

HOUSE BILL NO. 410

INTRODUCED BY R. SHAW

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING CERTAIN VEHICLE REGISTRATION FEES TO INCREASE FUNDS FOR NOXIOUS WEED CONTROL; CLARIFYING A DEFINITION; AND AMENDING SECTIONS 7-22-2101, 15-1-122, AND 61-3-321, MCA."

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

**Section 1.** Section 7-22-2101, MCA, is amended to read:

**"7-22-2101. Definitions.** As used in this part, unless the context indicates otherwise, the following definitions apply:

- (1) "Board" means a district weed board created under 7-22-2103.
- (2) "Commissioners" means the board of county commissioners.
- (3) "Coordinator" means the person employed by the county to conduct the district noxious weed management program and supervise other district employees.
- (4) "Department" means the department of agriculture provided for in 2-15-3001.
- (5) "District" means a weed management district organized under 7-22-2102.
- (6) "Native plant" means a plant indigenous to the state of Montana.
- (7) "Native plant community" means an assemblage of native plants occurring in a natural habitat.
- (8) (a) "Noxious weeds" or "weeds" means any exotic plant species established or that may be introduced in the state that may render land unfit for agriculture, forestry, livestock, wildlife, or other beneficial uses or that may harm native plant communities and that is designated:
  - (i) as a statewide noxious weed by rule of the department; or
  - (ii) as a district noxious weed by a board, following public notice of intent and a public hearing.
- (b) A weed designated by rule of the department as a statewide noxious weed must be considered noxious in every district of the state.
- (9) "Person" means an individual, partnership, corporation, association, or state or local government agency or subdivision owning, occupying, or controlling any land, easement, or right-of-way, including any county, state, or federally owned and controlled highway, drainage or irrigation ditch, spoil bank, barrow pit, or

1 right-of-way for a canal or lateral.

2 (10) "Weed management" or "control" means the ~~planning and implementation of a coordinated program~~  
 3 ~~for the containment, suppression, and, where possible, eradication of noxious weeds~~ use of an integrated weed  
 4 management program for the enforcement, containment, suppression, and, where possible, eradication of  
 5 noxious weeds. The long-term management and control of weeds through an integrated weed management  
 6 program may be a combination of techniques, including hand-pulling, cultivation, use of herbicide, use of  
 7 biological control, mechanical treatment, prescribed grazing, prescribed burning, education, prevention, and  
 8 revegetation."

9

10 **Section 2.** Section 15-1-122, MCA, is amended to read:

11 **"15-1-122. (Bracketed language effective July 1, 2021) Fund transfers.** (1) There is transferred from  
 12 the state general fund to the adoption services account, provided for in 42-2-105, a base amount of \$59,209, and  
 13 the amount of the transfer must be increased by 10% in each succeeding fiscal year.

14 (2) For fiscal years 2016 through 2019, there is transferred \$1.275 million on an annual basis from the  
 15 state general fund to the research and commercialization state special revenue account provided for in  
 16 90-3-1002.

17 (3) For each fiscal year, there is transferred from the state general fund to the accounts, entities, or  
 18 recipients indicated the following amounts:

19 (a) to the motor vehicle recycling and disposal program provided for in Title 75, chapter 10, part 5, 1.48%  
 20 of the motor vehicle revenue deposited in the state general fund in each fiscal year. The amount of 9.48% of the  
 21 allocation in each fiscal year must be used for the purpose of reimbursing the hired removal of abandoned  
 22 vehicles. Any portion of the allocation not used for abandoned vehicle removal reimbursement must be used as  
 23 provided in 75-10-532.

24 (b) to the noxious weed state special revenue account provided for in 80-7-816, ~~4.50%~~ 2.42% of the  
 25 motor vehicle revenue deposited in the state general fund in each fiscal year;

26 (c) to the department of fish, wildlife, and parks:

27 (i) 0.46% of the motor vehicle revenue deposited in the state general fund, with the applicable  
 28 percentage to be:

29 (A) used to:

30 (l) acquire and maintain pumpout equipment and other boat facilities, 4.8% in each fiscal year;

- 1 (II) administer and enforce the provisions of Title 23, chapter 2, part 5, 19.1% in each fiscal year;
- 2 (III) enforce the provisions of 23-2-804, 11.1% in each fiscal year; and
- 3 (IV) develop and implement a comprehensive program and to plan appropriate off-highway vehicle  
4 recreational use, 16.7% in each fiscal year; and
- 5 (B) deposited in the state special revenue fund established in 23-1-105 in an amount equal to 48.3% in  
6 each fiscal year;
- 7 (ii) 0.10% of the motor vehicle revenue deposited in the state general fund in each fiscal year, with 50%  
8 of the amount to be used for enforcing the purposes of Title 23, chapter 2, part 6, and 50% of the amount  
9 designated for use in the development, maintenance, and operation of snowmobile facilities; and
- 10 (iii) 0.16% of the motor vehicle revenue deposited in the state general fund in each fiscal year to be  
11 deposited in the motorboat account to be used as provided in 23-2-533;
- 12 (d) 0.81% of the motor vehicle revenue deposited in the state general fund in each fiscal year, with  
13 24.55% to be deposited in the state veterans' cemetery account provided for in 10-2-603 and with 75.45% to be  
14 deposited in the veterans' services account provided for in 10-2-112(1); and
- 15 (e) to the search and rescue account provided for in 10-3-801, 0.04% of the motor vehicle revenue  
16 deposited in the state general fund in each fiscal year.
- 17 (4) The amount of \$200,000 is transferred from the state general fund to the livestock loss [reduction  
18 and] mitigation restricted state special revenue account provided for in 81-1-112 in each fiscal year.
- 19 (5) For the purposes of this section, "motor vehicle revenue deposited in the state general fund" means  
20 revenue received from:
- 21 (a) fees for issuing a motor vehicle title paid pursuant to 61-3-203;
- 22 (b) fees, fees in lieu of taxes, and taxes for vehicles, vessels, and snowmobiles registered or reregistered  
23 pursuant to 61-3-321 and 61-3-562;
- 24 (c) GVW fees for vehicles registered for licensing pursuant to Title 61, chapter 3, part 3; and
- 25 (d) all money collected pursuant to 15-1-504(3).
- 26 (6) Except as provided in subsection (2), the amounts transferred from the general fund to the designated  
27 recipient must be appropriated as state special revenue in the general appropriations act for the designated  
28 purposes. (Bracketed language in subsection (4) effective July 1, 2021--sec. 8, Ch. 349, L. 2015.)"
- 29

