

1 SENATE BILL NO. 168

2 INTRODUCED BY E. STONINGTON

3 BY REQUEST OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY

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5 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE JUNK VEHICLE DISPOSAL FEES ON
 6 PASSENGER CARS AND TRUCKS UNDER 8001 POUNDS; INCREASING THE ANNUAL LICENSE FEE FOR
 7 MOTOR VEHICLE WRECKING FACILITIES; PROVIDING SUPPLEMENTAL REVENUE TO THE STATE MOTOR
 8 VEHICLE RECYCLING AND DISPOSAL PROGRAM TO OFFSET REVENUE LOSSES; AMENDING SECTIONS
 9 61-3-508 ~~AND~~ 75-10-511, AND 75-10-532, MCA; AND PROVIDING ~~AN~~ A DELAYED EFFECTIVE DATE."

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11 WHEREAS, at the end of fiscal year 2000, the junk vehicle fund administered by the department
 12 of environmental quality was reduced to its lowest level since 1980 and was only 65% of its 1998 value;
 13 and

14 WHEREAS, a declining international market price for scrap steel has reduced revenues that the
 15 department received for vehicles recycled through the program by 63% over the last 2 years; and

16 WHEREAS, almost \$900,000 of the \$1.1 million dollar junk vehicle program budget is provided
 17 to counties for the control and removal of junk vehicles in their jurisdictions; and

18 WHEREAS, without increases in the junk vehicle disposal fees and the annual license fees for motor
 19 vehicle wrecking facilities, the department will have insufficient revenue to fully support county program
 20 grants, resulting in the counties' decreased ability to pay for the control and removal of junk vehicles; and

21 WHEREAS, insufficient funding to allow the counties to control and remove junk vehicles is likely
 22 to cause impairment of scenic values and an increased risk of contamination to the environment.

23

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

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26 **Section 1.** Section 61-3-508, MCA, is amended to read:

27 **"61-3-508. Junk vehicle disposal fee.** A special junk vehicle disposal fee must be assessed on
 28 each new application for a motor vehicle title and on each transfer of a motor vehicle title in the amount
 29 of ~~\$1.50~~ \$2 on passenger cars and trucks under 8,001 pounds GVW. An additional special junk vehicle
 30 disposal fee must be assessed in the amount of ~~50 cents~~ \$1 on each passenger car and truck under 8,001

1 pounds GVW registered for licensing. FIFTEEN CENTS OF THE \$1 SPECIAL JUNK VEHICLE DISPOSAL FEE MUST BE USED
 2 FOR THE PURPOSE OF REIMBURSING THE HIRED REMOVAL OF ABANDONED VEHICLES DURING THE CALENDAR YEAR
 3 FOLLOWING THE CALENDAR YEAR IN WHICH THE FEE WAS PAID. ANY PORTION OF THE 15 CENTS NOT USED FOR
 4 ABANDONED VEHICLE REMOVAL REIMBURSEMENT DURING THE CALENDAR YEAR FOLLOWING ITS PAYMENT MUST BE USED
 5 AS PROVIDED IN 75-10-532. The fees must be collected by the county treasurer. However, the following are
 6 exempt from payment of the fees:

- 7 (1) vehicles leased or owned by the state or by a county or municipality;
 8 (2) vehicles used for transportation by nonresident, migratory workers temporarily employed in
 9 agricultural work in this state;
 10 (3) vehicles displaying dealer's or wholesaler's plates while owned by a dealer or wholesaler; and
 11 (4) house trailers or equipment that is not self-propelled or that requires towing upon a highway
 12 of this state."

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14 **Section 2.** Section 75-10-511, MCA, is amended to read:

15 **"75-10-511. Motor vehicle wrecking facility and motor vehicle graveyard licenses.** (1) A person
 16 may not conduct, maintain, or operate a motor vehicle wrecking facility or motor vehicle graveyard without
 17 a license issued by the department.

18 (2) Application for the license ~~shall~~ must be made on forms furnished by the department.

19 (3) An annual fee of ~~\$50 shall~~ \$100 must be paid to the department for the license. The fee may
 20 be or quarterly prorated for new facilities.

21 (4) A motor vehicle graveyard is excluded from paying the annual license fee but must meet all
 22 other requirements of ~~the~~ this part.

23 (5) A license ~~shall~~ must be displayed in a prominent place in the licensed facility or graveyard.

24 (6) The license expires on December 31 of the year issued.

25 (7) If a motor vehicle wrecking facility ceases to do business, the license ~~shall~~ must be
 26 surrendered to the department. The license is not transferable."

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28 **SECTION 3. SECTION 75-10-532, MCA, IS AMENDED TO READ:**

29 **"75-10-532. Disposition of money collected.** All money received from the sale of the junk vehicles
 30 or from recycling of the material and all motor vehicle wrecking facility license fees and fees collected as

1 motor vehicle disposal fees must be deposited with the state treasurer to be used for the control,
2 collection, recycling, and disposal of junk vehicles and component parts and, ~~to the extent the legislature~~
3 ~~appropriates funds expressly and solely for this purpose,~~ for the removal of abandoned vehicles."

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5 NEW SECTION. **Section 4. Effective date.** [This act] is effective ~~July 1, 2001~~ JANUARY 1, 2002.

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