

HOUSE BILL 9

Introduced by Benedict

11/23 Introduced
11/22 Fiscal Note Requested
11/24 Fiscal Note Received
11/24 Referred to Appropriations
11/4 Fiscal Note Printed
11/29 First Reading
11/30 Hearing
12/01 Committee Report - Bill Passed
12/03 2nd Reading Passed
12/03 3rd Reading Passed

Transmitted to Senate

12/04 First Reading
12/04 Referred to Finance and Claims
12/06 Hearing
12/08 Tabled in Committee

HOUSE BILL NO. 9

INTRODUCED BY BENEDICT

BY REQUEST OF THE DEPARTMENT OF CORRECTIONS AND HUMAN
SERVICES AND THE OFFICE OF BUDGET AND PROGRAM PLANNING

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A VEHICLE TO
HAVE AND DISPLAY ONLY ONE LICENSE PLATE; REQUIRING THE PLATE
TO BE DISPLAYED ON THE REAR OF THE VEHICLE; AMENDING
SECTIONS 2-89-302, 61-1-508, 61-3-301, 61-3-312, 61-3-321,
61-3-331, 61-3-332, 61-3-333, 61-3-334, 61-3-335, 61-3-342,
61-3-401, 61-3-402, 61-3-403, 61-3-404, 61-3-405, 61-3-411,
61-3-412, 61-3-421, 61-3-423, 61-3-425, 61-3-446, 61-3-448,
61-3-453, 61-3-454, 61-3-455, 61-3-464, 61-3-465, 61-3-466,
61-3-526, 61-3-701, 61-3-722, 61-4-102, 61-4-103, 61-4-111,
61-4-221, 61-4-222, 61-4-223, 61-4-301, 61-4-307, 61-6-302,
61-6-304, AND 61-9-204, MCA; AND PROVIDING AN IMMEDIATE
EFFECTIVE DATE."

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

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

"2-89-302. (Temporary) Commemorative centennial license
plates. (1) Notwithstanding the 4-year period provided for
in 61-3-332(2), the department of justice may issue
commemorative centennial license plates for a different
period at prices to be determined by the department as

provided in 2-89-303.

(2) Commemorative license plates may be:

(a) collectors' license plates, intended to be
collectors' items only, distinctively marked or colored. The
plates may be designated as not valid for the purpose of
licensing motor vehicles within the state.

(b) special or limited duration license plates valid
for licensing motor vehicles in the state and carrying the
same general centennial design as regularly issued license
plates provided for in 2-89-301, except that they may differ
from regular license plates by:

(i) color;

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

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

(3) (a) The proceeds from the sale of commemorative
license plates must be deposited in the general fund.

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

(c) The issuance of commemorative license plates must

be made at no direct cost to the state.

(4) Commemorative license plates that are valid for licensing a motor vehicle must carry the assigned county number, as established in 61-3-332, either within the registration numbers or by means of an affixed nonremovable sticker bearing the appropriate county designation and used in accordance with instructions by the department. (Terminates July 1, 1996--sec. 4, Ch. 654, L. 1989.)"

Section 2. Section 61-1-508, MCA, is amended to read:

"61-1-508. Registration. "Registration" means, as used in ~~part 1~~, chapter 6, part 1, the registration certificate or certificates and the registration plates ~~plate~~ issued under the laws of this state pertaining to the registration of motor vehicles."

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

"61-3-301. Registration -- license plate required -- display. (1) Except as otherwise provided in this chapter, no a person may not operate a motor vehicle upon the public highways of Montana unless the vehicle is properly registered and has unless the proper number plates ~~plate~~ is conspicuously displayed, ~~one on the front and one on the rear of the vehicle, each. The place must be~~ securely fastened to prevent it from swinging and must be unobstructed from plain view, ~~except that trailers, semitrailers, quadricycles, motorcycles, and vehicles~~

~~authorized in 61-4-102(6) to display demonstrator plates may have but one number plate conspicuously displayed on the rear. No A person may not~~ display on a vehicle at the same time a number assigned to it under any motor vehicle law except as provided in this chapter. A junk vehicle, as defined in Title 75, chapter 10, part 5, being driven or towed to an auto wrecking graveyard for disposal is exempt from the provisions of this section.

(2) No A person may not purchase or display on a vehicle a license plate bearing the number assigned to any county as provided in 61-3-332 other than the county of his the person's permanent residence at the time of application for registration. However, the owner of any a motor vehicle requiring a license plate on any a motor vehicle used in the public transportation of persons or property may make application apply for the license in any county through which the motor vehicle passes in its regularly scheduled route, and the license plate issued bearing the number assigned to that county may be displayed on the motor vehicle in any other county of the state.

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

(4) This section does not apply to a vehicle exempt from taxation under 15-6-215 or subject to taxation under 61-3-520.

(5) Any A person violating these--provisions this section is guilty of a misdemeanor and subject to the penalty prescribed in 61-3-601."

Section 4. Section 61-3-312, MCA, is amended to read:

"61-3-312. Renewal of registration. (1) Except as provided in 61-3-314 and 61-3-526, every vehicle registration under this chapter ~~shall--expire~~ expires on December 31 of each year and must be renewed annually upon application and payment of license fees as provided in 61-3-303 and 61-3-321. The renewal takes effect on January 1 of each year. The certificate of registration is valid only during the registration year for which issued.

(2) The owner of a vehicle registered under the provisions of this section is entitled to operate the vehicle between January 1 and February 15 without displaying the registration certificate of the current year, on condition that the owner shall, during the period, display upon the vehicle the number ~~plates-or~~ plate assigned for the previous year."

Section 5. 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. (1) Registration or license fees must 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 quadricycles, \$2;

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

(f) buses are classed as motortrucks and licensed accordingly;

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

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

(i) trailers and semitrailers over 6,000 pounds maximum gross loaded weight, \$10, except trailers and semitrailers registered in other jurisdictions and registered through a proportional registration agreement;

(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, \$15 annually, regardless of size or capacity.

(2) All rates are 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 is one-half of the regular fee.

(5) An additional fee of \$5.25 per year for each registration of a vehicle, except trailers and semitrailers registered in other jurisdictions and registered through a proportional registration agreement, must be collected as a registration fee. Revenue from this fee must be forwarded by the respective county treasurers to the state treasurer for deposit in the general fund. The department shall distribute 25 cents from the motor vehicle registration fee for payment of supplemental benefits provided for in 19-6-709.

(6) A fee of \$2 for each ~~set-of~~ new number plates plate must be collected when a number plates plate provided for under 61-3-332(3) ~~are~~ is issued. Revenue from this fee must

be deposited as provided in subsection (5).

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

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

Section 6. Section 61-3-331, MCA, is amended to read:

"61-3-331. Assignment of number plates plate. The county treasurer shall, at the time of issuing a registration receipt under 61-3-322, assign such the motor vehicle a distinctive number, ~~viz,~~ the license plate number, and deliver to the applicant two a license plates plate, as received from the department, ~~which--shall that~~ must bear such the distinctive numbers number. The department shall ship ~~said the~~ license plates to the various county treasurers by freight, so that they will be received by the county treasurer on or before January 1 of each year."

Section 7. Section 61-3-332, MCA, is amended to read:

"61-3-332. (Temporary) Number plates plate. (1) A motor vehicle that is driven upon the streets or highways of

Montana must display ~~both--front-and a~~ rear number plates plate, bearing the distinctive number assigned the vehicle. The number plates are in 10 series: one series for owners of motorcars, one for owners of motor vehicles of the motorcycle or quadricycle type, one for trailers, one for trucks, one for dealers in vehicles of the motorcycle or quadricycle type that bear the distinctive letters "MCD" or the letters "MC" and the word "DEALER", one for franchised dealers in new motorcars (including trucks and trailers) or new and used motorcars (including trucks and trailers) that bear the distinctive letter "D" or the word "DEALER", one for dealers in used motorcars only (including used trucks and trailers) that bear the distinctive letters "UD" or the letter "U" and the word "DEALER", one for dealers in trailers and/or semitrailers (new or used) that bear the distinctive letters "DTR" or the letters "TR" and the word "DEALER", one for dealers in recreational vehicles that bear the distinctive letters "RV" or the letter "R" and the word "DEALER", and one for special license plates. All markings for the various kinds of dealers' plates must be placed on the number plates assigned to the dealer, in the position that the department designates.

(2) All number plates for motor vehicles must be issued for a minimum period of 4 years, bear a distinctive marking, and be furnished by the state. In years when number plates

are not issued, the department shall provide nonremovable stickers bearing appropriate registration numbers that must be affixed to the license plates in use.

(3) Subject to the provisions of this section, the department shall create a new design for number plates as provided in this section, and it shall manufacture the newly designed number plates ~~for-issuance-after-January-17-19917~~ to replace, at renewal as required in 61-3-312 and 61-3-314, number plates that were displayed on motor vehicles before that the renewal date.

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

(5) The distinctive registration numbers 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 must appear on the plate preceded by the number of the county and appearing must appear in horizontal order on the same horizontal baseline. The county number must be separated

1 from the distinctive registration number by a separation
2 mark unless a letter-number combination is used. The
3 dimensions of the numerals and letters must be determined by
4 the department, and all county and registration numbers must
5 be of equal height.

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

9 (a) For vehicles owned by the state, the department may
10 designate the prefix number for the various state
11 departments. All numbered plates issued to state departments
12 must bear the words "State Owned", and a year number may not
13 be indicated on the plates because these numbered plates are
14 of a permanent nature and will be replaced by the department
15 only when the physical condition of numbered plates requires
16 it.

17 (b) For vehicles that are owned by the counties,
18 municipalities, irrigation districts organized under the
19 laws of Montana and not operating for profit, and school
20 districts and that are used and operated by officials and
21 employees in the line of duty and for vehicles on loan from
22 the United States government or the state of Montana to, or
23 owned by, the civil air patrol and used and operated by
24 officials and employees in the line of duty, there must be
25 placed on the number plates assigned, in a position that the

1 department may designate, the letter "X" or the word
2 "EXEMPT". Distinctive registration numbers for plates
3 assigned to motor vehicles of each of the counties in the
4 state and those of the municipalities and school districts
5 situated within each of the counties and those of the
6 irrigation districts that obtain plates within each county
7 must begin with number one and be numbered consecutively.
8 Because these number plates are of a permanent nature, they
9 are subject to replacement by the department only when the
10 physical condition of the number plates requires it and a
11 year number may not be displayed on the number plates.

