

1 House BILL NO. 605  
 2 INTRODUCED BY Denny Shirley GRINDE  
 3 BY REQUEST OF THE HOUSE APPROPRIATIONS COMMITTEE

4  
 5 A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE STATE JUNK VEHICLE PROGRAM;  
 6 AUTHORIZING A COUNTY TO OPERATE A JUNK VEHICLE PROGRAM; AMENDING SECTIONS 61-3-211,  
 7 75-10-501, 75-10-504, 75-10-511, 75-10-513, 75-10-514, 75-10-516, 75-10-521, 75-10-522,  
 8 75-10-531, 75-10-541, AND 75-10-542, MCA; REPEALING SECTIONS 61-3-508, 75-10-503, 75-10-515,  
 9 75-10-532, 75-10-533, AND 75-10-534, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

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

12  
 13 **Section 1.** Section 61-3-211, MCA, is amended to read:

14 **"61-3-211. Surrender of certificate of ownership -- issuance of salvage certificate -- salvage**  
 15 **retitling requirements.** (1) An insurer acquiring ownership of a vehicle that is less than 5 years of age that  
 16 ~~he~~ the insurer determines to be a salvage vehicle shall surrender the certificate of ownership to the  
 17 department within 15 days after acquiring the certificate. If the insurer has not sold the salvage vehicle prior  
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 19 a form prescribed by the department. If the certificate of ownership names one or more holders of a  
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 21 from each secured party of the secured interest.

22 (2) Upon receipt of a properly executed certificate of ownership and a salvage certificate  
 23 application from an insurer, the department shall issue a salvage certificate to the insurer within 5 working  
 24 days of the date of receipt of the application. Upon receipt of a salvage certificate issued by the  
 25 department, an insurer may possess, retain, transport, sell, transfer, or otherwise dispose of the salvage  
 26 vehicle. The salvage certificate is prima facie evidence of ownership of a salvage vehicle.

27 (3) If the insurer sells a salvage vehicle within the 15-day period established in subsection (1) prior  
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1 salvage vehicle purchaser shall apply for a salvage certificate by completing the salvage receipt and  
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6 (4) If an insurer determines that a salvage vehicle will remain with the owner after an agreed  
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10 obtained in a jurisdiction not requiring the surrender of the certificate of ownership or a comparable  
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12 (5) At the time of surrender of a certificate of ownership for a salvage vehicle not acquired by an  
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17 (6) A fee of \$5 must be paid to the department for the issuance of a salvage certificate.

18 (7) A salvage vehicle owned by or in the inventory of a motor vehicle wrecking facility on October  
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22 **Section 2.** Section 75-10-501, MCA, is amended to read:

23 **"75-10-501. Definitions.** Unless the context requires otherwise, in this part, the following  
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26 ~~(2)(1)~~ (1) "Component part" means any identifiable part of a discarded, ruined, wrecked, or dismantled  
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29 ~~(3) "Department" means the department of health and environmental sciences provided for in Title~~  
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6           ~~(6)~~(4) "Motor vehicle wrecking facility" means:

7           (a) a facility buying, selling, or dealing in four or more vehicles per year, of a type required to be  
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25           **"75-10-504. Shielding -- new facility.** A motor vehicle wrecking facility or graveyard site  
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1           **Section 4.** Section 75-10-511, MCA, is amended to read:

2           **"75-10-511. Motor vehicle wrecking facility and motor vehicle graveyard licenses.** (1) A person  
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5           (2) Application for the license shall ~~shall~~ must be made on forms furnished by the ~~department~~ county.

6           ~~(3) An annual fee of \$50 shall be paid to the department for the license or quarterly prorated for~~  
7 ~~new facilities.~~

8           ~~(4) A motor vehicle graveyard is excluded from paying the annual license fee but must meet all~~  
9 ~~other requirements of the part.~~

10          ~~(5)~~(3) A license shall must be displayed in a prominent place in the licensed facility or graveyard.

