

## 1 HOUSE BILL NO. 240

2 INTRODUCED BY J. MCKENNEY

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT IMPOSING A FEE ON CERTAIN VEHICLES TO SUPPORT THE  
5 OPERATION OF THE STATEWIDE TRAUMA CARE SYSTEM; ESTABLISHING AN ACCOUNT IN THE STATE  
6 SPECIAL REVENUE FUND; PROVIDING FOR A STATUTORY APPROPRIATION; AMENDING SECTIONS  
7 17-7-502, 61-3-321, AND 61-3-510, MCA; AND PROVIDING AN EFFECTIVE DATE."

8

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

10

11 NEW SECTION. **Section 1. Trauma system implementation account -- statutory appropriation.** (1)

12 There is a trauma system implementation account in the state special revenue fund provided for in  
13 17-2-102.

14 (2) Fees received by the state treasurer pursuant to 61-3-321(7) must be deposited in the  
15 account.

16 (3) Money in the trauma system implementation account is statutorily appropriated, as provided  
17 in 17-7-502, to the department of public health and human services and must be used by the department  
18 for the purpose of the operation of the statewide trauma system. The operation of the system includes  
19 paying the expenses of a related department advisory council and the trauma care committee, operating  
20 the state trauma register and the evaluation system, operating the prehospital emergency medical services  
21 data collection system, providing education and training, providing technical assistance to emergency  
22 medical services and trauma facilities, providing trauma prevention public education, and coordinating the  
23 statewide trauma system.

24

25 **Section 2.** Section 17-7-502, MCA, is amended to read:

26 **"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory  
27 appropriation is an appropriation made by permanent law that authorizes spending by a state agency  
28 without the need for a biennial legislative appropriation or budget amendment.

29 (2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply  
30 with both of the following provisions:

1 (a) The law containing the statutory authority must be listed in subsection (3).

2 (b) The law or portion of the law making a statutory appropriation must specifically state that a  
3 statutory appropriation is made as provided in this section.

4 (3) The following laws are the only laws containing statutory appropriations: 2-17-105; 3-5-901;  
5 5-13-403; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-111; 15-23-706; 15-31-702;  
6 15-34-115; 15-35-108; 15-36-324; 15-37-117; 15-38-202; 15-65-121; 15-70-101; 16-1-404;  
7 16-1-406; 16-1-411; 17-3-106; 17-3-212; 17-3-222; 17-6-101; 17-7-304; 18-11-112; 19-3-319;  
8 19-6-709; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 20-8-107;  
9 20-26-1503; 22-3-1004; 23-5-136; 23-5-306; 23-5-409; 23-5-610; 23-5-612; 23-5-631; 23-7-301;  
10 23-7-402; 37-43-204; 37-51-501; 39-71-503; 42-2-105; 44-12-206; 44-13-102; 50-4-623; [section 1];  
11 53-6-703; 53-24-206; 67-3-205; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 77-1-505; 80-2-222;  
12 80-4-416; 80-11-518; 81-5-111; 82-11-161; 87-1-513; 90-3-1003; 90-6-710; and 90-9-306.

13 (4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing,  
14 paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued  
15 pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of  
16 Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as  
17 determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the  
18 bonds or notes have statutory appropriation authority for the payments. (In subsection (3): pursuant to  
19 sec. 7, Ch. 567, L. 1991, the inclusion of 19-6-709 terminates upon death of last recipient eligible for  
20 supplemental benefit; pursuant to Ch. 422, L. 1997, the inclusion of 15-1-111 terminates on July 1,  
21 2008, which is the date that section is repealed; pursuant to sec. 10, Ch. 360, L. 1999, the inclusion of  
22 19-20-604 terminates when the amortization period for the teachers' retirement system's unfunded liability  
23 is 10 years or less; pursuant to sec. 4, Ch. 497, L. 1999, the inclusion of 15-38-202 terminates July 1,  
24 2014; and pursuant to sec. 10(2), Ch. 10, Sp. L. May 2000, the inclusion of 15-35-108 and 90-6-710  
25 terminates June 30, 2005.)"