12 (7) On all number plates assigned to motor vehicles of
13 the truck and trailer type, other than tax-exempt trucks and
14 tax-exempt trailers, there must appear the letter "T" or the
15 word "TRUCK" on plates assigned to trucks and the letters
16 "TR" or the word "TRAILER" on plates assigned to trailers
17 and housetrailer. The letters "MC" or the word "CYCLE" must
18 appear on plates assigned to vehicles of the motorcycle or
19 quadricycle type.

20 (8) ~~Number--plates~~ A number plate issued to a passenger
21 car, truck, trailer, or vehicle of the motorcycle or
22 quadricycle type may be transferred only to a replacement
23 passenger car, truck, trailer, or motorcycle- or
24 quadricycle-type vehicle. A registration or license fee may
25 not be assessed upon a transfer of a number plate under

61-3-317 and 61-3-335.

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

(10) Each type of special license plate approved by the legislature, except collegiate license plates authorized in 61-3-463, must be a separate series of plates, numbered as provided in subsection (5), except that the county number must be replaced by a nonremovable design or decal designating the group or organization to which the applicant

belongs. Unless otherwise specifically stated in this section, ~~the a special plates-are~~ plate is subject to the same rules and laws as govern the issuance of regular license plates, must be placed or mounted on a vehicle owned by the person who is eligible to receive them it, and must be removed upon sale or other disposition of the vehicle. The special license plates must be issued to national guard members, former prisoners of war, handicapped persons, reservists, disabled veterans, survivors of the Pearl Harbor attack, veterans of the armed services, or veterans of the armed services who were awarded the purple heart medal, who comply with the following provisions:

(a) An active member of the Montana national guard may be issued a special license plate with a design or decal displaying the letters "NG". The adjutant general shall issue to each active member of the Montana national guard a certificate authorizing the department to issue one ~~set-of~~ national guard ~~plates~~ plate, and the member shall surrender the ~~plates~~ plate to the department upon becoming ineligible to use them it.

(b) An active member of the reserve armed forces of the United States of America who is a resident of this state may be issued a special license plate with a design or decal displaying the following: United States army reserve, AR (symbol); United States naval reserve, NR (anchor); United

States air force reserve, AFR (symbol); and United States marine corps reserve, MCR (globe and anchor). The commanding officer of each armed forces reserve unit shall issue to each eligible member of the reserve unit a certificate authorizing the issuance of one ~~set--of~~ plates plate. The member shall surrender the plates plate to the department upon becoming ineligible to use them it.

(c) A resident of Montana who is a veteran of the armed forces of the United States and who is 100% disabled because of an injury that has been determined by the department of veterans affairs to be service-connected may, upon presentation to the department of proof of the 100% disability, be issued a special license plate under this section with a design or decal displaying the letters "DV".

(i) The fee for original or renewal registration by a 100% disabled veteran for a passenger vehicle or a truck with a GVW-rated capacity of 1 ton or less is \$5 and is in lieu of all other fees and taxes for that vehicle under this chapter.

(ii) ~~Special~~ A special license plates plate issued to a disabled veteran ~~are~~ is not transferable to another person.

(iii) A disabled veteran is not entitled to a special license plate for more than one vehicle.

(iv) A vehicle lawfully displaying a disabled veteran's plate and that is conveying a 100% disabled veteran is

entitled to the parking privileges allowed a handicapped person's vehicle under this title.

(d) A Montana resident who is a veteran of the armed forces of the United States and was captured and held prisoner by a military force of a foreign nation, documented by the veteran's service record, may upon application and presentation of proof be issued a special license plate with a design or decal displaying the words "ex-prisoner of war" or an abbreviation the department considers appropriate.

(e) Upon payment of all taxes and fees required by parts 3 and 5 of this chapter and upon furnishing proof satisfactory to the department that the applicant meets the requirements of this subsection (e), the department shall issue to a Montana resident who is a veteran of the armed services of the United States a special license ~~plates~~ plate, for one motor vehicle ~~only~~, designed to indicate that the applicant is a survivor of the Pearl Harbor attack if the applicant was a member of the United States armed forces on December 7, 1941, was on station on December 7, 1941, during the hours of 7:55 a.m. to 9:45 a.m. (Hawaii time) at Pearl Harbor, the island of Oahu, or offshore at a distance of not more than 3 miles, and received an honorable discharge from the United States armed forces. If a special license ~~plates~~ plate issued under this subsection ~~are~~ is lost, stolen, or mutilated, the recipient ~~of-the--plates~~ is

entitled to a replacement ~~plates~~ upon request and without charge.

(f) A motor vehicle owner and resident of this state who is a veteran or the surviving spouse of a veteran of the armed services of the United States may be issued a license ~~plates~~ plate inscribed as provided in subsection (10)(f)(i) if the veteran was separated from the armed services under other than dishonorable circumstances or was awarded the purple heart medal:

(i) Upon submission of a department of defense form 214 (DD-214) or its successor or documents showing an other-than-dishonorable discharge or a reenlistment, proper identification, and other relevant documents to show an applicant's qualification under this subsection, there must be issued to the applicant, in lieu of the regular license ~~plates~~ plate prescribed by law, a special license ~~plates~~ plate numbered--in--sets--of--two plate, with a different number on each-set for each vehicle. The plates must display:

(A) the word "VETERAN" and a symbol signifying the United States army, United States navy, United States air force, United States marine corps, or United States coast guard, according to the record of service verified in the application; or

(B) a symbol representing the purple heart medal.

(ii) Plates must be furnished by the department to the

county treasurer, who shall issue them to a qualified veteran or to the veteran's surviving spouse. ~~The--plates~~ Each plate must be placed or mounted on the a vehicle owned by the veteran or the veteran's surviving spouse designated in the application and must be removed upon sale or other disposition of the vehicle.

(iii) A veteran or surviving spouse who receives a special license ~~plates~~ plate under this subsection (10)(f) is liable for payment of all taxes and fees required under parts 3 and 4 of this chapter and a special veteran's or purple heart medal license plate fee of \$10. Upon an original application for a license under this subsection (10)(f), the county treasurer shall:

(A) deposit \$3 of the special fee in the county general fund;

(B) remit \$1 for deposit in the state general fund; and

(C) deposit the remainder of the special fee in the state special revenue account established in 10-2-603 for administration, construction, operation, and maintenance of the state veterans' cemetery.

(iv) Upon subsequent annual renewal of registration, the county treasurer shall deposit all of the special fee as provided in subsection (10)(f)(iii)(C).

(g) A Montana resident who is eligible to receive a special parking permit under 49-4-301 may, upon written

1 application on a form prescribed by the department, be
 2 issued a special license plate with a design or decal
 3 bearing a representation of a wheelchair as the symbol of
 4 the handicapped person.

5 61-3-332. (Effective January 1, 1994) Number plates
 6 plate. (1) A motor vehicle that is driven upon the streets
 7 or highways of Montana must display both-front-and a rear
 8 number plates plate, bearing the distinctive number assigned
 9 the vehicle. The number plates are in 10 series: one series
 10 for owners of motorcars, one for owners of motor vehicles of
 11 the motorcycle or quadricycle type, one for trailers, one
 12 for trucks, one for dealers in vehicles of the motorcycle or
 13 quadricycle type that bear the distinctive letters "MCD" or
 14 the letters "MC" and the word "DEALER", one for franchised
 15 dealers in new motorcars (including trucks and trailers) or
 16 new and used motorcars (including trucks and trailers) that
 17 bear the distinctive letter "D" or the word "DEALER", one
 18 for dealers in used motorcars only (including used trucks
 19 and trailers) that bear the distinctive letters "UD" or the
 20 letter "U" and the word "DEALER", one for dealers in
 21 trailers and/or semitrailers (new or used) that bear the
 22 distinctive letters "DTR" or the letters "TR" and the word
 23 "DEALER", one for dealers in recreational vehicles that bear
 24 the distinctive letters "RV" or the letter "R" and the word
 25 "DEALER", and one for special license plates. All markings

1 for the various kinds of dealers' plates must be placed on
 2 the number plates assigned to the dealer, in the position
 3 that the department designates.

4 (2) All number plates for motor vehicles must be issued
 5 for a minimum period of 4 years, bear a distinctive marking,
 6 and be furnished by the state. In years when number plates
 7 are not issued, the department shall provide nonremovable
 8 stickers bearing appropriate registration numbers that must
 9 be affixed to the license plates in use.

10 (3) Subject to the provisions of this section, the
 11 department shall create a new design for number plates as
 12 provided in this section.

13 (4) In the case of motorcars and trucks, plates must be
 14 of metal 6 inches wide and 12 inches in length. The outline
 15 of the state of Montana must be used as a distinctive border
 16 on the license plates, and the word "Montana" and the year
 17 must be placed across the plates. Registration plates must
 18 be treated with a reflectorized background material
 19 according to specifications prescribed by the department.

20 (5) The distinctive registration numbers must begin
 21 with a number one or with a letter-number combination, such
 22 as "A 1" or "AA 1", or any other similar combination of
 23 letters and numbers. The distinctive registration number or
 24 letter-number combination assigned to the vehicle must
 25 appear on the plate preceded by the number of the county and

1 ~~appearing~~ must appear in horizontal order on the same
 2 horizontal baseline. The county number must be separated
 3 from the distinctive registration number by a separation
 4 mark unless a letter-number combination is used. The
 5 dimensions of the numerals and letters must be determined by
 6 the department, and all county and registration numbers must
 7 be of equal height.

8 (6) For the use of tax-exempt motor vehicles, in
 9 addition to the markings provided in this section, number
 10 plates must bear the following distinctive markings:

11 (a) For vehicles owned by the state, the department may
 12 designate the prefix number for the various state
 13 departments. All numbered plates issued to state departments
 14 must bear the words "State Owned", and a year number may not
 15 be indicated on the plates because these numbered plates are
 16 of a permanent nature and will be replaced by the department
 17 only when the physical condition of numbered plates requires
 18 it.

