

HOUSE BILL NO. 240

INTRODUCED BY K. WHITE

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4 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING ALLOWED USES OF A SNOWMOBILE TRAIL PASS;
5 ALLOWING A TRAIL PASS AFFIXED BY A DEALER TO BE USED BY THE PURCHASER; REQUIRING DEMO
6 SNOWMOBILES TO HAVE A TRAIL PASS; REQUIRING ALL-TERRAIN VEHICLES TO BE TRACKED TO BE
7 ELIGIBLE FOR A TRAIL PASS; PROVIDING DEFINITIONS; AND AMENDING SECTION 23-2-636, MCA."

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

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11 **Section 1.** Section 23-2-636, MCA, is amended to read:

12 **"23-2-636. Snowmobile trail pass -- fees -- penalties.** (1) Except as provided in subsection (4), to be
13 eligible to operate a snowmobile or use motorized equipment or mechanical transport in snowmobile areas
14 groomed with a grant or funding assistance awarded by the department, a person shall first purchase a
15 snowmobile trail pass for \$18.

16 (2) The trail pass is valid for 3 years from the date of purchase and must be affixed in a conspicuous
17 place to each snowmobile, motorized equipment, or mechanical transport used. A trail pass expires on June 30
18 of the third year and is not transferable between a snowmobile, motorized equipment, or mechanical transport.
19 If a snowmobile is sold by a dealer with an affixed trail pass, the trail pass may continue to be used by the
20 purchaser of the snowmobile until it expires.

21 (3) Application for the issuance of the trail pass must be made at locations and ~~upon~~ on forms prescribed
22 by the department.

23 (4) A person renting a snowmobile registered pursuant to 61-3-321(11)(b) is not required to purchase
24 a snowmobile trail pass but shall carry proof of rental if operating a snowmobile in a snowmobile area that
25 otherwise requires a trail pass pursuant to subsection (1).

26 (5) Money collected by payment of fees under this section must be deposited in the state special revenue
27 fund to the credit of the department and used as follows:

- 28 (a) \$2 must be remitted to the vendor who sold the trail pass if the vendor is not the department;
- 29 (b) \$1 must be used for the enforcement of snowmobile laws pursuant to this part; and
- 30 (c) the remainder must be used by the department to award grants or funding assistance to snowmobile

1 area operators for the grooming of snowmobile areas.

2 (6) The failure to affix the trail pass as required by this section or the making of false statements in
3 obtaining the trail pass is a misdemeanor, punishable by a fine of not less than \$25 or more than \$100.

4 (7) To be eligible for a snowmobile trail pass pursuant to this section, an all-terrain vehicle must have
5 a wheel base of less than 50 inches in width and be equipped with tracks instead of wheels while operating on
6 a groomed snowmobile trail administered by the department.

7 (8) For the purposes of this section:

8 (a) "motorized equipment" means any motorized equipment allowed by a snowmobile area operator; and

9 (b) "snowmobile" includes snowmobiles used for demonstration purposes by snowmobile dealers."

10 - END -