11          ~~(6) The license expires on December 31 of the year issued.~~

12          ~~(7) If a motor vehicle wrecking facility ceases to do business, the license shall be surrendered to~~  
13 ~~the department. The license is not transferable."~~

14

15           **Section 5.** Section 75-10-513, MCA, is amended to read:

16           **"75-10-513. Disposal of junk vehicles -- fees and records.** ~~(1) When a motor vehicle wrecking~~  
17 ~~facility submits a junk vehicle to the disposal program, it shall pay a disposal fee of \$2 for each vehicle~~  
18 ~~submitted, and the vehicle is then the property of the state.~~

19           ~~(2) Quarterly, each motor vehicle wrecking facility shall mail to the department of justice a list, on~~  
20 ~~a form approved by the department of justice, a list of all junk vehicles received by the motor vehicle~~  
21 ~~wrecking facility during the quarter, stating the year, make, and the complete identification number of each~~  
22 ~~vehicle. Any If a certificate of ownership is received for a junk vehicles vehicle on the list, that certificate~~  
23 ~~must accompany each the list. The department of justice shall issue a receipt of {for} the certificate of~~  
24 ~~ownership if requested by the licensed facility, and such the receipt may serve as an instrument for~~  
25 ~~reclaiming the certificate of ownership if the vehicle is rebuilt.~~

26           ~~(3) A motor vehicle graveyard shall submit to the department the records, documents, and other~~  
27 ~~information concerning junk vehicles received by it that are required by rules of the department."~~

28

29           **Section 6.** Section 75-10-514, MCA, is amended to read:

30           **"75-10-514. Denial, suspension, or revocation of license -- grounds.** ~~The department~~ A county may

1 deny, suspend, or revoke a motor vehicle wrecking facility's license when it proves the business:

2 (1) sold or otherwise disposed of a motor vehicle, trailer, or any component part ~~thereof~~ when it  
3 knew the vehicle or part was stolen or was appropriated without the consent of the owner;

4 (2) committed forgery on a certificate of title covering a vehicle that has been reassembled from  
5 parts obtained from the disassembling of other vehicles;

6 (3) committed any illegal act or omission ~~which~~ that has caused loss as the result of a sale of a  
7 motor vehicle, trailer, or component part ~~thereof~~;

8 (4) failed to comply with this part ~~or with a rule of the department~~;

9 (5) obtained a license fraudulently."  
10

11 **Section 7.** Section 75-10-516, MCA, is amended to read:

12 **"75-10-516. Motor vehicle wrecking facilities and motor vehicle graveyards -- licensing process**

13 **-- decision criteria.** (1) When an application for a motor vehicle wrecking facility or motor vehicle graveyard  
14 is filed with ~~the department~~ a county, ~~the department~~ county shall notify by mail:

15 (a) each owner of property adjoining the proposed facility;

16 ~~(b) the governing body of the county in which the proposed facility is to be located; and~~

17 ~~(c)~~ (b) a newspaper of general circulation in the area where the proposed facility is to be located.

18 (2) Within 30 days of ~~receipt of~~ the notification in subsection (1)~~(b)~~, the governing body of the  
19 county may:

20 ~~(a) conduct a public hearing to determine whether the proposed facility will significantly affect the~~  
21 ~~quality of life of adjoining landowners and the surrounding community; and~~

22 ~~(b) adopt a resolution in support of or opposition to the location of the proposed facility and~~  
23 ~~transmit a copy of the resolution to the department.~~

24 ~~(3) The department may not grant a license to a facility that a governing body has opposed under~~  
25 ~~subsection (2)(b).~~

26 ~~(4)~~ (3) In making its decision to grant or deny a license application, ~~the department~~ county shall  
27 consider the effect of the proposed facility on adjoining landowners and land uses."  
28

29 **Section 8.** Section 75-10-521, MCA, is amended to read:

30 **"75-10-521. Powers and duties of county motor vehicle recycling and disposal programs.** (1) (a)

1 Each county shall acquire, develop, and maintain property for free motor vehicle graveyards. The property  
2 may be acquired by purchase, lease, or otherwise.

