

1 SENATE BILL NO. 12

2 INTRODUCED BY SWYSGOOD

3 BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT CHANGING THE REGISTRATION PERIOD FOR TRAILERS AND
6 SEMITRAILERS REGISTERED THROUGH A PROPORTIONAL REGISTRATION AGREEMENT FROM AN
7 ANNUAL REGISTRATION TO A 5-YEAR REGISTRATION; AMENDING SECTIONS 61-3-321, 61-3-332, AND
8 61-3-721, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE AND A TERMINATION DATE."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11
12 **Section 1.** Section 61-3-321, MCA, is amended to read:

13 **"61-3-321. Registration fees of vehicles -- public-owned vehicles exempt from license or**
14 **registration fees -- disposition of fees.** (1) Registration or license fees must be paid upon registration or
15 reregistration of motor vehicles, trailers, housetrailers, and semitrailers, in accordance with this chapter,
16 as follows:

- 17 (a) motor vehicles weighing 2,850 pounds or under (other than motortrucks), \$5;
- 18 (b) motor vehicles weighing over 2,850 pounds (other than motortrucks), \$10;
- 19 (c) electrically driven passenger vehicles, \$10;
- 20 (d) all motorcycles and quadricycles, \$2;
- 21 (e) tractors or trucks, \$10;
- 22 (f) buses, which are classed as motortrucks, licensed accordingly;
- 23 (g) trailers and semitrailers less than 2,500 pounds declared weight and housetrailers of all weights,
24 \$2;
- 25 (h) trailers and semitrailers over 2,500 up to 6,000 pounds declared weight (except housetrailers),
26 \$5;
- 27 (i) trailers and semitrailers over 6,000 pounds declared weight, \$10, except trailers and semitrailers
28 registered in other jurisdictions ~~and registered~~ through a proportional registration agreement;
- 29 (j) trailers used exclusively in the transportation of logs in the forest or in the transportation of oil
30 and gas well machinery, road machinery, or bridge materials, new and secondhand, \$15 annually,

1 regardless of size or capacity.

2 (2) All rates are 25% higher for motor vehicles, trailers, and semitrailers that are not equipped with
3 pneumatic tires.

4 (3) "Tractor", as specified in this section, means any motor vehicle, except a passenger car, that
5 is used for towing a trailer or semitrailer.

6 (4) If ~~any~~ a motor vehicle, housetrailer, trailer, or semitrailer is originally registered 6 months after
7 the time of registration as set by law, the registration or license fee for the remainder of the year is one-half
8 of the regular fee except for trailers or semitrailers registered as provided in 61-3-721(6).

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

14 (6) A fee of \$2 for each set of new number plates must be collected when number plates provided
15 for under 61-3-332(3) are issued. Revenue from this fee must be deposited as provided in subsection (5).

16 (7) The provisions of this part with respect to the payment of registration fees do not apply to and
17 are not binding upon motor vehicles, trailers, semitrailers, or tractors owned or controlled by the United
18 States of America or any state, county, city, or special district, as defined in 18-8-202.

19 (8) The provisions of this section relating to the payment of registration fees or new number plate
20 fees do not apply when number plates are transferred to a replacement vehicle under 61-3-317, 61-3-332,
21 or 61-3-335. (See compiler's comments for contingent termination of certain text.)"

22

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

24 **"61-3-332. Number plates.** (1) A motor vehicle that is driven upon the streets or highways of
25 Montana must display both front and rear number plates, bearing the distinctive number assigned to the
26 vehicle. The number plates are in 10 series: one series for owners of motorcars, one for owners of motor
27 vehicles of the motorcycle or quadricycle type, one for trailers, one for trucks, one for dealers in vehicles
28 of the motorcycle or quadricycle type that bear the distinctive letters "MCD" or the letters "MC" and the
29 word "DEALER", one for franchised dealers in new motorcars (including trucks and trailers) or new and
30 used motorcars (including trucks and trailers) that bear the distinctive letter "D" or the word "DEALER",

1 one for dealers in used motorcars only (including used trucks and trailers) that bear the distinctive letters
2 "UD" or the letter "U" and the word "DEALER", one for dealers in trailers and/or semitrailers (new or used)
3 that bear the distinctive letters "DTR" or the letters "TR" and the word "DEALER", one for dealers in
4 recreational vehicles that bear the distinctive letters "RV" or the letter "R" and the word "DEALER", and
5 one for special license plates. All markings for the various kinds of dealers' plates must be placed on the
6 number plates assigned to the dealer, in the position that the department designates.

