the county treasurer shall transfer to the state treasurer the total of the amounts collected for:

(a) the initial application and manufacturing fee for

deposit in the Montana state prison industries account in the state special revenue fund for appropriation by the legislature to pay the cost of manufacturing collegiate license plates; and

(b) scholarship donations provided for in subsection (1)(b)(ii), along with a schedule showing the number of collegiate license plates issued and the total donations received for the benefit of each institution.

(3) Once each month the state treasurer shall distribute to the student academic scholarship fund or foundation of each institution an amount equal to the total donations credited to that institution and transferred to the state treasurer by the county treasurers during the preceding month.

**NEW SECTION. Section 6.** Personalized collegiate license plates. (1) Subject to the provisions of 61-3-405 and 61-3-406, an application for collegiate license plates may be combined with an application for personalized plates.

(2) An application for personalized collegiate license plates must be made on a form supplied by the department.

(3) Personalized collegiate license plates must bear the distinctive color and insignia as provided in [section 3].

**NEW SECTION. Section 7.** Authorization to receive and transmit donations. As provided in [section 5] and

notwithstanding any other provisions of Title 7, Title 17, or this title:

(1) the county treasurer shall receive the annual scholarship donations provided for in [section 5] and once each month transmit those donations to the state treasurer; and

(2) the state treasurer shall accept the annual scholarship donations and once each month distribute the accumulated proceeds to the beneficiary institutions specified by and according to the totals contained in the county treasurers' reports.

**Section 8.** Section 61-3-403, MCA, is amended to read:

"61-3-403. Color and design of personalized license plates -- exception -- county designation. (1) The Except as provided in [section 6], the personalized license plates shall must be the same color and design as regular passenger motor vehicle license plates and ~~shall~~ must 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, quadricycle, or special license plate series under this title.

(2) Upon the issuance of personalized license plates or upon the reregistration of any motor vehicle assigned personalized license plates that do not bear a county

designation or no longer bear the correct county designation, the department shall provide nonremovable stickers bearing the appropriate county designation, which must be affixed to the license plates in use in accordance with instructions by the department."

**NEW SECTION. Section 9.** Codification instruction. [Sections 1 through 7] are intended to be codified as an integral part of Title 61, chapter 3, and the provisions of Title 61, chapter 3, apply to [sections 1 through 7].

**NEW SECTION. Section 10.** 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 11.** Applicability. [Sections 4 through 7] apply to registrations of motor vehicles occurring after December 31, 1990.

-End-

SENATE STANDING COMMITTEE REPORT

April 20, 1989

MR. PRESIDENT:

We, your committee on Highways and Transportation, having had under consideration HB 795 (third reading copy -- blue), respectfully report that HB 795 be amended and as so amended be concurred in:

Sponsor: Vincent (Harp)

1. Title, line 14.

Following: "MCA;"

Insert: "PROVIDING AN APPROPRIATION;"

2. Page 3.

Following: line 5

Insert: "(5) No issue of collegiate license plates will be ordered and manufactured for any individual institution unless at least 400 sets of plates are ordered and prepaid."

3. Page 4, line 2.

Strike: "state special revenue"

Insert: "proprietary"

4. Page 6.

Following: line 5

Insert: "NEW SECTION. Section 9. Appropriation. There is appropriated to the Montana state prison license plate factory \$25,000 of spending authority from the proprietary fund for the 1990-1991 biennium from revenue deposited under the provisions of [section 5(2)(a)]."

Re-number: subsequent sections

AND AS AMENDED BE CONCURRED IN

Signed: \_\_\_\_\_

*Sen. Tveit*  
Larry J. Tveit, Chairman

*Senate*  
SCRHB795.420  
*HB 795*

## HOUSE BILL NO. 795

INTRODUCED BY VINCENT, MERCER, QUILICI, HANNAH, HARP,  
HOFFMAN, PETERSON, WALLIN, EUDAILY, SQUIRES, BLAYLOCK,  
SPAETH, CLARK, BACHINI, SWYSGOOD, MENAHAN, DAILY, GOULD,  
RICE, R. NELSON, B. BROWN, WALKER, SEVERSON, HARPER,  
ADDY, O'KEEFE, BRADLEY

BY REQUEST OF THE DEPARTMENT OF JUSTICE

A BILL FOR AN ACT ENTITLED: "AN ACT AUTHORIZING THE  
ISSUANCE OF COLLEGIATE LICENSE PLATES; AUTHORIZING THE  
COLLECTION OF DONATIONS FOR ACADEMIC SCHOLARSHIPS IN  
ADDITION TO REGULAR LICENSE PLATE FEES AND THE DISTRIBUTION  
OF DONATIONS TO HIGHER EDUCATION INSTITUTIONS; PROVIDING AN  
APPROPRIATION; AMENDING SECTION 61-3-403, MCA; AND PROVIDING  
AN APPLICABILITY DATE."

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

NEW SECTION. Section 1. Short title. [Sections 1  
through 7] may be cited as the "Montana Collegiate License  
Plates Act".

NEW SECTION. Section 2. Definition. As used in  
[sections 1 through 7], the following definitions apply:

(1) "Collegiate license plates" means license plates  
bearing the colors, numerals, letters, and insignia provided  
in [section 3] and issued as provided in [sections 4 through

6].

(2) "Institution" means:

(a) a unit of the Montana university system as  
designated in 20-25-201; or

(b) A COMMUNITY COLLEGE DISTRICT AS DEFINED IN  
20-15-101; OR

(C) a college or university located in Montana and  
accredited by a national or regional accrediting association  
for institutions of higher learning to grant baccalaureate  
degrees.

