

1 HOUSE BILL NO. 185

2 INTRODUCED BY J. PRICE, J. COHENOUR, R. COOK, S. FITZPATRICK, E. GREEF,
3 R. HOLLANDSWORTH, R. LYNCH, W. MCKAMEY, R. MEHLHOFF, D. MOORE, P. NOONAN,
4 G. PIERSON, J. POMNICHOWSKI, D. SALOMON, T. STEENBERG, S. STEWART-PEREGOY,
5 K. SWANSON, L. WHITFORD, M. DUNWELL, C. SCHREINER, E. MCCLAFFERTY
6

7 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING FUNDING TO THE TRAFFIC EDUCATION ACCOUNT
8 BY REVISING THE ALLOCATION OF DRIVER'S LICENSE FEES AND COMMERCIAL DRIVER'S LICENSE
9 FEES; AMENDING SECTIONS 20-7-507 AND 61-5-121, MCA; AND PROVIDING AN EFFECTIVE DATE."
10

11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
12

13 **Section 1.** Section 20-7-507, MCA, is amended to read:

14 **"20-7-507. District traffic education fund.** The trustees of any district maintaining a traffic education
15 course shall establish a special nonbudgeted fund with the county treasurer for traffic education. All nontax
16 receipts for traffic education must be deposited in the district's traffic education fund. The expenditure of the
17 money deposited in the district's traffic education fund is not subject to the budgeting provisions of this title, and
18 the money ~~may~~ **MUST** be expended for traffic education. A district may not transfer funds from the traffic education
19 fund to any other fund or to another entity. Funds in the traffic education fund must be used to increase the rate
20 of student participation in traffic education, including recruiting instructors and reducing the cost to students and
21 parents of students who participate in traffic education."
22

23 **Section 2.** Section 61-5-121, MCA, is amended to read:

24 **"61-5-121. Disposition of fees.** (1) Except as provided in subsection (3), the disposition of the fees from
25 driver's licenses, motorcycle endorsements, commercial driver's licenses, and replacement driver's licenses
26 provided for in 61-5-114 is as follows:

27 (a) (i) If the fees are collected by a county treasurer or other agent of the department, the amount of 2.5%
28 of each driver's license fee, 2.5% of each commercial driver's license fee, and 3.75% of each replacement driver's
29 license fee must be deposited into the county general fund.

30 (ii) If the fees are collected by the department, the amount provided for in subsection (1)(a)(i) must be

1 deposited into the state general fund.

2 (b) (i) If the fee is collected by a county treasurer or other agent of the department, the amount of 3.34%
3 of each motorcycle endorsement must be deposited into the county general fund.

4 (ii) If the fee is collected by the department, the amount provided for in subsection (1)(b)(i) must be
5 deposited into the state general fund.

6 (c) The amount of ~~20.7%~~ 41% of each driver's license fee, ~~16.94%~~ 30% of each commercial driver's
7 license fee, and 8.75% of each replacement driver's license fee must be deposited into the state traffic education
8 account.

9 (d) In addition to the amounts deposited pursuant to subsections (1)(a)(ii) and (1)(b)(ii), the remainder
10 of each driver's license fee, each commercial driver's license fee, and each replacement driver's license fee must
11 be deposited into the state general fund.

12 (e) The amount of 63.46% of each motorcycle endorsement fee must be deposited into the state
13 motorcycle safety account in the state special revenue fund, and the amount of 33.2% of each motorcycle
14 endorsement fee must be deposited into the state general fund.

15 (2) (a) If fees from driver's licenses, commercial driver's licenses, motorcycle endorsements, and
16 replacement driver's licenses are collected by a county treasurer or other agent of the department, the county
17 treasurer or agent shall deposit the amounts provided for in subsections (1)(a)(i) and (1)(b)(i) into the county
18 general fund. The county treasurer or agent shall then remit all remaining fees to the state for deposit as provided
19 in subsections (1)(c) through (1)(e).

20 (b) If fees from driver's licenses, commercial driver's licenses, motorcycle endorsements, and
21 replacement driver's licenses are collected by the department, it shall deposit the fees as provided in subsections
22 (1)(a)(ii), (1)(b)(ii), and (1)(c) through (1)(e).

23 (3) The fee for a renewal notice, whether collected by a county treasurer, an authorized agent, or the
24 department, must be remitted to the department for deposit in the state general fund."
25

26 **NEW SECTION. Section 3. Effective date.** [This act] is effective July 1, 2015.

27 - END -