

SENATE BILL NO. 166

INTRODUCED BY DICK BARRETT, LAVIN, STEENBERG

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4 A BILL FOR AN ACT ENTITLED: "AN ACT WAIVING MOTOR VEHICLE REGISTRATION FEES FOR CERTAIN
5 DISABLED PUBLIC SAFETY OFFICERS AND FIREFIGHTERS; REQUIRING THE ATTORNEY GENERAL TO
6 ASSIST IN IMPLEMENTING THE FEE WAIVER FOR PURPLE HEART-TYPE AWARDS AND TO PROVIDE
7 GUIDANCE TO PUBLIC SAFETY OFFICER'S OR FIREFIGHTER'S ORGANIZATIONS; PROVIDING
8 RULEMAKING AUTHORITY; AMENDING SECTIONS 61-3-321 AND 61-3-455, MCA; AND PROVIDING A
9 DELAYED AN EFFECTIVE DATE."

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

12
13 NEW SECTION. **Section 1. Motor vehicle registration fee waivers for disabled public safety**
14 **officers and disabled firefighters -- definitions -- RULES.** (1) An individual eligible under subsection (2) is
15 exempt from all motor vehicle registration fees imposed by this chapter for two motor vehicles that are not used
16 for commercial purposes.

17 (2) The following persons are eligible for the waiver provided in subsection (1):
18 (a) a public safety officer or a firefighter who is disabled because of a duty-connected injury and who has
19 been awarded ~~the~~ A purple heart HEART-TYPE AWARD, as verified by official documentation from a recognized
20 public safety officer's or firefighter's organization, or the unmarried surviving spouse of the public safety officer
21 or firefighter;

22 (b) the unmarried surviving spouse of a public safety officer or firefighter killed in the line of duty as
23 verified in official documentation issued by the attorney general; and

24 (c) the unmarried surviving spouse of a public safety officer or firefighter who died of a duty-connected
25 injury or disability as verified by the attorney general.

26 (3) For the purposes of this section, the following definitions apply:
27 (a) "Disabled" means an individual has been:
28 (i) awarded disability retirement pursuant to Title 19, chapter 6, 7, 8, 9, 13, 17, 18, or 19; or
29 (ii) given an impairment rating of 50% or more pursuant to 39-71-711.
30 (b) "Firefighter" includes an individual:



1 (i) subject to the provisions of Title 19, chapter 13, 17, or 18; or

2 (ii) described in 2-18-501(11)(a) or 39-71-118(4)(b).

3 (c) "Public safety officer" has the meaning provided in 44-4-401.

4 (D) "PURPLE HEART-TYPE AWARD" MEANS AN AWARD THAT IS SIMILAR TO THE PURPLE HEART MEDAL AWARDED
 5 BY THE ARMED FORCES AND THAT IS ISSUED BY A RECOGNIZED PUBLIC SAFETY OFFICER'S OR FIREFIGHTER'S
 6 ORGANIZATION TO ANY PUBLIC SAFETY OFFICER OR FIREFIGHTER WHO IS DISABLED AS A RESULT OF A DUTY-CONNECTED
 7 INJURY.

8 ~~(d)~~(E) "Recognized public safety officer's or firefighter's organization" means THE EMPLOYER OR
 9 GOVERNING BODY THAT EMPLOYS A PUBLIC SAFETY OFFICER OR FIREFIGHTER AND any organization designated by the
 10 attorney general that represents and is dedicated to honoring the service of public safety officers or firefighters.

11 (4) THE ATTORNEY GENERAL SHALL:

12 (A) ADOPT RULES TO IMPLEMENT THE PROVISIONS OF THIS SECTION, INCLUDING DESCRIBING:

13 (I) THE TYPES OF DUTY-CONNECTED INJURIES THAT MAY BE CONSIDERED WHEN DETERMINING ELIGIBILITY FOR
 14 A PURPLE HEART-TYPE AWARD; AND

15 (II) THE TYPE OF RECOGNIZED PUBLIC SAFETY OFFICER'S OR FIREFIGHTER'S ORGANIZATION THAT THE ATTORNEY
 16 GENERAL MAY DESIGNATE AS AN ORGANIZATION THAT REPRESENTS AND IS DEDICATED TO HONORING THE SERVICE OF
 17 PUBLIC SAFETY OFFICERS OR FIREFIGHTERS; AND

18 (B) MAINTAIN AND MAKE READILY AVAILABLE LISTS OF THE TYPES OF DUTY-CONNECTED INJURIES DESCRIBED IN
 19 SUBSECTION (4)(A) AND THE RECOGNIZED PUBLIC SAFETY OFFICER'S AND FIREFIGHTER'S ORGANIZATIONS DESIGNATED
 20 BY THE ATTORNEY GENERAL; AND

21 (C) ASSIST PUBLIC SAFETY OFFICER'S AND FIREFIGHTER'S ORGANIZATIONS IN DESIGNING CRITERIA OR PROGRAMS
 22 FOR PURPLE HEART-TYPE AWARDS.

