

HOUSE BILL NO. 599

INTRODUCED BY L. RANDALL

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A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING FOR PERMANENT REGISTRATION OF TRUCKS OVER 1 TON RATED CAPACITY AND TRUCK TRACTORS; EXTENDING RULEMAKING AUTHORITY; AMENDING SECTIONS 15-8-202, 61-3-303, 61-3-321, 61-3-332, 61-3-506, 61-3-537, 61-3-562, AND 61-6-158, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

Section 1. Section 15-8-202, MCA, is amended to read:

"15-8-202. Motor vehicle assessment by department of justice. (1) (a) The department of justice shall determine the registration fee on light vehicles in accordance with 61-3-321 and 61-3-562.

(b) For the purposes of the local option motor vehicle tax under 61-3-537, the department of justice shall assess all light vehicles in accordance with 61-3-503.

(c) The department of justice shall determine the registration fee for all buses, trucks having a manufacturer's rated capacity of more than 1 ton, and truck tractors in accordance with 61-3-321, ~~and 61-3-529,~~ and 61-3-562.

(d) Taxes and registration fees on a motor vehicle under this subsection (1) must be assessed or imposed in each year on the person to whom the vehicle is registered.

(2) (a) The department of justice is authorized to appear in any proceeding before a county tax appeal board, the state tax appeal board, or a court that seeks to dispute an assessment made by the department pursuant to the authority granted under this section.

(b) For the purposes of proceedings before county tax appeal boards or the state tax appeal board, service of the application required under 15-15-201 must be made on the attorney general. A copy of any application giving rise to a proceeding before a county tax appeal board or the state tax appeal board must also be served on the county treasurer of the county in which the vehicle that is the subject of the proceeding was registered."

Section 2. Section 61-3-303, MCA, is amended to read:



1 **"61-3-303. Original registration -- process -- fees.** (1) Except as provided in 61-3-324, a Montana
2 resident who owns a motor vehicle, trailer, semitrailer, or pole trailer operated or driven upon the public highways
3 of this state shall register the motor vehicle, trailer, semitrailer, or pole trailer in the county where the owner is
4 domiciled. A nonresident who has an interest in real property in Montana may register in the county where the
5 real property is located a motor vehicle, trailer, semitrailer, or pole trailer operated or driven upon the public
6 highways of this state.

7 (2) Except as provided in subsection (3), the county treasurer or an authorized agent shall register any
8 vehicle for which:

9 (a) as of the date that the motor vehicle, trailer, semitrailer, or pole trailer is to be registered, the owner
10 delivers an application for a certificate of title to the department, an authorized agent, or a county treasurer; or

11 (b) the county treasurer or an authorized agent confirms that the department has an electronic record
12 of title for the motor vehicle, trailer, semitrailer, or pole trailer as provided under 61-3-101.

13 (3) (a) A county treasurer or an authorized agent may register a motor vehicle, trailer, semitrailer, or pole
14 trailer for which a certificate of title and registration were issued in another jurisdiction and for which registration
15 is required under 61-3-701 after the county treasurer or the authorized agent examines the current
16 out-of-jurisdiction registration certificate or receipt and receives payment of the fees required in 61-3-701. The
17 county treasurer or an authorized agent may ask the motor vehicle, trailer, semitrailer, or pole trailer owner to
18 provide additional information, prescribed by the department, to ensure that the electronic record of registration
19 maintained by the department is complete.

20 (b) A county treasurer or an authorized agent may register a motor vehicle, trailer, semitrailer, or pole
21 trailer for which the new owner cannot, due to circumstances beyond the new owner's control, surrender a
22 previously assigned certificate of title. The new owner may submit an application for certificate of title, subject to
23 the registration renewal limitations of 61-3-312.

24 (4) Upon registering a motor vehicle, trailer, semitrailer, or pole trailer for the first time in this state, the
25 county treasurer or an authorized agent shall:

26 (a) update the electronic record of title, if any, maintained for the vehicle by the department under
27 61-3-101;

28 (b) assign a registration period for the vehicle under 61-3-311;

29 (c) determine the vehicle's age, if required, under 61-3-501;

30 (d) determine the amount of fees, including local option taxes or fees, to be paid under subsection (5);

1 and

2 (e) assign and issue license plates for the vehicle under 61-3-331.

