

*Green*House BILL NO. 314

INTRODUCED BY

*Curtice*ORR

A BILL FOR AN ACT ENTITLED: "AN ACT CREATING A SPECIAL LICENSE PLATE FOR VOLUNTEER FIREFIGHTERS; ALLOCATING PART OF THE LICENSE FEE TO THE FIRE SERVICES TRAINING SCHOOL FOR THE TRAINING OF VOLUNTEER FIREFIGHTERS; CREATING AN ACCOUNT IN THE STATE SPECIAL REVENUE FUND; AMENDING SECTIONS 49-4-304, 61-3-332, AND 61-3-446, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

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

Section 1. Section 49-4-304, MCA, is amended to read:

"49-4-304. Special license plate or card to be provided and displayed -- additional cards allowed for owners of more than one vehicle. (1) The department of justice shall provide a special license plate under 61-3-332~~(10)(f)~~ (10)(h) or a card to be displayed on or in a motor vehicle to indicate a parking privilege granted under this part. The special license plate must be affixed to the vehicle according to 61-3-301, or the card must be prominently displayed in the windshield of a vehicle when the parking privilege is being used by the person with a disability in a vehicle other than the one to which a special license plate is affixed.

(2) Subject to the provisions of 49-4-301 through 49-4-305, a person who is eligible to receive a special parking permit and who owns more than one motor vehicle may request and the department of justice shall provide additional cards described in subsection (1) to equal the number of motor vehicles, other than commercial vehicles, owned by the person.

(3) Upon application under 49-4-303, a person with a disability who does not hold a driver's license or does not own a vehicle may receive a card described in subsection (1) to be displayed in a vehicle in which the person with a disability is being conveyed when the parking privilege is being used.

(4) The card must bear a representation of a wheelchair as the symbol of a person with a disability."

Section 2. Section 61-3-332, MCA, is amended to read:

1 **"61-3-332. Number plates.** (1) A motor vehicle that is driven upon the streets or highways of
2 Montana must display both front and rear number plates, bearing the distinctive number assigned the
3 vehicle. The number plates are in 10 series: one series for owners of motorcars, one for owners of motor
4 vehicles of the motorcycle or quadricycle type, one for trailers, one for trucks, one for dealers in vehicles
5 of the motorcycle or quadricycle type that bear the distinctive letters "MCD" or the letters "MC" and the
6 word "DEALER", one for franchised dealers in new motorcars (including trucks and trailers) or new and
7 used motorcars (including trucks and trailers) that bear the distinctive letter "D" or the word "DEALER",
8 one for dealers in used motorcars only (including used trucks and trailers) that bear the distinctive letters
9 "UD" or the letter "U" and the word "DEALER", one for dealers in trailers and/or semitrailers (new or used)
10 that bear the distinctive letters "DTR" or the letters "TR" and the word "DEALER", one for dealers in
11 recreational vehicles that bear the distinctive letters "RV" or the letter "R" and the word "DEALER", and
12 one for special license plates. All markings for the various kinds of dealers' plates must be placed on the
13 number plates assigned to the dealer, in the position that the department designates.

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

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

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

24 (5) The distinctive registration numbers must begin with a number one or with a letter-number
25 combination, such as "A 1" or "AA 1", or any other similar combination of letters and numbers. The
26 distinctive registration number or letter-number combination assigned to the vehicle must appear on the
27 plate preceded by the number of the county and appearing in horizontal order on the same horizontal
28 baseline. The county number must be separated from the distinctive registration number by a separation
29 mark unless a letter-number combination is used. The dimensions of the numerals and letters must be
30 determined by the department, and all county and registration numbers must be of equal height.

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

3 (a) For vehicles owned by the state, the department may designate the prefix number for the
4 various state departments. All numbered plates issued to state departments must bear the words "State
5 Owned", and a year number may not be indicated on the plates because these numbered plates are of a
6 permanent nature and will be replaced by the department only when the physical condition of numbered
7 plates requires it.

8 (b) For vehicles that are owned by the counties, municipalities, irrigation districts organized under
9 the laws of Montana and not operating for profit, and school districts and that are used and operated by
10 officials and employees in the line of duty and for vehicles on loan from the United States government or
11 the state of Montana to, or owned by, the civil air patrol and used and operated by officials and employees
12 in the line of duty, there must be placed on the number plates assigned, in a position that the department
13 may designate, the letter "X" or the word "EXEMPT". Distinctive registration numbers for plates assigned
14 to motor vehicles of each of the counties in the state and those of the municipalities and school districts
15 situated within each of the counties and those of the irrigation districts that obtain plates within each
16 county must begin with number one and be numbered consecutively. Because these number plates are of
17 a permanent nature, they are subject to replacement by the department only when the physical condition
18 of the number plates requires it and a year number may not be displayed on the number plates.

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

24 (8) Number plates issued to a passenger car, truck, trailer, or vehicle of the motorcycle or
25 quadricycle type may be transferred only to a replacement passenger car, truck, trailer, or motorcycle- or
26 quadricycle-type vehicle. A registration or license fee may not be assessed upon a transfer of a number
27 plate under 61-3-317 and 61-3-335.