19 (b) For vehicles that are owned by the counties,
 20 municipalities, irrigation districts organized under the
 21 laws of Montana and not operating for profit, and school
 22 districts and that are used and operated by officials and
 23 employees in the line of duty and for vehicles on loan from
 24 the United States government or the state of Montana to, or
 25 owned by, the civil air patrol and used and operated by

1 officials and employees in the line of duty, there must be
 2 placed on the number plates assigned, in a position that the
 3 department may designate, the letter "X" or the word
 4 "EXEMPT". Distinctive registration numbers for plates
 5 assigned to motor vehicles of each of the counties in the
 6 state and those of the municipalities and school districts
 7 situated within each of the counties and those of the
 8 irrigation districts that obtain plates within each county
 9 must begin with number one and be numbered consecutively.
 10 Because these number plates are of a permanent nature, they
 11 are subject to replacement by the department only when the
 12 physical condition of the number plates requires it and a
 13 year number may not be displayed on the number plates.

14 (7) On all number plates assigned to motor vehicles of
 15 the truck and trailer type, other than tax-exempt trucks and
 16 tax-exempt trailers, there must appear the letter "T" or the
 17 word "TRUCK" on plates assigned to trucks and the letters
 18 "TR" or the word "TRAILER" on plates assigned to trailers
 19 and housetrailer. The letters "MC" or the word "CYCLE" must
 20 appear on plates assigned to vehicles of the motorcycle or
 21 quadricycle type.

22 (8) ~~Number--plates~~ A number plate issued to a passenger
 23 car, truck, trailer, or vehicle of the motorcycle or
 24 quadricycle type may be transferred only to a replacement
 25 passenger car, truck, trailer, or motorcycle- or

quadricycle-type vehicle. A registration or license fee may not be assessed upon a transfer of a number plate under 61-3-317 and 61-3-335.

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

(10) Each type of special license plate approved by the legislature, except collegiate license plates authorized in 61-3-463, must be a separate series of plates, numbered as provided in subsection (5), except that the county number

must be replaced by a nonremovable design or decal designating the group or organization to which the applicant belongs. Unless otherwise specifically stated in this section, ~~the a special plates-are~~ plate is subject to the same rules and laws as govern the issuance of regular license plates, must be placed or mounted on a vehicle owned by the person who is eligible to receive ~~them~~ it, and must be removed upon sale or other disposition of the vehicle. The special license plates must be issued to national guard members, former prisoners of war, handicapped persons, reservists, disabled veterans, survivors of the Pearl Harbor attack, veterans of the armed services, or veterans of the armed services who were awarded the purple heart medal, who comply with the following provisions:

(a) An active member of the Montana national guard may be issued special license plates with a design or decal displaying the letters "NG". The adjutant general shall issue to each active member of the Montana national guard a certificate authorizing the department to issue a national guard plates plate, numbered-in-sets-of-two with a different number ~~on-each-set~~ for each vehicle, and the member shall surrender the ~~plates~~ plate to the department upon becoming ineligible to use ~~them~~ it.

(b) An active member of the reserve armed forces of the United States of America who is a resident of this state may

1 be issued a special license plates plate, with a different
 2 number for each vehicle, with a design or decal displaying
 3 the following: United States army reserve, AR (symbol);
 4 United States naval reserve, NR (anchor); United States air
 5 force reserve, AFR (symbol); and United States marine corps
 6 reserve, MCR (globe and anchor). The commanding officer of
 7 each armed forces reserve unit shall issue to each eligible
 8 member of the reserve unit a certificate authorizing the
 9 issuance of a special license plates plate, numbered-in-sets
 10 of-two with a different number on-each-set for each vehicle.
 11 The member shall surrender the plates plate to the
 12 department upon becoming ineligible to use them it.

13 (c) (i) A resident of Montana who is a veteran of the
 14 armed forces of the United States and who is 100% disabled
 15 because of an injury that has been determined by the
 16 department of veterans affairs to be service-connected may,
 17 upon presentation to the department of proof of the 100%
 18 disability, be issued:

19 (A) a special license plate under this section with a
 20 design or decal displaying the letters "DV"; or

21 (B) one--set--of any other type of military-related
 22 plates plate that the disabled veteran is eligible to
 23 receive under this section.

24 (ii) The fee for original or renewal registration by a
 25 100% disabled veteran for a passenger vehicle or a truck

1 with a GVW-rated capacity of 1 ton or less is \$5 and is in
 2 lieu of all other fees and taxes for that vehicle under this
 3 chapter.

4 (iii) ~~Special~~ A special license plates plate issued to a
 5 disabled veteran ~~are is~~ not transferable to another person.

6 (iv) A disabled veteran is not entitled to a special
 7 disabled veteran's license plate for more than one vehicle.

8 (v) A vehicle lawfully displaying a disabled veteran's
 9 plate and that is conveying a 100% disabled veteran is
 10 entitled to the parking privileges allowed a handicapped
 11 person's vehicle under this title.

12 (d) A Montana resident who is a veteran of the armed
 13 forces of the United States and was captured and held
 14 prisoner by a military force of a foreign nation, documented
 15 by the veteran's service record, may upon application and
 16 presentation of proof be issued a special license plates
 17 plate, numbered-in-sets-of-two with a different number on
 18 each-set for each vehicle, with a design or decal displaying
 19 the words "ex-prisoner of war" or an abbreviation the
 20 department considers appropriate.

21 (e) Except as provided in subsection (10)(c), upon
 22 payment of all taxes and fees required by parts 3 and 5 of
 23 this chapter and upon furnishing proof satisfactory to the
 24 department that the applicant meets the requirements of this
 25 subsection (e), the department shall issue to a Montana

1 resident who is a veteran of the armed services of the
 2 United States a special license plates plate, numbered-in
 3 ~~sets-of-two~~ with a different number ~~on--each--set~~ for each
 4 vehicle, designed to indicate that the applicant is a
 5 survivor of the Pearl Harbor attack if the applicant was a
 6 member of the United States armed forces on December 7,
 7 1941, was on station on December 7, 1941, during the hours
 8 of 7:55 a.m. to 9:45 a.m. (Hawaii time) at Pearl Harbor, the
 9 island of Oahu, or offshore at a distance of not more than 3
 10 miles, and received an honorable discharge from the United
 11 States armed forces. If a special license plates plate
 12 issued under this subsection ~~are~~ is lost, stolen, or
 13 mutilated, the recipient ~~of--the--plates~~ is entitled to a
 14 replacement ~~plates~~ upon request and without charge.

15 (f) A motor vehicle owner and resident of this state
 16 who is a veteran or the surviving spouse of a veteran of the
 17 armed services of the United States may be issued a license
 18 ~~plates plate~~ inscribed as provided in subsection (10)(f)(i)
 19 if the veteran was separated from the armed services under
 20 other than dishonorable circumstances or was awarded the
 21 purple heart medal:

22 (i) Upon submission of a department of defense form
 23 214(DD-214) or its successor or documents showing an
 24 other-than-dishonorable discharge or a reenlistment
 25 reenlistment, proper identification, and other relevant

1 documents to show an applicant's qualification under this
 2 subsection, there must be issued to the applicant, in lieu
 3 of the regular license ~~plates plate~~ prescribed by law, a
 4 ~~special license plates-numbered-in-sets-of-two plate~~, with a
 5 different number ~~on--each-set~~ for each vehicle. The plates
 6 must display:

7 (A) the word "VETERAN" and a symbol signifying the
 8 United States army, United States navy, United States air
 9 force, United States marine corps, or United States coast
 10 guard, according to the record of service verified in the
 11 application; or

12 (B) a symbol representing the purple heart medal.

13 (ii) Plates must be furnished by the department to the
 14 county treasurer, who shall issue them to a qualified
 15 veteran or to the veteran's surviving spouse. ~~The--plates~~
 16 Each plate must be placed or mounted on ~~the~~ a vehicle owned
 17 by the veteran or the veteran's surviving spouse designated
 18 in the application and must be removed upon sale or other
 19 disposition of the vehicle.

20 (iii) Except as provided in subsection (10)(c), a
 21 veteran or surviving spouse who receives a special license
 22 ~~plates plate~~ under this subsection (10)(f) is liable for
 23 payment of all taxes and fees required under parts 3 and 4
 24 of this chapter and a special veteran's or purple heart
 25 medal license plate fee of \$10. Upon an original application

for a license under this subsection (10)(f), the county treasurer shall:

(A) deposit \$3 of the special fee in the county general fund;

(B) remit \$1 for deposit in the state general fund; and

(C) deposit the remainder of the special fee in the state special revenue account established in 10-2-603 for administration, construction, operation, and maintenance of the state veterans' cemetery.

(iv) Upon subsequent annual renewal of registration, the county treasurer shall deposit all of the special fee as provided in subsection (10)(F)(iii)(C).

(g) A Montana resident who is eligible to receive a special parking permit under 49-4-301 may, upon written application on a form prescribed by the department, be issued a special license plate with a design or decal bearing a representation of a wheelchair as the symbol of the handicapped person."

Section 8. Section 61-3-333, MCA, is amended to read:

"61-3-333. Replacing number plates plate. In the event of loss, mutilation, or destruction of a number plates, plate and/or or validation devices device, the owner of the registered motor vehicle may obtain from the department duplicates a duplicate or replacements replacement of the number plates plate or device upon filing a sworn

declaration showing that fact and upon payment of a fee of \$2. In the event of loss, mutilation, or destruction of a pioneer plates plate, duplicates a duplicate may be obtained in the same manner upon payment of a fee of \$5."

Section 9. Section 61-3-334, MCA, is amended to read:

"61-3-334. Expiration of registration on transfer of ownership of vehicle -- duty to remove plates plate. Upon the transfer of ownership of a motor vehicle, the registration of the motor vehicle ~~shall-expire~~ expires and it ~~shall-be~~ is the duty of the transferor to immediately to remove the license plates plate from the vehicle."