3 (5) Unless otherwise provided by law, a person registering a motor vehicle shall pay to the county
4 treasurer or an authorized agent:

5 (a) the fees in lieu of tax or registration fees as required for:

6 (i) a light vehicle under 61-3-321 or 61-3-562, in addition to, if applicable, any local option tax or fee
7 under 61-3-537 or 61-3-570;

8 (ii) a motor home under 61-3-321;

9 (iii) a travel trailer under 61-3-321;

10 (iv) a motorcycle or quadricycle under 61-3-321;

11 (v) a bus, a truck having a manufacturer's rated capacity of more than 1 ton, or a truck tractor under
12 61-3-321, ~~and 61-3-529, and 61-3-562~~; or

13 (vi) a trailer under 61-3-321;

14 (b) a donation of \$1 or more if the person indicates that the person wishes to donate to promote
15 awareness and education efforts for procurement of organ and tissue donations in Montana to favorably impact
16 anatomical gifts; and

17 (c) a donation of \$1 or more if the person indicates that the person wishes to donate to promote
18 education on, support for, and awareness of traumatic brain injury.

19 (6) The county treasurer or an authorized agent may not issue a registration receipt or license plates for
20 the motor vehicle, trailer, semitrailer, or pole trailer to the owner unless the owner makes the payments required
21 by subsection (5).

22 (7) The department may make full and complete investigation of the registration status of the motor
23 vehicle, trailer, semitrailer, or pole trailer. A person seeking to register a motor vehicle, trailer, semitrailer, or pole
24 trailer under this section shall provide additional information to support the registration to the department if
25 requested.

26 (8) Revenue that accrues from the voluntary donation provided in subsection (5)(b) must be forwarded
27 by the respective county treasurer or an authorized agent to the department for deposit in the state special
28 revenue fund to the credit of an account established by the department of public health and human services to
29 support activities related to awareness and education efforts for procurement of organ and tissue donations for
30 anatomical gifts.

1 (9) (a) Except as provided in subsection (9)(b), the fees in lieu of tax, taxes, and fees imposed on or
2 collected from the registration of a travel trailer, motorcycle, or quadricycle or a trailer, semitrailer, or pole trailer
3 that has a declared weight of less than 26,000 pounds are required to be paid only once during the time that the
4 travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer is owned by the same person who
5 registered the travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer. Once registered, a travel
6 trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer is registered permanently unless ownership is
7 transferred.

8 (b) Whenever ownership of a travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer is
9 transferred, the new owner is required to register the travel trailer, motorcycle, quadricycle, trailer, semitrailer,
10 or pole trailer as if it were being registered for the first time, including paying all of the required fees in lieu of tax,
11 taxes, and fees.

12 (10) Revenue that accrues from the voluntary donation provided in subsection (5)(c) must be forwarded
13 by the respective county treasurer or an authorized agent to the department for deposit in the state special
14 revenue fund to the credit of the account established in 2-15-2218 to support activities related to education
15 regarding prevention of traumatic brain injury.

16 (11) The department, an authorized agent of the department, or a county treasurer shall use the online
17 motor vehicle liability insurance verification system provided in 61-6-157 to verify that the vehicle owner has
18 complied with the requirements of 61-6-301."

19

20 **Section 3.** Section 61-3-321, MCA, is amended to read:

21 **"61-3-321. Registration fees of vehicles and vessels -- certain vehicles exempt from registration**
22 **fees -- disposition of fees.** (1) Except as otherwise provided in this section, registration fees must be paid upon
23 registration or, if applicable, renewal of registration of motor vehicles, snowmobiles, watercraft, trailers,
24 semitrailers, and pole trailers as provided in subsections (2) through (20):

25 (2) Unless a light vehicle is permanently registered under 61-3-562, the annual registration fee for light
26 vehicles, trucks and buses under 1 ton, and logging trucks less than 1 ton is as follows:

27 (a) if the vehicle is 4 or less years old, \$217;

28 (b) if the vehicle is 5 through 10 years old, \$87; and

29 (c) if the vehicle is 11 or more years old, \$28.

