



AN ACT REVISING LAWS RELATED TO THE OFF-HIGHWAY VEHICLE GRANT PROGRAM; REORGANIZING PROVISIONS; ALLOWING THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS TO REQUIRE A MATCH; ESTABLISHING A DISTRIBUTION SCHEDULE; AMENDING SECTION 60-3-201, MCA; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Off-highway vehicle grant program. (1) Money deposited in the off-highway vehicle account pursuant to 60-3-201 must be used by the department of fish, wildlife, and parks to administer an off-highway vehicle grant program to develop and maintain facilities open to the general public, to repair areas that are damaged by off-highway vehicles, and to promote off-highway vehicle safety.

(2) Ten percent of the money deposited in the account must be granted for the promotion of off-highway vehicle safety.

(3) Up to 10% of the money deposited in the account may be used to repair areas that are damaged by off-highway vehicles.

(4) The department may require an applicant to provide a 10% match in cash or donated services to be eligible to receive a grant.

(5) After awarding a grant pursuant to this section, the department shall distribute 50% of the funding to the entity receiving the award with the other 50% to be distributed upon receipt by the department of expense receipts and proof of completion of the project for which the money is awarded.

Section 2. Section 60-3-201, MCA, is amended to read:

"60-3-201. Distribution and use of proceeds of gasoline tax. (1) Money received in payment of the gasoline tax under 15-70-403, except those amounts paid out of the department's suspense account for gasoline tax refund, must be deposited as provided in 15-70-403(2) and (3) and used and expended as provided in 15-70-126 and 15-70-127 and this section. After deductions for amounts paid out of the suspense account for

gasoline tax refunds, the remainder of the gasoline tax collected under 15-70-403 is allocated as follows:

- (a) 9/10 of 1% to the state park account;
- (b) 15/28 of 1% to a snowmobile account in the state special revenue fund;
- (c) 1/8 of 1% to an off-highway vehicle account in the state special revenue fund to be used pursuant

to [section 1];

- (d) 1/25 of 1% to the aeronautics revenue fund of the department under the provisions of 67-1-301; and
- (e) the remaining amount as provided for in 15-70-126 and 15-70-127.

(2) The department shall, in expending this money, carry forward construction from year to year, using the money expended in accordance with this title. Nothing in this title conflicts with Title 23 of the United States Code and the rules by which it is administered.

(3) The department may enter into cooperative agreements with the national park service and the federal highway administration for the purpose of maintaining national park approach roads in Montana.

(4) Money credited to the state park account in the state special revenue fund may be used only for the creation, improvement, and maintenance of state parks where motorboating is allowed. The legislature finds that of all the fuel sold in the state for consumption in internal combustion engines, except fuel for which refunds have been made, not less than 9/10 of 1% is used for propelling boats on waterways of this state.

(5) (a) Money credited to the snowmobile account may be used only to develop and maintain facilities open to the general public at no admission cost, to promote snowmobile safety, for enforcement purposes, and for the control of noxious weeds.

(b) Of the amounts deposited in the snowmobile account:

(i) 13% of the amount deposited must be used by the department of fish, wildlife, and parks to promote snowmobile safety and education and to enforce snowmobile laws. Two-thirds of the 13% deposited must be used to promote snowmobile safety and education and one-third of the 13% deposited must be used for the enforcement of snowmobile laws.

(ii) 1% of the amount deposited must be credited to the noxious weed management special revenue fund provided for in 80-7-816.

(c) The legislature finds that of all fuels sold in this state for consumption in internal combustion engines, except fuel for which refunds have been made, not less than 15/28 of 1% is used for propelling registered snowmobiles in this state.

~~(6) (a) Money credited to the off-highway vehicle account under subsection (1)(c) may be used only to develop and maintain facilities open to the general public at no admission cost, to repair areas that are damaged by off-highway vehicles, and to promote off-highway vehicle safety. Ten percent of the money deposited in the off-highway vehicle account must be used to promote off-highway vehicle safety. Up to 10% of the money deposited in the off-highway vehicle account may be used to repair areas that are damaged by off-highway vehicles.~~

~~————(b) The legislature finds that of all fuel sold in this state for consumption in internal combustion engines, except fuel for which refunds have been made, not less than 1/8 of 1% is used for propelling off-highway vehicles in this state.~~

(7) Money credited to the aeronautics account of the department of transportation may be used only to develop, improve, and maintain facilities open to the public at no admission cost and to promote aviation safety. The legislature finds that of all the fuel sold in this state for consumption in internal combustion engines, except fuel for which refunds have been made, not less than 1/25 of 1% is used for propelling aircraft in this state."

Section 3. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 23, chapter 2, part 8, and the provisions of Title 23, chapter 2, part 8, apply to [section 1].

Section 4. Effective date. [This act] is effective July 1, 2019.

- END -

I hereby certify that the within bill,
HB 0243, originated in the House.

Speaker of the House

Signed this _____ day
of _____, 2019.

Chief Clerk of the House

President of the Senate

Signed this _____ day
of _____, 2019.

HOUSE BILL NO. 243
INTRODUCED BY K. WHITE

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