

SENATE BILL NO. 443

INTRODUCED BY J. BLACK

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A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE AUTHORITY OF THE DEPARTMENT OF JUSTICE TO REVOKE THE APPROVAL OF A GENERIC SPECIALTY LICENSE PLATE IF FEWER THAN 400 SETS OF THE PLATE HAVE BEEN SOLD OR RENEWED IN THE 12 MONTHS PRIOR TO THE THIRD ANNIVERSARY OF THE INITIAL DISTRIBUTION OF THE PLATE; AND AMENDING SECTION 61-3-474, MCA."

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

Section 1. Section 61-3-474, MCA, is amended to read:

"61-3-474. Responsibility for design of generic specialty license plates -- numbering -- rulemaking -- approval -- registration decal -- listing of plate sponsors. (1) The department shall:

- (a) design the background and general format of generic specialty license plates;
- (b) in consultation with the department of corrections, determine which license plate processing system is the most efficient and versatile manufacturing method for the production of generic specialty license plates;
- (c) use a numbering system for generic specialty license plates that is distinctive from the numbering system required under 61-3-332 or used for collegiate license plates;
- (d) adopt rules that prescribe:
 - (i) the minimum and maximum number of characters that a generic specialty license plate may display;
 - (ii) the general placement of the sponsor's name, identifying phrase, and graphic; and
 - (iii) any specifications or limitations on the use or choice of color or detail in the sponsor's graphic design.

(2) All sponsor names, identifying phrases, and graphics intended for use on generic specialty license plates must be approved by the department prior to the manufacture of the plates.

(3) Upon the issuance of generic specialty license plates, a registration decal must be affixed to the license plates as provided in 61-3-332.

(4) The department shall maintain a list of the sponsors that have been approved to promote the sale and issuance of generic specialty license plates, the initial distribution date for sale of each sponsored generic specialty license plate, and the donation fee established by the sponsor for each sponsored generic specialty license plate. The department shall, upon request, make copies of this list available to interested members of the

1 public.

2 (5) The department may, in its discretion, revoke its previous approval of a sponsor's generic specialty
3 license plate sponsorship if:

4 (a) the sponsor fails to comply with the provisions of 61-3-472 through 61-3-481; or

5 ~~(b) fewer than 400 sets of a sponsor's generic specialty license plate have been sold or renewed in the~~
6 ~~12-month period immediately preceding the third anniversary of the date of initial distribution of the sponsored~~
7 ~~generic specialty license plate; or~~

8 ~~(e)(b)~~ the department has reliable information that the sponsor is no longer qualified for sponsorship
9 under 61-3-472 through 61-3-481.

10 (6) (a) Upon revocation of a sponsor's generic specialty license plate sponsorship status, the issuance
11 and sale of the sponsor's generic specialty license plates must be terminated and a donation fee may not be
12 charged or collected upon registration renewal of a motor vehicle displaying previously issued generic specialty
13 license plates affiliated with that sponsor.

14 (b) A person who owns a motor vehicle displaying valid generic specialty license plates affiliated with
15 a sponsor whose sponsorship status has been revoked may continue to display those generic specialty license
16 plates on the person's motor vehicle if the motor vehicle's registration is properly renewed in subsequent years
17 and the plates remain legible.

18 (c) Following revocation of a sponsor's sponsorship status, the department may not issue replacements
19 or duplicates of generic specialty license plates affiliated with that sponsor if the license plates are destroyed or
20 mutilated."

21 - END -