30 (3) Except as provided in subsection (15), the one-time registration fee based on the declared weight

1 of a trailer, semitrailer, or pole trailer is as follows:

2 (a) if the declared weight is less than 6,000 pounds, \$61.25; or

3 (b) if the declared weight is 6,000 pounds or more, \$148.25.

4 (4) Except as provided in subsection (15), the one-time registration fee for motor vehicles owned and
5 operated solely as collector's items pursuant to 61-3-411, based on the weight of the vehicle, is as follows:

6 (a) 2,850 pounds and over, \$10; and

7 (b) under 2,850 pounds, \$5.

8 (5) Except as provided in subsection (15), the one-time registration fee for off-highway vehicles other
9 than a quadricycle or motorcycle is \$61.25.

10 (6) ~~The~~ Unless permanently registered under 61-3-562, the annual registration fee for heavy trucks
11 having a manufacturer's rated capacity of more than 1 ton, truck tractors, buses, and logging trucks in excess of
12 1 ton is \$22.75.

13 (7) (a) The annual registration fee for a motor home, based on the age of the motor home, is as follows:

14 (i) less than 2 years old, \$282.50;

15 (ii) 2 years old and less than 5 years old, \$224.25;

16 (iii) 5 years old and less than 8 years old, \$132.50; and

17 (iv) 8 years old and older, \$97.50.

18 (b) The owner of a motor home that is 11 years old or older and that is subject to the registration fee
19 under this section may permanently register the motor home upon payment of:

20 (i) a one-time registration fee of \$237.50;

21 (ii) unless a new set of license plates is being issued, an insurance verification fee of \$5, which must be
22 deposited in the account established under 61-6-158;

23 (iii) if applicable, five times the renewal fees for personalized license plates under 61-3-406; and

24 (iv) if applicable, the donation fee for a generic specialty license plate under 61-3-480 or a collegiate
25 license plate under 61-3-465.

26 (8) (a) Except as provided in subsection (15), the one-time registration fee for motorcycles and
27 quadricycles registered for use on public highways is \$53.25, and the one-time registration fee for motorcycles
28 and quadricycles registered for both off-road use and for use on the public highways is \$114.50.

29 (b) An additional fee of \$16 must be collected for the registration of each motorcycle or quadricycle as
30 a safety fee, which must be deposited in the state motorcycle safety account provided for in 20-25-1002.

1 (9) Except as provided in subsection (15), the one-time registration fee for travel trailers, based on the
2 length of the travel trailer, is as follows:

3 (a) under 16 feet in length, \$72; and

4 (b) 16 feet in length or longer, \$152.

5 (10) Except as provided in subsection (15), the one-time registration fee for a motorboat, sailboat,
6 personal watercraft, or motorized pontoon required to be numbered under 23-2-512 is as follows:

7 (a) for a personal watercraft or a motorboat, sailboat, or motorized pontoon less than 16 feet in length,
8 \$65.50;

9 (b) for a motorboat, sailboat, or motorized pontoon at least 16 feet in length but less than 19 feet in
10 length, \$125.50; and

11 (c) for a motorboat, sailboat, or motorized pontoon 19 feet in length or longer, \$295.50.

12 (11) (a) Except as provided in subsections (11)(b) and (15), the one-time registration fee for a
13 snowmobile is \$60.50.

14 (b) (i) A snowmobile that is licensed by a Montana business and is owned exclusively for the purpose
15 of daily rental to customers is assessed:

16 (A) a fee of \$40.50 in the first year of registration; and

17 (B) if the business reregisters the snowmobile for a second year, a fee of \$20.

18 (ii) If the business reregisters the snowmobile for a third year, the snowmobile must be permanently
19 registered and the business is assessed the registration fee imposed in subsection (11)(a).

20 (12) (a) The one-time registration fee for a low-speed electric vehicle is \$25.

