

SENATE BILL NO. 24

INTRODUCED BY T. GAUTHIER

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A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE LIGHT MOTOR VEHICLE REGISTRATION FEE FOR STATE PARKS, FISHING ACCESS SITES, AND TRAILS AND RECREATIONAL FACILITIES; CREATING THE TRAILS AND RECREATIONAL FACILITIES ACCOUNT AND GRANT PROGRAM; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTION 61-3-321, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

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

NEW SECTION. **Section 1. Trails and recreational facilities account.** (1) There is a trails and recreational facilities account in the state special revenue fund established in 17-2-102.

(2) There must be paid into the account money collected pursuant to 61-3-321(19)(a)(iii).

(3) Money in the account may only be used by the department of fish, wildlife, and parks to provide trails and recreational facilities grants pursuant to [section 2].

(4) Interest and income earned on the account and any unspent or unencumbered money in the account at the end of a fiscal year must remain in the account.

NEW SECTION. **Section 2. Trails and recreational facilities grant program -- rulemaking.** (1) There is a trails and recreational facilities grant program administered by the department of fish, wildlife, and parks.

(2) Cities, counties, tribal governments, school districts, recreational clubs and organizations, and state and federal agencies are eligible to receive grant funds for the following projects:

- (a) new trail and shared-use path construction;
- (b) rehabilitation and maintenance of existing trails and shared-use paths; and
- (c) trailside and trailhead facilities, including but not limited to bridges, fencing, parking, bathrooms, latrines, picnic shelters, interpretation, trail signs, and trailside weed management.

(3) In making grants, the department shall consider the recommendations of the state trails advisory committee established pursuant to 23 U.S.C. 206.

(4) Entities receiving a grant may use up to 7% of the funds for administrative costs.

1 (5) Any funds awarded pursuant to this section that are not fully expended within 3 years must revert to  
2 the department and be deposited in the account established in 23-1-105.

3 (6) The department may adopt rules to implement this section.  
4

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

6 **"61-3-321. Registration fees of vehicles and vessels -- certain vehicles exempt from registration**  
7 **fees -- disposition of fees.** (1) Except as otherwise provided in this section, registration fees must be paid upon  
8 registration or, if applicable, renewal of registration of motor vehicles, snowmobiles, watercraft, trailers,  
9 semitrailers, and pole trailers as provided in subsections (2) through (20).

10 (2) (a) Except as provided in subsection (2)(b), unless a light vehicle is permanently registered under  
11 61-3-562, the annual registration fee for light vehicles, trucks, and buses that weigh 1 ton or less and for logging  
12 trucks that weigh 1 ton or less is as follows:

- 13 (i) if the vehicle is 4 or less years old, \$217;  
14 (ii) if the vehicle is 5 through 10 years old, \$87; and  
15 (iii) if the vehicle is 11 or more years old, \$28.

16 (b) For a light vehicle with a manufacturer's suggested retail price of more than \$150,000 that is 10 years  
17 old or less, the annual registration fee is the amount provided for in subsection (2)(a) plus \$825.

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

- 20 (i) if the declared weight is less than 6,000 pounds, \$61.25; or  
21 (ii) if the declared weight is 6,000 pounds or more, \$148.25.

22 (b) If a trailer, semitrailer, or pole trailer is registered under 61-3-701, the fees required in subsection  
23 (3)(a) must be paid annually.

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

- 26 (a) 2,850 pounds and over, \$10; and  
27 (b) under 2,850 pounds, \$5.

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

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

1 (7) (a) Except as provided in subsection (7)(c), the annual registration fee for a motor home, based on  
2 the age of the motor home, is as follows:

- 3 (i) less than 2 years old, \$282.50;  
4 (ii) 2 years old and less than 5 years old, \$224.25;  
5 (iii) 5 years old and less than 8 years old, \$132.50; and  
6 (iv) 8 years old and older, \$97.50.

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

- 9 (i) a one-time registration fee of \$237.50;  
10 (ii) unless a new set of license plates is being issued, an insurance verification fee of \$5, which must be  
11 deposited in the account established under 61-6-158;  
12 (iii) if applicable, five times the renewal fees for personalized license plates under 61-3-406; and  
13 (iv) if applicable, the donation fee for a generic specialty license plate under 61-3-480 or a collegiate  
14 license plate under 61-3-465.

15 (c) For a motor home with a manufacturer's suggested retail price of more than \$300,000 that is 10 years  
16 old or less, the annual registration fee is the amount provided in subsection (7)(a) plus \$800.

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

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

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

- 24 (a) under 16 feet in length, \$72; and  
25 (b) 16 feet in length or longer, \$152.