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

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

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

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

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

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

1 (b) For vehicles that are owned by the counties, municipalities, and special districts, as defined in
2 18-8-202, organized under the laws of Montana and not operating for profit, and that are used and
3 operated by officials and employees in the line of duty and for vehicles on loan from the United States
4 government or the state of Montana to, or owned by, the civil air patrol and used and operated by officials
5 and employees in the line of duty, there must be placed on the number plates assigned, in a position that
6 the department may designate, the letter "X" or the word "EXEMPT". Distinctive registration numbers for
7 plates assigned to motor vehicles of each of the counties in the state and those of the municipalities and
8 special districts that obtain plates within each county must begin with number one and be numbered
9 consecutively. Because these number plates are of a permanent nature, they are subject to replacement
10 by the department only when the physical condition of the number plates requires it and a year number may
11 not be displayed on the number plates.

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

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

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

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

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

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

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

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

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

29 (ii) The fee for original or renewal registration by a 100% disabled veteran for a passenger vehicle
30 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

1 vehicle under this chapter.

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

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

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

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

12 (e) Except as provided in subsection (10)(c), upon payment of all taxes and fees required by parts
13 3 and 5 of this chapter and upon furnishing proof satisfactory to the department that the applicant meets
14 the requirements of this subsection (e), the department shall issue to a Montana resident who is a veteran
15 of the armed services of the United States special license plates, numbered in sets of two with a different
16 number on each set, designed to indicate that the applicant is a survivor of the Pearl Harbor attack if the
17 applicant was a member of the United States armed forces on December 7, 1941, was on station on
18 December 7, 1941, during the hours of 7:55 a.m. to 9:45 a.m. (Hawaii time) at Pearl Harbor, the island
19 of Oahu, or offshore at a distance of not more than 3 miles, and received an honorable discharge from the
20 United States armed forces. If special license plates issued under this subsection are lost, stolen, or
21 mutilated, the recipient of the plates is entitled to replacement plates upon request and without charge.

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

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

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

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

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

9 (iii) Except as provided in subsection (10)(c), a veteran or surviving spouse who receives special
 10 license plates under this subsection (10)(f) is liable for payment of all taxes and fees required under parts
 11 3 and 4 of this chapter and a special veteran's or purple heart medal license plate fee of \$10. Upon an
 12 original application for a license under this subsection (10)(f), the county treasurer shall:

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

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

15 (C) deposit the remainder of the special fee in the state special revenue account established in
 16 10-2-603 for administration, construction, operation, and maintenance of the state veterans' cemetery.

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

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

22 (11) The provisions of this section do not apply to a motor vehicle, trailer, or semitrailer that is
 23 registered as part of a fleet, as defined in 61-3-712, and that is subject to the provisions of 61-3-711
 24 through 61-3-733."

25
 26 **Section 3.** Section 61-3-721, MCA, is amended to read:

27 **"61-3-721. Proportional registration of fleet vehicles, ~~annual registration periods, application, fee~~**
 28 **formula, and payment -- transfer of ownership -- transfer of license plates.** (1) An owner of one or more
 29 fleets may register and license each fleet for operation in this state by filing an application with the
 30 department of transportation. The application must contain the information pertinent to vehicle registration

1 that is required by the department of transportation.

2 (2) Each fleet subject to the provisions of 61-3-711 through 61-3-733 must, except as provided
3 in 61-3-318(1) and subsection (6) of this section, be registered for an annual registration period based upon
4 the date that the fleet is first registered in this state.