21 (b) The one-time registration fee for a golf cart that is owned by a person who has or is applying for a
22 low-speed restricted driver's license is \$25.

23 (c) The one-time registration fee for golf carts authorized to operate on certain public streets and
24 highways pursuant to 61-8-391 is \$25. Upon receipt of the fee, the department shall issue the owner a decal,
25 which must be displayed visibly on the golf cart.

26 (13) (a) Except as provided in subsection (13)(b), a fee of \$10 must be collected when a new set of
27 standard license plates, a new single standard license plate, or a replacement set of special license plates
28 required under 61-3-332 is issued. The \$10 fee imposed under this subsection does not apply when previously
29 issued license plates are transferred under 61-3-335. All registration fees imposed under this section must be
30 paid if the vehicle to which the plates are transferred is not currently registered.

1 (b) An additional fee of \$15 must be collected if a vehicle owner elects to keep the same license plate
2 number from license plates issued before January 1, 2010, when replacement of those plates is required under
3 61-3-332(3).

4 (c) The fees imposed in this subsection (13) must be deposited in the account established under
5 61-6-158, except that \$2 of the fee imposed in subsection (13)(a) must be deposited in the state general fund.

6 (14) The provisions of this part with respect to the payment of registration fees do not apply to and are
7 not binding upon motor vehicles, trailers, semitrailers, snowmobiles, watercraft, or tractors owned or controlled
8 by the United States of America or any state, county, city, or special district, as defined in 18-8-202, or to a vehicle
9 or vessel that meets the description of property exempt from taxation under 15-6-201(1)(a), (1)(d), (1)(e), (1)(g),
10 (1)(h), (1)(i), (1)(k), (1)(l), (1)(n), or (1)(o), 15-6-203, or 15-6-215, except as provided in 61-3-520.

11 (15) Whenever ownership of a trailer, semitrailer, pole trailer, off-highway vehicle, motorcycle,
12 quadricycle, travel trailer, motor home, motorboat, sailboat, personal watercraft, motorized pontoon, snowmobile,
13 motor vehicle owned and operated solely as a collector's item pursuant to 61-3-411, or low-speed electric vehicle
14 is transferred, the new owner shall title and register the vehicle or vessel as required by this chapter and pay the
15 fees imposed under this section.

16 (16) A person eligible for a waiver under 61-3-460 is exempt from the fees required under this section.

17 (17) Except as otherwise provided in this section, revenue collected under this section must be deposited
18 in the state general fund.

19 (18) The fees imposed by subsections (2) through (12) are not required to be paid by a dealer for the
20 enumerated vehicles or vessels that constitute inventory of the dealership.

21 (19) (a) Unless a person exercises the option in either subsection (19)(b) or (19)(c), an additional fee of
22 \$6 must be collected for each light vehicle registered under this part. This fee must be accounted for and
23 transmitted separately from the registration fee. The fee must be deposited in an account in the state special
24 revenue fund to be used for state parks, for fishing access sites, and for the operation of state-owned facilities.
25 Of the \$6 fee, the department of fish, wildlife, and parks shall use \$5.37 for state parks, 25 cents for fishing
26 access sites, and 38 cents for the operation of state-owned facilities at Virginia City and Nevada City.

27 (b) A person who registers a light vehicle may, at the time of annual registration, certify that the person
28 does not intend to use the vehicle to visit state parks and fishing access sites and may make a written election
29 not to pay the additional \$6 fee provided for in subsection (19)(a). If a written election is made, the fee may not
30 be collected.

1 (c) (i) A person who registers one or more light vehicles may, at the time of annual registration, certify
 2 that the person does not intend to use any of the vehicles to visit state parks and fishing access sites and may
 3 make a written election not to pay the additional \$6 fee provided for in subsection (19)(a). If a written election is
 4 made, the fee may not be collected at any subsequent annual registration unless the person makes the written
 5 election to pay the additional fee on one or more of the light vehicles.

6 (ii) The written election not to pay the additional fee on a light vehicle expires if the vehicle is registered
 7 to a different person.