Section 10. Section 61-3-335, MCA, is amended to read:

"61-3-335. Transfer of license plates plate to another motor vehicle. (1) Should If the transferor ~~make-application~~ of a motor vehicle applies for the registration of another motor vehicle at any time during the remainder of the current registration year as shown on the original certificate of registration, he ~~the transferor~~ may file an application in the office of the county treasurer where the motor vehicle is registered, upon a form to be prepared and furnished by the department, accompanied by the original certificate of registration, for the transfer of the license plates plate. The application for transfer of the license plates plate from the motor vehicle for which originally issued to a motor vehicle acquired by the same person in

1 whose name the original license ~~plates-were~~ plate was issued
 2 ~~shall must~~ be made within 20 days from the date of acquiring
 3 the vehicle. The use of the license ~~plates-shall-not-be~~
 4 ~~legalized plate is not legal~~ until proper transfer of the
 5 license ~~plates~~ plate has been made.

6 (2) ~~license--plates~~ A license plate may be transferred
 7 pursuant to this section without transferring ownership of
 8 the first vehicle.

9 (3) Upon transfer of the license ~~plates~~ plate, the
 10 registration of the motor vehicle from which the license
 11 ~~plates--were~~ plate was transferred expires. The certificate
 12 of registration for such the vehicle must be surrendered to
 13 the county treasurer with the application for transfer."

14 **Section 11.** Section 61-3-342, MCA, is amended to read:

15 "61-3-342. Temporary window sticker. (1) Any A
 16 purchaser of a motor vehicle who is unable to fully complete
 17 the process of applying for a Montana title at the time he
 18 ~~makes--application~~ the purchaser applies for registration or
 19 reregistration of the vehicle because the certificate of
 20 ownership is lost, is in the possession of third parties, or
 21 is in the process of reissuance in this state or elsewhere
 22 may, upon making affidavit to that effect upon a form
 23 prescribed by the department and upon the payment of all
 24 applicable fees and taxes, plus an additional fee of \$2 to
 25 be collected by the county treasurer and remitted to the

1 department, obtain from the county treasurer of the county
 2 in which the vehicle is to be registered a temporary window
 3 sticker of such a size, color, and design as the department
 4 may prescribe, to be validated by the county treasurer for a
 5 period of 60 days from the date of issuance. The purchaser,
 6 upon displaying the sticker on the upper left-hand corner of
 7 the rear window of the motor vehicle, may operate the
 8 vehicle during the period for which the window sticker has
 9 been validated without displaying the registration
 10 certificate or number ~~plates-or~~ plate for the current year.
 11 The county treasurer may not sell, and no a person may not
 12 purchase, more than one 60-day temporary window sticker for
 13 any vehicle, the ownership of which has not changed since
 14 the issuance of the previous 60-day window sticker.

15 (2) A vehicle for which an application for title cannot
 16 be completed may not be registered by the county treasurer
 17 nor may ~~license--plates~~ a license plate for the vehicle be
 18 issued by the county treasurer until the completed
 19 certificate of ownership or application for title is
 20 presented for the purpose of transferring ownership.

21 (3) In the event that an unusual circumstance prevents
 22 the owner of a vehicle from presenting the certificate of
 23 ownership within the 60-day period permitted under
 24 subsection (1), the owner may apply to the motor vehicle
 25 division for an extended temporary window sticker on an

1 application form provided by the division. The form must be
2 accompanied by the title application.

3 (4) Upon receipt of an application for an extended
4 temporary window sticker and title as designated in
5 subsection (3), the motor vehicle division or the county
6 treasurer, with the authorization of the ~~motor-vehicle~~
7 division, may issue an extended temporary window sticker,
8 valid for an additional 60 days, upon payment of a fee of
9 \$10 that must be deposited in the general fund. At the end
10 of the extended 60-day period or in the event the request
11 for extension is rejected by the department for cause, the
12 owner may obtain a certificate of ownership by the method
13 provided in 61-3-208."

14 **Section 12.** Section 61-3-401, MCA, is amended to read:

15 "61-3-401. Definition of personalized license plates
16 plate. Personalized license plates plate, as used in
17 61-3-401 through 61-3-406, mean means a license plates plate
18 that have has displayed upon them it the registration number
19 assigned to the passenger motor vehicle for which such the
20 registration number was issued in a combination of letters
21 or numbers, or both, requested by the owner of the vehicle."

22 **Section 13.** Section 61-3-402, MCA, is amended to read:

23 "61-3-402. Personalized license plates plate
24 authorized. Any A person who is the registered owner of a
25 motor vehicle, a truck, motor home, camping trailer,

1 motorcycle, quadricycle, or other vehicle for the owner's
2 personal use registered with the department or who ~~makes~~
3 application applies for original registration of a motor
4 vehicle may upon payment of the fee prescribed in 61-3-406
5 apply to the department for a personalized license plates
6 plate in the manner prescribed in 61-3-405, ~~which plates~~
7 ~~shall~~. The plate must be affixed to the motor vehicle for
8 which registration is sought in lieu of the regular license
9 plates plate provided for in this chapter."

10 **Section 14.** Section 61-3-403, MCA, is amended to read:

11 "61-3-403. Color and design of personalized license
12 plates -- exception -- county designation. (1) Except as
13 provided in 61-3-466, the personalized license plates must
14 be the same color and design as regular passenger motor
15 vehicle license plates and must consist of numbers or
16 letters, or any combination thereof of numbers or letters,
17 not exceeding eight positions and not less than two
18 positions, provided that there are no conflicts with
19 existing passenger, commercial, trailer, motorcycle,
20 quadricycle, or special license plate series under this
21 title.

22 (2) Upon the issuance of a personalized license plates
23 plate or upon the reregistration of any motor vehicle
24 assigned a personalized license plates plate that do does
25 not bear a county designation or that no longer bear bears

the correct county designation, the department shall provide a nonremovable ~~stickers~~ sticker bearing the appropriate county designation, which must be affixed to the license ~~plates-in-use~~ plate in accordance with instructions by the department."

Section 15. Section 61-3-404, MCA, is amended to read:

"61-3-404. Personalized license plates plate restricted to registered owner. Personalized A personalized license ~~plates-shall~~ plate may be issued only to the registered owner of the vehicle upon which ~~they are~~ it is displayed."

Section 16. Section 61-3-405, MCA, is amended to read:

"61-3-405. Application for personalized plates plate. An applicant for a personalized license plates plate or for renewal of ~~such-plates~~ a plate in subsequent years pursuant to 61-3-401 through 61-3-406 shall file an application therefor in the form and by the date the department requires, indicating ~~thereon~~ the combination of letters or numbers, or both, requested as a registration number. There ~~shall may not~~ be no duplication of registration numbers, and the department may refuse to issue any combination of letters or numbers, or both, that may carry connotations offensive to good taste and decency or ~~which that~~ are misleading or a duplication of license plates provided for elsewhere in this title."

Section 17. Section 61-3-411, MCA, is amended to read:

"61-3-411. Registration of a motor vehicle owned and operated solely as a collector's item. (1) An owner of a motor vehicle more than 30 years old, used solely as a collector's item and not for general transportation purposes, may file with the department an application for the registration of the motor vehicle. The application must be sworn to before an officer authorized to administer oaths. The application must state:

(a) the name and address of the owner;

(b) the name and address of the person from whom purchased;

(c) the make, the gross weight, the year and number of the model, and the manufacturer's identification number and serial number of the motor vehicle; and

(d) that the vehicle is owned and operated solely as a collector's item and not for general transportation purposes.

(2) The registration fee for a motor vehicle registered under subsection (1) is:

(a) for a vehicle weighing 2,850 pounds or less, \$5;

and

(b) for a vehicle weighing more than 2,850 pounds, \$10.

(3) Upon receipt of the application for registration and payment of the registration fee, the department shall file the application and register the motor vehicle therein

described in the manner specified in 61-3-101 and, unless the applicant chooses to exercise the option allowed in 61-3-412, shall deliver to the applicant:

(a) for a motor vehicle manufactured in 1933 or earlier, two a license plates plate bearing the inscription "Pioneer--Montana" and the registration number; or

(b) for a motor vehicle manufactured in 1934 or later and more than 30 years old, two a license plates plate bearing the inscription "Vintage--Montana" and the registration number.

(4) The year of issuance may not be shown on the plates plate.

(5) Annual renewal of the registration of a motor vehicle registered under this section is not required, and the registration is valid as long as the vehicle is in existence; ~~provided, however, that~~ upon sale of the motor vehicle, the purchaser shall renew the registration and pay the license fees provided in subsection (2)."

Section 18. Section 61-3-412, MCA, is amended to read:

"61-3-412. Display of original Montana license plates plate on collector's item vehicle -- definition -- validation. (1) As used in this section, "original Montana license plate" means a license plate issued according to the provisions of 61-3-331; section 53-116, R.C.M. 1947; section 1759.1, R.C.M. 1935; or section 1759, R.C.M. 1921; whichever

section was effective during the year of the manufacture of the motor vehicle on which the license plate is authorized to be displayed.

(2) Notwithstanding the provisions of 61-3-332, the department shall authorize the owner of a motor vehicle registered as provided in 61-3-411 to display an original Montana license plates plate, with validation as required in subsection (3), after:

(a) payment of the fee required in subsection (5);

(b) inspection by a highway patrol officer of the original Montana license plate to be displayed on the motor vehicle and, upon payment of a \$5 fee, receipt of the highway ~~patrolman's~~ patrol officer's certification that he the officer has determined the license plate is legible and meets the requirements of subsection (1); and

(c) receipt of an application by the owner of the motor vehicle as provided for in 61-3-411.

(3) If the owner of a vehicle registered under the provisions of 61-3-314 meets the requirements of subsection (2), the department shall:

(a) file the application and register information on the motor vehicle in the manner prescribed in 61-3-101; and

(b) issue a validating decal inscribed with:

(i) a unique number; and

(ii) the letter:

(A) "P" to designate vehicles described in 61-3-411(3)(a); or

(B) "V" to designate vehicles described in 61-3-411(3)(b).

(4) The owner of the motor vehicle shall permanently affix the validating decal to the windshield of the collector's item motor vehicle or, if no windshield exists, to another prominent and visible position on the vehicle.