5 (3) There are four annual registration periods, each of which begins on the first day of a calendar
6 quarter. As used in this subsection, "calendar quarter" means the period of 3 consecutive months ending
7 March 31, June 30, September 30, or December 31. The periods are:

8 (a) January 1 through March 31 1st period

9 (b) April 1 through June 30 2nd period

10 (c) July 1 through September 30 3rd period

11 (d) October 1 through December 31 4th period

12 (4) Registration of a fleet of apportionable vehicles under subsection (2) must be renewed on or
13 before the last day of the month for the designated annual registration period, unless a different registration
14 period has been authorized pursuant to 61-3-716(2). The department shall provide for simultaneous
15 registration of multiple fleets of apportionable vehicles in common ownership.

16 (5) Except as provided in subsection (6), the application for each fleet may be accompanied by a
17 fee payment computed by:

18 (a) dividing in-state miles by total fleet miles as defined in the applicable agreement entered into
19 pursuant to 61-3-711 through 61-3-733;

20 (b) determining the total amount necessary to register each vehicle in the fleet for which
21 registration is requested, based on the regular annual registration fees prescribed by 61-3-321 and chapter
22 10, part 2, and the property taxes that are due on the fleet;

23 (c) multiplying the sum obtained under subsection (5)(b) by the fraction obtained under subsection
24 (5)(a).

25 (6) (a) Subject to [section 4], each trailer and semitrailer fleet must be registered for a 5-year period
26 based upon the date that the fleet is first registered in this state.

27 (b) Each Subject to [section 4], each trailer and semitrailer in the fleet for which registration is
28 requested will must be assessed annual license or registration fees as a registration fee equal to five times
29 the amount prescribed by 61-3-321.

30 (c) Each trailer or semitrailer must be issued a license plate, a distinctive sticker, or other suitable

1 identification device valid for 5 years from the date of the original application or renewal application.

2 (d) Registration of a trailer or semitrailer must be renewed on or before the last day of the month
3 for the designated 5-year registration period.

4 (7) Upon the transfer of ownership of a trailer or semitrailer, the registration of the trailer or
5 semitrailer expires and it is the duty of the transferor to immediately remove the license plates from the
6 trailer or semitrailer.

7 (8) (a) If the transferor applies for the registration of another trailer or semitrailer at any time during
8 the remainder of the current registration period as shown on the original registration, the transferor may
9 file an application with the department of transportation, accompanied by the original certificate of
10 registration, for the transfer of the license plates. The application for transfer of the license plates must
11 be made by the person or motor carrier in whose name the original license plates to the trailer or semitrailer
12 were issued. The use of the license plates is not legal until the proper transfer of license plates has been
13 made.

14 (b) License plates may be transferred pursuant to this section without transferring ownership of the
15 trailer or semitrailer for which the license plates were originally issued.

16 (c) Upon transfer of the license plates, the registration of the trailer or semitrailer from which the
17 license plates were transferred expires. The registration for the trailer or semitrailer must be surrendered
18 to the department of transportation with the application for transfer.

19 (d) License plates issued for a trailer or semitrailer under this section may be transferred only to a
20 replacement trailer or semitrailer. A license plate fee may not be assessed upon transfer of a license plate.

21 ~~(7)~~(9) Applications submitted with fees may be recomputed by the department of transportation.
22 The department of transportation shall furnish a statement showing the overpayment or balance due.

23 ~~(8)~~(10) Applications submitted without fees must be computed by the department of
24 transportation. The department of transportation shall furnish a statement showing the amount of fees
25 due."

26
27 **NEW SECTION. Section 4. Staggered implementation.** The transition from annual trailer and
28 semitrailer registrations to a 5-year registration for trailers and semitrailers must be accomplished in the first
29 registration year after January 1, 1998. One fifth of the trailer and semitrailer fleets proportionally
30 registered must be registered for 1 year. One fifth of the trailer and semitrailer fleets must be registered

1 for 2 years. One fifth of the trailer and semitrailer fleets must be registered for 3 years. One fifth of the
2 trailer and semitrailer fleets must be registered for 4 years. One fifth of the trailer and semitrailer fleets
3 must be registered for 5 years. Fees under 61-3-721 must be prorated to reflect the registration period.