8 (20) For each light vehicle, trailer, semitrailer, pole trailer, ~~heavy truck~~ having a manufacturer's rated
 9 capacity of more than 1 ton, truck tractor, motor home, motorcycle, quadricycle, and travel trailer subject to a
 10 registration fee under this section, an additional fee of \$5 must be collected and forwarded to the state for deposit
 11 in the account established in 44-1-504.

12 (21) This section does not apply to a motor vehicle, trailer, semitrailer, or pole trailer that is governed by
 13 61-3-721."
 14

15 **Section 4.** Section 61-3-332, MCA, is amended to read:

16 **"61-3-332. Standard license plates.** (1) In addition to special license plates, collegiate license plates,
 17 generic specialty license plates, and fleet license plates authorized under this chapter, a separate series of
 18 standard license plates must be issued for motor vehicles, quadricycles, travel trailers, trailers, semitrailers, and
 19 pole trailers registered in this state or offered for sale by a vehicle dealer licensed in this state. Standard license
 20 plates issued to licensed vehicle dealers must be readily distinguishable from license plates issued to vehicles
 21 owned by other persons.

22 (2) (a) Except as provided in 61-3-479 and subsections (2)(b), (3)(b), and (3)(c) of this section, all
 23 standard license plates for motor vehicles, trailers, semitrailers, or pole trailers must bear a distinctive marking,
 24 as determined by the department, and be furnished by the department. In years when standard license plates
 25 are not reissued for a vehicle, the department shall provide a registration decal that must be affixed to the rear
 26 license plate of the vehicle.

27 (b) For light vehicles; OR trucks having a manufacturer's rated capacity of more than 1 ton, or truck
 28 tractors BUT LESS THAN 55,000 POUNDS that are permanently registered as provided in 61-3-562 and motor
 29 vehicles described in 61-3-303(9) that are permanently registered, the department shall provide a distinctive
 30 registration decal indicating that the motor vehicle is permanently registered. The registration decal must be

1 affixed to the rear license plate of the permanently registered motor vehicle.

2 (c) For a travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer that is permanently
3 registered as provided in 61-3-313(2), the department may use the word or an abbreviation for the word
4 "permanent" on the plate in lieu of issuing a registration decal for the plate.

5 (3) (a) (i) New license plates issued under 61-3-303 or this section must be a standard license plate
6 design first issued in 1989 or later or current collegiate or generic specialty license plate designs. For the
7 purposes of this subsection (3), all military, veteran, and amateur radio license plates and any license plate with
8 a wheelchair design, excluding collegiate or generic specialty plates with a wheelchair design, are treated as
9 standard license plates.

10 (ii) License plates issued on or after January 1, 2010, must be replaced with new license plates if, upon
11 renewal of registration under this section, the license plates are 5 or more years old or will become older than
12 5 years during the registration period. New license plates must be issued in accordance with the implementation
13 schedule adopted by the department under 61-3-315.

14 (iii) A vehicle owner may elect to keep the same license plate number from license plates issued before
15 January 1, 2010, when replacement of those plates is required under this subsection.

16 (b) A motor vehicle that is registered for a 13-month to a 24-month period, as provided in 61-3-311, may
17 display the license plate and plate design in effect at the time of registration for the entire registration period.

18 (c) A light vehicle, ~~OR A TRUCK HAVING A MANUFACTURER'S RATED CAPACITY OF MORE THAN 1 TON, OR TRUCK TRACTOR~~
19 BUT LESS THAN 55,000 POUNDS described in subsection (2)(b) or a motor home that is permanently registered may
20 display the license plate and plate design in effect at the time of registration for the entire period that the light
21 vehicle or motor home is permanently registered.

22 (d) The provisions of this subsection (3) do not apply to a travel trailer, motorcycle, quadricycle, trailer,
23 semitrailer, or pole trailer.

24 (e) The requirements of this subsection (3) apply to collegiate license plates authorized under 61-3-461
25 through 61-3-468, generic specialty license plates authorized under 61-3-472 through 61-3-481, commemorative
26 centennial license plates authorized under 61-3-448, and special military or veteran license plates authorized
27 under 61-3-458.