3 (b) As an alternative, the county may contract for the maintenance and operation of a motor  
4 vehicle graveyard or graveyards, but ~~any such a~~ contract may be entered into only with a motor vehicle  
5 wrecking facility licensed under the provisions of this part.

6 (2) Two or more counties may join to form a district for the purpose stated in this section. If a  
7 district is formed, all provisions of this part pertaining to a county also apply to a district formed under this  
8 subsection.

9 ~~(3) When there is an accumulation of at least 200 junk vehicles in the graveyard, the county shall~~  
10 ~~notify the department for disposal purposes.~~

11 ~~(4) The county commissioners of each county shall designate a representative to be responsible~~  
12 ~~for implementing this part.~~

13 ~~(5) Each county, through its designated representative, shall inspect each licensed motor vehicle~~  
14 ~~wrecking facility within its boundaries, consistent with rules adopted by the department.~~

15 ~~(6)~~(3) Each county may sell junk vehicles from the motor vehicle graveyard to licensed motor  
16 vehicle wrecking facilities. ~~The sales may be conducted only pursuant to a plan that has been approved by~~  
17 ~~the department for consistency with its rules.~~

18 ~~(7) A county shall submit to the department for approval a plan for the collection of junk vehicles~~  
19 ~~and the establishment and operation of the motor vehicle graveyard.~~

20 ~~(8) The county shall submit to the department for approval a proposed budget for the succeeding~~  
21 ~~fiscal year. The budget shall be for the amounts required by the county for collection costs, acquisition,~~  
22 ~~maintenance, and operation of the graveyard and for other duties relating to implementation of this part.~~  
23 ~~Any proposed change in the budget or plan must be approved by the department."~~

24

25 **Section 9.** Section 75-10-522, MCA, is amended to read:

26 "75-10-522. **Use of motor vehicle graveyards by individuals.** An individual may dispose of a junk  
27 vehicle by delivering the vehicle to a motor vehicle graveyard and by delivering to the department county  
28 the certificate or evidence of title to the vehicle or a written release of the vehicle."

29

30 **Section 10.** Section 75-10-531, MCA, is amended to read:

1           **"75-10-531. Crushing and recycling of junk vehicles.** (1) ~~The department shall~~ A county may  
 2 contract for final disposition of junk vehicles accumulated in motor vehicle graveyards and ~~shall~~ provide for  
 3 crushing and recycling the material from the vehicles.

4           (2) ~~The department~~ A county may also contract to dispose of, by crushing and recycling, junk  
 5 vehicles accumulated in the yard of a motor vehicle wrecking facility. The ~~department~~ county may ~~se~~  
 6 contract only upon the request of the facility and only if there is an accumulation of at least 200 vehicles  
 7 at the facility."

8  
 9           **Section 11.** Section 75-10-541, MCA, is amended to read:

10           **"75-10-541. Injunction -- action to collect civil penalty -- authority of department of justice.** (1) ~~The~~  
 11 ~~department~~ A county may sue to enjoin the operation or maintenance of a motor vehicle wrecking facility  
 12 or graveyard either permanently or until compliance with this part, ~~the rules of the department,~~ or an order  
 13 issued pursuant to this part has been demonstrated.

14           (2) ~~The department~~ A county may sue in district court to collect a civil penalty as provided in  
 15 75-10-542.

16           (3) Upon request of ~~the department~~ a county, the attorney general or the county attorney of the  
 17 county in which a motor vehicle wrecking facility or graveyard is located may petition the district court to  
 18 enjoin further operation or maintenance of a motor vehicle wrecking facility or graveyard or to impose,  
 19 assess, and recover a civil penalty, as appropriate.

20           (4) The department of justice, through the attorney general or the county attorney of the county  
 21 in which a facility is located, may sue in district court to collect a civil penalty as provided in 75-10-542  
 22 for violations of 75-10-512 or 75-10-513~~(2)~~ discovered during department of justice inspections."

