

1 HOUSE BILL NO. 272

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6
7 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING MOTOR VEHICLE LAWS; ALLOWING A
8 PERSON TO REGISTER A VEHICLE FOR UP TO 5 YEARS; ESTABLISHING THAT FEES IN LIEU OF TAX
9 OR REGISTRATION FEES ARE NONREFUNDABLE; ELIMINATING SCHEDULED REPLACEMENT OF
10 LICENSE PLATES; AMENDING SECTIONS 61-3-303, 61-3-311, 61-3-312, 61-3-321, 61-3-332, AND 61-14-
11 101, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

12
13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

14
15 **NEW SECTION. Section 1. Advance payment.** (1) Pursuant to 61-3-303, a person may register a
16 vehicle for up to 5 years by paying the appropriate fees in lieu of tax or registration fees.

17 (2) Fees in lieu of tax or registration fees are nonrefundable.

18
19 **Section 2.** Section 61-3-303, MCA, is amended to read:

20 **"61-3-303. Original registration -- process -- fees.** (1) Except as provided in 61-3-324, a Montana
21 resident who owns a motor vehicle, trailer, semitrailer, or pole trailer operated or driven upon the public
22 highways of this state shall register the motor vehicle, trailer, semitrailer, or pole trailer in the county where the
23 owner is domiciled. A nonresident who has an interest in real property in Montana may register in the county
24 where the real property is located a motor vehicle, trailer, semitrailer, or pole trailer operated or driven upon the
25 public highways of this state.

26 (2) Except as provided in subsection (3), the county treasurer or an authorized agent shall register
27 any vehicle for which:

28 (a) as of the date that the motor vehicle, trailer, semitrailer, or pole trailer is to be registered, the

1 owner delivers an application for a certificate of title to the department, an authorized agent, or a county
2 treasurer; or

3 (b) the county treasurer or an authorized agent confirms that the department has an electronic record
4 of title for the motor vehicle, trailer, semitrailer, or pole trailer as provided under 61-3-101.

5 (3) (a) A county treasurer or an authorized agent may register a motor vehicle, trailer, semitrailer, or
6 pole trailer for which a certificate of title and registration were issued in another jurisdiction and for which
7 registration is required under 61-3-701 after the county treasurer or the authorized agent examines the current
8 out-of-jurisdiction registration certificate or receipt and receives payment of the fees required in 61-3-701. The
9 county treasurer or an authorized agent may ask the motor vehicle, trailer, semitrailer, or pole trailer owner to
10 provide additional information, prescribed by the department, to ensure that the electronic record of registration
11 maintained by the department is complete.

12 (b) A county treasurer or an authorized agent shall collect fees pursuant to 61-3-203 and 61-3-220(4)
13 and issue a 90-day temporary registration permit pursuant to 61-3-224 for a motor vehicle, trailer, semitrailer,
14 pole trailer, motorboat, sailboat that is 12 feet in length or longer, snowmobile, or off-highway vehicle for which
15 the new owner cannot, due to circumstances beyond the new owner's control, surrender a previously assigned
16 certificate of title. The new owner shall request the 90-day temporary registration permit from the authorized
17 agent or county treasurer that originally issued the temporary registration permit.

18 (4) Upon registering a motor vehicle, trailer, semitrailer, or pole trailer for the first time in this state, the
19 county treasurer or an authorized agent shall:

20 (a) update the electronic record of title, if any, maintained for the vehicle by the department under 61-
21 3-101;

22 (b) assign a registration period for the vehicle under 61-3-311;

23 (c) determine the vehicle's age, if required, under 61-3-501;

24 (d) determine the amount of fees, including local option taxes or fees, to be paid under subsection (5);

25 and

26 (e) assign and issue license plates for the vehicle under 61-3-331.

