

## HOUSE BILL NO. 334

INTRODUCED BY C. KAUFMANN

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING FROM \$3.50 TO \$10 THE PORTION OF THE REGISTRATION OR REREGISTRATION FEE FOR EACH RECREATIONAL VEHICLE, CAMPER, MOTOR HOME, AND TRAVEL TRAILER THAT IS DEDICATED TO THE STATE SPECIAL REVENUE FUND FOR STATE PARKS; ADJUSTING THE VARIOUS LICENSE FEES TO PROVIDE FOR THE INCREASE TO THE STATE PARKS FUND; AMENDING SECTIONS 15-1-122, 61-3-321, AND 61-3-524, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

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

**Section 1.** Section 15-1-122, MCA, is amended to read:

**"15-1-122. Fund transfers.** (1) There is transferred from the state general fund to the adoption services account, provided for in 42-2-105, \$36,764 for fiscal year 2003. Beginning with fiscal year 2004, the amount of the transfer must be increased by 10% in each succeeding fiscal year.

(2) There is transferred from the state general fund to the department of transportation state special revenue nonrestricted account the following amounts:

(a) \$75,000 in fiscal year 2003;

(b) \$2,960,715 in fiscal year 2004; and

(c) in each succeeding fiscal year, the amount in subsection (2)(b), increased by 1.5% in each succeeding fiscal year.

(3) For fiscal year 2002 and for each succeeding fiscal year, there is transferred from the state general fund to the accounts, entities, or recipients indicated the following amounts:

(a) to the motor vehicle recycling and disposal program provided for in Title 75, chapter 10, part 5:

(i) \$2 for each new application for a motor vehicle title and for each transfer of a motor vehicle title for which a fee is paid pursuant to 61-3-203; and

(ii) \$1 for each passenger car or truck under 8,001 pounds GVW registered for licensing pursuant to Title 61, chapter 3, part 3. Fifteen cents of each dollar must be used for the purpose of reimbursing the hired removal of abandoned vehicles during the calendar year following the calendar year in which the fee was paid. Any

1 portion of the 15 cents not used for abandoned vehicle removal reimbursement during the calendar year  
2 following its payment must be used as provided in 75-10-532;

3 (b) to the noxious weed state special revenue account provided for in 80-7-816:

4 (i) \$1 for each off-highway vehicle subject to payment of the fee in lieu of tax, as provided for in  
5 23-2-803; and

6 (ii) \$1.50 for each light vehicle, truck or bus weighing less than 1 ton, logging truck, vehicles weighing  
7 more than 1 ton, motorcycle, quadricycle, and motor home subject to registration or reregistration pursuant to  
8 61-3-321;

9 (c) to the department of fish, wildlife, and parks:

10 (i) \$2.50 for each motorboat, sailboat, or personal watercraft receiving a certificate of number under  
11 23-2-512, with 20% of the amount received to be used to acquire and maintain pumpout equipment and other  
12 boat facilities;

13 (ii) \$5 for each snowmobile registered under 23-2-616, with \$2.50 to be used for enforcing the purposes  
14 of 23-2-601 through 23-2-644 and \$2.50 designated for use in the development, maintenance, and operation  
15 of snowmobile facilities;

16 (iii) \$1 for each duplicate snowmobile decal issued under 23-2-617;

17 (iv) \$5 for each off-highway vehicle decal issued under 23-2-804 and each off-highway vehicle duplicate  
18 decal issued under 23-2-809, with 40% of the money used to enforce the provisions of 23-2-804 and 60% of the  
19 money used to develop and implement a comprehensive program and to plan appropriate off-highway vehicle  
20 recreational use;

21 (v) to the state special revenue fund established in 23-1-105, ~~\$3.50~~ for each recreational vehicle,  
22 camper, motor home, and travel trailer registered or reregistered and subject to the fee in 61-3-321 or 61-3-524;

23 (A) \$3.50 before January 1, 2004; and

24 (B) \$10 on and after January 1, 2004; and

25 (vi) an amount equal to 20% of the funds collected pursuant to 23-2-518 to be deposited in the  
26 motorboat account to be used as provided in 23-2-533;

27 (d) to the state veterans' cemetery account, provided for in 10-2-603, \$10 for each veteran's license  
28 plate issued pursuant to 61-3-332(10)(a)(ii), (10)(f), and (10)(h);

29 (e) to the supplemental benefits for highway patrol officers' retirement account provided for in 19-6-709,  
30 25 cents for each motor vehicle registered, other than trailers or semitrailers registered in other jurisdictions and

1 registered through a proportional registration agreement; and

2 (f) 25 cents a year for each vehicle subject to the fee in 61-3-321(6) for deposit in the state special  
3 revenue fund to the credit of the senior citizens and persons with disabilities transportation services account  
4 provided for in 7-14-112.

5 (4) For fiscal year 2002, there is transferred from the state general fund to the state special revenue  
6 fund to be used for purposes of state funding of district court expenses, as provided in 3-5-901, \$5,742,983 in  
7 lieu of the amount deposited by the state treasurer under 61-3-509(3), as that subsection read prior to the  
8 amendment of 61-3-509 in 2001.