28 (4) (a) All license plates must be metal and treated with a reflectorized background material according
29 to specifications prescribed by the department. The word "Montana" must be placed on each license plate and,
30 except for license plates that are 4 inches wide and 7 inches in length, the outline of the state of Montana must

1 be used as a distinctive border on each standard license plate.

2 (b) Plates for semitrailers, travel trailers, pole trailers, trailers with a declared weight of 6,000 pounds or
3 more, and motor vehicles, other than motorcycles and quadricycles, must be 6 inches wide and 12 inches in
4 length.

5 (c) Plates for motorcycles and quadricycles must be 4 inches wide and 7 inches in length.

6 (d) The department shall issue plates that are 4 inches wide and 7 inches in length for trailers with a
7 declared weight of less than 6,000 pounds unless a person registering a trailer with a declared weight of less than
8 6,000 pounds requests plates that are 6 inches wide and 12 inches in length. A person registering a trailer shall
9 pay all applicable fees for the plates chosen.

10 (5) The distinctive registration numbers for standard license plates must begin with a number one or with
11 a letter-number combination, such as "A 1" or "AA 1", or any other similar combination of letters and numbers.
12 Except for special license plates, collegiate license plates, generic specialty license plates, fleet license plates,
13 and standard license plates that are 4 inches wide and 7 inches in length, the distinctive registration number or
14 letter-number combination assigned to the motor vehicle must appear on the plate preceded by the number of
15 the county and appearing in horizontal order on the same horizontal baseline. The county number must be
16 separated from the distinctive registration number by a separation mark unless a letter-number combination is
17 used. The dimensions of the numerals and letters must be determined by the department, and all county and
18 registration numbers must be of equal height.

19 (6) For the use of exempt motor vehicles, trailers, semitrailers, or pole trailers and motor vehicles,
20 trailers, semitrailers, or pole trailers that are exempt from the registration fee as provided in 61-3-321, in addition
21 to the markings provided in this section, standard license plates must bear the following distinctive markings:

22 (a) For motor vehicles, trailers, semitrailers, or pole trailers owned by the state, the department may
23 designate the prefix number for the various state departments. All numbered plates issued to state departments
24 must bear the words "State Owned", and a year number may not be indicated on the plates because these
25 numbered plates are of a permanent nature and will be replaced by the department only when the physical
26 condition of numbered plates requires it.

27 (b) For motor vehicles, trailers, semitrailers, or pole trailers that are owned by the counties,
28 municipalities, and special districts, as defined in 18-8-202, organized under the laws of Montana and not
29 operating for profit, and that are used and operated by officials and employees in the line of duty and for motor
30 vehicles on loan from the United States government or the state of Montana to, or owned by, the civil air patrol

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

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

17 (8) Each type of special license plate approved by the legislature, except collegiate license plates
18 authorized in 61-3-463 and generic specialty license plates authorized in 61-3-472 through 61-3-481, must be
19 a separate series of plates, numbered as provided in subsection (5), except that the county number must be
20 replaced by a design that distinguishes each separate plate series. Unless otherwise specifically stated in this
21 section, the special plates are subject to the same rules and laws as govern the issuance of standard license
22 plates, must be placed or mounted on a motor vehicle, trailer, semitrailer, or pole trailer owned by the person who
23 is eligible to receive them, with the registration decal affixed to the rear license plate of the motor vehicle, trailer,
24 semitrailer, or pole trailer, and must be removed upon sale or other disposition of the motor vehicle, trailer,
25 semitrailer, or pole trailer.

26 (9) (a) A Montana resident who is eligible to receive a special parking permit under 49-4-301 may and
27 a person with a low-speed restricted driver's license operating a low-speed electric vehicle or golf cart as provided
28 in 61-5-122 must, upon written application on a form prescribed by the department, be issued a special license
29 plate with a design or decal bearing a representation of a wheelchair as the symbol of a person with a disability.

