



SENATE STANDING COMMITTEE REPORT

April 6, 2005

Page 1 of 1

Mr. President:

We, your committee on **Taxation** recommend that **House Bill 89** (third reading copy -- blue) be **concurrent in**.

Signed: _____

A handwritten signature in cursive script, appearing to read "J. Elliott", written over a horizontal line.

Senator Jim Elliott, Chair

To be carried by Senator Bob Story Jr.

- END -

Committee Vote:
Yes 8, No 0.

731352SC.ssc

COMMITTEE FILE COPY

TABLED BILL

The **SENATE TAXATION COMMITTEE** TABLED **HB 475**, by motion, on **Wednesday, April 6, 2005**.

K. Ely
(For the Committee)

KF
(Secretary of Senate)

12:30 4-6
(Time) (Date)

April 6, 2005

Kathleen C. Ely, Secretary

Phone: 444-4814



SENATE STANDING COMMITTEE REPORT

April 6, 2005

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Mr. President:

We, your committee on **Taxation** recommend that **House Bill 541** (third reading copy -- blue) be concurred in as amended.

Signed: _____

A handwritten signature in cursive script, appearing to read "J. Elliott", written over a horizontal line.

Senator Jim Elliott, Chair

To be carried by Senator Kelly Gebhardt

And, that such amendments read:

1. Page 11, line 3.

Strike: "under 61-3-522(3)"

2. Page 15, line 18.

Insert: "COORDINATION SECTION. **Section 8. Coordination instruction.** If Senate Bill No. 285 and [this act] are both passed and approved then [sections 1 through 4, 6, and 7 of this act] are void and the following must be inserted into 61-3-321(7), the fee schedule for motor homes, as amended by Senate Bill No. 285:

"(c) (i) The owner of a motor home 11 years old or older subject to the registration fee under subsection (7) (a) may permanently register the motor home upon payment of:

(A) a fee of \$237.50; and

(B) if applicable, five times the personalized license plate fees under 61-3-406.

(ii) The following series of license plates may not be used for purposes of permanent registration of a motor home:

(A) Montana national guard license plates issued under 61-3-458(2) (b);

(B) reserve armed forces license plates issued under 61-3-458(2) (c);

(C) license plates bearing a wheelchair design as a symbol of a person with a disability issued under 61-3-332(11);

(D) amateur radio operator license plates issued under

Committee Vote:

Yes 9, No 0.

731355SC.ssc

61-3-422;

(E) collegiate license plates issued under 61-3-465; and

(F) generic specialty license plates issued under 61-3-479.

(iii) Except as provided in subsection (17), whenever a transfer of ownership of a permanently registered motor home occurs, the applicable fees required under this subsection (7) must be paid by the new owner." "

Renumber: subsequent section

- END -



SENATE STANDING COMMITTEE REPORT

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Page 1 of 4

Mr. President:

We, your committee on **Taxation** recommend that **House Bill 186** (third reading copy -- blue) be concurred in as amended.

Signed: _____

A handwritten signature in cursive script, appearing to read "J. Elliott", written over a horizontal line.

Senator Jim Elliott, Chair

To be carried by Senator Jeff Essmann

And, that such amendments read:

1. Title, line 6.

Following: "VEHICLE"

Insert: "AND "ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICE"

2. Title, line 7.

Strike: "HIGHWAYS" through "STREETS"

Insert: "WAYS OF THIS STATE OPEN TO THE PUBLIC UNLESS AUTHORIZED BY THE LOCAL GOVERNING BODY; AUTHORIZING THE OPERATION OF ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES ON CERTAIN SIDEWALKS, ROADS, AND STREETS"

3. Page 1, line 19.

Strike: subsection (a) in its entirety

Renumber: subsequent subsections

4. Page 1, line 23.

Strike: "AND"

5. Page 1, line 24.

Following: line 23

Insert: "(b) has a wheelbase of less than 40 inches and a wheel diameter of less than 10 inches; and"

Committee Vote:

Yes 9, No 0.

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Renumber: subsequent subsections

6. Page 1, line 27.

Following: "skateboard"

Strike: ", "

Insert: "and"

7. Page 1, line 28.

Following: "rocket"

Strike: ", a" through "lawnmower"

8. Page 1, line 29 through page 1, line 30.

Strike: "A" on page 1, line 29 through "61-1-133, on page 1, line
30

Insert: "an electric personal assistive mobility device, as
defined in [section 2],"

9. Page 2, line 3.

Insert: "NEW SECTION. Section 2. Electric personal assistive
mobility device. "Electric personal assistive mobility device"
means a device that has two nontandem wheels, is self-balancing,
and is designed to transport only one person with an electric
propulsion system that limits the maximum speed of the device to
12 1/2 miles an hour."