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

- 28 (a) for a personal watercraft or a motorboat, sailboat, or motorized pontoon less than 16 feet in length,  
29 \$65.50;  
30 (b) for a motorboat, sailboat, or motorized pontoon at least 16 feet in length but less than 19 feet in

1 length, \$125.50; and

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

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

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

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

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

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

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

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

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

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

22 (b) An additional fee of \$15 must be collected if a vehicle owner elects to keep the same license plate  
23 number from license plates issued before January 1, 2010, when replacement of those plates is required under  
24 61-3-332(3).

25 (c) The fees imposed in this subsection (13) must be deposited in the account established under  
26 61-6-158, except that \$2 of the fee imposed in subsection (13)(a) must be deposited in the state general fund.

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

1 (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.

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

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

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

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

12 (19) (a) Unless a person exercises the option in either subsection (19)(b) or (19)(c), an additional fee of  
13 ~~\$6 \$9~~ must be collected for each light vehicle registered under this part. This fee must be accounted for and  
14 transmitted separately from the registration fee. ~~The fee must be deposited in an account in the state special  
15 revenue fund to be used for state parks, for fishing access sites, and for the operation of state-owned facilities.~~

16 ~~Of the \$6 \$9 fee, the department of fish, wildlife, and parks shall use~~

17 ~~(i) \$5.37 \$6.74 must be deposited in the state special revenue account established in 23-1-105 and used  
18 for state parks [or as otherwise appropriated by the legislature];~~

19 ~~(ii) 25 50 cents must be deposited in an account in the state special revenue fund to the credit of the  
20 department of fish, wildlife, and parks and used for fishing access sites;~~

21 ~~(iii) \$1.38 must be deposited in the trails and recreation facilities state special revenue account  
22 established in [section 1]; and~~

23 ~~(iv) 38 cents must be deposited in the Montana heritage preservation and development account  
24 established in 22-3-1004 and used for the operation of state-owned facilities at Virginia City and Nevada City.~~

25 (b) A person who registers a light vehicle may, at the time of annual registration, certify that the person  
26 does not intend to use the vehicle to visit state parks and fishing access sites and may make a written election  
27 not to pay the additional ~~\$6 \$9~~ fee provided for in subsection (19)(a). If a written election is made, the fee may  
28 not be collected.

29 (c) (i) A person who registers one or more light vehicles may, at the time of annual registration, certify  
30 that the person does not intend to use any of the vehicles to visit state parks and fishing access sites and may

1 make a written election not to pay the additional \$6 ~~\$9~~ fee provided for in subsection (19)(a). If a written election  
2 is made, the fee may not be collected at any subsequent annual registration unless the person makes the written  
3 election to pay the additional fee on one or more of the light vehicles.

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

6 (20) For each light vehicle, trailer, semitrailer, pole trailer, heavy truck, motor home, motorcycle,  
7 quadricycle, and travel trailer subject to a registration fee under this section, an additional fee of \$10 must be  
8 collected and forwarded to the state for deposit in the account established in 44-1-504.

9 (21) (a) If a person exercises the option in subsection (21)(b), an additional fee of \$5 must be collected  
10 for each light vehicle registered under this part. This fee must be accounted for and transmitted separately from  
11 the registration fee. The fee must be deposited in an account in the state special revenue fund. Funds in the  
12 account are statutorily appropriated, as provided in 17-7-502, to the department of transportation and must be  
13 allocated as provided in 60-3-309.

14 (b) A person who registers one or more light vehicles may, at the time of annual registration, make a  
15 written or electronic election to pay the additional \$5 fee provided for in subsection (21)(a).

16 (22) This section does not apply to a motor vehicle, trailer, semitrailer, or pole trailer that is governed by  
17 61-3-721.

18 (23) (a) The \$800 and \$825 amounts collected based on the manufacturer's suggested retail price in  
19 subsections (2) and (7) are exempt from the provisions of 15-1-122 and must be deposited in the motor vehicle  
20 division administration account established in 61-3-112.

21 (b) By August 15 of each year, beginning in the fiscal year beginning July 1, 2019, the department of  
22 justice shall deposit into the general fund an amount equal to the fiscal yearend balance minus 25% of the current  
23 fiscal year appropriation for the motor vehicle division administration account established in 61-3-112. ~~(Bracketed~~  
24 ~~language terminates June 30, 2019--sec. 21, Ch. 351, L. 2017.)"~~

25  
26 **NEW SECTION. Section 4. Notification to tribal governments.** The secretary of state shall send a  
27 copy of [this act] to each tribal government located on the seven Montana reservations and to the Little Shell  
28 Chippewa tribe.

29  
30 **NEW SECTION. Section 5. Codification instruction.** [Sections 1 and 2] are intended to be codified

1 as an integral part of Title 23, chapter 2, part 1, and the provisions of Title 23, chapter 2, part 1, apply to [sections  
2 1 and 2].

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4 NEW SECTION. **Section 6. Effective date.** [This act] is effective January 1, 2020.

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