(5) The owner of the motor vehicle shall pay to the department with the application required under this section a one-time special collector's item motor vehicle license fee of \$20."

Section 19. Section 61-3-421, MCA, is amended to read:

"61-3-421. Amateur radio operators -- special license plate. A motor vehicle owner and resident of this state who holds an unrevoked and unexpired official amateur radio station license and operator's license, "conditional" or higher class, issued by the federal communications commission of the United States, upon written application on a form prescribed by the department, accompanied by proof of ownership of the amateur radio station license and operator's license, must be issued a lettered license plates ~~in pairs (two identically lettered plates)~~ plate, in lieu of the regular license plates plate prescribed by law. There must be stamped or impressed upon the special license plates

plate in clear lettering the official amateur radio call letters of the owner as assigned to the owner by the federal communications commission ~~and the plates so lettered.~~ The plate must be renewed as provided in 61-3-312."

Section 20. Section 61-3-423, MCA, is amended to read:

"61-3-423. Rules -- limit of one identical ~~pair of~~ plates plate with the same letters for each operator. The department shall ~~make such~~ adopt rules as may be necessary to procure compliance with all the laws of the state regulating the issuance of motor vehicle licenses relating to the use and operation of motor vehicles before issuing the lettered license plates. The department ~~shall~~ may not issue more than one identical ~~pair of lettered license plates for~~ plate with the same letters to any licensed amateur radio station in any one licensing period."

Section 21. Section 61-3-425, MCA, is amended to read:

"61-3-425. Special plates plate -- how affixed to car -- sale or transfer of auto -- revocation or expiration of radio license. The lettered license plates ~~as herein provided are~~ plate is in lieu of the regular license plates plate on the motor vehicle owned by the amateur radio licensee for the period of time that the amateur radio license is in force under the federal communications commission and the special license ~~issued hereunder~~ is in force, but no longer. If the official amateur radio license

is revoked or expires for any reason, the license plate must be removed immediately by the owner of the motor vehicle, and it is the responsibility of the owner to then obtain a regular license ~~plates~~ plate. If the motor vehicle is sold or otherwise transferred, the owner and holder of valid official amateur radio station and operator's licenses has the right to transfer the lettered ~~plates~~ plate to another motor vehicle owned by him the licensee upon ~~such~~ reasonable conditions as may be prescribed by the department. On the revocation or expiration of the amateur radio station and operator's licenses, the lettered license ~~plates-as-issued~~ plate must be returned and surrendered to the department."

Section 22. Section 61-3-446, MCA, is amended to read:

"61-3-446. Retention of special license ~~plates~~ plate. If during a registration year the holder of a special license ~~plates~~ plate issued under 61-3-332(10)(b) through (10)(f) disposes of the vehicle to which the ~~plates-are~~ plate is affixed, ~~he the holder~~ shall retain the ~~plates~~ plate and may affix ~~them~~ it to another vehicle."

Section 23. Section 61-3-448, MCA, is amended to read:

"61-3-448. Commemorative centennial license ~~plates~~ plate -- continued use and replacement authorized. (1) A person who owns and displays a commemorative centennial license ~~plates~~ plate issued under Title 2, chapter 89, part 3, on a motor vehicle on or before June 30, 1996, may

continue to display ~~the-commemorative-centennial--plates~~ it on the vehicle after that date as long as ~~the-plates-remain~~ it remains legible or as long as a replacement ~~plates--are~~ plate is available from the department, whichever is later.

(2) The department shall authorize the continued display of commemorative centennial license plates after June 30, 1996, as provided for in subsection (1), and shall replace commemorative centennial license plates for persons who owned and displayed the plates on or before June 30, 1996, as long as replacement stock owned by the department on October 1, 1993, remains available and usable."

Section 24. Section 61-3-453, MCA, is amended to read:

"61-3-453. Disabled veterans' ~~plates~~ plate limited to one automobile or truck -- personalized ~~plates~~ plate. (1) A disabled veteran is not entitled to a special license ~~plates~~ plate for disabled veterans under 61-3-332(10)(c)(i)(A) for more than one passenger automobile or one truck up to and including 1 ton GVW-rated capacity.

(2) Upon submitting the application provided for in 61-3-405 and payment of the \$25 fee provided for in 61-3-406, a disabled veteran must receive a personalized disabled veteran license ~~plates~~ plate."

Section 25. Section 61-3-454, MCA, is amended to read:

"61-3-454. Special parking privilege. A vehicle lawfully displaying a specially inscribed license ~~plates~~ plate

1 plate issued under 61-3-332(10)(c)(i)(A) and conveying a
2 100% disabled veteran is entitled to the parking privileges
3 allowed a handicapped person's vehicle under 49-4-302."

4 **Section 26.** Section 61-3-455, MCA, is amended to read:

5 "61-3-455. Violation a misdemeanor. A person who
6 violates 61-3-452 or 61-3-453 or who knowingly and
7 wrongfully attempts to secure a license ~~plates~~ plate under
8 61-3-332 shall be guilty of a misdemeanor and punished by a
9 fine of not less than \$100 or imprisonment for not more than
10 30 days, or both."

11 **Section 27.** Section 61-3-464, MCA, is amended to read:

12 "61-3-464. Application for collegiate license ~~plates~~
13 plate. An applicant for a collegiate license ~~plates~~ plate or
14 for renewal of a collegiate license ~~plates~~ plate pursuant to
15 61-3-465 shall apply in the form and by the date the
16 department requires."

17 **Section 28.** Section 61-3-465, MCA, is amended to read:

18 "61-3-465. Issuance -- application -- additional fee --
19 disposition. (1) The department shall issue or renew a
20 collegiate license ~~plates~~ plate upon receipt of an
21 application that shows:

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

24 (b) payment to the county treasurer of:

25 (i) an initial application and manufacturing fee of

1 \$2.50, when required; and

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

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

7 (a) the initial application and manufacturing fee for
8 deposit in the Montana state prison industries account in
9 the proprietary fund for appropriation by the legislature to
10 pay the cost of manufacturing collegiate license plates; and

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

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

21 **Section 29.** Section 61-3-466, MCA, is amended to read:

22 "61-3-466. Personalized collegiate license ~~plates~~
23 plate. (1) Subject to the provisions of 61-3-405 and
24 61-3-406, an application for a collegiate license ~~plates~~
25 plate may be combined with an application for a personalized

plates ~~plate~~.

(2) An application for a personalized collegiate license ~~plates~~ plate 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 61-3-463."

Section 30. Section 61-3-526, MCA, is amended to read:

"61-3-526. Registration of motor homes and travel trailers -- reregistration by mail allowed. (1) All registrations of motor homes and travel trailers expire annually on April 30. Application for registration or reregistration must be made to the county treasurer not later than June 15. Reregistration may be made by mail in the manner provided in 61-3-535. If the ownership of a motor home or travel trailer is transferred during the registration year, it must be reregistered and relicensed as provided by statute.

(2) The owner of a motor home or travel trailer registered under the provisions of this section is entitled to operate ~~such the~~ vehicle between May 1 and June 15 without displaying the registration certificate of the current registration year if the owner, during that period, displays upon the motor home or travel trailer the number ~~plates,~~ plate, or decal assigned thereto for the previous registration year."

Section 31. Section 61-3-701, MCA, is amended to read:

"61-3-701. Foreign vehicles used in gainful occupation to be registered -- reciprocity. (1) Before any foreign licensed motor vehicle may be operated on the highways of this state for hire, compensation, or profit or before the owner ~~and/or or~~ or user thereof of the vehicle uses the vehicle if ~~such the~~ owner ~~and/or or~~ or user is engaged in gainful occupation or business enterprise in the state, including highway work, the owner of the vehicle shall make application apply to a county treasurer for registration upon an application form furnished by the department. Upon satisfactory evidence of ownership submitted to the county treasurer and upon the payment of property taxes, if appropriate, as required by 15-8-201, 15-8-202, 15-24-301, 61-3-504, or 61-3-537, the treasurer shall accept the application for registration and shall collect the regular license fee required for the vehicle.

(2) The treasurer shall ~~thereupon, upon compliance with subsection (1),~~ issue to the applicant a copy of the certificate entitled "Owner's Certificate of Registration and Payment Receipt" and forward a duplicate copy of the certificate to the department. The treasurer shall at the same time issue to the applicant the proper license ~~plates~~ plate or other identification ~~markers~~ marker, which ~~shall~~ must at all times be displayed upon the vehicle when

1 operated or driven upon roads and highways of this state
2 during the period ~~of-the-life~~ of the license.

3 (3) The registration receipt ~~shall~~ does not constitute
4 evidence of ownership but ~~shall~~ may be used only for
5 registration purposes. No A Montana certificate of ownership
6 ~~shall may not~~ be issued for this type of registration.

7 (4) This section is not applicable to any vehicle
8 covered by a valid and existing reciprocal agreement or
9 declaration entered into under the provisions of the laws of
10 Montana."

11 **Section 32.** Section 61-3-722, MCA, is amended to read:

12 "61-3-722. Registration and identification of
13 proportionally registered vehicles -- effect of
14 registration. (1) The department shall register each
15 proportionally registered vehicle and issue a license plate
16 ~~or--plates~~, a distinctive sticker, or other suitable
17 identification device for each vehicle described in the
18 application upon payment of the appropriate fees and
19 property taxes, as provided by law, for the application and
20 for the license plates plate, stickers sticker, or devices
21 device issued. A fee of \$2 must be paid for each license
22 plate, sticker, or device issued for each proportionally
23 registered vehicle. A fee of \$5 must be paid for each
24 vehicle receiving temporary registration as authorized by
25 section 704 of the international registration plan of the

1 American association of motor vehicle administrators,
2 adopted April 1988. A registration card must be issued for
3 each proportionally registered vehicle. The registration
4 card must, in addition to other information required by
5 chapter 3, show the number of the license, sticker, or other
6 device issued for the proportionally registered vehicle and
7 must be carried in the vehicle at all times.

