

HOUSE BILL NO. 628

INTRODUCED BY R. BRODEHL

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE REPLACEMENT SCHEDULE FOR STANDARD LICENSE PLATES; ALLOWING CERTAIN VEHICLE OWNERS TO RETAIN A LICENSE PLATE NUMBER ASSIGNED PRIOR TO JANUARY 1, 2016; AMENDING SECTIONS 61-3-315, 61-3-321, AND 61-3-332, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

Section 1. Section 61-3-315, MCA, is amended to read:

"61-3-315. Rules -- early renewal. The department shall adopt rules for the implementation and administration of the registration of motor vehicles under this chapter. The rules adopted by the department pursuant to this section must allow for:

- (1) early renewal of registration for motor vehicles when an owner of a motor vehicle presents extenuating circumstances;
- (2) simultaneous registration of multiple motor vehicles that have common ownership;
- (3) verification of compliance with 61-6-301 before registering or renewing a registration of a vehicle or issuing new license plates required by 61-3-332(3);
- (4) automated mailing of license plates by the department or its authorized agent, including an agent under contract with the department pursuant to 61-3-338; and
- (5) devising a method to place license plates that are issued on or before January 1, ~~2010~~ 2016, and renewed on or after January 1, ~~2010~~ 2016, on the ~~5-year~~ 10-year reissuance cycle in a manner that minimizes production peaks and valleys."

Section 2. Section 61-3-321, MCA, is amended to read:

"61-3-321. Registration fees of vehicles and vessels -- certain vehicles exempt from registration fees -- disposition of fees. (1) Except as otherwise provided in this section, registration fees must be paid upon registration or, if applicable, renewal of registration of motor vehicles, snowmobiles, watercraft, trailers, semitrailers, and pole trailers as provided in subsections (2) through (20):



- 1 (2) Unless a light vehicle is permanently registered under 61-3-562, the annual registration fee for light
2 vehicles, trucks and buses under 1 ton, and logging trucks less than 1 ton is as follows:
- 3 (a) if the vehicle is 4 or less years old, \$217;
4 (b) if the vehicle is 5 through 10 years old, \$87; and
5 (c) if the vehicle is 11 or more years old, \$28.
- 6 (3) Except as provided in subsection (15), the one-time registration fee based on the declared weight
7 of a trailer, semitrailer, or pole trailer is as follows:
- 8 (a) if the declared weight is less than 6,000 pounds, \$61.25; or
9 (b) if the declared weight is 6,000 pounds or more, \$148.25.
- 10 (4) Except as provided in subsection (15), the one-time registration fee for motor vehicles owned and
11 operated solely as collector's items pursuant to 61-3-411, based on the weight of the vehicle, is as follows:
- 12 (a) 2,850 pounds and over, \$10; and
13 (b) under 2,850 pounds, \$5.
- 14 (5) Except as provided in subsection (15), the one-time registration fee for off-highway vehicles other
15 than a quadricycle or motorcycle is \$61.25.
- 16 (6) The annual registration fee for heavy trucks, buses, and logging trucks in excess of 1 ton is \$22.75.
- 17 (7) (a) The annual registration fee for a motor home, based on the age of the motor home, is as follows:
- 18 (i) less than 2 years old, \$282.50;
19 (ii) 2 years old and less than 5 years old, \$224.25;
20 (iii) 5 years old and less than 8 years old, \$132.50; and
21 (iv) 8 years old and older, \$97.50.
- 22 (b) The owner of a motor home that is 11 years old or older and that is subject to the registration fee
23 under this section may permanently register the motor home upon payment of:
- 24 (i) a one-time registration fee of \$237.50;
25 (ii) unless a new set of license plates is being issued, an insurance verification fee of \$5, which must be
26 deposited in the account established under 61-6-158;
27 (iii) if applicable, five times the renewal fees for personalized license plates under 61-3-406; and
28 (iv) if applicable, the donation fee for a generic specialty license plate under 61-3-480 or a collegiate
29 license plate under 61-3-465.
- 30 (8) (a) Except as provided in subsection (15), the one-time registration fee for motorcycles and

1 quadricycles registered for use on public highways is \$53.25, and the one-time registration fee for motorcycles
2 and quadricycles registered for both off-road use and for use on the public highways is \$114.50.

