Montana State Legislature

Exhibit Number: 2

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SENATE HIGHWAYS AND TRANSPORTATION	
EXHIBIT NO.	2
DATE:	2/11/2005
BILL NO.	SB 285

February 3, 2005

Testimony of Dal Smilie in support of amending SB 285

Montana Motorcyclists volunteered to pay an additional amount on their vehicle registrations to support a new state-wide motorcycle safety training program. Since 1989 the Montana Motorcycle Rider Safety Program has trained about 40% of the amount of riders with a motorcycle endorsement in Montana. It is a national award winning program.

It is important that the rider volunteered fees stay with the safety program, as drafted SB 285 does not do that. It is important that the identity of the fees remains with the program.

Riders understand that legislators dislike "earmarked" funds because it is their duty to determine proper priorities for the use of public money. Unlike most earmarked funds these funds have been volunteered by the user group. They may be one of the few groups who deserve to retain the earmarking of the volunteered funds.

Rider groups have worked with Senator Story to keep these funds earmarked and to keep their identity. He has agreed to propose amendments that carry those goals out and we support those amendments.

Dal Smilie, Chairman
Montana Motorcycle Safety Advisory Committee

SB 285

Recodification of Motor Vehicle Laws to Clarify and Simplify

Current Law	SB 285
1. Numerous motor vehicle fees located in multiple sections of law.	Consolidate universal fee amounts for each vehicle type, and have a single section for fee amounts (61-3-321, MCA). Intent is revenue neutrality for each vehicle type. (Section 77)
2. Definitions for motor vehicle regulations, registration, and taxes located in numerous sections of law, and varying definitions for the same term.	Single definition section for motor vehicle regulations, registration, and taxes. Single definition for the same term. For instance, only one definition for motor vehicle. (Section 42)
3. Currently no relationship exists between who administers the motor vehicle tax database (DOJ) and who receives the funds (DOR).	Beginning July 1, 2006, DOJ will receive motor vehicle revenue from counties when their new database system is operational. (Section 5)
4. Allocation of revenue to state special accounts based on vehicle counts from two years prior.	Motor vehicle revenue transfers to state special accounts are based on a percentage of general fund collections. (Section 4)

Light Vehicles

Code	Short Description	MCA Reference	Amount
FC12	Vet. Service Fee	61-3-321(7)	$0.50
FC13	Senior Citizen Transp. Fee	61-3-321(6)	$0.25
FC86	Under 2,850 lbs Veh. Registration	61-3-321(1)(a)	$17.00
FC87	Over 2,850 lbs Veh. Registration	61-3-321(1)(e)	$22.00
		Average	**$21.25**
FC61	Registration Rate or Flat Tax	61-3-560	
		4 yrs or less	$195.00
		5-10 yrs old	$65.00
		11 yrs or older	$6.00
	Proposed New Fee	4 yrs or less	**$217.00**
		5-10 yrs old	**$87.00**
		11 yrs or older	**$28.00**

Permanent Light Vehicles

Code	Short Description	MCA Reference	Amount
FC12	Vet. Service Fee	61-3-321(7)	$0.50
FC13	Senior Citizen Transp. Fee	61-3-321(6)	$1.25
FC86	Under 2,850 lbs Veh. Registration	61-3-321(1)(a)	$17.00
FC87	Over 2,850 lbs Veh. Registration	61-3-321(1)(e)	$22.00
		Average	**$21.25**
FC23	Highway Patrol General Fund Fee	61-3-562(1)(b)	$2.00
FC61	Registration Rate or Flat Tax	61-3-562(1)(a)	$50.00
	5 x the Junk Veh. Disposal Fee	15-1-122(a)	$5.00
	5 x the Weed Control Fee	15-1-122(b)	$7.50
	Proposed New Fee		**$87.50**