8 (2) Fleet vehicles registered and identified as fleet
9 vehicles are considered fully licensed and registered in
10 this state for any type of movement or operation, except
11 that, in those instances in which a grant of authority is
12 required for intrastate movement or operation, the vehicle
13 may not be operated in intrastate commerce in this state
14 unless the owner has been granted intrastate authority by
15 the public service commission and unless the vehicle is
16 being operated in conformity with that authority."

17 **Section 33.** Section 61-4-102, MCA, is amended to read:

18 "61-4-102. Fees -- restrictions on licensees. (1) Upon
19 ~~making-such~~ application, the applicant shall pay to the
20 department, in addition to the fees required of dealers and
21 wholesalers under the provisions of subsection (2), a fee of
22 \$5. Upon receipt of the application, fee, and bond, ~~as~~
23 ~~provided---above,~~ the department shall examine the
24 application, and may, prior to issuing a license, make
25 individual investigation of the truth of the statements

1 contained in the application. If the department is satisfied
 2 that the applicant qualifies for the issuance of a license
 3 under the provisions of this chapter, the department may
 4 issue the license. The department may refuse, after
 5 investigation, to issue a license to an applicant as allowed
 6 by law.

7 (2) Registration or license fees ~~shall~~ must be paid
 8 upon registration or reregistration of dealers in motor
 9 vehicles, recreational vehicles, or trailers as follows:

10 (a) (i) all dealers in motor vehicles and recreational
 11 vehicles, a fee of \$25, which ~~shall-entitle-such~~ entitles
 12 the dealer to one set-of number plates plate, and a \$25
 13 additional fee for each additional ~~set-of~~ number plates
 14 plate, subject to the following limitations on the number of
 15 additional ~~sets~~ plates allowed a dealer:

16 (A) 5% of the first 100 vehicle sales for the previous
 17 year; plus

18 (B) 3% of the next 100 vehicle sales for the previous
 19 year; plus

20 (C) 2% of vehicle sales in excess of 200 for the
 21 previous year; and

22 (D) any additional ~~sets~~ plates upon a showing of good
 23 cause by the applicant dealer to the department.

24 (ii) in addition to the dealer plates allowed under
 25 subsection (2)(a)(i), a dealer who has purchased one or more

1 ~~sets--of~~ dealer plates or a licensed wholesaler is entitled
 2 to purchase demonstrator plates at a cost determined by the
 3 department to offset the cost of production. ~~Demonstrator~~
 4 plates A demonstrator plate must be used in lieu of a dealer
 5 plate but only as set forth in subsection (6) and must be
 6 distinguished from the dealer plates plate in a manner
 7 determined by the department. Wholesaler demonstrator plates
 8 must be distinguished from dealer demonstrator plates in a
 9 manner determined by the department.

10 (b) dealers in motorcycles, quadricycles, and trailers,
 11 including housetrailer, \$45; and

12 (c) wholesalers in used motor vehicles, recreational
 13 vehicles, trailers (including semitrailers and special
 14 mobile equipment), and motorcycles (including quadricycles),
 15 \$30.

16 (3) If a dealer or wholesaler is originally registered
 17 6 months after the time of registration as set by law, the
 18 registration or license fee for the remainder of the year is
 19 one-half of the regular fee ~~above-given~~.

20 (4) A dealer or wholesaler in motor vehicles,
 21 recreational vehicles, or trailers who maintains more than
 22 one place of business or who maintains a branch
 23 establishment or establishments shall register and pay a
 24 registration or license fee for each place of business or
 25 establishment. A dealer may sell vehicles only from his the

1 dealer's licensed place of business unless the dealer
 2 notifies the department 10 days in advance, on a form
 3 prescribed by the department, of the opening date and
 4 location of an off-premises sale. Except for recreational
 5 vehicle dealers, an off-premises sale must be conducted
 6 within the city limits of the city of the dealer's licensed
 7 location or upon an adjacent off-premises site that is
 8 approved by the department and that is within the county of
 9 the dealer's licensed location. The sale may not exceed 10
 10 consecutive business days, and a licensed dealer may not
 11 conduct more than 10 off-premises sales during any 1
 12 calendar year.

13 (5) A new applicant for a used motor vehicle dealer or
 14 wholesaler license shall pay \$300 to the department in
 15 addition to any other sums required by this section or other
 16 provisions of the law. An applicant for a renewal of a used
 17 motor vehicle dealer or wholesaler license shall certify
 18 under oath that he the applicant has sold more than five
 19 used motor vehicles during the preceding calendar year or
 20 pay an additional \$300 before he the applicant may be
 21 licensed.

22 (6) Demonstrator plates provided for in subsection
 23 (2)(a)(ii) may be used only as follows:

24 (a) New and used motor vehicle or recreational vehicle
 25 demonstrator plates may be used:

1 (i) to demonstrate, for no more than 72 hours, an
 2 authorized vehicle held for sale, when operated by an
 3 individual holding a valid operator's license;

4 (ii) on authorized vehicles owned by the firm, when
 5 operated by an officer or bona fide full-time employee of
 6 the dealer or wholesaler and used to transport the dealer's
 7 or wholesaler's own tools, parts, and equipment;

8 (iii) on authorized vehicles being tested for repair;

9 (iv) on authorized vehicles being moved to or from a
 10 dealer's place of business for sale;

11 (v) on authorized vehicles being moved to or from
 12 service and repair facilities before sale;

13 (vi) on authorized vehicles being moved to or from
 14 exhibitions within the state, provided ~~any~~ any ~~such~~ an
 15 exhibition does not exceed a period of 20 days.

16 (b) ~~Mobile~~ A mobile home and or trailer dealer
 17 demonstrator ~~plates~~ plate may be used:

18 (i) on units hauled to or from the place of business of
 19 the manufacturer and the place of business of the dealer or
 20 to and from places of business of the dealer;

21 (ii) on mobile homes hauled to a customer's location for
 22 setup after sale;

23 (iii) on travel trailers held for sale to demonstrate
 24 the towing capability of the vehicle, provided that a dated
 25 demonstration permit, valid for not more than 72 hours, is

1 carried with the vehicle at all times;

2 (iv) on any motor vehicle owned by the dealer that is
3 used only to move vehicles legally bearing a mobile home and
4 or travel trailer dealer license ~~plates~~ plate of the dealer
5 owning ~~any-such~~ the motor vehicle;

6 (v) on vehicles being moved to or from vehicle
7 exhibitions within the state, provided ~~any--such~~ an
8 exhibition does not exceed a period of 20 days."

9 **Section 34.** Section 61-4-103, MCA, is amended to read:

10 "61-4-103. Assignment of dealer plates. (1) Upon the
11 licensing of a dealer as a new motor vehicle dealer, used
12 motor vehicle dealer, recreational vehicle dealer, or
13 trailer, semitrailer, or special mobile equipment dealer, or
14 of a dealer of the motorcycle- or quadricycle-type vehicle,
15 the department shall assign to the dealer a distinctive
16 serial license number as a dealer and, after payment of
17 fees, furnish every qualified dealer in motor vehicles with
18 ~~sets--of~~ number plates as required according to need, which
19 need must be justified by the dealer with the initial
20 application for license and each renewal. Assigned number
21 plates must be similar to number plates furnished to owners
22 of motor vehicles but must bear, in addition to the serial
23 number assigned the dealer, the letter "D" if the dealer is
24 authorized to sell new motor vehicles (including trucks and
25 truck trailers); the letters "RV" if the dealer is

1 authorized to sell recreational vehicles; the letters "UD"
2 if the dealer is authorized to sell used motor vehicles
3 (including used trucks and used truck trailers); the letters
4 "DTR" if the dealer is authorized to sell trailers,
5 semitrailers, or special mobile equipment (new or used); and
6 the letters "MCD" if the dealer is authorized to sell
7 vehicles of the motorcycle or quadricycle type (new or
8 used).

9 (2) With the exception of a dealer authorized to sell
10 new motor vehicles (including trucks and truck trailers) and
11 to use the "D" plate or demonstrator plate, a dealer or
12 wholesaler authorized to transact business under the
13 provisions of this section may not offer for sale or trade
14 any vehicle described in this section except the vehicles
15 that are authorized by the plates assigned to him the dealer
16 or wholesaler. If an applicant wishes to sell more than one
17 type of vehicle, he the applicant shall ~~make--application~~
18 apply for each separate authorization. No A plate assigned
19 to a dealer or wholesaler may not be used on any vehicle
20 other than the type described in this section. A wholesaler
21 may not sell a motor vehicle to a person who is not a
22 licensed dealer. A dealer authorized to sell new motor
23 vehicles and assigned a "D" plate or demonstrator plate is
24 authorized to sell both new and used motor vehicles
25 (including trucks and truck trailers), and ~~the--plates a~~

1 plate may be displayed on either new or used motor vehicles
2 by a licensed dealer in new vehicles.

3 (3) The department shall cause to be placed on each set
4 of license plates plate issued to a dealer a serial number
5 assigned to each dealer and the actual number of license
6 plates issued to each dealer. The number of the dealer must
7 follow the prefix of the county, and the number of plates
8 issued the dealer must follow the prefix of the county and
9 the number of the dealer, the dealer's number to be
10 separated from the county prefix by a dash, and the number
11 of plates issued to a dealer to be separated from the
12 dealer's number by a dash, as follows: dealer number 4 in
13 Lewis and Clark County would be numbered 5-4, and if the
14 dealer were issued three sets--of plates, they would be
15 numbered consecutively, as follows: 5-4-1, 5-4-2, and
16 5-4-3. Wholesalers who receive demonstrator plates under
17 this part must be issued license plates that are of a
18 similar sequence to dealer and dealer demonstrator plates
19 and display a "wholesaler" or "wholesale dealer" identifier
20 conspicuously displayed upon the plates.