27 (5) Unless otherwise provided by law, a person registering a motor vehicle shall pay to the county
28 treasurer or an authorized agent:

1 (a) the fees in lieu of tax or registration fees, multiplied by the number of years the person is
2 registering the vehicle for, as required for:

3 (i) a light vehicle under 61-3-321 or 61-3-562, in addition to, if applicable, any local option tax or fee
4 under 61-3-537 or 61-3-570;

5 (ii) a motor home under 61-3-321;

6 (iii) a travel trailer under 61-3-321;

7 (iv) a motorcycle or quadricycle under 61-3-321;

8 (v) a bus, a truck having a manufacturer's rated capacity of more than 1 ton, or a truck tractor under
9 61-3-321 and 61-3-529; or

10 (vi) a trailer under 61-3-321;

11 (b) a donation of \$1 or more if the person indicates that the person wishes to donate to promote
12 awareness and education efforts for procurement of organ and tissue donations in Montana to favorably impact
13 anatomical gifts; and

14 (c) a donation of \$1 or more if the person indicates that the person wishes to donate to promote
15 education on, support for, and awareness of traumatic brain injury.

16 (6) The county treasurer or an authorized agent may not issue a registration receipt or license plates
17 for the motor vehicle, trailer, semitrailer, or pole trailer to the owner unless the owner makes the payments
18 required by subsection (5).

19 (7) The department may make full and complete investigation of the registration status of the motor
20 vehicle, trailer, semitrailer, or pole trailer. A person seeking to register a motor vehicle, trailer, semitrailer, or
21 pole trailer under this section shall provide additional information to support the registration to the department if
22 requested.

23 (8) Revenue that accrues from the voluntary donation provided in subsection (5)(b) must be
24 forwarded by the respective county treasurer or an authorized agent to the department for deposit in the state
25 special revenue fund to the credit of an account established by the department of public health and human
26 services to support activities related to awareness and education efforts for procurement of organ and tissue
27 donations for anatomical gifts.

28 (9) (a) Except as provided in subsection (9)(b), the fees in lieu of tax, taxes, and fees imposed on or

1 collected from the registration of a travel trailer, motorcycle, or quadricycle or a trailer, semitrailer, or pole trailer
2 that has a declared weight of less than 26,000 pounds are required to be paid only once during the time that the
3 travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer is owned by the same person who
4 registered the travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer. Once registered, a travel
5 trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer is registered permanently unless ownership is
6 transferred or unless it was registered under 61-3-701.

7 (b) Whenever ownership of a travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer is
8 transferred, the new owner is required to register the travel trailer, motorcycle, quadricycle, trailer, semitrailer,
9 or pole trailer as if it were being registered for the first time, including paying all of the required fees in lieu of
10 tax, taxes, and fees.

11 (10) Revenue that accrues from the voluntary donation provided in subsection (5)(c) must be
12 forwarded by the respective county treasurer or an authorized agent to the department for deposit in the state
13 special revenue fund to the credit of the account established in 2-15-2218 to support activities related to
14 education regarding prevention of traumatic brain injury.

15 (11) The department, an authorized agent of the department, or a county treasurer shall use the online
16 motor vehicle liability insurance verification system provided in 61-6-157 to verify that the vehicle owner has
17 complied with the requirements of 61-6-301."

18

19 **Section 3.** Section 61-3-311, MCA, is amended to read:

20 **"61-3-311. Registration -- time periods.** (1) Unless a motor vehicle, trailer, semitrailer, or pole trailer
21 is subject to permanent registration under this title and except as provided in 61-3-313, 61-3-701, 61-3-721, and
22 subsection (3) of this section, the department, an authorized agent, or a county treasurer shall, upon original
23 registration of a motor vehicle in this state, assign each motor vehicle to a registration period, as provided in 61-
24 3-316, based upon the calendar month in which the motor vehicle is first registered in this state and designate
25 the calendar year in which the current registration will expire. A registration period may last between 1 and 5
26 years at the election of the owner of the motor vehicle subject to registration.

27 (2) Each registration period commences on the first day of the calendar month in the calendar year in
28 which the motor vehicle is registered and the motor vehicle's registration expires on the earlier of:

1 (a) the last day of the month preceding the anniversary of the registration period for the year
2 designated on the motor vehicle's registration decal if the motor vehicle is registered for a minimum 12-month
3 period;

4 (b) the last day of the month preceding the anniversary of the registration period for the year
5 designated on the motor vehicle's registration decal if the motor vehicle is registered for a period of at least 13
6 but less than 25 months; or

7 (c) the transfer of ownership of the motor vehicle, trailer, semitrailer, or pole trailer to another person.