Renumber: subsequent sections

10. Page 2, line 5 through page 2, line 7.

Strike: ":" on line 5 through "town" on line 7

Insert: "ways of this state open to the public"

11. Page 2, line 8.

Following: "town"

Insert: "for a public way under its jurisdiction"

12. Page 2, line 9.

Insert: "NEW SECTION. Section 4. Authorized operation of
electric personal assistive mobility devices. Electric personal
assistive mobility devices, as defined in [section 2], are
permitted to operate on sidewalks, unless they are prohibited by
official traffic control devices, on bike paths, and on roads and
streets that have a speed limit of 35 miles an hour or less."

Renumber: subsequent sections

13. Page 2, line 14.

Following: "61-1-123,"

Insert: "an electric personal assistive mobility device, as defined in [section 2],"

14. Page 2, line 29.

Following: "61-1-123,"

Insert: "an electric personal assistive mobility device, as defined in [section 2],"

15. Page 7, line 11.

Strike: "Section"

Insert: "Sections"

Following: "1"

Insert: "and 2"

Strike: "is"

Insert: "are"

16. Page 7, line 12.

Strike: "section"

Insert: "sections"

Following: "1"

Insert: "and 2"

17. Page 7, line 13.

Strike: "Section 2"

Insert: "Sections 3 and 4"

Strike: "is"

Insert: "are"

18. Page 7, line 14.

Strike: "section 2"

Insert: "sections 3 and 4"

19. Page 7, line 15.

Insert: "COORDINATION SECTION. Section 11. Coordination instruction. If Senate Bill No. 285 and [this act] are both passed and approved, then [section 1 of this act] is void, internal references to [section 1] in [this act] are changed to 61-1-101, and the following definition is inserted into 61-1-101 as amended by Senate Bill No. 285:

"(28) (a) "Motorized nonstandard vehicle" means a vehicle,

upon or by which a person may be transported, that:

- (i) is propelled by its own power, using an internal combustion engine or an electric motor;
- (ii) has a wheelbase of less than 40 inches and a wheel diameter of less than 10 inches; and
- (iii) does not display a manufacturer's certification in accordance with 49 CFR, part 567, or have a 17-character vehicle identification number assigned by the manufacturer in accordance with 49 CFR, part 565.

(b) The term includes but is not limited to a motorized skateboard and a vehicle commonly known as a "pocket rocket".

(c) The term does not include an electric personal assistive mobility device or a motorized wheelchair or other low-powered, mechanically propelled vehicle designed specifically for use by a physically disabled person."

Insert: "COORDINATION SECTION. **Section 12. Coordination instruction.** If Senate Bill No. 285 and [this act] are both passed and approved, then [section 2 of this act] is void, internal references to [section 2] in [this act] are changed to 61-1-101, the following definition is inserted into 61-1-101 as amended by Senate Bill No. 285:

"(13) "Electric personal assistive mobility device" means a device that has two nontandem wheels, is self-balancing, and is designed to transport only one person with an electric propulsion system that limits the maximum speed of the device to 12 1/2 miles an hour."

Insert: "COORDINATION SECTION. **Section 13. Coordination instruction.** If Senate Bill No. 285 and [this act] are both passed and approved, then subsection (b) of the definition of "motorcycle" in 61-1-101 as amended by Senate Bill No. 285 reads:

"(b) The term does not include a tractor, a bicycle as defined in 61-8-102, a motorized nonstandard vehicle, or a two- or three-wheeled all-terrain vehicle that is used exclusively on private property."

Insert: "COORDINATION SECTION. **Section 14. Coordination instruction.** If Senate Bill No. 285 and [this act] are both passed and approved, then subsection (b) of the definition of "motor-driven cycle" in 61-1-101 as amended by Senate Bill No. 285 reads:

"(b) The term does not include a bicycle as defined in 61-8-102 or a motorized nonstandard vehicle."

Renumber: subsequent sections

- END -

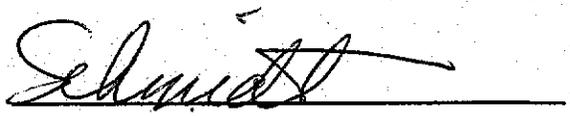
PROXY VOTE

I, the undersigned, hereby authorize Senator Gillan to

vote my proxy on any issue before the Senate Taxation

Committee held on April 6, 2005.

HB 475



SENATOR
STATE OF MONTANA