21 (4) Dealers properly licensed under this section are
22 authorized to use and display a dealer's license plates
23 plate on a motor vehicle held for bona fide sale or used in
24 the conduct of the dealer's business in selling or
25 demonstrating motor vehicles and operated by or under the

1 control of the dealer,--his or the dealer's officers or
2 employees. For purposes of this provision, "officers and
3 employees" include includes only the persons listed on the
4 manufacturer's franchise agreement or the importer's
5 distribution agreement and their spouses or such other
6 persons upon whom the dealer has paid social security taxes
7 as a full-time employee employees. A dealer's or
8 wholesaler's license plate may not be used or displayed on
9 vehicles normally used for hire, lease, or rental or for
10 purposes not incident to the business of a motor vehicle
11 dealer. A dealer is accountable for each plate issued and
12 shall certify quarterly to the department the disposition of
13 each dealer plate assigned to the dealer, including the
14 name, address, and occupation of the person primarily using
15 each plate.

16 (5) When the department has reasonable cause to
17 believe, from an investigation made by it or information
18 furnished to it by the sheriff or any other law enforcement
19 officer, that a dealer or wholesaler has been improperly
20 licensed, has used the dealer's license in a manner other
21 than the one authorized in this section, has provided a
22 material misstatement of fact in an application for a
23 license, is not qualified as a dealer or wholesaler under
24 the requirements of this section, or whose has engaged in
25 criminal conduct that renders him the dealer or wholesaler

unfit for licensure, the department may revoke the dealer's or wholesaler's license. A person, firm, corporation, or association may not, for commission or profit, engage in the business of buying, selling, exchanging, or acting as a broker of new motor vehicles, trailers, or semitrailers unless duly licensed in compliance with this section (except trailers having an unladen weight of less than 500 pounds)."

Section 35. Section 61-4-111, MCA, is amended to read:

"61-4-111. Used motor vehicles -- transfer to and from dealers. (1) The provisions of 61-3-201(2) shall do not apply in the event of the transfer of a motor vehicle to a duly licensed automobile dealer intending who intends to resell such the vehicle and who operates the same vehicle only for demonstration purposes. In such cases, the dealer shall may not be required to make-application apply for a new certificate of ownership or for registration during the period of his ownership of said the vehicle, but upon his transfer of ownership thereof to a person other than a licensed motor vehicle dealer, the following acts shall--be are required of the dealer on or before the times herein set forth:

(a) Prior to his delivery of the vehicle to the purchaser, the dealer shall issue and affix to the rear window of said the vehicle a sticker in a form to be prescribed by the department and containing the name and

address of the purchaser, date of sale, name and address of the dealer, and a description of the vehicle, including its serial number. There shall must be imprinted upon said the sticker in bold letters the following statement: "IT IS UNLAWFUL TO PLACE A LICENSE PLATBS PLATE UPON THIS VEHICLE UNTIL REGISTERED AT THE OFFICE OF THE COUNTY TREASURER". One copy of said the sticker shall must be delivered by the dealer to the county treasurer in the manner prescribed in subsection (1)(b) hereof, and a copy shall must be retained by the dealer for his the dealer's file. It is unlawful for the dealer to issue more than one sticker per vehicle sale.

(b) Within 4 working days following the date of delivery of said the vehicle, the dealer shall forward to the county treasurer of the county where the purchaser resides the certificate of ownership and certificate of registration (if the same certificates are then in his the dealer's possession), with an application for registration executed by the new owner in accordance with the provisions of 61-3-322, and a copy of the sticker affixed to said the vehicle by the dealer, and the department, upon receipt of said the documents from the county treasurer, together with the conditional sales contract or other lien, if any, shall issue a new certificate of ownership and certificate of registration, together with a statement of any conditional sales contract, mortgage, or other lien as provided in

61-3-202. Transmission of ~~said the~~ documents by the dealer to the county treasurer may be accomplished either by personal delivery or by ~~first-class~~ first-class mail, in which event ~~they--shall--be--deemed~~ the documents are considered to have been delivered at the time of mailing.

(c) If the dealer is unable to forward the certificate of ownership ~~and/or or~~ certificate of registration within the time set forth in subsection (1)(b) ~~hereof~~, because the ~~same-are~~ certificate is lost, are is in the possession of third parties, or ~~are is~~ is in the process of reissuance in this state or elsewhere, ~~he the dealer~~ shall comply in all other respects with the provisions of subsection(1)(b) and shall forward the missing document ~~or--documents~~ to the county treasurer, either personally or by ~~first--class~~ first-class mail, within 3 days after their receipt.

(2) Upon compliance by the dealer with the requirements set forth in this section, title to ~~said the~~ motor vehicle ~~shall--be--deemed~~ is considered to have passed to the purchaser as of the date of the delivery of ~~said the~~ vehicle to ~~him the purchaser~~ by the dealer, and the dealer ~~shall have has~~ no further liability or responsibility with respect to the processing of registration."

Section 36. Section 61-4-221, MCA, is amended to read:

"61-4-221. Manufacturer's representative's license plates plate. (1) As used in 61-4-221 through 61-4-223,

"manufacturer's representative" means a resident of Montana who is an employee of a motor vehicle manufacturer licensed under the provisions of 61-4-202 and whose responsibility includes coordinating and promoting sales efforts with the manufacturer's dealers.

(2) Subject to the provisions of 61-4-221 through 61-4-223 and notwithstanding the provisions of Title 61, chapter 3, a manufacturer's representative who qualifies as provided in subsection (1) may display a manufacturer's license plates plate on a motor vehicle used solely for business purposes.

(3) To qualify for the issuance and use of manufacturer's license plates by its manufacturer's representatives, the manufacturer licensed under 61-4-202 shall apply on forms and in a manner prescribed by the department and pay the fees provided for in 61-4-222."

Section 37. Section 61-4-222, MCA, is amended to read:

"61-4-222. Fees. Upon making the application required under 61-4-221, the manufacturer shall pay to the department a fee of \$250, which entitles the manufacturer to one ~~set-of~~ number plates plate, and an additional fee of \$20 for each additional ~~set-of~~ number plates plate. The manufacturer may receive one ~~set--of~~ number plates plate for each manufacturer's representative."

Section 38. Section 61-4-223, MCA, is amended to read:

1 *61-4-223. Assignment of numbers. (1) Upon the
2 licensing of a manufacturer under 61-4-202, the department
3 shall assign to the manufacturer a distinctive serial number
4 and, after payment of fees provided for in 61-4-222, furnish
5 every each qualified manufacturer's representative of that
6 manufacturer with one ~~set-of~~ number plates plate. Assigned
7 number plates must be similar to number plates furnished to
8 owners of motor vehicles but must bear, in addition to the
9 serial number assigned to the manufacturer, the letters
10 "MFG".

11 (2) The department shall cause to be placed on each ~~set~~
12 of license plates plate issued to a manufacturer a serial
13 number assigned to the manufacturer and the actual number of
14 license plates issued to the manufacturer. The department
15 shall provide nonremovable stickers bearing the appropriate
16 county designation. The stickers must be affixed to the
17 license plates in use in accordance with instructions by the
18 department.

19 (3) A manufacturer's representative who qualifies as
20 provided in 61-4-221(1) may display a manufacturer's license
21 plates plate on a motor vehicle held for bona fide sale or
22 used solely in the conduct of the manufacturer's business
23 and operated by or under the control of the manufacturer's
24 representative.

25 (4) When the department has reasonable cause to

1 believe, from an investigation made by it or information
2 furnished to it by a sheriff or any other law enforcement
3 officer, that a manufacturer has been improperly licensed,
4 has used the manufacturer's license other than as authorized
5 in this section, or is not qualified as a manufacturer under
6 the requirements of this part, the department may revoke the
7 manufacturer's license."

8 **Section 39.** Section 61-4-301, MCA, is amended to read:

9 *61-4-301. Permit and transit plates for new vehicles
10 being transported by driveway or towaway methods -- used
11 mobile homes. (1) (a) A person, firm, partnership, or
12 corporation, regularly and lawfully engaged in the
13 transportation of new vehicles over the highways of this
14 state from manufacturing or assembly points to agents of
15 manufacturers and dealers in this state or in other states,
16 territories, or foreign countries or provinces by the
17 driveaway or towaway methods, ~~where~~ when the vehicles being
18 driven, towed, or transported by the saddle-mount, towbar,
19 or full-mount ~~methods~~ method, or a lawful combination of
20 these methods, will be transported over the highways of the
21 state but once, may annually apply to the department of
22 justice for a permit to use the highways of this state and
23 shall pay, upon filing the application, a fee of \$100. Upon
24 processing of the application, ~~that~~ the department shall
25 issue an annual permit to the applicant.

(b) A person moving used mobile homes from a point outside the state to a point inside the state may apply to the department for the permit authorized pursuant to subsection (1)(a).

(2) The permitholder may also apply to the department of justice for a sufficient number of distinctive transit plates or devices showing the permit number for identification of the vehicles being transported by the permitholder, and ~~the plates~~ a plate or ~~devices~~ device may be used on a vehicle being driven, towed, or transported by and under the control of the permitholder. That department shall collect the additional sum of \$1 for each ~~pair--of~~ transit ~~plates~~ plate or ~~devices~~ device applied for and issued.

(3) The department of justice shall retain the permit and plate fees to defray costs of administering 61-4-301 through 61-4-308.

(4) The permit and transit plates or devices expire on December 31 of each year."

Section 40. Section 61-4-307, MCA, is amended to read:

"61-4-307. Display of ~~plates~~ plate. A vehicle or combination of vehicles transported over the highways of the state by a permitholder ~~shall~~ must display in a prominent position ~~thereon~~ on the rear of the last vehicle a the distinctive transit ~~plates~~ plate or ~~devices~~ device;~~--the~~

~~towing--vehicle--displaying--such-on-the-front-thereof-and-a
towed-vehicle-on-the-rear-thereof."~~

Section 41. Section 61-6-302, MCA, is amended to read:

"61-6-302. Proof of compliance. (1) The registration receipt required by 61-3-322 must contain a statement that unless the vehicle is eligible for an exemption under 61-6-303, it is unlawful to operate the vehicle without a valid motor vehicle liability insurance policy, a certificate of self-insurance, or a posted indemnity bond, as required by 61-6-301.

(2) An owner of a motor vehicle who ceases to maintain the insurance or bond required or whose certificate of self-insurance is canceled or whose vehicle ceases to be exempt shall immediately surrender the registration and license ~~plates~~ plate for the vehicle to the county treasurer for delivery to the department and may not operate or permit operation of the vehicle in Montana until insurance has again been furnished as required and the vehicle is again registered and licensed.