23  
 24           **Section 12.** Section 75-10-542, MCA, is amended to read:

25           **"75-10-542. Penalties.** (1) A person who willfully violates this part, except 75-10-520, is guilty  
 26 of a misdemeanor and upon conviction shall be fined not to exceed \$250, imprisoned in the county jail for  
 27 a term not to exceed 30 days, or both.

28           (2) A person who violates this part, except 75-10-520, ~~a rule of the department,~~ or an order issued  
 29 as provided in this part shall be subject to a civil penalty of not more than \$50. Each day upon which a  
 30 violation of this part or ~~a rule of an~~ an order occurs is a separate violation."

1            **NEW SECTION.** **Section 13. Repealer.** Sections 61-3-508, 75-10-503, 75-10-515, 75-10-532,  
2 75-10-533, and 75-10-534, MCA, are repealed.

3

4            **NEW SECTION.** **Section 14. Effective date.** [This act] is effective January 1, 1996.

5

-END-



STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0605, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

An act eliminating the state Junk Vehicle Program and authorizing counties to operate junk vehicle programs.

ASSUMPTIONS:

1. The Executive Budget present law base serves as the starting point from which to calculate any fiscal impact due to this proposed legislation.
2. This act will be effective January 1, 1996.
3. Title transfer and registration fees currently assessed when a vehicle is licensed will be discontinued on the effective date of the act.
4. Counties will continue to operate the junk vehicle collection and motor vehicle graveyard functions of the Motor Vehicle Recycling & Disposal Act.
5. Elimination of the state program will result in a reduction of 3.00 FTE as of July 1, 1995, in the Department of Health and Environmental Sciences (DHES). Coordinating language contained in HB2 stipulates that if HB605 is passed and approved, then the Junk Vehicle appropriation is reduced by \$1,075,688 in FY96 and \$1,088,584 in FY97.  
Due to the effective date of the legislation, fees will be collected for the junk vehicle program during the period from July 1, 1995, through December 31, 1995, but HB2, where the program will be eliminated, is effective July 1, 1995. Fees collected during July 1, 1995, through December 31, 1995, revert to the general fund since the program will be eliminated on July 1, 1995.
6. Approximately \$15,000 will be spent during FY95, from the junk vehicle state special revenue account, to pay the costs of accrued leave for terminated employees.
7. All grants to counties will be discontinued on June 30, 1995.
8. There will be additional operating expenses during FY96 to close all of the county grants.
9. All funds remaining at the end of FY95 in the junk vehicle state special revenue account, minus any outstanding obligations, will be transferred to the general fund.
10. Seven civil complaints currently being litigated will be continued by the Montana Department of Justice (DOJ). Any awards or damages will be deposited to or paid from the general fund.
11. Two penalty collection actions resulting from court awarded judgments will be pursued by the DOJ. Any penalties collected will be deposited to the general fund.
12. DOJ will absorb any costs associated with current Motor Vehicle Recycling & Disposal Program litigation, outlined in assumptions #10 and #11 above, within its current program budgets.

FISCAL IMPACT:

	<u>FY 96</u>	<u>FY 97</u>
<u>Expenditures:</u>	<u>Difference</u>	<u>Difference</u>
FTE	(3.00)	(3.00)
Personal Services	(131,037)	(131,528)
Operating Expenses	(70,030)	(72,554)
Grants to Counties	<u>(872,621)</u>	<u>(884,502)</u>
Total	(1,073,688)	(1,088,584)

(continued)

*Dave Lewis* 3-27-95  
 DAVE LEWIS, BUDGET DIRECTOR      DATE  
 Office of Budget and Program Planning

*Rep Grady*  
 EDWARD GRADY, PRIMARY SPONSOR      DATE

Fiscal Note for HB0605, as introduced

**HB 605**

Revenues:

State Special Revenue (02)	(1,073,688)	(1,088,584)
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EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

The loss of revenue to the counties will equal the grant funding they would receive if the program were to continue. Any FTE employed by the counties to run the junk vehicle program will no longer be supported by state funding. Total grants to counties, which would not be paid, are \$872,621 in FY96 and \$884,502 in FY97. All other Motor Vehicle Recycling and Disposal Act statutes will remain in place, and counties still will be required to comply with the act. Counties may have to enact a special mill levy to fund county junk vehicle programs as a result of complying with the Motor Vehicle Recycling and Disposal Act.