28 (9) For the purpose of this chapter, the several counties of the state are assigned numbers as
29 follows: Silver Bow, 1; Cascade, 2; Yellowstone, 3; Missoula, 4; Lewis and Clark, 5; Gallatin, 6; Flathead,
30 7; Fergus, 8; Powder River, 9; Carbon, 10; Phillips, 11; Hill, 12; Ravalli, 13; Custer, 14; Lake, 15; Dawson,

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

8 (10) Each type of special license plate approved by the legislature, except collegiate license plates
9 authorized in 61-3-463, must be a separate series of plates, numbered as provided in subsection (5), except
10 that the county number must be replaced by a nonremovable design or decal designating the group or
11 organization to which the applicant belongs. Unless otherwise specifically stated in this section, the special
12 plates are subject to the same rules and laws as govern the issuance of regular license plates, must be
13 placed or mounted on a vehicle owned by the person who is eligible to receive them, and must be removed
14 upon sale or other disposition of the vehicle. The special license plates must be issued to national guard
15 members, former prisoners of war, handicapped persons, reservists, disabled veterans, survivors of the
16 Pearl Harbor attack, veterans of the armed services, ~~or~~ veterans of the armed services who were awarded
17 the purple heart medal, or retired or active duty volunteer firefighters, who comply with the following
18 provisions:

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

24 (b) An active member of the reserve armed forces of the United States of America who is a
25 resident of this state may be issued special license plates with a design or decal displaying the following:
26 United States army reserve, AR (symbol); United States naval reserve, NR (anchor); United States air force
27 reserve, AFR (symbol); and United States marine corps reserve, MCR (globe and anchor). The commanding
28 officer of each armed forces reserve unit shall issue to each eligible member of the reserve unit a certificate
29 authorizing the issuance of special license plates, numbered in sets of two with a different number on each
30 set. The member shall surrender the plates to the department upon becoming ineligible to use them.

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

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

5 (B) one set of any other military-related plates that the disabled veteran is eligible to receive under
6 this section.

7 (ii) The fee for original or renewal registration by a 100% disabled veteran for a passenger vehicle
8 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
9 vehicle under this chapter.

10 (iii) Special license plates issued to a disabled veteran are not transferable to another person.

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

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

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

20 (e) Except as provided in subsection (10)(c), upon payment of all taxes and fees required by parts
21 3 and 5 of this chapter and upon furnishing proof satisfactory to the department that the applicant meets
22 the requirements of this subsection (e), the department shall issue to a Montana resident who is a veteran
23 of the armed services of the United States special license plates, numbered in sets of two with a different
24 number on each set, designed to indicate that the applicant is a survivor of the Pearl Harbor attack if the
25 applicant was a member of the United States armed forces on December 7, 1941, was on station on
26 December 7, 1941, during the hours of 7:55 a.m. to 9:45 a.m. (Hawaii time) at Pearl Harbor, the island
27 of Oahu, or offshore at a distance of not more than 3 miles, and received an honorable discharge from the
28 United States armed forces. If special license plates issued under this subsection are lost, stolen, or
29 mutilated, the recipient of the plates is entitled to replacement plates upon request and without charge.

30 (f) A motor vehicle owner and resident of this state who is a veteran or the surviving spouse of

1 a veteran of the armed services of the United States may be issued license plates inscribed as provided in
2 subsection (10)(f)(i) if the veteran was separated from the armed services under other than dishonorable
3 circumstances or was awarded the purple heart medal:

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

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

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

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

17 (iii) Except as provided in subsection (10)(c), a veteran or surviving spouse who receives special
18 license plates under this subsection (10)(f) is liable for payment of all taxes and fees required under parts
19 3 and 4 of this chapter and a special veteran's or purple heart medal license plate fee of \$10. Upon an
20 original application for a license under this subsection (10)(f), the county treasurer shall:

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

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

23 (C) deposit the remainder of the special fee in the state special revenue account established in
24 10-2-603 for administration, construction, operation, and maintenance of the state veterans' cemetery.

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

27 (g)(i) An active or retired member of a local volunteer firefighting force who is a resident of this
28 state may be issued a special license plate with a design or decal displaying the symbol of the maltese cross
29 and the term "retired" if the firefighter is retired. The chief of the local volunteer firefighting force shall
30 issue to each eligible member of the force a certificate authorizing the issuance of one set of plates. The

1. member shall surrender the plates to the department upon becoming ineligible to use them.

2. (ii) A firefighter who receives special license plates under this subsection (10)(g) is liable for
 3. payment of all taxes and fees required under parts 3 and 4 of this chapter and a special firefighter license
 4. plate fee of \$10. Upon an original application for a license under this subsection (10)(g), the county
 5. treasurer shall:

6. (A) deposit \$1 of the special fee in the county general fund;

7. (B) retain \$1 for storage costs;

8. (C) remit \$1 for deposit in the state general fund; and

9. (D) deposit the remainder of the special fee in the state special revenue fund to the credit of the
 10. fire services training school to be appropriated by the legislature for the training and education of volunteer
 11. firefighters.

