

HOUSE BILL NO. 428

INTRODUCED BY D. GALLIK

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A VEHICLE THAT IS PERMANENTLY REGISTERED TO BE DETERMINED TO BE A JUNK VEHICLE IF IT MEETS ALL OTHER CRITERIA FOR DETERMINING JUNK VEHICLE STATUS; AND AMENDING SECTION 75-10-501, MCA."

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

Section 1. Section 75-10-501, MCA, is amended to read:

"75-10-501. Definitions. Unless the context requires otherwise, in this part, the following definitions apply:

(1) "Board" means the board of environmental review provided for in 2-15-3502.

(2) "Component part" means any identifiable part of a discarded, ruined, wrecked, or dismantled motor vehicle, including but not limited to fenders, doors, hoods, engine blocks, motor parts, transmissions, frames, axles, wheels, tires, and passenger compartment fixtures.

(3) "Department" means the department of environmental quality provided for in 2-15-3501.

(4) (a) "Junk vehicle" means a motor vehicle, including component parts:

(i) that is discarded, ruined, wrecked, or dismantled motor vehicle, including component parts;

(ii) that, except as provided in subsection (4)(b), is not lawfully and validly licensed; and

(iii) that remains inoperative or incapable of being driven.

(b) If a vehicle is permanently registered under 61-3-562 and meets the criteria for a junk vehicle under subsection (4)(a), the vehicle is a junk vehicle.

(5) "Motor vehicle graveyard" means a collection point established by a county for junk motor vehicles prior to their disposal.

(6) "Motor vehicle wrecking facility" means:

(a) a facility buying, selling, or dealing in four or more vehicles per year, of a type required to be licensed, for the purpose of wrecking, dismantling, disassembling, or substantially changing the form of the motor vehicle; or

(b) a facility that buys or sells component parts, in whole or in part, and deals in secondhand motor

1 vehicle parts. A facility that buys or sells component parts of a motor vehicle, in whole or in part, is a motor vehicle
2 wrecking facility whether or not the buying or selling price is based upon weight or any other type of classification.
3 The term does not include a garage where wrecked or disabled motor vehicles are temporarily stored for a
4 reasonable period of time for inspection, repairs, or subsequent removal to a junkyard.

5 (7) "Person" means any individual, firm, partnership, company, association, corporation, city, town, local
6 governmental entity, or any other governmental or private entity, whether organized for profit or not.

7 (8) "Public view" means any point 6 feet above the surface of the center of a public road from which junk
8 vehicles can be seen.

9 (9) "Shielding" means the construction or use of fencing or manmade or natural barriers to conceal junk
10 vehicles from public view."

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