4

5 NEW SECTION. **Section 5. Termination date.** [Section 4] terminates December 31, 1998.

6

7 NEW SECTION. **Section 6. Effective date.** [This act] is effective January 1, 1998.

8

-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for SB0012, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

An act changing the registration period for trailers and semitrailers registered through a proportional registration agreement from an annual registration to a 5-year.

ASSUMPTIONS:

1. The same number of trailers and semitrailers registered in fiscal 1996 will register in fiscal 1998, (12,271).
2. The registration fee will remain \$15.25 per trailer.
3. Twenty percent of the registered trailers is 2,454 (12,271 * .20).
4. 2,454 * \$15.25 = \$37,424 per year.
5. Implementation will occur during fiscal 1998 with 20 percent of the trailers licensed for 5 years, 20 percent for 4 years, 20 percent for 3 years, 20 percent for 2 years, and 20 percent for 1 year. In each subsequent year, there is no impact as 20 percent of the trailers will be licensed for 5 years as their phase-in license period (1 to 5 years) expires. The total revenue from this fiscal 1998 licensure phase-in procedure is as follows:

	<u>FY98</u>	<u>FY99</u>
1 year	\$37,424	
2 years	\$74,847	
3 years	\$112,271	
4 years	\$149,694	
5 years	<u>\$187,118</u>	<u>\$187,118</u>
Total	\$561,354	\$187,118

6. There will be a one-time windfall of \$374,236 in revenue during fiscal 1998 due to the phased-in licensure schedule. The funds to be deposited to the highway special revenue account (02).

FISCAL IMPACT:

Revenues:

	<u>FY98</u>	<u>FY99</u>
	<u>Difference</u>	<u>Difference</u>
Proposed Licensure Revenue	\$561,354	\$187,118
Current Annual Licensure Revenue	<u>\$187,118</u>	<u>\$187,118</u>
Highway Special Revenue (02)	\$374,236	\$0

Dave Lewis 1-7-97

DAVE LEWIS, BUDGET DIRECTOR DATE
Office of Budget and Program Planning

Charles Swysgoob 1-9-97

CHARLES SWYSGOOB, PRIMARY SPONSOR DATE

Fiscal Note for SB0012, as introduced

SB 12

APPROVED BY COM ON
HIGHWAYS & TRANSPORTATION

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4 (3) "Tractor", as specified in this section, means any motor vehicle, except a passenger car, that
5 is used for towing a trailer or semitrailer.

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7 the time of registration as set by law, the registration or license fee for the remainder of the year is one-half
8 of the regular fee except for trailers or semitrailers registered as provided in 61-3-721(6).

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

14 (6) A fee of \$2 for each set of new number plates must be collected when number plates provided
15 for under 61-3-332(3) are issued. Revenue from this fee must be deposited as provided in subsection (5).

16 (7) The provisions of this part with respect to the payment of registration fees do not apply to and
17 are not binding upon motor vehicles, trailers, semitrailers, or tractors owned or controlled by the United
18 States of America or any state, county, city, or special district, as defined in 18-8-202.

19 (8) The provisions of this section relating to the payment of registration fees or new number plate
20 fees do not apply when number plates are transferred to a replacement vehicle under 61-3-317, 61-3-332,
21 or 61-3-335. (See compiler's comments for contingent termination of certain text.)"

22

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

24 **"61-3-332. Number plates.** (1) A motor vehicle that is driven upon the streets or highways of
25 Montana must display both front and rear number plates, bearing the distinctive number assigned to the
26 vehicle. The number plates are in 10 series: one series for owners of motorcars, one for owners of motor
27 vehicles of the motorcycle or quadricycle type, one for trailers, one for trucks, one for dealers in vehicles
28 of the motorcycle or quadricycle type that bear the distinctive letters "MCD" or the letters "MC" and the
29 word "DEALER", one for franchised dealers in new motorcars (including trucks and trailers) or new and
30 used motorcars (including trucks and trailers) that bear the distinctive letter "D" or the word "DEALER",

1 one for dealers in used motorcars only (including used trucks and trailers) that bear the distinctive letters
2 "UD" or the letter "U" and the word "DEALER", one for dealers in trailers and/or semitrailers (new or used)
3 that bear the distinctive letters "DTR" or the letters "TR" and the word "DEALER", one for dealers in
4 recreational vehicles that bear the distinctive letters "RV" or the letter "R" and the word "DEALER", and
5 one for special license plates. All markings for the various kinds of dealers' plates must be placed on the
6 number plates assigned to the dealer, in the position that the department designates.

