

HOUSE BILL NO. 597

INTRODUCED BY R. MEHLHOFF

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

A BILL FOR AN ACT ENTITLED: "AN ACT WAIVING 50% OF REGISTRATION FEES FOR MOTOR VEHICLES OWNED BY CERTAIN DISABLED INDIVIDUALS; AMENDING SECTIONS 61-3-321 AND 61-3-455, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

NEW SECTION. Section 1. Motor vehicle fee waiver for disabled. One motor vehicle that is not used for commercial purposes is exempt from 50% of all motor vehicle registration fees imposed by this chapter if the vehicle is owned by an individual who:

- (1) has been determined to be disabled pursuant to 42 U.S.C. 421, et seq., and is receiving social security disability benefits; or
- (2) is receiving supplemental security income benefits pursuant to 42 U.S.C. 1381, et seq.

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

"61-3-321. Registration fees of vehicles and vessels -- certain vehicles exempt from registration fees -- disposition of fees. (1) Except as otherwise provided in this section, registration fees must be paid upon registration or, if applicable, renewal of registration of motor vehicles, snowmobiles, watercraft, trailers, semitrailers, and pole trailers as provided in subsections (2) through (20):

- (2) Unless a light vehicle is permanently registered under 61-3-562, the annual registration fee for light vehicles, trucks and buses under 1 ton, and logging trucks less than 1 ton is as follows:
 - (a) if the vehicle is 4 or less years old, \$217;
 - (b) if the vehicle is 5 through 10 years old, \$87; and
 - (c) if the vehicle is 11 or more years old, \$28.
- (3) Except as provided in subsection (15), the one-time registration fee based on the declared weight of a trailer, semitrailer, or pole trailer is as follows:
 - (a) if the declared weight is less than 6,000 pounds, \$61.25; or
 - (b) if the declared weight is 6,000 pounds or more, \$148.25.

1 (4) Except as provided in subsection (15), the one-time registration fee for motor vehicles owned and
2 operated solely as collector's items pursuant to 61-3-411, based on the weight of the vehicle, is as follows:

3 (a) 2,850 pounds and over, \$10; and

4 (b) under 2,850 pounds, \$5.

5 (5) Except as provided in subsection (15), the one-time registration fee for off-highway vehicles other
6 than a quadricycle or motorcycle is \$61.25.

7 (6) The annual registration fee for heavy trucks, buses, and logging trucks in excess of 1 ton is \$22.75.

8 (7) (a) The annual registration fee for a motor home, based on the age of the motor home, is as follows:

9 (i) less than 2 years old, \$282.50;

10 (ii) 2 years old and less than 5 years old, \$224.25;

11 (iii) 5 years old and less than 8 years old, \$132.50; and

12 (iv) 8 years old and older, \$97.50.

13 (b) The owner of a motor home that is 11 years old or older and that is subject to the registration fee
14 under this section may permanently register the motor home upon payment of:

15 (i) a one-time registration fee of \$237.50;

16 (ii) unless a new set of license plates is being issued, an insurance verification fee of \$5, which must be
17 deposited in the account established under 61-6-158; and

18 (iii) if applicable, five times the renewal fees for personalized license plates under 61-3-406.

19 (8) (a) Except as provided in subsection (15), the one-time registration fee for motorcycles and
20 quadricycles registered for use on public highways is \$53.25, and the one-time registration fee for motorcycles
21 and quadricycles registered for both off-road use and for use on the public highways is \$114.50.

22 (b) An additional fee of \$16 must be collected for the registration of each motorcycle or quadricycle as
23 a safety fee, which must be deposited in the state motorcycle safety account provided for in 20-25-1002.

24 (9) Except as provided in subsection (15), the one-time registration fee for travel trailers, based on the
25 length of the travel trailer, is as follows:

26 (a) under 16 feet in length, \$72; and

27 (b) 16 feet in length or longer, \$152.

28 (10) Except as provided in subsection (15), the one-time registration fee for a motorboat, sailboat,
29 personal watercraft, or motorized pontoon required to be numbered under 23-2-512 is as follows:

30 (a) for a personal watercraft or a motorboat, sailboat, or motorized pontoon less than 16 feet in length,

1 \$65.50;

2 (b) for a motorboat, sailboat, or motorized pontoon at least 16 feet in length but less than 19 feet in
3 length, \$125.50; and

4 (c) for a motorboat, sailboat, or motorized pontoon 19 feet in length or longer, \$295.50.

5 (11) (a) Except as provided in subsections (11)(b) and (15), the one-time registration fee for a
6 snowmobile is \$60.50.

7 (b) (i) A snowmobile that is licensed by a Montana business and is owned exclusively for the purpose
8 of daily rental to customers is assessed:

9 (A) a fee of \$40.50 in the first year of registration; and

10 (B) if the business reregisters the snowmobile for a second year, a fee of \$20.

11 (ii) If the business reregisters the snowmobile for a third year, the snowmobile must be permanently
12 registered and the business is assessed the registration fee imposed in subsection (11)(a).

13 (12) (a) The one-time registration fee for a low-speed electric vehicle is \$25.

14 (b) The one-time registration fee for a golf cart that is owned by a person who has or is applying for a
15 low-speed restricted driver's license is \$25.