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

There will be a one-time infusion of approximately \$888,000 to the general fund in FY96 when the program is eliminated and the state special revenue account reverts. There will be an annual interest income loss to the general fund from the interest earned on the balance in the junk vehicle state special revenue fund. Property owners in each county that elects to run a junk vehicle program will pay increased taxes to provide the funding for the program.

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9           ~~(4) A motor vehicle graveyard is excluded from paying the annual license fee but must meet all~~  
10 ~~other requirements of the part.~~

11           ~~(5)(3) A license shall~~ must be displayed in a prominent place in the licensed facility or graveyard.

12           ~~(6) The license expires on December 31 of the year issued.~~

13           ~~(7) If a motor vehicle wrecking facility ceases to do business, the license shall be surrendered to~~  
14 ~~the department. The license is not transferable."~~

15

16           **Section 5.** Section 75-10-513, MCA, is amended to read:

17           **"75-10-513. Disposal of junk vehicles -- fees and records.** ~~(1) When a motor vehicle wrecking~~  
18 ~~facility submits a junk vehicle to the disposal program, it shall pay a disposal fee of \$2 for each vehicle~~  
19 ~~submitted, and the vehicle is then the property of the state.~~

20           ~~(2) Quarterly, each motor vehicle wrecking facility shall mail to the department of justice a list, on~~  
21 ~~a form approved by the department of justice, a list of all junk vehicles received by the motor vehicle~~  
22 ~~wrecking facility during the quarter, stating the year, make, and the complete identification number of each~~  
23 ~~vehicle. Any~~ If a certificate of ownership is received for a junk vehicles vehicle on the list, that certificate  
24 must accompany each the list. The department of justice shall issue a receipt ~~of {for}~~ the certificate of  
25 ownership if requested by the licensed facility, and ~~such the~~ receipt may serve as an instrument for  
26 reclaiming the certificate of ownership if the vehicle is rebuilt.

27           ~~(3) A motor vehicle graveyard shall submit to the department the records, documents, and other~~  
28 ~~information concerning junk vehicles received by it that are required by rules of the department."~~

29

30           **Section 6.** Section 75-10-514, MCA, is amended to read:

1           **"75-10-514. Denial, suspension, or revocation of license -- grounds.** ~~The department~~ A county may  
2 deny, suspend, or revoke a motor vehicle wrecking facility's license when it proves the business:

3           (1) sold or otherwise disposed of a motor vehicle, trailer, or any component part ~~thereof~~ when it  
4 knew the vehicle or part was stolen or was appropriated without the consent of the owner;

5           (2) committed forgery on a certificate of title covering a vehicle that has been reassembled from  
6 parts obtained from the disassembling of other vehicles;

7           (3) committed any illegal act or omission ~~which~~ that has caused loss as the result of a sale of a  
8 motor vehicle, trailer, or component part ~~thereof~~;

9           (4) failed to comply with this part ~~or with a rule of the department~~;

10          (5) obtained a license fraudulently."  
11

12          **Section 7.** Section 75-10-516, MCA, is amended to read:

13          **"75-10-516. Motor vehicle wrecking facilities and motor vehicle graveyards -- licensing process**  
14 **-- decision criteria.** (1) When an application for a motor vehicle wrecking facility or motor vehicle graveyard  
15 is filed with ~~the department~~ a county, the ~~department~~ county shall notify by mail:

16          (a) each owner of property adjoining the proposed facility;

17          ~~(b) the governing body of the county in which the proposed facility is to be located; and~~

18          ~~(c)~~ (b) a newspaper of general circulation in the area where the proposed facility is to be located.