NEW SECTION. Section 3. Collegiate license plates.

(1) Subject to the provisions of 61-3-332(3) and the  
requirement that collegiate license plates must have a white  
reflectorized background, the department shall design, cause  
to be manufactured, and issue collegiate license plates as  
provided in [sections 4 through 6].

(2) After consultation with each institution,, the  
department shall prescribe the color and insignia to be  
displayed on the collegiate license plates for each  
institution.

(3) In addition to each institution's distinctive  
color and insignia provided in subsection (1), each  
collegiate license plate must:

(a) be imprinted consecutively with distinctive  
numerals from 1 through 99999, capital letters A through Z,

or a combination of numerals and letters; and

(b) bear a nonremovable sticker denoting the correct county designation under 61-3-332.

(4) The department shall determine the minimum and maximum number of characters, including both numerals and letters, on the collegiate license plates.

(5) NO ISSUE OF COLLEGIATE LICENSE PLATES MAY BE ORDERED AND MANUFACTURED FOR ANY INDIVIDUAL INSTITUTION UNLESS AT LEAST 400 SETS OF PLATES ARE ORDERED AND PREPAID.

**NEW SECTION. Section 4.** Application for collegiate license plates. An applicant for collegiate license plates or renewal of collegiate license plates pursuant to [section 5] shall apply in the form and by the date the department requires.

**NEW SECTION. Section 5.** Issuance -- application -- additional fee -- disposition. (1) The department shall issue or renew collegiate license plates upon receipt of an application that shows:

(a) compliance with 61-3-303, 61-3-304, 61-3-311, and 61-3-312; and

(b) payment to the county treasurer of:

(i) an initial application and manufacturing fee of \$2.50, when required; and

(ii) an annual scholarship donation of \$20 for the benefit of the institution named in the application.

(2) Once each month the county treasurer shall transfer to the state treasurer the total of the amounts collected for:

(a) the initial application and manufacturing fee for deposit in the Montana state prison industries account in the ~~state-special-revenue~~ PROPRIETARY fund for appropriation by the legislature to pay the cost of manufacturing collegiate license plates; and

(b) scholarship donations provided for in subsection (1)(b)(ii), along with a schedule showing the number of collegiate license plates issued and the total donations received for the benefit of each institution.

(3) Once each month the state treasurer shall distribute to the student academic scholarship fund or foundation of each institution an amount equal to the total donations credited to that institution and transferred to the state treasurer by the county treasurers during the preceding month.

**NEW SECTION. Section 6.** Personalized collegiate license plates. (1) Subject to the provisions of 61-3-405 and 61-3-406, an application for collegiate license plates may be combined with an application for personalized plates.

(2) An application for personalized collegiate license plates must be made on a form supplied by the department.

(3) Personalized collegiate license plates must bear

1 the distinctive color and insignia as provided in [section  
2 3].

3 NEW SECTION. Section 7. Authorization to receive and  
4 transmit donations. As provided in [section 5] and  
5 notwithstanding any other provisions of Title 7, Title 17,  
6 or this title:

7 (1) the county treasurer shall receive the annual  
8 scholarship donations provided for in [section 5] and once  
9 each month transmit those donations to the state treasurer;  
10 and

11 (2) the state treasurer shall accept the annual  
12 scholarship donations and once each month distribute the  
13 accumulated proceeds to the beneficiary institutions  
14 specified by and according to the totals contained in the  
15 county treasurers' reports.

16 **Section 8.** Section 61-3-403, MCA, is amended to read:

17 "61-3-403. Color and design of personalized license  
18 plates -- exception -- county designation. (1) The Except as  
19 provided in [section 6], the personalized license plates  
20 shall must be the same color and design as regular passenger  
21 motor vehicle license plates and shall must consist of  
22 numbers or letters, or any combination thereof, not  
23 exceeding eight positions and not less than two positions,  
24 provided that there are no conflicts with existing  
25 passenger, commercial, trailer, motorcycle, quadricycle, or

1 special license plate series under this title.

2 (2) Upon the issuance of personalized license plates  
3 or upon the reregistration of any motor vehicle assigned  
4 personalized license plates that do not bear a county  
5 designation or no longer bear the correct county  
6 designation, the department shall provide nonremovable  
7 stickers bearing the appropriate county designation, which  
8 must be affixed to the license plates in use in accordance  
9 with instructions by the department."

10 NEW SECTION. SECTION 9. APPROPRIATION. THERE IS  
11 APPROPRIATED TO THE MONTANA STATE PRISON LICENSE PLATE  
12 FACTORY \$25,000 OF SPENDING AUTHORITY FROM THE PROPRIETARY  
13 FUND FOR THE 1990-91 BIENNium FROM REVENUE DEPOSITED UNDER  
14 THE PROVISIONS OF [SECTION 5(2)(A)].

15 NEW SECTION. Section 10. Codification instruction.  
16 [Sections 1 through 7] are intended to be codified as an  
17 integral part of Title 61, chapter 3, and the provisions of  
18 Title 61, chapter 3, apply to [sections 1 through 7].

19 NEW SECTION. Section 11. Extension of authority. Any  
20 existing authority to make rules on the subject of the  
21 provisions of [this act] is extended to the provisions of  
22 [this act].

23 NEW SECTION. Section 12. Applicability. [Sections 4  
24 through 7] apply to registrations of motor vehicles  
25 occurring after December 31, 1990.

HB 0795/03

-End-