

HOUSE BILL NO. 518

INTRODUCED BY R. MAEDJE

1
2
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS GOVERNING REGISTRATION OF SPECIAL
5 MOBILE EQUIPMENT AND TRAILERS; REVISING THE DEFINITION OF "TRAILER" FOR THE PURPOSES
6 OF REGISTRATION; EXEMPTING CERTAIN TRAILERS FROM REGISTRATION REQUIREMENTS;
7 REMOVING THE REQUIREMENT THAT SPECIAL MOBILE EQUIPMENT MUST DISPLAY AN EQUIPMENT
8 IDENTIFICATION PLATE OR DEALER'S LICENSE PLATE; AMENDING SECTIONS 61-1-111 AND 61-3-431,
9 MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12
13 **Section 1.** Section 61-1-111, MCA, is amended to read:
14 **"61-1-111. Trailer.** (1) "Trailer" Except as provided in subsection (2), "trailer" means every vehicle, with
15 or without motive power, (other than a pole trailer), designed for carrying property and for being drawn by a
16 motor vehicle and so constructed so that no part of its weight rests upon the towing vehicle; except that
17 (2) (a) Except as provided in subsection (2)(b), as used in chapters 3 and 4 the term includes every
18 vehicle without motive power designed to carry property or passengers wholly on its own structure and to be
19 drawn by a motor vehicle.
20 (b) For the purposes of chapters 3 and 4, the term does not include a homemade device used to haul
21 a log loader or other equipment used in a logging operation."

22
23 **Section 2.** Section 61-3-431, MCA, is amended to read:
24 **"61-3-431. Special mobile equipment -- exemption from registration and payment of fees and**
25 **charges -- ~~identification plate~~ -- special demonstration permit -- publicly owned special mobile**
26 **equipment.** (1) A person, firm, partnership, or corporation who owns, leases, or rents special mobile equipment
27 as defined in 61-1-104 and occasionally moves that equipment on, over, or across the highways of the state is
28 not subject to registration of that equipment or required to pay the fees and charges provided for in 61-4-301
29 through 61-4-308 or part 2 of chapter 10. The equipment is subject to the assessment of personal property taxes.
30 (2) Prior to movement on the highways;

1 ~~_____ (a) each piece of equipment must display an equipment identification plate or a dealer's license plate~~
2 ~~attached to the equipment, except for equipment referred to in 61-1-104(2) that is brought into Montana for~~
3 ~~demonstration purposes;~~

4 ~~_____ (b) each piece of equipment referred to in 61-1-104(2) that is brought into Montana for demonstration~~
5 ~~purposes must have a special demonstration permit conspicuously displayed.~~

6 ~~(2)(3) (a) Annual application for the identification plate must be made to the county treasurer before any~~
7 ~~piece of equipment is moved on the highways. Application must be made on a form furnished by the department,~~
8 ~~together with the payment of a fee of \$5. The equipment for which a special mobile equipment plate or for which~~
9 ~~a special demonstration permit is sought is subject to the assessment of personal property taxes on the date~~
10 ~~application is made for the plate or the date determined pursuant to subsection (4). The personal property taxes~~
11 ~~assessed against the special mobile equipment must be paid before a special mobile equipment plate may be~~
12 ~~issued. The fees collected under this section must be deposited in the state general fund, except that \$25 of the~~
13 ~~special demonstration permit fee must be remitted to the department of transportation.~~

14 ~~(b) Application must be made for a special demonstration permit as provided in subsection (1)(b) this~~
15 ~~subsection (3)(b). The application must be made to the county treasurer or to a weigh station before the piece~~
16 ~~of equipment is moved on Montana highways. Application for the special demonstration permit must be made~~
17 ~~on a form furnished by the department and must be accompanied by the payment of a fee of \$50.~~

18 ~~(3) The identification plate expires on December 31 of each year. If the expired identification plate is~~
19 ~~displayed, an owner of special mobile equipment registered under the provisions of this section is entitled to~~
20 ~~operate the equipment between January 1 and February 15 following expiration without displaying the~~
21 ~~identification plate or receipt of the current year.~~

22 ~~(4) (a) The special demonstration permit expires 45 days after its issuance. Special mobile equipment~~
23 ~~that remains in the state past the expiration of the permit is subject to the assessment of personal property taxes,~~
24 ~~starting on the first day following expiration of the permit.~~

25 ~~(b) If the holder of a special demonstration permit leases or sells the piece of equipment during the term~~
26 ~~that is covered by the permit, the permit is no longer valid and the special mobile equipment is subject to the~~
27 ~~assessment of personal property taxes, starting on the first day of the lease or the date of the sale.~~

28 ~~(5) Publicly owned special mobile equipment and implements of husbandry used exclusively by an~~
29 ~~owner in the conduct of the owner's farming operations are exempt from this section."~~

30