19          (2) Within 30 days of ~~receipt of~~ the notification in subsection (1)~~(b)~~, the governing body of the  
20 county may:

21          ~~(a) conduct a public hearing to determine whether the proposed facility will significantly affect the~~  
22 ~~quality of life of adjoining landowners and the surrounding community; and~~

23          ~~(b) adopt a resolution in support of or opposition to the location of the proposed facility and~~  
24 ~~transmit a copy of the resolution to the department.~~

25          ~~(3) The department may not grant a license to a facility that a governing body has opposed under~~  
26 ~~subsection (2)(b).~~

27          ~~(4)~~ (3) In making its decision to grant or deny a license application, the ~~department~~ county shall  
28 consider the effect of the proposed facility on adjoining landowners and land uses."  
29

30          **Section 8.** Section 75-10-521, MCA, is amended to read:

1           **"75-10-521. Powers and duties of county motor vehicle recycling and disposal programs.** (1) (a)  
 2 ~~Each~~ A county shall MAY acquire, develop, and maintain property for ~~free~~ motor vehicle graveyards. The  
 3 property may be acquired by purchase, lease, or otherwise.

4           (b) As an alternative, the county may contract for the maintenance and operation of a motor  
 5 vehicle graveyard or graveyards, but ~~any such~~ a contract may be entered into only with a motor vehicle  
 6 wrecking facility licensed under the provisions of this part.

7           (2) Two or more counties may join to form a district for the purpose stated in this section. If a  
 8 district is formed, all provisions of this part pertaining to a county also apply to a district formed under this  
 9 subsection.

10           ~~(3) When there is an accumulation of at least 200 junk vehicles in the graveyard, the county shall~~  
 11 ~~notify the department for disposal purposes.~~

12           ~~(4) The county commissioners of each county shall designate a representative to be responsible~~  
 13 ~~for implementing this part.~~

14           ~~(5) Each county, through its designated representative, shall inspect each licensed motor vehicle~~  
 15 ~~wrecking facility within its boundaries, consistent with rules adopted by the department.~~

16           ~~(6)~~(3) Each county may sell junk vehicles from the motor vehicle graveyard to licensed motor  
 17 vehicle wrecking facilities. ~~The sales may be conducted only pursuant to a plan that has been approved by~~  
 18 ~~the department for consistency with its rules.~~

19           ~~(7) A county shall submit to the department for approval a plan for the collection of junk vehicles~~  
 20 ~~and the establishment and operation of the motor vehicle graveyard.~~

21           ~~(8) The county shall submit to the department for approval a proposed budget for the succeeding~~  
 22 ~~fiscal year. The budget shall be for the amounts required by the county for collection costs, acquisition,~~  
 23 ~~maintenance, and operation of the graveyard and for other duties relating to implementation of this part.~~  
 24 ~~Any proposed change in the budget or plan must be approved by the department."~~

25

26           **Section 9.** Section 75-10-522, MCA, is amended to read:

27           **"75-10-522. Use of motor vehicle graveyards by individuals.** An individual may dispose of a junk  
 28 vehicle by delivering the vehicle to a motor vehicle graveyard and by delivering to the ~~department~~ county  
 29 the certificate or evidence of title to the vehicle or a written release of the vehicle."  
 30



1           **Section 10.** Section 75-10-531, MCA, is amended to read:

2           **"75-10-531. Crushing and recycling of junk vehicles.** (1) ~~The department shall~~ A county may  
3 contract for final disposition of junk vehicles accumulated in motor vehicle graveyards and ~~shall~~ provide for  
4 crushing and recycling the material from the vehicles.

5           (2) ~~The department~~ A county may also contract to dispose of, by crushing and recycling, junk  
6 vehicles accumulated in the yard of a motor vehicle wrecking facility. ~~The department~~ county may ~~se~~  
7 contract only upon the request of the facility and only if there is an accumulation of at least 200 vehicles  
8 at the facility."

