

HOUSE BILL NO. 38

INTRODUCED BY T. SCHMIDT

BY REQUEST OF THE CHILDREN, FAMILIES, HEALTH, AND HUMAN SERVICES INTERIM COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES MAY PURCHASE SURPLUS MOTOR VEHICLES FOR PURCHASE BY PARTICIPANTS IN STATE PROGRAMS FUNDED BY TEMPORARY ASSISTANCE FOR NEEDY FAMILIES; PROVIDING CRITERIA FOR THE PARTICIPANTS TO PURCHASE THE VEHICLES; AND PROVIDING AN EFFECTIVE DATE."

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

NEW SECTION. Section 1. Purchase of surplus motor vehicles for recipients of temporary assistance for needy families funds -- criteria for recipient purchase program. (1) ~~The WITHIN APPROPRIATED FUNDS, THE~~ department may purchase surplus motor vehicles ~~SUPPLIED BY THE DEPARTMENT OF TRANSPORTATION~~ from the department of administration at THE CURRENT residual value for the purpose of allowing participants in state programs funded by temporary assistance for needy families to purchase the motor vehicles through local nonprofit agencies contracted with by the department for that purpose. ~~The department of administration shall waive the surplus property administrative fee charged pursuant to 18-5-203.~~

(2) An individual purchasing a motor vehicle:

(a) (i) must be a participant in a state program funded by temporary assistance for needy families;

or

(ii) must have been a participant in a state program funded by temporary assistance for needy families within the last 3 months, must still be eligible for participation in a state program funded by temporary assistance for needy families, and must be able to show that the individual would have to again request participation in a state program funded by temporary assistance for needy families because a lack of transportation has jeopardized continuing employment;

(b) must be currently employed, be actively working on becoming employed, or be employed within 30 days of receipt of the vehicle;

(c) shall continue employment or employment activities throughout the life of the vehicle purchase



1 agreement with the local nonprofit agency or, if the individual becomes unemployed, continue to make a
2 car payment or donation or the lien process will occur;

3 (d) shall share in the cost and ownership of the vehicle by making car payments or donations to
4 the local nonprofit agency handling the program; and

5 (e) shall buy and maintain an auto liability insurance policy that may not exclude or restrict
6 coverage when the individual or another working adult within the household is the driver and, ~~at the~~
7 ~~discretion of the local nonprofit agency,~~ shall buy comprehensive vehicle collision coverage that may not
8 exclude or restrict coverage when the individual or another working adult within the household is the
9 driver. The vehicle coverage may only be for the individual or other working adults within the household,
10 and only the individual and other covered working adults within the household may be allowed to drive the
11 vehicle during the term of a vehicle purchase agreement.

12 (3) Money received as a car payment or donation must be used by the local nonprofit agency to
13 assist other eligible individuals in meeting transportation needs.

14 (4) A lien must be placed on each vehicle that is sold by the local nonprofit agency until payment
15 is made in full by the participant.

16 (5) Failure to make a payment or donation, to follow employment activities or plans, or to continue
17 employment ~~may~~ MUST result in repossession of the vehicle. Each local nonprofit agency shall establish
18 guidelines for repossession.

19 (6) The state and the local nonprofit agency make no express or implied warranty of safety,
20 merchantability, or condition with respect to any of these vehicles. There is no warranty that the vehicle
21 is fit for a particular purpose.

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23 NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an
24 integral part of Title 53, chapter 4, part 2, and the provisions of Title 53, chapter 4, part 2, apply to
25 [section 1].

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27 NEW SECTION. **Section 3. Effective date.** [This act] is effective July 1, 2001.

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