8 (3) (a) Upon request of the motor vehicle owner, a county treasurer or an authorized agent may
9 assign a motor vehicle to a registration period, as provided in 61-3-316, other than a registration period
10 beginning in the calendar month in which the motor vehicle is first registered in this state if at least 13 but less
11 than 25 months will elapse between the first day of the calendar month in which the motor vehicle is registered
12 and the last day of the month preceding the anniversary of the requested registration period in the year
13 designated on the motor vehicle's registration decal.

14 (b) The county treasurer or an authorized agent shall determine fees imposed for a motor vehicle
15 registered for a period between 13 and 24 months. All registration fees, fees in lieu of tax, or local option taxes
16 or fees that are imposed on an annual basis must be prorated based on the number of months in the requested
17 registration period.

18 (c) A motor vehicle registered under the provisions of 61-3-303(3)(b) may not be registered under this
19 subsection (3).

20 (4) If a motor vehicle, trailer, semitrailer, or pole trailer is permanently registered under the provisions
21 of this chapter, the registration is not subject to expiration unless the registered owner of the motor vehicle,
22 trailer, semitrailer, or pole trailer transfers ownership of the vehicle to another person."
23

24 **Section 4.** Section 61-3-312, MCA, is amended to read:

25 **"61-3-312. Renewal of registration -- exceptions -- grace period.** (1) Except as provided in 61-3-
26 313 and 61-3-721, the registration of a motor vehicle under this chapter must be renewed on or before the last
27 day of the month of the motor vehicle's registration period following the expiration of the motor vehicle's
28 registration.

1 (2) A person may renew a motor vehicle's registration by submitting full payment for the fees or taxes
2 required under 61-3-303 and 61-3-321(13) to the department, an authorized agent, or a county treasurer in any
3 county of this state.

4 (3) The department, an authorized agent, or a county treasurer shall use the online motor vehicle
5 liability insurance verification system provided in 61-6-157 to verify proof of compliance with 61-6-301.

6 (4) The registration period originally assigned under 61-3-311 must be retained and the duration of
7 the renewed registration is determined in accordance with 61-3-311. A registration receipt is valid for the
8 registration period for which it is issued.

9 (5) The owner of a motor vehicle subject to registration renewal under the provisions of this section is
10 considered to have renewed the motor vehicle's registration in a timely manner if the owner submits full
11 payment for the required fees or taxes, as prescribed in the mail renewal notice from the department, to the
12 department, an authorized agent, or a county treasurer on or before the last day of the month of the motor
13 vehicle's registration period in the year designated on the motor vehicle's registration decal.

14 (6) The department, an authorized agent, or a county treasurer may not renew the registration of a
15 motor vehicle for which ownership has been transferred and that was originally registered without being titled
16 under the provisions of 61-3-303(3)(b) unless:

17 (a) the previously issued certificate of title has been surrendered to the department, an authorized
18 agent, or the county treasurer and the process for issuing a certificate of title has been completed; or

19 (b) the person to whom ownership of the motor vehicle has been transferred presents an affidavit and
20 bond in support of the application for a certificate of title as permitted in 61-3-208."

21

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

23 **"61-3-321. Registration fees of vehicles and vessels -- certain vehicles exempt from**

24 **registration fees -- disposition of fees -- definition.** (1) Except as otherwise provided in this section,
25 registration fees must be paid upon registration or, if applicable, renewal of registration of motor vehicles,
26 snowmobiles, watercraft, trailers, semitrailers, and pole trailers as provided in subsections (2) through (20).

27 (2) (a) Except as provided in subsection (2)(b), unless a light vehicle is permanently registered under
28 61-3-562, the annual registration fee for light vehicles, trucks, and buses that weigh 1 ton or less and for

1 logging trucks that weigh 1 ton or less is as follows:

2 (i) if the vehicle is 4 or less years old, \$217;

3 (ii) if the vehicle is 5 through 10 years old, \$87; and

4 (iii) if the vehicle is 11 or more years old, \$28.