12. (iii) Upon subsequent annual renewal of registration, the county treasurer shall deposit all of the
 13. special fee as provided in subsection (10)(g)(ii)(D).

14. ~~(g)(h)~~ A Montana resident who is eligible to receive a special parking permit under 49-4-301 may,
 15. upon written application on a form prescribed by the department, be issued a special license plate with a
 16. design or decal bearing a representation of a wheelchair as the symbol of the handicapped person."
 17.

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

19. **"61-3-446. Retention of special license plates.** If during a registration year the holder of special
 20. license plates issued under 61-3-332(10)(b) through ~~(10)(f)~~ (10)(g) disposes of the vehicle to which the
 21. plates are affixed, ~~he~~ the holder shall retain the plates and may affix them to another vehicle."
 22.

23. **NEW SECTION. Section 4. Special revenue account -- uses.** (1) There is an account in the state
 24. special revenue fund to the credit of the board for the fire services training school. As provided in
 25. 61-3-332, revenue from the sale of volunteer firefighters' license plates must be deposited into the account.

26. (2) As appropriated by the legislature, the money in the account must be used for the education
 27. and training of volunteer firefighters.
 28.

29. **NEW SECTION. Section 5. Codification instruction.** [Section 4] is intended to be codified as an
 30. integral part of Title 20, chapter 31, part 4, and the provisions of Title 20, chapter 31, part 4, apply to

1 [section 4].

2

3 NEW SECTION. **Section 6. Effective date.** [This act] is effective January 1, 1996.

4

-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0314, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

A bill creating a special license plate for volunteer firefighters; allocating part of the license fee to the Fire Services Training School for the training of volunteer firefighters; and creating an account in the state special revenue fund.

ASSUMPTIONS:

Dept. of Corrections and Human Services (DCHS):

1. This bill would allow an application for special license plates for retired or active duty volunteer firefighters who are residents of the state.
2. This bill would create a special license plate which would be issued with a design or decal displaying the symbol of the maltese cross and the term "retired" if the firefighter is retired. The size and design of this license plate will be limited to the restrictions of plate size, Section 61-3-332, MCA, and the wording required.
3. Due to the current method of manufacturing the individual license plates involved with this bill, the insignia and design will be silk screened on the plate. No special scotchlite will be used.
4. Estimate of initial issue of 2,000 plates is being made for this special license plate with production at 2,000 plates per year thereafter being made.
5. All additional costs associated with this plate will be incurred by the Montana State Prison (MSP) License Plate Factory general fund. Costs of approximately \$.35 per plate will be incurred for the additional silk screening required for this plate. All other costs are included within the proposed Executive Budget for this program.

Dept. of Justice (DOJ):

6. DOJ start up expenditures during FY96 will be design costs of \$500. In addition, postage and handling will cost \$2.50 per set of plates ($\$2.50 \times 2,000 = \$5,000$ each year).
7. There are 8,000 active and retired firefighters in Montana. Half of those eligible will purchase or renew special plates. Because the effective date is January 1, 1996, 2,000 will purchase in FY96 and 2,000 in FY97. Therefore, it is estimated that in FY96 the counties would receive \$2,000 general fund and \$2,000 for storage of the plates; and the state general fund would receive \$2,000. The state special revenue account for the Fire Services Training School would receive \$14,000. In FY97, there will be 2,000 additional new special plates purchased, generating the same revenues. In addition, the renewal fee (\$10) is allocated entirely to the special revenue account for the school, resulting in \$20,000 in FY97 ($2,000 \text{ renewals} \times \$10 = \$20,000$).

Fire Services Training School:

8. Plates will be purchased or renewed by 20% of volunteer fire fighters and thereby generate \$34,000 annually in ongoing revenue for the school.
9. The earmarked funds will be considered by the Legislature to offset current general fund used for the operations of the school.

Dave Lewis 1-30-95
DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

AUBYN CURTISS, PRIMARY SPONSOR DATE

Fiscal Note for HB0314, as introduced

HB 314

(continued)

FISCAL IMPACT:

	<u>FY96</u>	<u>FY97</u>
<u>Expenditures:</u>	<u>Difference</u>	<u>Difference</u>
<u>DCHS:</u>		
Operating Expenses	700	700
<u>Funding:</u>		
General Fund	700	700
<u>Dept of Justice:</u>		
Operating Expenses	5,500	5,000
<u>Funding:</u>		
General Fund	5,500	5,000
<u>Fire Training School:</u>		
<u>Funding:</u>		
General Fund	(14,000)	(34,000)
State Special	14,000	34,000
<u>Revenues:</u>		
General Fund	2,000	2,000
<u>NET IMPACT:</u>		
General Fund	10,325	30,300

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

Counties will share revenues for storage costs and county general fund of \$4,000 in FY96 and \$4,000 in FY97. Local government also may benefit from training grants to local fire services with no appreciable costs. The special license plate for volunteer firefighters is the only license plate providing \$2,000 per year for county storage costs.