3 (b) An additional fee of \$16 must be collected for the registration of each motorcycle or quadricycle as
4 a safety fee, which must be deposited in the state motorcycle safety account provided for in 20-25-1002.

5 (9) Except as provided in subsection (15), the one-time registration fee for travel trailers, based on the
6 length of the travel trailer, is as follows:

7 (a) under 16 feet in length, \$72; and

8 (b) 16 feet in length or longer, \$152.

9 (10) Except as provided in subsection (15), the one-time registration fee for a motorboat, sailboat,
10 personal watercraft, or motorized pontoon required to be numbered under 23-2-512 is as follows:

11 (a) for a personal watercraft or a motorboat, sailboat, or motorized pontoon less than 16 feet in length,
12 \$65.50;

13 (b) for a motorboat, sailboat, or motorized pontoon at least 16 feet in length but less than 19 feet in
14 length, \$125.50; and

15 (c) for a motorboat, sailboat, or motorized pontoon 19 feet in length or longer, \$295.50.

16 (11) (a) Except as provided in subsections (11)(b) and (15), the one-time registration fee for a
17 snowmobile is \$60.50.

18 (b) (i) A snowmobile that is licensed by a Montana business and is owned exclusively for the purpose
19 of daily rental to customers is assessed:

20 (A) a fee of \$40.50 in the first year of registration; and

21 (B) if the business reregisters the snowmobile for a second year, a fee of \$20.

22 (ii) If the business reregisters the snowmobile for a third year, the snowmobile must be permanently
23 registered and the business is assessed the registration fee imposed in subsection (11)(a).

24 (12) (a) The one-time registration fee for a low-speed electric vehicle is \$25.

25 (b) The one-time registration fee for a golf cart that is owned by a person who has or is applying for a
26 low-speed restricted driver's license is \$25.

27 (c) The one-time registration fee for golf carts authorized to operate on certain public streets and
28 highways pursuant to 61-8-391 is \$25. Upon receipt of the fee, the department shall issue the owner a decal,
29 which must be displayed visibly on the golf cart.

30 (13) (a) Except as provided in subsection (13)(b), a fee of \$10 must be collected when a new set of

1 standard license plates, a new single standard license plate, or a replacement set of special license plates
2 required under 61-3-332 is issued. The \$10 fee imposed under this subsection does not apply when previously
3 issued license plates are transferred under 61-3-335. All registration fees imposed under this section must be
4 paid if the vehicle to which the plates are transferred is not currently registered.

5 (b) An additional fee of \$15 must be collected if a vehicle owner elects to keep the same license plate
6 number from license plates issued before January 1, ~~2010~~ 2016, when replacement of those plates is required
7 under 61-3-332(3).

8 (c) The fees imposed in this subsection (13) must be deposited in the account established under
9 61-6-158, except that \$2 of the fee imposed in subsection (13)(a) must be deposited in the state general fund.

10 (14) The provisions of this part with respect to the payment of registration fees do not apply to and are
11 not binding upon motor vehicles, trailers, semitrailers, snowmobiles, watercraft, or tractors owned or controlled
12 by the United States of America or any state, county, city, or special district, as defined in 18-8-202, or to a vehicle
13 or vessel that meets the description of property exempt from taxation under 15-6-201(1)(a), (1)(d), (1)(e), (1)(g),
14 (1)(h), (1)(i), (1)(k), (1)(l), (1)(n), or (1)(o), 15-6-203, or 15-6-215, except as provided in 61-3-520.

15 (15) Whenever ownership of a trailer, semitrailer, pole trailer, off-highway vehicle, motorcycle,
16 quadricycle, travel trailer, motor home, motorboat, sailboat, personal watercraft, motorized pontoon, snowmobile,
17 motor vehicle owned and operated solely as a collector's item pursuant to 61-3-411, or low-speed electric vehicle
18 is transferred, the new owner shall title and register the vehicle or vessel as required by this chapter and pay the
19 fees imposed under this section.