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

7 (3) (a) Except as provided in subsections (3)(b) and (15), the one-time registration fee based on the
8 declared weight of a trailer, semitrailer, or pole trailer is as follows:

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

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

11 (b) For a trailer, semitrailer, or pole trailer that is registered under 61-3-701, the annual registration
12 fee based on the declared weight is as follows:

13 (i) if the declared weight is less than 6,000 pounds, \$30; or

14 (ii) if the declared weight is 6,000 pounds or more, \$60.

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

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

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

19 (5) (a) Except as provided in subsections (5)(b) and (15), the one-time registration fee for off-highway
20 vehicles other than a quadricycle or motorcycle is \$61.25.

21 (b) Whenever a valid summer motorized recreation trail pass issued pursuant to 23-2-111 is affixed to
22 an off-highway vehicle other than a quadricycle or motorcycle, the one-time registration fee is \$41.25.

23 (6) The annual registration fee for heavy trucks, buses, and logging trucks in excess of 1 ton is
24 \$22.75.

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

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

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

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

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

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

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

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

8 (iii) if applicable, five times the renewal fees for personalized license plates under 61-3-406; and

9 (iv) if applicable, the donation fee for a generic specialty license plate under 61-3-480 or a collegiate
10 license plate under 61-3-465.

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

13 (8) (a) (i) Except as provided in subsections (8)(b), (8)(c), and (15), the one-time registration fee for
14 motorcycles and quadricycles registered for use on the public highways is \$53.25, the one-time registration fee
15 for motorcycles and quadricycles registered for off-highway use is \$53.25, and the one-time registration fee for
16 motorcycles and quadricycles registered for both off-road use and for use on the public highways is \$114.50.

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

19 (b) (i) The annual registration fee for motorcycles and quadricycles registered for use on the public
20 highways under 61-3-701 is \$44.

21 (ii) The annual registration fee for motorcycles and quadricycles registered for off-highway use under
22 61-3-701 is \$44.

23 (iii) The annual registration fee for motorcycles and quadricycles registered for both off-road use and
24 for use on the public highways under 61-3-701 is \$88.

25 (iv) An additional safety fee of \$7 must be collected annually for each motorcycle or quadricycle
26 registered under 61-3-701. The safety fee must be deposited in the state motorcycle safety account provided
27 for in 20-25-1002.

28 (c) Whenever a valid summer motorized recreation trail pass issued pursuant to 23-2-111 is affixed to

1 a motorcycle or quadricycle, the one-time registration fee for motorcycles and quadricycles registered for:

2 (i) use on the public highways is \$33.25; and

3 (ii) both off-road use and for use on the public highways is \$94.50.

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

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

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

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

10 (a) for a personal watercraft or a motorboat, sailboat, or motorized pontoon less than 16 feet in length,
11 \$65.50;

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

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

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

17 (b) Whenever a valid snowmobile trail pass issued pursuant to 23-2-636 is affixed to a snowmobile,
18 the one-time registration fee is \$40.50.

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

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

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

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

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

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

28 (c) The one-time registration fee for golf carts authorized to operate on certain public streets and

1 highways pursuant to 61-8-391 is \$25. Upon receipt of the fee, the department shall issue the owner a decal,
2 which must be displayed visibly on the golf cart.

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

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

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

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

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

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

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

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

28 (19) (a) Unless a person exercises the option in either subsection (19)(b) or (19)(c), an additional fee

1 of \$9 must be collected for each light vehicle registered under this part. This fee must be accounted for and
2 transmitted separately from the registration fee. Of the \$9 fee:

3 (i) \$6.74 must be deposited in the state special revenue account established in 23-1-105 and used for
4 state parks;

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

7 (iii) \$1.37 must be deposited in the trails and recreation facilities state special revenue account
8 established in 23-2-108; and

9 (iv) 39 cents must be deposited in the Montana heritage preservation and development account
10 established in 22-3-1004 and used for the operation of state-owned facilities at Virginia City and Nevada City.

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

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

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

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

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

1 and must be allocated as provided in 60-3-309.