(3) ~~Every~~ Each person shall carry in a motor vehicle being operated by the person an insurance card approved by the department but issued by the insurance carrier to the motor vehicle owner as proof of compliance with 61-6-301. A motor vehicle operator shall exhibit the insurance card upon demand of a justice of the peace, a city or municipal judge,

a peace officer, a highway patrol officer, or a field deputy or inspector of the department. However, a person charged with violating this subsection may not be convicted if the person produces in court or the office of the arresting officer proof of insurance valid at the time of arrest."

Section 42. Section 61-6-304, MCA, is amended to read:

"61-6-304. Penalties. (1) It is unlawful for any a person to operate a motor vehicle upon ways of this state open to the public without a valid policy of liability insurance in effect in an amount not less than that provided in 61-6-301 or unless the person has been issued a certificate of self-insurance pursuant to 61-6-143 or has previously posted an indemnity bond with the department as provided by 61-6-301 or is operating a vehicle exempt under 61-6-303.

(2) Conviction of a first offense under 61-6-301 through 61-6-304 is punishable by a fine of not less than \$250 or more than \$500 or by imprisonment in the county jail for not more than 10 days, or both. A second conviction is punishable by a fine of \$350 or by imprisonment in the county jail for not more than 10 days, or both. A third or subsequent conviction is punishable by a fine of \$500 or by imprisonment in the county jail for not more than 10 days, or both.

(3) Upon a second or subsequent conviction, the

sentencing court shall order the surrender of the vehicle registration receipt and license ~~plates~~ plate for the vehicle operated at the time of the offense if that vehicle was operated by the registered owner or a member of the registered owner's immediate family or by a person whose operation of that vehicle was authorized by the registered owner. The court shall send the receipt and ~~plates~~ plate, along with a copy of the complaint and dispositional order, to the department, which shall immediately suspend the receipt and ~~plates~~ plate for a period of 90 days from the date of a second conviction or 180 days from the date of a third or subsequent conviction. The receipt and ~~plates~~ plate may not be reinstated until the expiration of that period, but if the vehicle is transferred to a new owner, the new owner is entitled to register the vehicle.

(4) The court may suspend a required fine only upon a determination that the offender is or will be unable to pay the fine.

(5) A court may not defer imposition of penalties provided by this section."

Section 43. Section 61-9-204, MCA, is amended to read:

"61-9-204. Taillamps. (1) Every Each motor vehicle, trailer, semitrailer, and pole trailer and any other vehicle which that is being drawn at the end of a train of vehicles ~~shall~~ must be equipped with at least one taillamp mounted on

1 the rear, which, when lighted as hereinbefore required,
 2 ~~shall~~ must emit a red light plainly visible from a distance
 3 of 500 feet to the rear, provided that in the case of a
 4 train of vehicles, only the taillamp on the rearmost vehicle
 5 need actually be seen from the distance specified. Further,
 6 ~~every--such--above-mentioned~~ each vehicle subject to this
 7 subsection, other than a motorcycle, motor-driven cycle,
 8 quadricycle, or truck tractor, registered in this state and
 9 manufactured or assembled after January 1, 1956, ~~shall~~ must
 10 be equipped with at least two taillamps mounted on the rear,
 11 which, when lighted as herein required, ~~shall~~ must comply
 12 with the provisions of this section.

13 (2) ~~Every~~ Each taillamp upon every vehicle ~~shall~~ must
 14 be located at a height of not more than 72 inches or less
 15 than 15 inches.

16 (3) Either a taillamp or a separate lamp ~~shall--be--so~~
 17 ~~constructed--and--placed--as-to~~ must illuminate with a white
 18 light the rear registration plate and render it clearly
 19 legible from a distance of 50 feet to the rear. Any taillamp
 20 or taillamps, together with any separate lamp for
 21 illuminating the rear registration plate, ~~shall~~ must be so
 22 wired as to be lighted whenever the headlamps or auxiliary
 23 driving lamps are lighted.

24 (4) Taillamps are not required on a motorcycle that is
 25 registered under 61-3-411 as a collector's item, but ~~such~~

1 the motorcycle may not be operated on a highway or street
 2 from one-half hour after sunset to one-half hour before
 3 sunrise or when persons and vehicles are not clearly
 4 discernible at a distance of 500 feet unless it is equipped
 5 with the required taillamps."

6 NEW SECTION. Section 44. Effective date. [This act] is
 7 effective on passage and approval.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0009, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION: A bill requiring vehicles to have and display only one license plate, on the rear of the vehicle; amending sections and providing an immediate effective date.

ASSUMPTIONS:

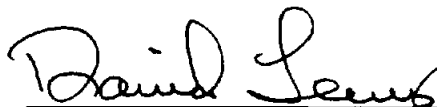
1. Effective January 1, 1994, only one license plate would be issued. Current plate size, color and design would not change.
2. Under current law (2 plates) 480,102 large plates would be required each fiscal year. (4,702 singles and 237,700 pairs).
3. In FY94, 240,051 large plates (2,351 single and 118,850 pairs) would be needed for the first six months and 121,201 plates (2,351 single and 118,850 singles) would be needed during the 2nd six months for a total of 361,252.
4. In FY95, 242,402 large plates (4,702 singles and 237,700 singles) would be needed.
5. One pound of 12" aluminum makes approximately 4,423 plates (108,547 pounds of 12" is required to make 480,102 large plates).
6. One roll of 12" scotchlite makes approximately 1,785 plates (269 rolls needed for 480,102 large plates).
7. The cost of 12" aluminum is projected at \$1.03 per pound and 12" scotchlite is estimated at \$1,052 per roll.
8. FY94 starting inventory of 12" aluminum was 124,227 pounds and 12" scotchlite inventory was 84 rolls.
9. Each fiscal year end inventory includes enough material for two months production (242,402/12*2 = 40,400 large plates).
10. Postage savings at the Department of Justice would be \$4,400 general fund for FY94 and \$8,800 for FY95.

FISCAL IMPACT:Expenditures:Department of Corrections and Human Services (Pgm 20)

	FY '94			FY '95		
	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>
FTE	2.00	2.00	0	2.00	2.00	0
Personal Services	79,694	79,694	0	80,693	80,693	0
Operating	<u>451,677</u>	<u>208,609</u>	<u>(243,068)</u>	<u>343,807</u>	<u>231,839</u>	<u>(111,968)</u>
Total	531,371	288,303	(243,068)	424,500	312,532	(111,968)
<u>Funding:</u>						
General Fund	531,371	288,303	(243,068)	424,500	312,532	(111,968)

Department of Justice: (Pgm 12)

Operating Expenses	2,156,597	2,152,197	(4,400)	2,461,951	2,453,151	(8,800)
Total General Fund (Savings)			(247,468)			(120,768)

 11-24
 DAVID LEWIS, BUDGET DIRECTOR DATE
 Office of Budget and Program Planning

STEVE BENEDICT, PRIMARY SPONSOR DATE
 Fiscal Note for HB0009, as introduced

HB 9

APPROVED BY COMMITTEE
ON APPROPRIATIONS

HOUSE BILL NO. 9

INTRODUCED BY BENEDICT

BY REQUEST OF THE DEPARTMENT OF CORRECTIONS AND HUMAN
SERVICES AND THE OFFICE OF BUDGET AND PROGRAM PLANNING

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A VEHICLE TO
HAVE AND DISPLAY ONLY ONE LICENSE PLATE; REQUIRING THE PLATE
TO BE DISPLAYED ON THE REAR OF THE VEHICLE; AMENDING
SECTIONS 2-89-302, 61-1-508, 61-3-301, 61-3-312, 61-3-321,
61-3-331, 61-3-332, 61-3-333, 61-3-334, 61-3-335, 61-3-342,
61-3-401, 61-3-402, 61-3-403, 61-3-404, 61-3-405, 61-3-411,
61-3-412, 61-3-421, 61-3-423, 61-3-425, 61-3-446, 61-3-448,
61-3-453, 61-3-454, 61-3-455, 61-3-464, 61-3-465, 61-3-466,
61-3-526, 61-3-701, 61-3-722, 61-4-102, 61-4-103, 61-4-111,
61-4-221, 61-4-222, 61-4-223, 61-4-301, 61-4-307, 61-6-302,
61-6-304, AND 61-9-204, MCA; AND PROVIDING AN IMMEDIATE
EFFECTIVE DATE."

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

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

"2-89-302. (Temporary) Commemorative centennial license
plates. (1) Notwithstanding the 4-year period provided for
in 61-3-332(2), the department of justice may issue
commemorative centennial license plates for a different
period at prices to be determined by the department as

THERE ARE NO CHANGES ON THIS BILL
AND WILL NOT BE REPRINTED. PLEASE
REFER TO INTRODUCED (WHITE) BILL
FOR COMPLETE TEXT.

HB 9

SECOND READING

HOUSE BILL NO. 9

INTRODUCED BY BENEDICT

BY REQUEST OF THE DEPARTMENT OF CORRECTIONS AND HUMAN
SERVICES AND THE OFFICE OF BUDGET AND PROGRAM PLANNING

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A VEHICLE TO
HAVE AND DISPLAY ONLY ONE LICENSE PLATE; REQUIRING THE PLATE
TO BE DISPLAYED ON THE REAR OF THE VEHICLE; AMENDING
SECTIONS 2-89-302, 61-1-508, 61-3-301, 61-3-312, 61-3-321,
61-3-331, 61-3-332, 61-3-333, 61-3-334, 61-3-335, 61-3-342,
61-3-401, 61-3-402, 61-3-403, 61-3-404, 61-3-405, 61-3-411,
61-3-412, 61-3-421, 61-3-423, 61-3-425, 61-3-446, 61-3-448,
61-3-453, 61-3-454, 61-3-455, 61-3-464, 61-3-465, 61-3-466,
61-3-526, 61-3-701, 61-3-722, 61-4-102, 61-4-103, 61-4-111,
61-4-221, 61-4-222, 61-4-223, 61-4-301, 61-4-307, 61-6-302,
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HB 9

THIRD READING