

HOUSE BILL NO. 152

INTRODUCED BY T. WELCH

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A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING COUNTIES TO ESTABLISH MOTOR VEHICLE RECYCLING AND DISPOSAL CAPITAL IMPROVEMENT FUNDS; DESIGNATING THE PURPOSE OF THE FUNDS; CAPPING ALLOCATIONS TO THE FUNDS; AMENDING SECTION 75-10-521, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 75-10-521, MCA, is amended to read:

"75-10-521. Powers and duties of county motor vehicle recycling and disposal programs. (1) (a)

Each county shall acquire, develop, and maintain property for free motor vehicle graveyards. The property may be acquired by purchase, lease, or otherwise.

(b) As an alternative, the county may contract for the maintenance and operation of a motor vehicle graveyard or graveyards, but any such contract may be entered into only with a motor vehicle wrecking facility licensed under the provisions of this part.

(2) Two or more counties may join to form a district for the purpose stated in this section. If a district is formed, all provisions of this part pertaining to a county also apply to a district formed under this subsection.

(3) When there is an accumulation of at least 200 junk vehicles in the graveyard, the county shall notify the department for disposal purposes.

(4) The county commissioners of each county shall designate a representative to be responsible for implementing this part.

(5) Each county, through its designated representative, shall inspect each licensed motor vehicle wrecking facility within its boundaries, consistent with rules adopted by the department.

(6) Each county may sell junk vehicles from the motor vehicle graveyard to licensed motor vehicle wrecking facilities. The sales may be conducted only pursuant to a plan that has been approved by the department for consistency with its rules.

(7) A county shall submit to the department for approval a plan for the collection of junk vehicles and the establishment and operation of the motor vehicle graveyard.

1 (8) (a) The county shall submit to the department for approval a proposed budget for the succeeding
2 fiscal year.

3 (b) The budget ~~shall~~ must be for the amounts required by the county for collection costs, acquisition,
4 maintenance, and operation of the graveyard, for funding of a motor vehicle recycling and disposal capital
5 improvement fund established pursuant to subsection (9), if applicable, and for other duties relating to
6 implementation of this part.

7 (c) Except as provided in subsection (8)(e), up to 10% of the budget may be designated to a motor
8 vehicle recycling and disposal capital improvement fund established pursuant to subsection (9).

9 (d) Except as provided in subsection (8)(e), at the end of a fiscal year, unspent money may be
10 transferred to a motor vehicle recycling and disposal capital improvement fund established pursuant to subsection
11 (9).

12 (e) No allocations pursuant to this section may be made to a county's motor vehicle recycling and
13 disposal capital improvement fund if the fund balance exceeds \$200,000. The fund may continue to earn interest
14 and income from investments.

15 (f) Any proposed change in the budget or plan must be approved by the department.

16 (9) (a) A county may establish a motor vehicle recycling and disposal capital improvement fund in
17 accordance with the provisions of 7-6-616.

18 (b) Money in a motor vehicle recycling and disposal capital improvement fund may be spent only for the
19 replacement and acquisition of property, capital improvements, and equipment necessary to maintain and
20 improve the county's motor vehicle recycling and disposal program."

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22 NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

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