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

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

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

9 (b) By August 15 of each year, beginning in the fiscal year beginning July 1, 2019, the department of
10 justice shall deposit into the general fund an amount equal to the fiscal yearend balance minus 25% of the
11 current fiscal year appropriation for the account established in 61-3-112.

12 (24) For the purposes of this section, "manufacturer's suggested retail price" means the price
13 suggested by a manufacturer for each given type, style, or model of a light vehicle or motor home produced and
14 first made available for retail sale by the manufacturer."
15

16 **Section 6.** Section 61-3-332, MCA, is amended to read:

17 **"61-3-332. Standard license plates.** (1) In addition to special license plates, collegiate license plates,
18 generic specialty license plates, and fleet license plates authorized under this chapter, a separate series of
19 standard license plates must be issued for motor vehicles, quadricycles, travel trailers, trailers, semitrailers, and
20 pole trailers registered in this state or offered for sale by a vehicle dealer licensed in this state. Standard license
21 plates issued to licensed vehicle dealers must be readily distinguishable from license plates issued to vehicles
22 owned by other persons.

23 (2) (a) Except as provided in 61-3-479 and subsections (2)(b), (3)(b), and (3)(c) of this section, all
24 standard license plates for motor vehicles, trailers, semitrailers, or pole trailers must bear a distinctive marking,
25 as determined by the department, and be furnished by the department. In years when standard license plates
26 are not reissued for a vehicle, the department shall provide a registration decal that must be affixed to the rear
27 license plate of the vehicle.

28 (b) For light vehicles that are permanently registered as provided in 61-3-562 and motor vehicles

1 described in 61-3-303(9) that are permanently registered, the department shall provide a distinctive registration
2 decal indicating that the motor vehicle is permanently registered. The registration decal must be affixed to the
3 rear license plate of the permanently registered motor vehicle.

4 (c) For a travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer that is permanently
5 registered as provided in 61-3-313(2), the department may use the word or an abbreviation for the word
6 "permanent" on the plate in lieu of issuing a registration decal for the plate.

7 (3) (a) (i) New license plates issued under 61-3-303 or this section must be a standard license plate
8 design first issued in 1989 or later or current collegiate or generic specialty license plate designs. For the
9 purposes of this subsection (3), all military, veteran, and amateur radio license plates and any license plate with
10 a wheelchair design, excluding collegiate or generic specialty plates with a wheelchair design, are treated as
11 standard license plates.

12 (ii) License plates issued on or after January 1, 2010, ~~must be replaced with new license plates if,~~
13 ~~upon renewal of registration under 61-3-312, the license plates are 5 or more years old or will become older~~
14 ~~than 5 years during the registration period. New license plates must be issued in accordance with the~~
15 ~~implementation schedule adopted by the department under 61-14-101.~~ may be retained or replaced by the
16 election of the vehicle owner. A vehicle owner shall replace license plates when they become damaged or
17 illegible.

18 (iii) A vehicle owner may elect to keep the same license plate number from license plates issued
19 before January 1, 2010, when replacement of those plates is required under this subsection.

20 (b) A motor vehicle that is registered for a 13-month to a 24-month period, as provided in 61-3-
21 311(2)(b), may display the license plate and plate design in effect at the time of registration for the entire
22 registration period.

23 (c) A light vehicle described in subsection (2)(b) or a motor home that is permanently registered may
24 display the license plate and plate design in effect at the time of registration for the entire period that the light
25 vehicle or motor home is permanently registered.

26 (d) The provisions of this subsection (3) do not apply to a travel trailer, motorcycle, quadricycle, trailer,
27 semitrailer, or pole trailer.

28 (e) The requirements of this subsection (3) apply to collegiate license plates authorized under 61-3-

1 461 through 61-3-468, generic specialty license plates authorized under 61-3-472 through 61-3-481,
2 commemorative centennial license plates authorized under 61-3-448, and special military or veteran license
3 plates authorized under 61-3-458.

4 (4) (a) All license plates must be metal and treated with a reflectorized background material
5 according to specifications prescribed by the department. The word "Montana" must be placed on each license
6 plate and, except for license plates that are 4 inches wide and 7 inches in length, the outline of the state of
7 Montana must be used as a distinctive border on each standard license plate.