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

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

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

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

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

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

1 (b) For vehicles that are owned by the counties, municipalities, and special districts, as defined in
2 18-8-202, organized under the laws of Montana and not operating for profit, and that are used and
3 operated by officials and employees in the line of duty and for vehicles on loan from the United States
4 government or the state of Montana to, or owned by, the civil air patrol and used and operated by officials
5 and employees in the line of duty, there must be placed on the number plates assigned, in a position that
6 the department may designate, the letter "X" or the word "EXEMPT". Distinctive registration numbers for
7 plates assigned to motor vehicles of each of the counties in the state and those of the municipalities and
8 special districts that obtain plates within each county must begin with number one and be numbered
9 consecutively. Because these number plates are of a permanent nature, they are subject to replacement
10 by the department only when the physical condition of the number plates requires it and a year number may
11 not be displayed on the number plates.

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

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

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

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

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

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

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

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

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

29 (ii) The fee for original or renewal registration by a 100% disabled veteran for a passenger vehicle
30 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

1 vehicle under this chapter.

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

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

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

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

12 (e) Except as provided in subsection (10)(c), upon payment of all taxes and fees required by parts
13 3 and 5 of this chapter and upon furnishing proof satisfactory to the department that the applicant meets
14 the requirements of this subsection (e), the department shall issue to a Montana resident who is a veteran
15 of the armed services of the United States special license plates, numbered in sets of two with a different
16 number on each set, designed to indicate that the applicant is a survivor of the Pearl Harbor attack if the
17 applicant was a member of the United States armed forces on December 7, 1941, was on station on
18 December 7, 1941, during the hours of 7:55 a.m. to 9:45 a.m. (Hawaii time) at Pearl Harbor, the island
19 of Oahu, or offshore at a distance of not more than 3 miles, and received an honorable discharge from the
20 United States armed forces. If special license plates issued under this subsection are lost, stolen, or
21 mutilated, the recipient of the plates is entitled to replacement plates upon request and without charge.

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

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

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

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

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

9 (iii) Except as provided in subsection (10)(c), a veteran or surviving spouse who receives special
10 license plates under this subsection (10)(f) is liable for payment of all taxes and fees required under parts
11 3 and 4 of this chapter and a special veteran's or purple heart medal license plate fee of \$10. Upon an
12 original application for a license under this subsection (10)(f), the county treasurer shall:

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

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

15 (C) deposit the remainder of the special fee in the state special revenue account established in
16 10-2-603 for administration, construction, operation, and maintenance of the state veterans' cemetery.

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

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

22 (11) The provisions of this section do not apply to a motor vehicle, trailer, or semitrailer that is
23 registered as part of a fleet, as defined in 61-3-712, and that is subject to the provisions of 61-3-711
24 through 61-3-733."

25
26 **Section 3. Section 61-3-721, MCA, is amended to read:**

27 **"61-3-721. Proportional registration of fleet vehicles, annual registration periods, application, fee**
28 **formula, and payment -- transfer of ownership -- transfer of license plates. (1) An owner of one or more**
29 **fleets may register and license each fleet for operation in this state by filing an application with the**
30 **department of transportation. The application must contain the information pertinent to vehicle registration**

1 that is required by the department of transportation.

2 (2) Each fleet subject to the provisions of 61-3-711 through 61-3-733 must, except as provided
3 in 61-3-318(1) and subsection (6) of this section, be registered for an annual registration period based upon
4 the date that the fleet is first registered in this state.