9

10           **Section 11.** Section 75-10-541, MCA, is amended to read:

11           **"75-10-541. Injunction -- action to collect civil penalty -- authority of department of justice.** (1) ~~The~~  
12 ~~department~~ A county may sue to enjoin the operation or maintenance of a motor vehicle wrecking facility  
13 or graveyard either permanently or until compliance with this part, ~~the rules of the department,~~ or an order  
14 issued pursuant to this part has been demonstrated.

15           (2) ~~The department~~ A county may sue in district court to collect a civil penalty as provided in  
16 75-10-542.

17           (3) Upon request of ~~the department~~ a county, the attorney general or the county attorney of the  
18 county in which a motor vehicle wrecking facility or graveyard is located may petition the district court to  
19 enjoin further operation or maintenance of a motor vehicle wrecking facility or graveyard or to impose,  
20 assess, and recover a civil penalty, as appropriate.

21           (4) The department of justice, through the attorney general or the county attorney of the county  
22 in which a facility is located, may sue in district court to collect a civil penalty as provided in 75-10-542  
23 for violations of 75-10-512 or 75-10-513~~(2)~~ discovered during department of justice inspections."

24

25           **Section 12.** Section 75-10-542, MCA, is amended to read:

26           **"75-10-542. Penalties.** (1) A person who willfully violates this part, except 75-10-520, is guilty  
27 of a misdemeanor and upon conviction shall be fined not to exceed \$250, imprisoned in the county jail for  
28 a term not to exceed 30 days, or both.

29           (2) A person who violates this part, except 75-10-520, ~~a rule of the department,~~ or an order issued  
30 as provided in this part shall be subject to a civil penalty of not more than \$50. Each day upon which a

1 violation of this part or ~~a rule or~~ an order occurs is a separate violation."

2

3 NEW SECTION. Section 13. Repealer. Sections 61-3-508, 75-10-503, 75-10-515, 75-10-532,  
4 75-10-533, and 75-10-534, MCA, are repealed.

5

6 NEW SECTION. SECTION 14. FUND TRANSFER. ANY MONEY REMAINING IN THE STATE  
7 SPECIAL REVENUE ACCOUNT ON [THE EFFECTIVE DATE OF THIS ACT] THAT IS TO BE USED PURSUANT  
8 TO 75-10-532 IS TRANSFERRED TO THE GENERAL FUND.

9

10 NEW SECTION. SECTION 15. SAVING CLAUSE. [THIS ACT] DOES NOT AFFECT RIGHTS AND  
11 DUTIES THAT MATURED, PENALTIES THAT WERE INCURRED, OR PROCEEDINGS THAT WERE BEGUN  
12 BEFORE [THE EFFECTIVE DATE OF THIS ACT].

13

14 NEW SECTION. Section 16. Effective date. [This act] is effective January 1, 1996.

15

-END-

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HOUSE BILL NO. 605  
INTRODUCED BY GRADY, SLITER, GRINDE, LARSON  
BY REQUEST OF THE HOUSE APPROPRIATIONS COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE STATE JUNK VEHICLE PROGRAM;  
AUTHORIZING A COUNTY TO OPERATE A JUNK VEHICLE PROGRAM; AMENDING SECTIONS 61-3-211,  
75-10-501, 75-10-504, 75-10-511, 75-10-513, 75-10-514, 75-10-516, 75-10-521, 75-10-522,  
75-10-531, 75-10-541, AND 75-10-542, MCA; REPEALING SECTIONS 61-3-508, 75-10-503, 75-10-515,  
75-10-532, 75-10-533, AND 75-10-534, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

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

THERE ARE NO CHANGES IN THIS BILL AND IT WILL  
NOT BE REPRINTED. PLEASE REFER TO SECOND  
READING COPY (YELLOW) FOR COMPLETE TEXT.