

HOUSE BILL NO. 558

INTRODUCED BY D. BROWN, KEANE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE TERMS OF THE NONRESIDENT TEMPORARY-SNOWMOBILE-USE PERMIT; REMOVING THE REGISTRATION EXEMPTION FOR SNOWMOBILES REGISTERED IN ANOTHER STATE OR COUNTRY THAT ARE INTENDED TO BE TEMPORARILY USED WITHIN THIS STATE FOR NOT MORE THAN 30 DAYS; INCREASING THE FEE FOR A NONRESIDENT TEMPORARY-SNOWMOBILE-USE PERMIT AND DIRECTING EXPENDITURE OF THE FEE FOR SNOWMOBILE TRAIL GROOMING ASSISTANCE IN IMPACTED AREAS, FOR INCREASED ENFORCEMENT OF SNOWMOBILE LAWS, AND FOR THE STATEWIDE SNOWMOBILE TRAIL GROOMING PROGRAM; PROVIDING THAT A NONRESIDENT TEMPORARY-SNOWMOBILE-USE PERMIT IS VALID DURING THE ~~CALENDAR~~ FISCAL YEAR IN WHICH IT IS ISSUED; PROVIDING THAT A NONRESIDENT TEMPORARY-SNOWMOBILE-USE PERMIT IS NOT REQUIRED FOR A SNOWMOBILE THAT WILL BE USED ONLY ON TRAILS THAT ARE MANAGED JOINTLY BY AGREEMENT BETWEEN MONTANA AND ANOTHER STATE; AMENDING SECTIONS 23-2-614 AND 23-2-615, MCA; AND PROVIDING A ~~DELAYED~~ EFFECTIVE DATE."

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

Section 1. Section 23-2-614, MCA, is amended to read:

"23-2-614. Exemptions. (1) (a) The provisions of 23-2-601 through 23-2-644, with respect to registration, tax-paid decals, and certification of ownership, do not apply to snowmobiles owned or used by the United States or another state or any agency or political subdivision thereof, ~~any snowmobile registered in a country other than the United States and to be temporarily used within this state for a period of not more than 30 days, or to any snowmobile registered in another state of the United States but to be temporarily used within this state for not more than 30 days~~ of the United States or another state.

(b) Snowmobiles owned by the state of Montana or any agency or political subdivision ~~thereof~~ of the state are exempt only from the payment of fees and ~~shall~~ must otherwise comply with all the requirements of 23-2-601 through 23-2-644.

(2) The provisions of 23-2-601 through 23-2-644 with respect to registration, tax-paid decals, and certification of ownership do not apply to unregistered snowmobiles owned by nonresidents of the state of

Montana who either:

- (a) display visual proof that a nonresident temporary-use permit has been purchased; or
- (b) use the snowmobile only in races and for not more than 30 days in the state. "Race" means an organized competition on a predetermined course that is run according to accepted rules."

Section 2. Section 23-2-615, MCA, is amended to read:

"23-2-615. Nonresident temporary-use permits -- use of fees. (1) The requirements pertaining to the nonresident temporary-snowmobile-use permit are as follows:

(a) Application for the issuance of the permit must be made at locations and upon forms prescribed by the department. The forms must include but are not limited to:

- (i) the applicant's name and permanent address; and
- (ii) ~~the make, model, year, and serial number of the snowmobile; and~~
- ~~_____~~ (ii) an affidavit declaring the nonresidency of the applicant.

(b) Upon submission of the application and a fee of ~~\$6~~ \$15, a nonresident temporary-snowmobile-use sticker must be issued. The sticker must be ~~displayed~~ permanently affixed in a conspicuous manner on the snowmobile.

(2) The temporary permit is valid ~~for a consecutive 30-day period as designated by the permit during the calendar~~ FISCAL year in which it is issued.

(3) The permit is not proof of ownership, and a certificate of ownership may not be issued.

(4) (a) A nonresident temporary-snowmobile-use permit is not required for a snowmobile that qualifies as a racing snowmobile under 23-2-622.

(b) A nonresident temporary-snowmobile-use permit is not required for a snowmobile that will be used only on trails that are managed jointly by agreement between Montana and another state.

(5) ~~All money~~ Money collected by payment of fees under this section must be ~~remitted to the department of revenue and deposited in the state general fund~~ special revenue fund to the credit of the department and used as follows:

(a) \$8 must be expended in areas that are impacted by nonresident snowmobile use to assist in offsetting snowmobile trail grooming costs;

(b) \$2 must be used by the department for the enforcement of snowmobile laws pursuant to 23-2-641;

(c) 50 cents must be remitted to the license agent who sold the nonresident temporary-snowmobile-use permit; and

(d) \$4.50 must be used by the department for the statewide snowmobile trail grooming program.

(6) The failure to display the permit as required by this section or the making of false statements in obtaining the permit is a misdemeanor, punishable by a fine of not less than \$25 or more than \$100."

NEW SECTION. SECTION 3. COORDINATION INSTRUCTION. IF SENATE BILL NO. 112 AND [THIS ACT] ARE BOTH PASSED AND APPROVED, THEN [SECTION 2 OF THIS ACT] IS AMENDED TO READ:

"Section 2. Section 23-2-615, MCA, is amended to read:

"23-2-615. Nonresident temporary-use permits -- use of fees. (1) The requirements pertaining to the nonresident temporary-snowmobile-use permit are as follows:

(a) Application for the issuance of the permit must be made at locations and upon forms prescribed by the department. The forms must include but are not limited to:

(i) the applicant's name and permanent address; and

(ii) ~~the make, model, year, and serial number of the snowmobile; and~~

~~_____ (iii)~~ (ii) an affidavit declaring the nonresidency of the applicant.

(b) Upon submission of the application and a fee of ~~\$6~~ \$15, of which 50 cents is a search and rescue surcharge, a nonresident temporary-snowmobile-use sticker must be issued. The sticker must be ~~displayed~~ permanently affixed in a conspicuous manner on the snowmobile.

(2) The temporary permit is valid ~~for a consecutive 30-day period as designated by the permit~~ during the fiscal year in which it is issued.

(3) The permit is not proof of ownership, and a certificate of ownership may not be issued.

(4) (a) A nonresident temporary-snowmobile-use permit is not required for a snowmobile that qualifies as a racing snowmobile under 23-2-622.

(b) A nonresident temporary-snowmobile-use permit is not required for a snowmobile that will be used only on trails that are managed jointly by agreement between Montana and another state.

(5) ~~All money~~ Except as provided in subsection (1)(b), money collected by payment of fees under this section must be ~~remitted to the department of revenue and~~ deposited in the state ~~general fund~~ special revenue fund to the credit of the department and used as follows:

(a) \$8 must be expended in areas that are impacted by nonresident snowmobile use to assist in offsetting snowmobile trail grooming costs;

(b) \$1.50 must be used by the department for the enforcement of snowmobile laws pursuant to 23-2-641;

(c) 50 cents must be remitted to the license agent who sold the nonresident temporary-snowmobile-use

permit; and

(d) \$4.50 must be used by the department for the statewide snowmobile trail grooming program.

(6) The failure to display the permit as required by this section or the making of false statements in obtaining the permit is a misdemeanor, punishable by a fine of not less than \$25 or more than \$100."

NEW SECTION. Section 4. Effective date. [This act] is effective ~~January 1, 2004~~ JULY 1, 2003.

- END -