Off Highway Vehicles

Code	Short Description	MCA Reference	Amount
FC45	Off-Highway Flat Fee	23-2-803	$40.00
FC46	Off-Highway Extra Fee	61-3-321(1)(d)	$19.25
FC47	Off-Highway Registration	23-2-817	$2.00
	Proposed New Fee		**$61.25**

Motorcycles

Code	Short Description	MCA Reference	Amount
*** On-Road Use Only**			
FC05	Motorcycle Flat Fee	61-3-527(1)(a)	$40.00
FC11	Highway Patrol Pension Fee	61-3-527(4)	$1.25
FC12	Vet. Service Fee	61-3-321(7)	$0.50
FC13	Senior Citizen Transp. Fee	61-3-321(6)	$0.25
FC93	Motorcycle Registration	61-3-321(1)(h)	$11.25
	Proposed New Fee (On-Road Only)		**$69.25**
*** On-Road and Off-Road Use**			
FC05	Motorcycle Flat Fee	61-3-527(1)(a)	$40.00
FC11	Highway Patrol Pension Fee	61-3-527(4)	$1.25
FC12	Vet. Service Fee	61-3-321(7)	$0.50
FC13	Senior Citizen Transp. Fee	61-3-321(6)	$0.25
FC93	Motorcycle Registration	61-3-321(1)(h)	$11.25
FC45	Off-Highway Flat Fee	23-2-803	$40.00
FC46	Off-Highway Extra Fee	61-3-321(1)(d)	$19.25
FC47	Off-Highway Registration	23-2-817	$2.00
	Proposed New Fee (On and Off-Road Use)		**$114.50**

Snowmobiles

Code	Short Description	MCA Reference	Amount
* Recreational			
FC16	Snowmobile Flat Fee	23-2-626(1)	$40.00
FC26	Snowmobile Registration Fee	23-2-616(3)	$20.50
	Proposed New Fee (Recreational)		**$60.50**
* Rental Snowmobiles			
FC16	Rental Snowmobile 1st Yr.	23-2-626(4)	$20.00
FC16	Rental Snowmobile 2nd Yr.	23-2-626(4)	$40.00
FC26	Snowmobile Registration Fee	23-2-616(3)	$20.50
	Proposed New Fee (Rental First Year)		**$40.50**
	Proposed New Fee (Rental Second Year)		**$60.50**

Watercraft

Code	Short Description	MCA Reference	Amount
FC40	Boat Flat Fee	23-2-517	
		Boats LT 16 ft	$50.00
		Boats 16 to 19 ft	$110.00
		Boats GT 19 ft	$280.00
FC41	Boat Registration Fee	23-2-512	$15.50
	Proposed New Fee	Boats LT 16 ft	**$65.50**
		Boats 16 to 19 ft	**$125.50**
		Boats GT 19 ft	**$295.50**

Heavy Vehicles

Code	Short Description	MCA Reference	Amount
FC12	Vet. Service Fee	61-3-321(7)	$0.50
FC13	Senior Citizen Transp. Fee	61-3-321(6)	$0.25
FC87	Over 2,850 lbs Veh. Registration	61-3-321(1)(e)	$22.00
	Proposed New Fee		**$22.75**

Motor Homes

Code	Short Description	MCA Reference	Amount
FC12	Vet. Service Fee	61-3-321(7)	$0.50
FC58	RV Registration Fee	61-3-321(1)(l)	$9.75
FC92	Motor Home Registration	61-3-321(1)(g)	$22.25
FC09	Motor Home Flat Fee	61-3-522	
		less than 2yrs old	$250.00
		2 years old	$230.00
		3 years old	$195.00
		4 years old	$150.00
		Average 2 - 4 yrs old	*$191.75*
		5 years old	$125.00
		6 years old	$100.00
		7 years old	$75.00
		Average 5 - 7 yrs old	*$100.00*
		8 yrs & older	$65.00
	Proposed New Fee	less than 2 years old	**$282.50**
		2 to 4 years old	**$224.25**
		5 to 7 years old	**$132.50**
		8 yrs & older	**$97.50**