

HOUSE BILL NO. 280
INTRODUCED BY D. WANZENRIED

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING FOR THE USE OF ORIGINAL MONTANA LICENSE PLATES ON MOTOR VEHICLES THAT ARE 25 YEARS OLD OR OLDER AND THAT ARE USED FOR GENERAL TRANSPORTATION PURPOSES; REQUIRING PERMANENT REGISTRATION OF GENERAL TRANSPORTATION COLLECTOR'S ITEM VEHICLES; DEFINING "GENERAL TRANSPORTATION COLLECTOR'S ITEM"; AND AMENDING SECTIONS 61-3-412 AND 61-3-562, MCA."

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

Section 1. Section 61-3-412, MCA, is amended to read:

"61-3-412. Display of original Montana license plates on collector's item ~~vehicle~~ and general transportation collector's item vehicles -- definition -- validation. (1) As used in [section 2] and this section, "original Montana license plate" means a license plate issued according to the provisions of 61-3-331; section 53-116, R.C.M. 1947; section 1759.1, R.C.M. 1935; or section 1759, R.C.M. 1921; whichever section was effective during the year of the manufacture of the motor vehicle on which the license plate is authorized to be displayed.

(2) Notwithstanding the provisions of 61-3-332, the department shall authorize the owner of a motor vehicle registered as provided in 61-3-411 or [section 2] to display original Montana license plates, with validation as required in [section 2] or subsection (3) of this section, after:

(a) payment of the fee required in subsection (5);

(b) inspection by a highway patrol officer of the original Montana license plate to be displayed on the motor vehicle and, upon payment of a \$5 fee, receipt of the highway patrol officer's certification that the officer has determined that:

(i) the license plate is legible and meets the requirements of subsection (1); and

(ii) in the case of a license plate intended for use on a general transportation collector's item, the license plate is visible at night; and

(c) receipt of an application by the owner of the motor vehicle as provided for in 61-3-411 or [section 2]; and

(d) in the case of general transportation collector's item applications, certification from the department

that a duplicate license plate number does not exist among currently issued license plates.

(3) If the owner of a vehicle registered under the provisions of 61-3-314 meets the requirements of subsection (2), the department shall:

(a) file the application and register information on the motor vehicle in the manner prescribed in 61-3-101; and

(b) issue a validating decal inscribed with:

(i) a unique number; and

(ii) the letter:

(A) "P" to designate vehicles described in 61-3-411(2)(a); or

(B) "V" to designate vehicles described in 61-3-411(2)(b).

(4) The owner of the motor vehicle shall permanently affix the validating decal to the windshield of the collector's item motor vehicle or, if a windshield does not exist, to another prominent and visible position on the vehicle.

(5) The owner of the motor vehicle shall pay to the department with the application required under this section a one-time special collector's item motor vehicle license fee of \$20."

NEW SECTION. Section 2. Registration of motor vehicle as general transportation collector's item -- definition -- permanent registration required. (1) For the purposes of 61-3-412 and this section, a "general transportation collector's item" is a motor vehicle that is 25 years old or older that is used for general transportation purposes.

(2) An owner of a general transportation collector's item who wishes to display original Montana license plates on the motor vehicle shall file with the department an application for the registration of the motor vehicle.

The application must state:

(a) the name and address of the owner;

(b) the year and number of the license plate the applicant wishes to use; and

(c) the make, the gross weight, the year and number of the model, and the manufacturer's identification number and serial number of the motor vehicle.

(3) Upon receipt of an application for registration of a general transportation collector's item, the department shall compare the number of the license plate that the applicant intends to use with the license plate numbers assigned to currently registered vehicles. The department may reject an application if the number the applicant intends to use matches a number that is assigned to a currently registered vehicle. If the department

approves the application, the department shall file the application and register the motor vehicle in the manner specified in 61-3-101.

(4) Once an application is approved, appropriate fees are paid, and the requirements provided in 61-3-412(2) are met, an owner of a general transportation collector's item shall permanently register the motor vehicle as provided in 61-3-562 and shall display on the motor vehicle's license plate a decal indicating that the motor vehicle has been permanently registered.

Section 3. Section 61-3-562, MCA, is amended to read:

"61-3-562. Permanent registration -- transfer of vehicle ownership -- rules. (1) (a) The owner of a light vehicle 11 years old or older subject to the registration fee, as provided in 61-3-561, may permanently register the vehicle upon payment of a \$50 registration fee, the applicable registration and license fees under 61-3-321 and 61-3-412, and an amount equal to five times the applicable fees imposed for each of the following:

- (i) junk vehicle disposal fees under 15-1-122(3)(a);
- (ii) weed control fees under 15-1-122(3)(b);
- (iii) the former county motor vehicle computer fees under 61-3-511;
- (iv) the local option vehicle tax or flat fee on vehicles under 61-3-537;
- (v) if applicable, license plate fees under 61-3-332 and renewal fees for personalized plates under 61-3-406;
- (vi) if applicable, the amateur radio operator license plate fee under 61-3-422;
- (vii) if applicable, the annual scholarship donation fee under 61-3-465; and
- (viii) senior citizens and persons with disabilities transportation services fees as provided in 61-3-321(6).

(b) A person who permanently registers a vehicle as provided in subsection (1)(a) shall pay an additional \$2 fee at the time of registration for deposit in the state general fund. The department shall pay from the general fund an amount equal to the \$2 fee collected under this subsection (1)(b) from each motor vehicle registration to the pension trust fund for payment of supplemental benefits provided for in 19-6-709.

(2) In addition to the fees described in subsection (1), an owner of a truck with a manufacturer's rated capacity of 1 ton or less that is permanently registered shall pay five times the applicable fees imposed under 61-10-201.

(3) The owner of a vehicle that is permanently registered under this section is not subject to additional fees under 61-3-561 or to other motor vehicle registration fees described in this section for as long as the owner owns the vehicle.

(4) The county treasurer shall:

(a) distribute the \$50 registration fee collected under this section as provided in 61-3-509;

(b) once each month, remit to the department of revenue the amounts collected under this section, other than the local option vehicle tax or flat fee, for the purposes of 61-3-321(3) and 61-10-201. The county treasurer shall retain the local option vehicle tax or flat fee.

(5) (a) The permanent registration of a vehicle allowed by this section may not be transferred to a new owner. If the vehicle is transferred to a new owner, the department shall cancel the vehicle's permanent registration.

(b) Upon transfer of a vehicle registered under this section to a new owner, the new owner shall apply for a certificate of ownership under 61-3-201 and file an application for registration under 61-3-303. (Subsection (1)(b) terminates on occurrence of contingency--sec. 24, Ch. 191, L. 2001.)"

NEW SECTION. Section 4. Codification instruction. [Section 2] is intended to be codified as an integral part of Title 61, chapter 3, part 4, and the provisions of Title 61, chapter 3, part 4, apply to [section 2].

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