

1 HOUSE BILL NO. 461

2 INTRODUCED BY J. SHOCKLEY

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING AN ACTIVE MEMBER OF THE MILITARY TO
5 PURCHASE VETERANS' LICENSE PLATES; AMENDING SECTION 61-3-332, MCA; AND PROVIDING A
6 DELAYED EFFECTIVE DATE AND AN APPLICABILITY DATE."

7

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

9

10 **Section 1.** Section 61-3-332, MCA, is amended to read:

11 **"61-3-332. Number plates.** (1) A motor vehicle that is driven upon the streets or highways of
12 Montana must display both front and rear number plates, bearing the distinctive number assigned to the
13 vehicle. The number plates are in 10 series: one series for owners of motorcars, one for owners of motor
14 vehicles of the motorcycle or quadricycle type, one for trailers, one for trucks, one for dealers in vehicles
15 of the motorcycle or quadricycle type that bears the distinctive letters "MCD" or the letters "MC" and the
16 word "DEALER", one for franchised dealers in new motorcars (including trucks and trailers) or new and
17 used motorcars (including trucks and trailers) that bears the distinctive letter "D" or the word "DEALER",
18 one for dealers in used motorcars only (including used trucks and trailers) that bears the distinctive letters
19 "UD" or the letter "U" and the word "DEALER", one for dealers in trailers and/or semitrailers (new or used)
20 that bears the distinctive letters "DTR" or the letters "TR" and the word "DEALER", one for dealers in
21 recreational vehicles that bears the distinctive letters "RV" or the letter "R" and the word "DEALER", and
22 one for special license plates. All markings for the various kinds of dealers' plates must be placed on the
23 number plates assigned to the dealer, in the position that the department designates.

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

28 (b) For light vehicles that are permanently registered as provided in 61-3-527 or 61-3-562, the
29 department shall provide distinctive nonremovable stickers indicating that the vehicle is permanently
30 registered. The stickers must be affixed to the license plates in use.

1 (3) (a) Subject to the provisions of this section, the department shall create a new design for
2 number plates as provided in this section, and it shall manufacture the newly designed number plates for
3 issuance after December 31, 1999, to replace at renewal, as required in 61-3-312 and 61-3-314, number
4 plates that were displayed on motor vehicles before that date.

5 (b) Beginning January 1, 2000, the department shall manufacture and issue new number plates
6 every 4 years.

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

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

18 (6) For the use of exempt motor vehicles and motor vehicles that are exempt from the registration
19 fee as provided in 61-3-560(2)(a), in addition to the markings provided in this section, number plates must
20 bear the following distinctive markings:

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

26 (b) For vehicles that are owned by the counties, municipalities, and special districts, as defined
27 in 18-8-202, organized under the laws of Montana and not operating for profit, and that are used and
28 operated by officials and employees in the line of duty and for vehicles on loan from the United States
29 government or the state of Montana to, or owned by, the civil air patrol and used and operated by officials
30 and employees in the line of duty, there must be placed on the number plates assigned, in a position that

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

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

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

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

26 (10) Each type of special license plate approved by the legislature, except collegiate license plates
27 authorized in 61-3-463, must be a separate series of plates, numbered as provided in subsection (5),
28 except that the county number must be replaced by a nonremovable design or decal designating the group
29 or organization to which the applicant belongs. Unless otherwise specifically stated in this section, the
30 special plates are subject to the same rules and laws as govern the issuance of regular license plates, must

1 be placed or mounted on a vehicle owned by the person who is eligible to receive them, and must be
2 removed upon sale or other disposition of the vehicle. The special license plates must be issued to national
3 guard members, former prisoners of war, persons with disabilities, reservists, disabled veterans, survivors
4 of the Pearl Harbor attack, veterans of the armed services, national guard veterans, legion of valor
5 members, or veterans of the armed services who were awarded the purple heart medal, who comply with
6 the following provisions:

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

12 (ii) The department may issue national guard veteran plates, bearing a design or decal displaying
13 the Montana national guard insignia and the words "National Guard veteran" and numbered in sets of two
14 with a different number on each set, to an applicant who presents to the department a copy of certification
15 of national guard retirement eligibility issued by the appropriate authorities for the applicant or the
16 applicant's deceased spouse and who pays, in addition to all taxes and fees required by parts 3 and 5 of
17 this chapter, a national guard veteran license plate fee of \$10. The additional fee must be distributed in
18 accordance with the provisions of subsection (10)(f)(iii) and (10)(f)(iv).

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

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

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

1 or

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

4 (ii) The fee for original or renewal registration by a 100% disabled veteran for a passenger vehicle
5 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
6 vehicle under this chapter.

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

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

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

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

17 (i) Fees required under 61-3-321(1) and (5) may not be assessed upon one set of license plates
18 issued to an ex-prisoner of war under this subsection (10)(d).

19 (ii) A special license plate fee may not be assessed upon one set of special license plates issued
20 to an ex-prisoner of war under this subsection (10)(d).

21 (iii) An ex-prisoner of war is exempt from the ~~light vehicle taxes imposed under 61-3-504~~
22 registration fees imposed under 61-3-560 through 61-3-562 for one vehicle that displays a set of
23 ex-prisoner of war license plates.

24 (iv) A surviving spouse of an ex-prisoner of war may retain the special license plates that have
25 been issued to the ex-prisoner of war if the spouse complies with the provisions of 61-3-457.

26 (e) Except as provided in subsections (10)(c) and (10)(d), upon payment of all taxes and fees
27 required by parts 3 and 5 of this chapter and upon furnishing proof satisfactory to the department that the
28 applicant meets the requirements of this subsection (10)(e), the department shall issue to a Montana
29 resident who is a veteran of the armed services of the United States special license plates, numbered in
30 sets of two with a different number on each set, designed to indicate that the applicant is a survivor of

1 the Pearl Harbor attack if the applicant was a member of the United States armed forces on December 7,
2 1941, was on station on December 7, 1941, during the hours of 7:55 a.m. to 9:45 a.m. (Hawaii time)
3 at Pearl Harbor, the island of Oahu, or was offshore at a distance of not more than 3 miles, and received
4 an honorable discharge from the United States armed forces. If special license plates issued under
5 subsection (10)(d) and this subsection are lost, stolen, or mutilated, the recipient of the plates is entitled
6 to replacement plates upon request and without charge.

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

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

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

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

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

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

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

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

30 (C) deposit the remainder of the special fee in the state special revenue account established in

1 10-2-603 for administration, construction, operation, and maintenance of the state veterans' cemeteries.

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

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

7 (h) The department may issue legion of valor license plates, bearing a design or decal depicting
8 the recognized legion of valor medallion and numbered in sets of two with a different number on each set,
9 to an applicant who presents to the department proper documentation of receipt of a legion of valor award
10 by appropriate authorities to the applicant or the applicant's deceased spouse and who pays all taxes and
11 fees required by parts 3 and 5 of this chapter.

12 (i) An active member of the armed forces of the United States who is a resident of the state or
13 who is stationed outside of Montana may be issued special license plates inscribed as provided in
14 subsection (10)(f)(i)(A). The member's commanding officer may issue a certificate or some other relevant
15 document to show the applicant's qualification under this subsection (10)(i) and authorizing the issuance
16 of the special license plates in sets of two with a different number on each set. The member is liable for
17 payment of all taxes and fees required by this chapter, except as provided in 61-3-456.

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

21

22 NEW SECTION. Section 2. Effective date -- applicability. [This act] is effective January 1, 2002,
23 and applies to registrations of motor vehicles occurring after December 31, 2001.

24

- END -