23

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

25 **"61-3-321. Registration fees of vehicles and vessels -- certain vehicles exempt from registration**
 26 **fees -- disposition of fees.** (1) Except as otherwise provided in this section, registration fees must be paid upon
 27 registration or, if applicable, renewal of registration of motor vehicles, snowmobiles, watercraft, trailers,
 28 semitrailers, and pole trailers as provided in subsections (2) through (20):

29 (2) Unless a light vehicle is permanently registered under 61-3-562, the annual registration fee for light
 30 vehicles, trucks and buses under 1 ton, and logging trucks less than 1 ton is as follows:

- 1 (a) if the vehicle is 4 or less years old, \$217;
- 2 (b) if the vehicle is 5 through 10 years old, \$87; and
- 3 (c) if the vehicle is 11 or more years old, \$28.
- 4 (3) Except as provided in subsection (15), the one-time registration fee based on the declared weight
- 5 of a trailer, semitrailer, or pole trailer is as follows:
- 6 (a) if the declared weight is less than 6,000 pounds, \$61.25; or
- 7 (b) if the declared weight is 6,000 pounds or more, \$148.25.
- 8 (4) Except as provided in subsection (15), the one-time registration fee for motor vehicles owned and
- 9 operated solely as collector's items pursuant to 61-3-411, based on the weight of the vehicle, is as follows:
- 10 (a) 2,850 pounds and over, \$10; and
- 11 (b) under 2,850 pounds, \$5.
- 12 (5) Except as provided in subsection (15), the one-time registration fee for off-highway vehicles other
- 13 than a quadricycle or motorcycle is \$61.25.
- 14 (6) The annual registration fee for heavy trucks, buses, and logging trucks in excess of 1 ton is \$22.75.
- 15 (7) (a) The annual registration fee for a motor home, based on the age of the motor home, is as follows:
- 16 (i) less than 2 years old, \$282.50;
- 17 (ii) 2 years old and less than 5 years old, \$224.25;
- 18 (iii) 5 years old and less than 8 years old, \$132.50; and
- 19 (iv) 8 years old and older, \$97.50.
- 20 (b) The owner of a motor home that is 11 years old or older and that is subject to the registration fee
- 21 under this section may permanently register the motor home upon payment of:
- 22 (i) a one-time registration fee of \$237.50;
- 23 (ii) unless a new set of license plates is being issued, an insurance verification fee of \$5, which must be
- 24 deposited in the account established under 61-6-158; and
- 25 (iii) if applicable, five times the renewal fees for personalized license plates under 61-3-406.
- 26 (8) (a) Except as provided in subsection (15), the one-time registration fee for motorcycles and
- 27 quadricycles registered for use on public highways is \$53.25, and the one-time registration fee for motorcycles
- 28 and quadricycles registered for both off-road use and for use on the public highways is \$114.50.
- 29 (b) An additional fee of \$16 must be collected for the registration of each motorcycle or quadricycle as
- 30 a safety fee, which must be deposited in the state motorcycle safety account provided for in 20-25-1002.

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

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

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

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

7 (a) for a personal watercraft or a motorboat, sailboat, or motorized pontoon less than 16 feet in length,
8 \$65.50;

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

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

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

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

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

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

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

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

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

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

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

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

4 (c) The fees imposed in this subsection (13) must be deposited in the account established under
5 61-6-158, except that \$2 of the fee imposed in subsection (13)(a) must be deposited in the state general fund.

6 (14) The provisions of this part with respect to the payment of registration fees do not apply to and are
7 not binding upon motor vehicles, trailers, semitrailers, snowmobiles, watercraft, or tractors owned or controlled
8 by the United States of America or any state, county, city, or special district, as defined in 18-8-202, or to a vehicle
9 or vessel that meets the description of property exempt from taxation under 15-6-201(1)(a), (1)(d), (1)(e), (1)(g),
10 (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.

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

16 (16) A person eligible for a waiver under 61-3-460 or [section 1] is exempt from the fees required under
17 this section.

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

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

22 (19) (a) Unless a person exercises the option in either subsection (19)(b) or (19)(c), an additional fee of
23 \$6 must be collected for each light vehicle registered under this part. This fee must be accounted for and
24 transmitted separately from the registration fee. The fee must be deposited in an account in the state special
25 revenue fund to be used for state parks, for fishing access sites, and for the operation of state-owned facilities.
26 Of the \$6 fee, the department of fish, wildlife, and parks shall use \$5.37 for state parks, 25 cents for fishing
27 access sites, and 38 cents for the operation of state-owned facilities at Virginia City and Nevada City.

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

1 be collected.

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

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

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

12 (21) This section does not apply to a motor vehicle, trailer, semitrailer, or pole trailer that is governed by
13 61-3-721."

14

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

16 "**61-3-455. Violation a misdemeanor.** A person who violates 61-3-414, 61-3-458, ~~or~~ 61-3-460, or
17 [section 1] or who knowingly and wrongfully attempts to secure license plates under 61-3-332, 61-3-414,
18 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
19 \$100 or imprisonment for not more than 30 days, or both."

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

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24 NEW SECTION. **Section 5. Effective date.** [This act] is effective ~~January 1, 2014~~ JULY 1, 2013.

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