5 (3) There are four annual registration periods, each of which begins on the first day of a calendar
6 quarter. As used in this subsection, "calendar quarter" means the period of 3 consecutive months ending
7 March 31, June 30, September 30, or December 31. The periods are:

8 (a) January 1 through March 31 1st period

9 (b) April 1 through June 30 2nd period

10 (c) July 1 through September 30 3rd period

11 (d) October 1 through December 31 4th period

12 (4) Registration of a fleet of apportionable vehicles under subsection (2) must be renewed on or
13 before the last day of the month for the designated annual registration period, unless a different registration
14 period has been authorized pursuant to 61-3-716(2). The department shall provide for simultaneous
15 registration of multiple fleets of apportionable vehicles in common ownership.

16 (5) Except as provided in subsection (6), the application for each fleet may be accompanied by a
17 fee payment computed by:

18 (a) dividing in-state miles by total fleet miles as defined in the applicable agreement entered into
19 pursuant to 61-3-711 through 61-3-733;

20 (b) determining the total amount necessary to register each vehicle in the fleet for which
21 registration is requested, based on the regular annual registration fees prescribed by 61-3-321 and chapter
22 10, part 2, and the property taxes that are due on the fleet;

23 (c) multiplying the sum obtained under subsection (5)(b) by the fraction obtained under subsection
24 (5)(a).

25 (6) (a) Subject to [section 4], each trailer and semitrailer fleet must be registered for a 5-year period
26 based upon the date that the fleet is first registered in this state.

27 (b) Each Subject to [section 4], each trailer and semitrailer in the fleet for which registration is
28 requested will must be assessed annual license or registration fees as a registration fee equal to five times
29 the amount prescribed by 61-3-321.

30 (c) Each trailer or semitrailer must be issued a license plate, a distinctive sticker, or other suitable

1 identification device valid for 5 years from the date of the original application or renewal application.

2 (d) Registration of a trailer or semitrailer must be renewed on or before the last day of the month
3 for the designated 5-year registration period.

4 (7) Upon the transfer of ownership of a trailer or semitrailer, the registration of the trailer or
5 semitrailer expires and it is the duty of the transferor to immediately remove the license plates from the
6 trailer or semitrailer.

7 (8) (a) If the transferor applies for the registration of another trailer or semitrailer at any time during
8 the remainder of the current registration period as shown on the original registration, the transferor may
9 file an application with the department of transportation, accompanied by the original certificate of
10 registration, for the transfer of the license plates. The application for transfer of the license plates must
11 be made by the person or motor carrier in whose name the original license plates to the trailer or semitrailer
12 were issued. The use of the license plates is not legal until the proper transfer of license plates has been
13 made.

14 (b) License plates may be transferred pursuant to this section without transferring ownership of the
15 trailer or semitrailer for which the license plates were originally issued.

16 (c) Upon transfer of the license plates, the registration of the trailer or semitrailer from which the
17 license plates were transferred expires. The registration for the trailer or semitrailer must be surrendered
18 to the department of transportation with the application for transfer.

19 (d) License plates issued for a trailer or semitrailer under this section may be transferred only to a
20 replacement trailer or semitrailer. A license plate fee may not be assessed upon transfer of a license plate.

21 ~~(7)~~(9) Applications submitted with fees may be recomputed by the department of transportation.
22 The department of transportation shall furnish a statement showing the overpayment or balance due.

23 ~~(8)~~(10) Applications submitted without fees must be computed by the department of
24 transportation. The department of transportation shall furnish a statement showing the amount of fees
25 due."

26
27 **NEW SECTION. Section 4. Staggered implementation.** The transition from annual trailer and
28 semitrailer registrations to a 5-year registration for trailers and semitrailers must be accomplished in the first
29 registration year after January 1, 1998. One fifth of the trailer and semitrailer fleets proportionally
30 registered must be registered for 1 year. One fifth of the trailer and semitrailer fleets must be registered

1 for 2 years. One fifth of the trailer and semitrailer fleets must be registered for 3 years. One fifth of the
2 trailer and semitrailer fleets must be registered for 4 years. One fifth of the trailer and semitrailer fleets
3 must be registered for 5 years. Fees under 61-3-721 must be prorated to reflect the registration period.

4

5 NEW SECTION. **Section 5. Termination date.** [Section 4] terminates December 31, 1998.

6

7 NEW SECTION. **Section 6. Effective date.** [This act] is effective January 1, 1998.

8

-END-