16 (c) The one-time registration fee for golf carts authorized to operate on certain public streets and
17 highways pursuant to 61-8-391 is \$25. Upon receipt of the fee, the department shall issue the owner a decal,
18 which must be displayed visibly on the golf cart.

19 (13) (a) Except as provided in subsection (13)(b), a fee of \$10 must be collected when a new set of
20 standard license plates, a new single standard license plate, or a replacement set of special license plates
21 required under 61-3-332 is issued. The \$10 fee imposed under this subsection does not apply when previously
22 issued license plates are transferred under 61-3-335. All registration fees imposed under this section must be
23 paid if the vehicle to which the plates are transferred is not currently registered.

24 (b) Until January 1, 2015, an additional fee of \$15 must be collected if a vehicle owner elects to keep
25 the same license plate number from license plates issued on or after January 1, 2006, but before January 1,
26 2010, when replacement of those plates is required under 61-3-332(3).

27 (c) The fees imposed in this subsection (13) must be deposited in the account established under
28 61-6-158, except that \$2 of the fee imposed in subsection (13)(a) must be deposited in the state general fund.

29 (14) The provisions of this part with respect to the payment of registration fees do not apply to and are
30 not binding upon motor vehicles, trailers, semitrailers, snowmobiles, watercraft, or tractors owned or controlled

1 by the United States of America or any state, county, city, or special district, as defined in 18-8-202, or to a vehicle
2 or vessel that meets the description of property exempt from taxation under 15-6-201(1)(a), (1)(d), (1)(e), (1)(g),
3 (1)(h), (1)(i), (1)(k), (1)(l), (1)(n), or (1)(o), 15-6-203, or 15-6-215, except as provided in 61-3-520.

4 (15) Whenever ownership of a trailer, semitrailer, pole trailer, off-highway vehicle, motorcycle,
5 quadricycle, travel trailer, motor home, motorboat, sailboat, personal watercraft, motorized pontoon, snowmobile,
6 motor vehicle owned and operated solely as a collector's item pursuant to 61-3-411, or low-speed electric vehicle
7 is transferred, the new owner shall title and register the vehicle or vessel as required by this chapter and pay the
8 fees imposed under this section.

9 (16) ~~(a) A~~ Up to two vehicles owned by a person who is eligible for a waiver under 61-3-460 is are exempt
10 from the fees required under this section.

11 (b) One vehicle owned by a person who is eligible for a waiver under [section 1] is exempt from 50% of
12 the fees required under this section.

13 (17) Except as otherwise provided in this section, revenue collected under this section must be deposited
14 in the state general fund.

15 (18) The fees imposed by subsections (2) through (12) are not required to be paid by a dealer for the
16 enumerated vehicles or vessels that constitute inventory of the dealership.

17 (19) (a) Unless a person exercises the option in either subsection (19)(b) or (19)(c), an additional fee of
18 \$6 must be collected for each light vehicle registered under this part. This fee must be accounted for and
19 transmitted separately from the registration fee. The fee must be deposited in an account in the state special
20 revenue fund to be used for state parks, for fishing access sites, and for the operation of state-owned facilities.
21 Of the \$6 fee, the department of fish, wildlife, and parks shall use \$5.37 for state parks, 25 cents for fishing
22 access sites, and 38 cents for the operation of state-owned facilities at Virginia City and Nevada City.

23 (b) A person who registers a light vehicle may, at the time of annual registration, certify that the person
24 does not intend to use the vehicle to visit state parks and fishing access sites and may make a written election
25 not to pay the additional \$6 fee provided for in subsection (19)(a). If a written election is made, the fee may not
26 be collected.

27 (c) (i) A person who registers one or more light vehicles may, at the time of annual registration, certify
28 that the person does not intend to use any of the vehicles to visit state parks and fishing access sites and may
29 make a written election not to pay the additional \$6 fee provided for in subsection (19)(a). If a written election is
30 made, the fee may not be collected at any subsequent annual registration unless the person makes the written

1 election to pay the additional fee on one or more of the light vehicles.

2 (ii) The written election not to pay the additional fee on a light vehicle expires if the vehicle is registered
3 to a different person.

4 (20) For each light vehicle, trailer, semitrailer, pole trailer, heavy truck, motor home, motorcycle,
5 quadricycle, and travel trailer subject to a registration fee under this section, an additional fee of \$5 must be
6 collected and forwarded to the state for deposit in the account established in 44-1-504.

7 (21) This section does not apply to a motor vehicle, trailer, semitrailer, or pole trailer that is governed by
8 61-3-721."

9

10 **Section 3.** Section 61-3-455, MCA, is amended to read:

11 **"61-3-455. Violation a misdemeanor.** A person who violates 61-3-414, 61-3-458, ~~or~~ 61-3-460, or
12 [section 1] or who knowingly and wrongfully attempts to secure license plates under 61-3-332, 61-3-414,
13 61-3-458, ~~or~~ 61-3-460, or [section 1] is guilty of a misdemeanor and shall be punished by a fine of not less than
14 \$100 or imprisonment for not more than 30 days, or both."

15

16 NEW SECTION. **Section 4. Codification instruction.** [Section 1] is intended to be codified as an
17 integral part of Title 61, chapter 3, part 4, and the provisions of Title 61, chapter 3, part 4, apply to [section 1].

18

19 NEW SECTION. **Section 5. Effective date.** [This act] is effective July 1, 2013.

20

- END -