20 (16) A person eligible for a waiver under 61-3-460 is exempt from the fees required under this section.

21 (17) Except as otherwise provided in this section, revenue collected under this section must be deposited
22 in the state general fund.

23 (18) The fees imposed by subsections (2) through (12) are not required to be paid by a dealer for the
24 enumerated vehicles or vessels that constitute inventory of the dealership.

25 (19) (a) Unless a person exercises the option in either subsection (19)(b) or (19)(c), an additional fee of
26 \$6 must be collected for each light vehicle registered under this part. This fee must be accounted for and
27 transmitted separately from the registration fee. The fee must be deposited in an account in the state special
28 revenue fund to be used for state parks, for fishing access sites, and for the operation of state-owned facilities.
29 Of the \$6 fee, the department of fish, wildlife, and parks shall use \$5.37 for state parks, 25 cents for fishing
30 access sites, and 38 cents for the operation of state-owned facilities at Virginia City and Nevada City.

1 (b) A person who registers a light vehicle may, at the time of annual registration, certify that the person
2 does not intend to use the vehicle to visit state parks and fishing access sites and may make a written election
3 not to pay the additional \$6 fee provided for in subsection (19)(a). If a written election is made, the fee may not
4 be collected.

5 (c) (i) A person who registers one or more light vehicles may, at the time of annual registration, certify
6 that the person does not intend to use any of the vehicles to visit state parks and fishing access sites and may
7 make a written election not to pay the additional \$6 fee provided for in subsection (19)(a). If a written election is
8 made, the fee may not be collected at any subsequent annual registration unless the person makes the written
9 election to pay the additional fee on one or more of the light vehicles.

10 (ii) The written election not to pay the additional fee on a light vehicle expires if the vehicle is registered
11 to a different person.

12 (20) For each light vehicle, trailer, semitrailer, pole trailer, heavy truck, motor home, motorcycle,
13 quadricycle, and travel trailer subject to a registration fee under this section, an additional fee of \$5 must be
14 collected and forwarded to the state for deposit in the account established in 44-1-504.

15 (21) This section does not apply to a motor vehicle, trailer, semitrailer, or pole trailer that is governed by
16 61-3-721."

17

18 **Section 3.** Section 61-3-332, MCA, is amended to read:

19 **"61-3-332. Standard license plates.** (1) In addition to special license plates, collegiate license plates,
20 generic specialty license plates, and fleet license plates authorized under this chapter, a separate series of
21 standard license plates must be issued for motor vehicles, quadricycles, travel trailers, trailers, semitrailers, and
22 pole trailers registered in this state or offered for sale by a vehicle dealer licensed in this state. Standard license
23 plates issued to licensed vehicle dealers must be readily distinguishable from license plates issued to vehicles
24 owned by other persons.

25 (2) (a) Except as provided in 61-3-479 and subsections (2)(b), (3)(b), and (3)(c) of this section, all
26 standard license plates for motor vehicles, trailers, semitrailers, or pole trailers must bear a distinctive marking,
27 as determined by the department, and be furnished by the department. In years when standard license plates
28 are not reissued for a vehicle, the department shall provide a registration decal that must be affixed to the rear
29 license plate of the vehicle.

30 (b) For light vehicles that are permanently registered as provided in 61-3-562 and motor vehicles

1 described in 61-3-303(9) that are permanently registered, the department shall provide a distinctive registration
2 decal indicating that the motor vehicle is permanently registered. The registration decal must be affixed to the rear
3 license plate of the permanently registered motor vehicle.

4 (c) For a travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer that is permanently
5 registered as provided in 61-3-313(2), the department may use the word or an abbreviation for the word
6 "permanent" on the plate in lieu of issuing a registration decal for the plate.

7 (3) (a) (i) New license plates issued under 61-3-303 or this section must be a standard license plate
8 design first issued in 1989 or later or current collegiate or generic specialty license plate designs. For the
9 purposes of this subsection (3), all military, veteran, and amateur radio license plates and any license plate with
10 a wheelchair design, excluding collegiate or generic specialty plates with a wheelchair design, are treated as
11 standard license plates.