26

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

28 **"61-3-321. Registration fees of vehicles -- certain vehicles exempt from license or registration fees**  
29 **-- disposition of fees.** (1) Registration or license fees must be paid upon registration or reregistration of  
30 motor vehicles, trailers, housetrailer, and semitrailers, in accordance with this chapter, as follows:

- 1 (a) motor vehicles weighing 2,850 pounds or under (other than motortrucks), \$5;
- 2 (b) motor vehicles weighing over 2,850 pounds (other than motortrucks), \$10;
- 3 (c) electrically driven passenger vehicles, \$10;
- 4 (d) all motorcycles and quadricycles, \$2;
- 5 (e) tractors or trucks, \$10;
- 6 (f) buses, which are classed as motortrucks, licensed accordingly;
- 7 (g) trailers and semitrailers less than 2,500 pounds declared weight and housetrailers of all  
8 weights, \$2;
- 9 (h) trailers and semitrailers over 2,500 up to 6,000 pounds declared weight (except housetrailers),  
10 \$5;
- 11 (i) trailers and semitrailers over 6,000 pounds declared weight, \$10, except trailers and  
12 semitrailers registered in other jurisdictions through a proportional registration agreement;
- 13 (j) trailers used exclusively in the transportation of logs in the forest or in the transportation of oil  
14 and gas well machinery, road machinery, or bridge materials, new and secondhand, \$15 annually,  
15 regardless of size or capacity.
- 16 (2) All rates are 25% higher for motor vehicles, trailers, and semitrailers that are not equipped with  
17 pneumatic tires.
- 18 (3) "Tractor", as specified in this section, means any motor vehicle, except a passenger car, that  
19 is used for towing a trailer or semitrailer.
- 20 (4) If a motor vehicle, housetrailer, trailer, or semitrailer is originally registered 6 months after the  
21 time of registration as set by law, the registration or license fee for the remainder of the year is one-half  
22 of the regular fee except for trailers or semitrailers registered as provided in 61-3-721(6).
- 23 (5) An additional fee of \$5.25 a year for each registration of a vehicle, except trailers and  
24 semitrailers registered in other jurisdictions and registered through a proportional registration agreement,  
25 must be collected as a registration fee. Revenue from this fee must be forwarded by the respective county  
26 treasurers to the state treasurer for deposit in the general fund. The department shall pay an amount equal  
27 to 25 cents from each motor vehicle registration fee from the general fund to the pension trust fund for  
28 payment of supplemental benefits provided for in 19-6-709.
- 29 (6) A fee of \$2 for each set of new number plates must be collected when number plates provided  
30 for under 61-3-332(3) are issued. Revenue from this fee must be deposited as provided in subsection (5).

1            (7) An additional fee of 30 cents must be collected for the registration and reregistration of each  
 2 vehicle listed in subsection (1). The fee must be forwarded by the county treasurer to the state treasurer  
 3 to be deposited, as provided in [section 1], for the operation of the statewide trauma system.

4            ~~(7)~~(8) The provisions of this part with respect to the payment of registration fees do not apply to  
 5 and are not binding upon motor vehicles, trailers, semitrailers, or tractors owned or controlled by the  
 6 United States of America or any state, county, city, or special district, as defined in 18-8-202.

7            ~~(8)~~(9) The provisions of this section relating to the payment of registration fees or new number  
 8 plate fees do not apply when number plates are transferred to a replacement vehicle under 61-3-317,  
 9 61-3-332, or 61-3-335.

10           ~~(9)~~(10) A person qualifying under 61-3-332(10)(d) or 61-3-504 is exempt from the fees required  
 11 under subsections (1) and (5) of this section. (See compiler's comments for contingent termination of  
 12 certain text.)"

13

14            **Section 4.** Section 61-3-510, MCA, is amended to read:

15            **"61-3-510. Weed control fee.** (1) A special weed control fee of \$1.50 must be assessed on the  
 16 annual registration or reregistration of each motor vehicle subject to registration. The fee must be collected  
 17 by the county treasurer.

18            (2) For purposes of this section, motor vehicle includes:

19            (a) a motor vehicle as defined in 61-1-102;

20            (b) a motorcycle as defined in 61-1-105;

21            (c) a motor-driven cycle as defined in 61-1-106; and

22            (d) a quadricycle as defined in 61-1-133.

23            (3) The following vehicles are exempt from the fee:

24            (a) vehicles owned or controlled by the United States or a state, county, city, or special district,  
 25 as defined in 18-8-202;

26            (b) vehicles exempt from payment of registration fees by 61-3-321~~(8)~~(9); and

27            (c) vehicles or equipment that is not self-propelled or that requires towing when moved upon a  
 28 highway of this state."

29

30            NEW SECTION. **Section 5. Codification instruction.** [Section 1] is intended to be codified as an

1 integral part of Title 50, chapter 6, and the provisions of Title 50, chapter 6, apply to [section 1].

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3 NEW SECTION. **Section 6. Effective date.** [This act] is effective July 1, 2001.

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