8 (b) Plates for semitrailers, travel trailers, pole trailers, trailers with a declared weight of 6,000 pounds
9 or more, and motor vehicles, other than motorcycles and quadricycles, must be 6 inches wide and 12 inches in
10 length.

11 (c) Plates for motorcycles and quadricycles must be 4 inches wide and 7 inches in length.

12 (d) The department shall issue plates that are 4 inches wide and 7 inches in length for trailers with a
13 declared weight of less than 6,000 pounds unless a person registering a trailer with a declared weight of less
14 than 6,000 pounds requests plates that are 6 inches wide and 12 inches in length. A person registering a trailer
15 shall pay all applicable fees for the plates chosen.

16 (5) The distinctive registration numbers for standard license plates must begin with a number one or
17 with a letter-number combination, such as "A 1" or "AA 1", or any other similar combination of letters and
18 numbers. Except for special license plates, collegiate license plates, generic specialty license plates, fleet
19 license plates, and standard license plates that are 4 inches wide and 7 inches in length, the distinctive
20 registration number or letter-number combination assigned to the motor vehicle must appear on the plate
21 preceded by the number of the county and appearing in horizontal order on the same horizontal baseline. The
22 county number must be separated from the distinctive registration number by a separation mark unless a letter-
23 number combination is used. The dimensions of the numerals and letters must be determined by the
24 department, and all county and registration numbers must be of equal height.

25 (6) For the use of exempt motor vehicles, trailers, semitrailers, or pole trailers and motor vehicles,
26 trailers, semitrailers, or pole trailers that are exempt from the registration fee as provided in 61-3-321, in
27 addition to the markings provided in this section, standard license plates must bear the following distinctive
28 markings:

1 (a) For motor vehicles, trailers, semitrailers, or pole trailers owned by the state, the department may
2 designate the prefix number for the various state departments. All numbered plates issued to state departments
3 must bear the words "State Owned", and a year number may not be indicated on the plates because these
4 numbered plates are of a permanent nature and will be replaced by the department only when the physical
5 condition of numbered plates requires it.

6 (b) For motor vehicles, trailers, semitrailers, or pole trailers that are owned by the counties,
7 municipalities, and special districts, as defined in 18-8-202, organized under the laws of Montana and not
8 operating for profit, and that are used and operated by officials and employees in the line of duty and for motor
9 vehicles on loan from the United States government or the state of Montana to, or owned by, the civil air patrol
10 and used and operated by officials and employees in the line of duty, there must be placed on the standard
11 license plates assigned, in a position that the department may designate, the letter "X" or the word "EXEMPT".
12 Distinctive registration numbers for plates assigned to motor vehicles, trailers, semitrailers, or pole trailers of
13 each of the counties in the state and those of the municipalities and special districts that obtain plates within
14 each county must begin with number one and be numbered consecutively. Because these standard license
15 plates are of a permanent nature, they are subject to replacement by the department only when the physical
16 condition of the license plates requires it and a year number may not be displayed on the plates.

17 (7) For the purpose of this chapter, the several counties of the state are assigned numbers as follows:
18 Silver Bow, 1; Cascade, 2; Yellowstone, 3; Missoula, 4; Lewis and Clark, 5; Gallatin, 6; Flathead, 7; Fergus, 8;
19 Powder River, 9; Carbon, 10; Phillips, 11; Hill, 12; Ravalli, 13; Custer, 14; Lake, 15; Dawson, 16; Roosevelt, 17;
20 Beaverhead, 18; Chouteau, 19; Valley, 20; Toole, 21; Big Horn, 22; Musselshell, 23; Blaine, 24; Madison, 25;
21 Pondera, 26; Richland, 27; Powell, 28; Rosebud, 29; Deer Lodge, 30; Teton, 31; Stillwater, 32; Treasure, 33;
22 Sheridan, 34; Sanders, 35; Judith Basin, 36; Daniels, 37; Glacier, 38; Fallon, 39; Sweet Grass, 40; McCone, 41;
23 Carter, 42; Broadwater, 43; Wheatland, 44; Prairie, 45; Granite, 46; Meagher, 47; Liberty, 48; Park, 49;
24 Garfield, 50; Jefferson, 51; Wibaux, 52; Golden Valley, 53; Mineral, 54; Petroleum, 55; Lincoln, 56. Any new
25 counties must be assigned numbers by the department as they are formed, beginning with the number 57.