12 (ii) License plates issued on or after January 1, ~~2010~~ 2016, must be replaced with new license plates if,
13 upon renewal of registration under this section, the license plates are 5 10 or more years old or will become older
14 than 5 10 years during the registration period. New license plates must be issued in accordance with the
15 implementation schedule adopted by the department under 61-3-315.

16 (iii) A vehicle owner may elect to keep the same license plate number from license plates issued before
17 January 1, ~~2010~~ 2016, when replacement of those plates is required under this subsection.

18 (b) A motor vehicle that is registered for a 13-month to a 24-month period, as provided in 61-3-311, may
19 display the license plate and plate design in effect at the time of registration for the entire registration period.

20 (c) A light vehicle described in subsection (2)(b) or a motor home that is permanently registered may
21 display the license plate and plate design in effect at the time of registration for the entire period that the light
22 vehicle or motor home is permanently registered.

23 (d) The provisions of this subsection (3) do not apply to a travel trailer, motorcycle, quadricycle, trailer,
24 semitrailer, or pole trailer.

25 (e) The requirements of this subsection (3) apply to collegiate license plates authorized under 61-3-461
26 through 61-3-468, generic specialty license plates authorized under 61-3-472 through 61-3-481, commemorative
27 centennial license plates authorized under 61-3-448, and special military or veteran license plates authorized
28 under 61-3-458.

29 (4) (a) All license plates must be metal and treated with a reflectorized background material according
30 to specifications prescribed by the department. The word "Montana" must be placed on each license plate and,

1 except for license plates that are 4 inches wide and 7 inches in length, the outline of the state of Montana must
2 be used as a distinctive border on each standard license plate.

3 (b) Plates for semitrailers, travel trailers, pole trailers, trailers with a declared weight of 6,000 pounds or
4 more, and motor vehicles, other than motorcycles and quadricycles, must be 6 inches wide and 12 inches in
5 length.

6 (c) Plates for motorcycles and quadricycles must be 4 inches wide and 7 inches in length.

7 (d) The department shall issue plates that are 4 inches wide and 7 inches in length for trailers with a
8 declared weight of less than 6,000 pounds unless a person registering a trailer with a declared weight of less than
9 6,000 pounds requests plates that are 6 inches wide and 12 inches in length. A person registering a trailer shall
10 pay all applicable fees for the plates chosen.

11 (5) The distinctive registration numbers for standard license plates must begin with a number one or with
12 a letter-number combination, such as "A 1" or "AA 1", or any other similar combination of letters and numbers.
13 Except for special license plates, collegiate license plates, generic specialty license plates, fleet license plates,
14 and standard license plates that are 4 inches wide and 7 inches in length, the distinctive registration number or
15 letter-number combination assigned to the motor vehicle must appear on the plate preceded by the number of
16 the county and appearing in horizontal order on the same horizontal baseline. The county number must be
17 separated from the distinctive registration number by a separation mark unless a letter-number combination is
18 used. The dimensions of the numerals and letters must be determined by the department, and all county and
19 registration numbers must be of equal height.

20 (6) For the use of exempt motor vehicles, trailers, semitrailers, or pole trailers and motor vehicles,
21 trailers, semitrailers, or pole trailers that are exempt from the registration fee as provided in 61-3-321, in addition
22 to the markings provided in this section, standard license plates must bear the following distinctive markings:

23 (a) For motor vehicles, trailers, semitrailers, or pole trailers owned by the state, the department may
24 designate the prefix number for the various state departments. All numbered plates issued to state departments
25 must bear the words "State Owned", and a year number may not be indicated on the plates because these
26 numbered plates are of a permanent nature and will be replaced by the department only when the physical
27 condition of numbered plates requires it.