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

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

5           (2) Unless a light vehicle is permanently registered under 61-3-562, the annual registration fee for light  
6 vehicles, trucks and buses under 1 ton, and logging trucks less than 1 ton is as follows:

7           (a) if the vehicle is 4 or less years old, ~~\$217~~ \$219;

8           (b) if the vehicle is 5 through 10 years old, ~~\$87~~ \$88; and

9           (c) if the vehicle is 11 or more years old, ~~\$28~~ \$29.

10          (3) Except as provided in subsection (15), the one-time registration fee based on the declared weight  
11 of a trailer, semitrailer, or pole trailer is as follows:

12          (a) if the declared weight is less than 6,000 pounds, \$61.25; or

13          (b) if the declared weight is 6,000 pounds or more, \$148.25.

14          (4) Except as provided in subsection (15), the one-time registration fee for motor vehicles owned and  
15 operated solely as collector's items pursuant to 61-3-411, based on the weight of the vehicle, is as follows:

16          (a) 2,850 pounds and over, \$10; and

17          (b) under 2,850 pounds, \$5.

18          (5) Except as provided in subsection (15), the one-time registration fee for off-highway vehicles other  
19 than a quadricycle or motorcycle is ~~\$61.25~~ \$63.25.

20          (6) The annual registration fee for heavy trucks, buses, and logging trucks in excess of 1 ton is \$22.75.

21          (7) (a) The annual registration fee for a motor home, based on the age of the motor home, is as follows:

22               (i) less than 2 years old, \$282.50;

23               (ii) 2 years old and less than 5 years old, \$224.25;

24               (iii) 5 years old and less than 8 years old, \$132.50; and

25               (iv) 8 years old and older, \$97.50.

26          (b) The owner of a motor home that is 11 years old or older and that is subject to the registration fee  
27 under this section may permanently register the motor home upon payment of:

28               (i) a one-time registration fee of \$237.50;

29               (ii) unless a new set of license plates is being issued, an insurance verification fee of \$5, which must be  
30 deposited in the account established under 61-6-158;

1 (iii) if applicable, five times the renewal fees for personalized license plates under 61-3-406; and  
2 (iv) if applicable, the donation fee for a generic specialty license plate under 61-3-480 or a collegiate  
3 license plate under 61-3-465.

4 (8) (a) Except as provided in subsection (15), the one-time registration fee for motorcycles and  
5 quadricycles registered for use on public highways is \$53.25, and the one-time registration fee for motorcycles  
6 and quadricycles registered for both off-road use and for use on the public highways is \$114.50.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

4 (13) (a) Except as provided in subsection (13)(b), a fee of \$10 must be collected when a new set of  
5 standard license plates, a new single standard license plate, or a replacement set of special license plates  
6 required under 61-3-332 is issued. The \$10 fee imposed under this subsection does not apply when previously  
7 issued license plates are transferred under 61-3-335. All registration fees imposed under this section must be  
8 paid if the vehicle to which the plates are transferred is not currently registered.

9 (b) An additional fee of \$15 must be collected if a vehicle owner elects to keep the same license plate  
10 number from license plates issued before January 1, 2010, when replacement of those plates is required under  
11 61-3-332(3).

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

14 (14) The provisions of this part with respect to the payment of registration fees do not apply to and are  
15 not binding upon motor vehicles, trailers, semitrailers, snowmobiles, watercraft, or tractors owned or controlled  
16 by the United States of America or any state, county, city, or special district, as defined in 18-8-202, or to a vehicle  
17 or vessel that meets the description of property exempt from taxation under 15-6-201(1)(a), (1)(d), (1)(e), (1)(g),  
18 (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.

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

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

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

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

29 (19) (a) Unless a person exercises the option in either subsection (19)(b) or (19)(c), an additional fee of  
30 \$6 must be collected for each light vehicle registered under this part. This fee must be accounted for and

1 transmitted separately from the registration fee. The fee must be deposited in an account in the state special  
2 revenue fund to be used for state parks, for fishing access sites, and for the operation of state-owned facilities.  
3 Of the \$6 fee, the department of fish, wildlife, and parks shall use \$5.37 for state parks, 25 cents for fishing  
4 access sites, and 38 cents for the operation of state-owned facilities at Virginia City and Nevada City.

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

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

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

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

19 (21) This section does not apply to a motor vehicle, trailer, semitrailer, or pole trailer that is governed by  
20 61-3-721."

21 - END -