26 (8) Each type of special license plate approved by the legislature, except collegiate license plates
27 authorized in 61-3-463 and generic specialty license plates authorized in 61-3-472 through 61-3-481, must be a
28 separate series of plates, numbered as provided in subsection (5), except that the county number must be

1 replaced by a design that distinguishes each separate plate series. Unless otherwise specifically stated in this
 2 section, the special plates are subject to the same rules and laws as govern the issuance of standard license
 3 plates, must be placed or mounted on a motor vehicle, trailer, semitrailer, or pole trailer owned by the person
 4 who is eligible to receive them, with the registration decal affixed to the rear license plate of the motor vehicle,
 5 trailer, semitrailer, or pole trailer, and must be removed upon sale or other disposition of the motor vehicle,
 6 trailer, semitrailer, or pole trailer.

7 (9) (a) A Montana resident who is eligible to receive a special parking permit under 49-4-301 may
 8 and a person with a low-speed restricted driver's license operating a low-speed electric vehicle or golf cart as
 9 provided in 61-5-122 must, upon written application on a form prescribed by the department, be issued a
 10 special license plate with a design or decal bearing a representation of a wheelchair as the symbol of a person
 11 with a disability.

12 (b) If the motor vehicle to which the license plate is attached is permanently registered, the owner of
 13 the motor vehicle shall provide, upon request of a person authorized to enforce special parking laws or
 14 ordinances in this or any state, evidence of continued eligibility to use the license plate in the form of a valid
 15 special parking permit issued to or renewed by the vehicle owner under 49-4-304 and 49-4-305.

16 (c) A person with a permanent condition, as provided in 49-4-301(2)(b), who has been issued a
 17 special license plate upon written application, as provided in this subsection (9), is not required to reapply upon
 18 reregistration of the motor vehicle.

19 (10) The provisions of this section do not apply to a motor vehicle, trailer, semitrailer, or pole trailer that
 20 is registered as part of a fleet, as defined in 61-3-712, and that is subject to the provisions of 61-3-711 through
 21 61-3-733."

22

23 **Section 7.** Section 61-14-101, MCA, is amended to read:

24 **"61-14-101. Rulemaking authority -- vehicle services.** (1) The department shall adopt rules for the
 25 registration of motor vehicles, including:

26 (a) simultaneous registration of multiple motor vehicles that have common ownership;

27 (b) verification of compliance with 61-6-301 before registering or renewing a registration of a vehicle
 28 or issuing new license plates required by 61-3-332(3);

1 ~~(e)~~—devising a method to place license plates on the 5-year reissuance cycle to minimize production
2 peaks and valleys;

3 ~~(d)~~(c) early registration renewals when an owner of a motor vehicle presents extenuating
4 circumstances; and

5 ~~(e)~~(d) automated mailing of license plates by the department or its authorized agent, including an
6 agent under contract with the department pursuant to 61-3-338.

7 (2) The department shall adopt rules to procure compliance with all of the laws of the state regulating
8 the issuance of motor vehicle, trailer, semitrailer, or pole trailer licenses relating to the use and operation of
9 motor vehicles, trailers, semitrailers, or pole trailers before issuing the lettered license plates pursuant to 61-3-
10 423.

11 (3) The department may adopt rules to establish vehicle brands or carried-forward brands according
12 to 61-3-202.

13 (4) The department may adopt rules governing affidavit and bond for certificate of title pursuant to 61-
14 3-208.