30 (b) If the motor vehicle to which the license plate is attached is permanently registered, the owner of the

1 motor vehicle shall provide, upon request of a person authorized to enforce special parking laws or ordinances
 2 in this or any state, evidence of continued eligibility to use the license plate in the form of a valid special parking
 3 permit issued to or renewed by the vehicle owner under 49-4-304 and 49-4-305.

4 (c) A person with a permanent condition, as provided in 49-4-301(2)(b), who has been issued a special
 5 license plate upon written application, as provided in this subsection (9), is not required to reapply upon
 6 reregistration of the motor vehicle.

7 (10) The provisions of this section do not apply to a motor vehicle, trailer, semitrailer, or pole trailer that
 8 is registered as part of a fleet, as defined in 61-3-712, and that is subject to the provisions of 61-3-711 through
 9 61-3-733."

10

11 **Section 5.** Section 61-3-506, MCA, is amended to read:

12 **"61-3-506. Rules.** The department may adopt rules:

13 (1) for the assessment and collection of registration fees under 61-3-321 and 61-3-562, including the
 14 proration of fees under 61-3-520, on light vehicles, trucks having a manufacturer's rated capacity of more than
 15 1 ton, or truck tractors, including criteria for determining the motor vehicle's age;

16 (2) for the imposition and collection of fees in lieu of tax, including the proration of fees in lieu of tax under
 17 61-3-520, on buses, trucks having a manufacturer's rated capacity of more than 1 ton, and truck tractors,
 18 including criteria for determining the motor vehicle's age and manufacturer's rated capacity; and

19 (3) for the administration of fees for trailers, semitrailers, and pole trailers, including criteria for
 20 determining a trailer's age and weight."

21

22 **SECTION 6. SECTION 61-3-537, MCA, IS AMENDED TO READ:**

23 **"61-3-537. Local option motor vehicle tax.** (1) A county may impose a local option motor vehicle tax
 24 on motor vehicles subject to the registration fee imposed under 61-3-321(2) or 61-3-562(1)(a) at a rate of up to
 25 0.7% of the value determined under 61-3-503 or a local flat fee, in addition to the fee imposed under 61-3-321(2)
 26 or 61-3-562(1)(a).

27 (2) A local option motor vehicle tax or flat fee is payable at the same time and in the same manner as
 28 the fee imposed under 61-3-321(2) or 61-3-562(1)(a). The tax or fee is distributed as follows:

29 (a) 50% to the county; and

30 (b) the remaining 50% to the county and the incorporated cities and towns within the county, apportioned

1 on the basis of population. The distribution to a city or town is determined by multiplying the amount of money
 2 available by the ratio of the population of the city or town to the total county population. The distribution to the
 3 county is determined by multiplying the amount of money available by the ratio of the population of unincorporated
 4 areas within the county to the total county population.

5 (3) The governing body of a county may impose, revise, or revoke a local option motor vehicle tax or flat
 6 fee if the imposition, revision, or revocation of the tax or fee is approved by the electorate of the county. The
 7 imposition, revision, or revocation of the tax or fee is effective on January 1 following its approval by the
 8 electorate. The county governing body by resolution may provide for the distribution of the local option motor
 9 vehicle tax or flat fee."

10

11 **Section 7.** Section 61-3-562, MCA, is amended to read:

12 **"61-3-562. Permanent registration -- transfer of light vehicle ownership -- rules.** (1) (a) The owner
 13 of a light vehicle that is 11 years old or older and subject to the registration fee, as provided in 61-3-321(2), may
 14 permanently register the light vehicle upon payment of a ~~\$87.50~~ registration fee; of \$87.50 plus any additional
 15 fees required under subsection (1)(c).

16 (b) The owner of a truck having a manufacturer's rated capacity of more than 1 ton ~~or a truck tractor~~ BUT
 17 LESS THAN 55,000 POUNDS subject to the registration fee, as provided in 61-3-321(6), and that is 11 years old or
 18 older may permanently register the truck or truck tractor upon payment of the fees described in subsection (2)
 19 plus any additional fees required under subsection (1)(c).