9 (5) For each fiscal year, beginning with fiscal year 2002, the department of justice shall provide to the  
10 department of revenue a count of the vehicles required for the calculations in subsection (3). Transfer amounts  
11 for fiscal year 2002 must be based on vehicle counts for calendar year 2000. Transfer amounts in each  
12 succeeding fiscal year must be based on vehicle counts in the most recent calendar year for which vehicle  
13 information is available.

14 (6) The amounts transferred from the general fund to the designated recipient must be appropriated  
15 as state special revenue in the general appropriations act for the designated purposes."  
16

17 **Section 2.** Section 61-3-321, MCA, is amended to read:

18 **"61-3-321. Registration fees of vehicles -- certain vehicles exempt from license or registration**  
19 **fees -- disposition of fees.** (1) Registration or license fees must be paid upon registration or reregistration of  
20 motor vehicles, trailers, and semitrailers, in accordance with this chapter, as follows:

21 (a) light vehicles under 2,850 pounds, \$13.75;

22 (b) trailers with a declared weight of less than 2,500 pounds and semitrailers, \$8.25;

23 (c) motor vehicles registered pursuant to 61-3-411 that are:

24 (i) over 2,850 pounds, \$10; and

25 (ii) under 2,850 pounds, \$5;

26 (d) off-highway vehicles registered pursuant to 23-2-817, \$9;

27 (e) light vehicles over 2,850 pounds, trucks and buses less than 1 ton, and heavy trucks in excess of  
28 1 ton, \$18.75;

29 (f) logging trucks less than 1 ton, \$23.75;

30 (g) motor homes, ~~\$22.25~~ \$28.75;

1 (h) motorcycles and quadricycles, \$9.75;

2 (i) trailers and semitrailers between 2,500 and 6,000 pounds, \$11.25;

3 (j) trailers and semitrailers in excess of 6,000 pounds, other than trailers and semitrailers registered in  
4 other jurisdictions and registered through a proportional registration agreement, \$16.25;

5 (k) travel trailers, ~~\$11.75~~ \$18.25; and

6 (l) recreational vehicles, ~~\$3.50~~ \$10.

7 (2) If a motor vehicle, trailer, or semitrailer is originally registered 6 months after the time of registration  
8 as set by law, the registration or license fee for the remainder of the year is one-half of the regular fee.

9 (3) An additional fee of \$5 must be collected for the registration of each motorcycle as a safety fee and  
10 must be deposited in the state motorcycle safety account provided for in 20-25-1002.

11 (4) A fee of \$2 for each set of new number plates must be collected when number plates provided for  
12 under 61-3-332(2) are issued.

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

16 (6) (a) Except as provided in 61-3-562 and subsection (6)(b) of this section, a fee of 25 cents a year for  
17 each registration of a vehicle must be collected when a vehicle is registered or reregistered. The revenue  
18 derived from this fee must be forwarded by the county treasurer for deposit in the general fund for transfer to  
19 the credit of the senior citizens and persons with disabilities transportation services account provided for in  
20 7-14-112.

21 (b) The following vehicles are not subject to the fee imposed in subsection (6)(a):

22 (i) trailers and semitrailers registered in other jurisdictions and registered through a proportional  
23 registration agreement; and

24 (ii) travel trailers, recreational vehicles, and off-highway vehicles registered pursuant to 23-2-817.

25 (7) The provisions of this section relating to the payment of registration fees or new number plate fees  
26 do not apply when number plates are transferred to a replacement vehicle under 61-3-317, 61-3-332, or  
27 61-3-335.

28 (8) A person qualifying under 61-3-332(10)(d) is exempt from the fees required under this section.

29 (9) Except as otherwise provided in this section, revenue collected under this section must be deposited  
30 in the state general fund."

1  
2       **Section 3.** Section 61-3-524, MCA, is amended to read:

3       **"61-3-524. Decal required on camper -- application for decal -- application fee -- issuance.** (1) A  
4 camper that is subject to the fee in lieu of tax imposed under 61-3-521 may not be operated by a person on the  
5 public highways or streets in this state unless there is displayed in a conspicuous place on the camper a decal  
6 as visual proof that the fee has been paid on the camper for the current year.

7       (2) Application for the issuance of the decal must be made to the county treasurer in the county of the  
8 owner's residence, accompanied by an application fee of ~~\$4.50~~ \$11, on a form furnished by the department,  
9 which may be obtained at the county treasurer's office. The form must provide for substantially the following  
10 information:

- 11       (a) name of owner;  
12       (b) address;  
13       (c) name of manufacturer;  
14       (d) model number;  
15       (e) make;  
16       (f) year of manufacture; and  
17       (g) other information that the department may require.

18       (3) (a) The county treasurer shall sign the application and transmit the application and the fee to the  
19 department. The fee must be deposited in the state general fund.

20       (b) Upon receipt of the application in approved form and payment of the fee in lieu of tax by the  
21 applicant, the county treasurer shall issue to the applicant a numbered decal in the style and design prescribed  
22 by the department and of a different color than the preceding year."

23  
24       NEW SECTION. **Section 4. Effective date.** [This act] is effective January 1, 2004.

25                               - END -