

SENATE BILL NO. 14

INTRODUCED BY D. LEWIS

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING DEFINED TERMS FOR LAWS GOVERNING MOTOR
5 VEHICLE RECYCLING AND DISPOSAL; AND AMENDING SECTION 75-10-501, MCA."

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

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

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

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

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

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

17 (4) "Dismantled" means that two or more component parts have been removed from the vehicle.

18 ~~(4) (a)~~ (5) "Junk vehicle" means a motor vehicle, including component parts, ~~and~~

19 ~~— (i) that is discarded, ruined, wrecked, or dismantled;~~

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

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

22 ~~— (b) If a vehicle is permanently registered under 61-3-562 and meets the criteria for a junk vehicle under~~
23 ~~subsection (4)(a), the vehicle is a junk vehicle that is:~~

24 (a) unable to be moved under its own power or mechanically incapable of being driven on public
25 roadways; and

26 (b) wrecked or dismantled.

27 ~~(5)~~ (6) "Motor vehicle graveyard" means a collection point established by a county for junk motor vehicles
28 prior to their disposal.

29 ~~(6)~~ (7) (a) "Motor vehicle wrecking facility" means:

30 (i) a facility buying, selling, or dealing in four or more vehicles a year, of a type required to be licensed,

1 for the purpose of wrecking, dismantling, disassembling, or substantially changing the form of the motor vehicle;

2 or

3 (ii) a facility that buys or sells component parts, in whole or in part, and deals in ~~secondhand~~ used motor
4 vehicle parts. A facility that buys or sells component parts of a motor vehicle, in whole or in part, is a motor vehicle
5 wrecking facility whether or not the buying or selling price is based upon weight or any other type of classification.

6 (b) The term does not include a garage where wrecked or disabled motor vehicles are temporarily stored
7 for a reasonable period of time for inspection, repairs, or subsequent removal to a ~~junkyard~~ motor vehicle
8 wrecking facility.

9 ~~(7)~~(8) "Person" means any individual, firm, partnership, company, association, corporation, city, town,
10 local governmental entity, or other governmental or private entity, whether organized for profit or not.

11 ~~(8)~~(9) "Public view" means any point 6 feet above the surface of the center of a public road from which
12 junk vehicles can be seen.

13 ~~(9)~~(10) "Shielding" means the construction or use of fencing or constructed or natural barriers to conceal
14 junk vehicles from public view.

15 (11) "Wrecked" means that substantial physical damage has occurred to three or more of the vehicle's
16 component parts."

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