1	HOUSE BILL NO. 15
2	INTRODUCED BY W. CURDY
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT REVISING COUNTY MOTOR VEHICLE RECYCLING AND
5	DISPOSAL LAWS; ALLOWING A COUNTY TO DISPOSE OF NONMOTORIZED VEHICLES AND MOBILE
6	HOMES THAT ARE PUBLIC NUISANCES OR CAUSE CONDITIONS OF DECAY; AND AMENDING SECTION
7	75-10-521, 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 75-10-521, MCA, is amended to read:
12	**"75-10-521. Powers and duties of county motor vehicle recycling and disposal programs.** (1) (a)
13	Each county shall acquire, develop, and maintain property for free motor vehicle graveyards. The property may
14	be acquired by purchase, lease, or otherwise.
15	(b) As an alternative, the county may contract for the maintenance and operation of a motor vehicle
16	graveyard or graveyards, but any such contract may be entered into only with a motor vehicle wrecking facility
17	licensed under the provisions of this part.
18	(2) Two or more counties may join to form a district for the purpose stated in this section. If a district is
19	formed, all provisions of this part pertaining to a county also apply to a district formed under this subsection.
20	(3) When there is an accumulation of at least 200 junk vehicles in the graveyard, the county shall notify
21	the department for disposal purposes.
22	(4) The county commissioners of each county shall designate a representative to be responsible for
23	implementing this part.
24	(5) Each county, through its designated representative, shall inspect each licensed motor vehicle
25	wrecking facility within its boundaries, consistent with rules adopted by the department.
26	(6) Each county may sell junk vehicles from the motor vehicle graveyard to licensed motor vehicle
27	wrecking facilities. The sales may be conducted only pursuant to a plan that has been approved by the
28	department for consistency with its rules.
29	(7) A county shall submit to the department for approval a plan for the collection of junk vehicles and the
30	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 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)~~ (8)(f), 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) A portion of the budget may be used to dispose of nonmotorized vehicles and mobile homes that

10   cause a public nuisance as provided in 45-8-111 or cause conditions of community decay as provided in

11   7-5-2110. County programs are not obligated to take nonmotorized vehicles and mobile homes for recycling and

12   disposal.

13   ~~(d)~~(e) Except as provided in subsection ~~(8)(e)~~ (8)(f), at the end of a fiscal year, unspent money may be

14   transferred to a motor vehicle recycling and disposal capital improvement fund established pursuant to subsection

15   (9).

16   ~~(e)~~(f) No allocations pursuant to this section may be made to a county's motor vehicle recycling and

17   disposal capital improvement fund if the fund balance exceeds $200,000. The fund may continue to earn interest

18   and income from investments.

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

20   (9) (a) A county may establish a motor vehicle recycling and disposal capital improvement fund in

21   accordance with the provisions of 7-6-616.

22   (b) Money in a motor vehicle recycling and disposal capital improvement fund may be spent only for the

23   replacement and acquisition of property, capital improvements, and equipment necessary to maintain and

24   improve the county's motor vehicle recycling and disposal program."

25   - END -