28 (b) For motor vehicles, trailers, semitrailers, or pole trailers that are owned by the counties,
29 municipalities, and special districts, as defined in 18-8-202, organized under the laws of Montana and not
30 operating for profit, and that are used and operated by officials and employees in the line of duty and for motor

1 vehicles on loan from the United States government or the state of Montana to, or owned by, the civil air patrol
2 and used and operated by officials and employees in the line of duty, there must be placed on the standard
3 license plates assigned, in a position that the department may designate, the letter "X" or the word "EXEMPT".
4 Distinctive registration numbers for plates assigned to motor vehicles, trailers, semitrailers, or pole trailers of each
5 of the counties in the state and those of the municipalities and special districts that obtain plates within each
6 county must begin with number one and be numbered consecutively. Because these standard license plates are
7 of a permanent nature, they are subject to replacement by the department only when the physical condition of
8 the license plates requires it and a year number may not be displayed on the plates.

9 (7) For the purpose of this chapter, the several counties of the state are assigned numbers as follows:
10 Silver Bow, 1; Cascade, 2; Yellowstone, 3; Missoula, 4; Lewis and Clark, 5; Gallatin, 6; Flathead, 7; Fergus, 8;
11 Powder River, 9; Carbon, 10; Phillips, 11; Hill, 12; Ravalli, 13; Custer, 14; Lake, 15; Dawson, 16; Roosevelt, 17;
12 Beaverhead, 18; Chouteau, 19; Valley, 20; Toole, 21; Big Horn, 22; Musselshell, 23; Blaine, 24; Madison, 25;
13 Pondera, 26; Richland, 27; Powell, 28; Rosebud, 29; Deer Lodge, 30; Teton, 31; Stillwater, 32; Treasure, 33;
14 Sheridan, 34; Sanders, 35; Judith Basin, 36; Daniels, 37; Glacier, 38; Fallon, 39; Sweet Grass, 40; McCone, 41;
15 Carter, 42; Broadwater, 43; Wheatland, 44; Prairie, 45; Granite, 46; Meagher, 47; Liberty, 48; Park, 49; Garfield,
16 50; Jefferson, 51; Wibaux, 52; Golden Valley, 53; Mineral, 54; Petroleum, 55; Lincoln, 56. Any new counties must
17 be assigned numbers by the department as they are formed, beginning with the number 57.

18 (8) Each type of special license plate approved by the legislature, except collegiate license plates
19 authorized in 61-3-463 and generic specialty license plates authorized in 61-3-472 through 61-3-481, must be
20 a separate series of plates, numbered as provided in subsection (5), except that the county number must be
21 replaced by a design that distinguishes each separate plate series. Unless otherwise specifically stated in this
22 section, the special plates are subject to the same rules and laws as govern the issuance of standard license
23 plates, must be placed or mounted on a motor vehicle, trailer, semitrailer, or pole trailer owned by the person who
24 is eligible to receive them, with the registration decal affixed to the rear license plate of the motor vehicle, trailer,
25 semitrailer, or pole trailer, and must be removed upon sale or other disposition of the motor vehicle, trailer,
26 semitrailer, or pole trailer.

27 (9) (a) A Montana resident who is eligible to receive a special parking permit under 49-4-301 may and
28 a person with a low-speed restricted driver's license operating a low-speed electric vehicle or golf cart as provided
29 in 61-5-122 must, upon written application on a form prescribed by the department, be issued a special license
30 plate with a design or decal bearing a representation of a wheelchair as the symbol of a person with a disability.

1 (b) If the motor vehicle to which the license plate is attached is permanently registered, the owner of the
2 motor vehicle shall provide, upon request of a person authorized to enforce special parking laws or ordinances
3 in this or any state, evidence of continued eligibility to use the license plate in the form of a valid special parking
4 permit issued to or renewed by the vehicle owner under 49-4-304 and 49-4-305.

5 (c) A person with a permanent condition, as provided in 49-4-301(2)(b), who has been issued a special
6 license plate upon written application, as provided in this subsection (9), is not required to reapply upon
7 reregistration of the motor vehicle.

8 (10) The provisions of this section do not apply to a motor vehicle, trailer, semitrailer, or pole trailer that
9 is registered as part of a fleet, as defined in 61-3-712, and that is subject to the provisions of 61-3-711 through
10 61-3-733."

11
12 **NEW SECTION. Section 4. Effective date -- applicability.** [This act] is effective January 1, 2016, and
13 applies to vehicles registered or reregistered on or after January 1, 2016.

14 - END -