20 (c) In addition to the fees provided in subsection (1)(a) or (1)(b), permanent registration requires the
 21 payment of the applicable registration and license fees under 61-3-412, if applicable, the administrative fee and
 22 the annual one-time-only donation fee for a generic specialty license plate under 61-3-480 or collegiate license
 23 plates under 61-3-465, and an amount equal to five times the local option motor vehicle tax or flat fee on vehicles
 24 under 61-3-537 and, as applicable, either:

25 (i) (A) the original fee and four times the renewal fee for personalized plates; or

26 (B) five times the renewal fees for personalized plates; or

27 (ii) if a new set of license plates is not being issued, an insurance verification fee of \$5, which must be
 28 deposited in the account established under 61-6-158.

29 ~~(b)~~(d) The following series of license plates may not be used for purposes of permanent registration of
 30 a light motor vehicle under this section:

- 1 (i) Montana national guard license plates issued under 61-3-458(2)(b);
 2 (ii) reserve armed forces license plates issued under 61-3-458(2)(c); and
 3 (iii) amateur radio operator license plates issued under 61-3-422.
- 4 (2) In addition to the fees described in subsection (1), an owner of a truck ~~with a manufacturer's rated~~
 5 ~~capacity of 1 ton or less or truck tractor~~ WITH A MANUFACTURER'S RATED CAPACITY OF LESS THAN 55,000 POUNDS that
 6 is permanently registered shall pay AN AMOUNT EQUAL TO THE PERMANENT REGISTRATION FEE FOR LIGHT VEHICLES
 7 UNDER SUBSECTION (1)(A) PLUS, AS APPLICABLE, five times;
- 8 (A) the applicable fees imposed under 61-10-201;
 9 (B) THE FEE IN LIEU OF TAX PURSUANT TO 61-3-529; AND
 10 (C) THE ADDITIONAL FEE PROVIDED FOR IN 61-3-321(2), TO BE FORWARDED TO THE STATE FOR DEPOSIT IN THE
 11 ACCOUNT ESTABLISHED IN 44-1-504.
- 12 (3) The owner of a motor vehicle that is permanently registered under this section is not subject to
 13 additional registration fees or to other motor vehicle registration fees described in this section for as long as the
 14 owner owns the vehicle.
- 15 (4) The county treasurer shall once each month remit to the state the amounts collected under this
 16 section, other than the local option motor vehicle tax or flat fee, for the purposes of 61-3-321(2), (6), AND (20) and
 17 61-10-201. The county treasurer shall retain the local option motor vehicle tax or flat fee.
- 18 (5) (a) The permanent registration of a ~~light motor~~ vehicle allowed by this section may not be transferred
 19 to a new owner. If the ~~light motor~~ vehicle is transferred to a new owner, the department shall cancel the ~~light~~
 20 ~~motor~~ vehicle's permanent registration.
- 21 (b) Upon transfer of a ~~light motor~~ vehicle registered under this section to a new owner, the new owner
 22 shall apply for a certificate of title under 61-3-201 and 61-3-216 and register the ~~light motor~~ vehicle under
 23 61-3-303 or this section."

24

25 **Section 8.** Section 61-6-158, MCA, is amended to read:

26 **"61-6-158. Vehicle insurance verification and license plate operating account.** (1) There is a vehicle
 27 insurance verification and license plate operating account in the state special revenue fund type as provided in
 28 17-2-102.

29 (2) Fees imposed under 61-3-321(7)(b)(ii) and (13), 61-3-333, 61-3-465(1)(b)(i), 61-3-480(2)(c)(i), or
 30 61-3-562(1)(a)(ii) (1)(c)(ii) or established and collected under 61-6-105 must be deposited in the account.

1 (3) The money in the vehicle insurance verification and license plate operating account must be used
2 by the department to pay costs incurred in or associated with the operation, maintenance, and enhancement of
3 the system established under 61-6-157 and the contract required in 61-3-338 for the manufacture and distribution
4 of license plates by Montana correctional enterprises."

5
6 NEW SECTION. **Section 9. Effective date -- applicability.** [This act] is effective January 1, 2016, and
7 applies to vehicle registration for trucks and truck tractors after December 31, 2015.

8 - END -