15 (5) The department may adopt rules for the implementation and administration of temporary
16 registration permits, pursuant to 61-3-224, including issuance to:

17 (a) a Montana resident who acquires a new or used motor vehicle, trailer, semitrailer, pole trailer,
18 motorboat, sailboat that is 12 feet or longer, snowmobile, or off-highway vehicle for operation of the vehicle or
19 vessel prior to titling and registration of the vehicle or vessel under Title 61, chapter 3;

20 (b) the owner of a salvage vehicle or a vehicle requiring a state-assigned vehicle identification number
21 to move the vehicle to and from a designated inspection site prior to applying for a new certificate of title under
22 61-3-107 or 61-3-212;

23 (c) the owner of a motor vehicle, trailer, semitrailer, or pole trailer registered in this state for operation
24 of the vehicle while awaiting production and receipt of special or duplicate license plates ordered for a vehicle
25 under Title 61, chapter 3;

26 (d) a nonresident of this state who acquires a motor vehicle, trailer, semitrailer, or pole trailer in this
27 state for operation of the vehicle prior to its titling and registration under the laws of the nonresident's
28 jurisdiction of residence;

1 (e) a dealer licensed in another state who brings a motor vehicle or trailer designed and used to apply
2 fertilizer to agricultural lands into the state for special demonstration in this state;

3 (f) a financial institution located in Montana for a prospective purchaser to demonstrate a motor
4 vehicle that the financial institution has obtained following repossession;

5 (g) an insurer or its agent to move a motor vehicle or trailer to auction following acquisition of the
6 vehicle by the insurer as a result of the settlement of an insurance claim;

7 (h) a nonresident owner to temporarily operate a quadricycle or motorcycle designed for off-road
8 recreational use on the highways of this state when the quadricycle or motorcycle designed for off-road
9 recreational use is equipped for use on the highways as prescribed in Title 61, chapter 9, but the quadricycle or
10 motorcycle designated for off-road recreational use is not registered or is only registered for off-road use in the
11 nonresident's home state; or

12 (i) a new owner of a motor vehicle, trailer, semitrailer, pole trailer, motorboat, sailboat that is 12 feet in
13 length or longer, snowmobile, or off-highway vehicle for which the new owner cannot, due to circumstances
14 beyond the new owner's control, surrender a previously assigned certification of title.

15 (6) The department may adopt rules for the assessment and collection of registration fees on light
16 vehicles under 61-3-321 and 61-3-562, including the proration of fees under 61-3-520 and criteria for
17 determining the motor vehicle's age.

18 (7) The department may adopt rules for imposing and collecting fees in lieu of tax, including:

19 (a) the proration of fees in lieu of tax under 61-3-520 on buses, trucks having a manufacturer's rated
20 capacity of more than 1 ton, and truck tractors;

21 (b) criteria for determining the motor vehicle's age; and

22 (c) criteria for determining the manufacturer's rated capacity.

23 (8) The department may adopt rules, pursuant to Title 61, chapter 3, for the administration of fees for
24 trailers, semitrailers, and pole trailers, including criteria for determining a trailer's age and weight.

25 (9) The department shall adopt rules for generic specialty license plates issued pursuant to 61-3-472
26 through 61-3-481, including:

27 (a) the minimum and maximum number of characters that a generic specialty license plate may
28 display;

1 (b) the general placement of the sponsor's name, identifying phrase, and graphic; and
2 (c) any specifications or limitations on the use or choice of color or detail in the sponsor's graphic
3 design.

4 (10) The department may adopt rules governing dealers pursuant to the provisions of Title 61, chapter
5 4, including:

6 (a) the application and issuance of dealer licenses, including the qualifications of dealers, and the
7 staggering of expiration dates pursuant to 61-4-101;

8 (b) the issuance of dealer, demonstrator, courtesy, and transit plates pursuant to 61-4-102, 61-4-128
9 through 61-4-130, 61-4-301, 61-4-307, and 61-4-308;

10 (c) the application and process for renewing a dealer license pursuant to 61-4-124; and

11 (d) governing the regulation of persons required to be licensed pursuant to Title 61, chapter 4, part 2.

12 (11) The department may adopt rules for local option tax appeals pursuant to 15-15-201.

13 (12) The department may adopt rules to implement any other provision of this title."
14

15 **NEW SECTION. Section 8. Codification instruction.** [Section 1] is intended to be codified as an
16 integral part of Title 61, chapter 3, part 3, and the provisions of Title 61, chapter 3, part 3, apply to [section 1].
17

18 **NEW SECTION. Section 9. Effective date.** [This act] is effective January 1, 2022.
19

- END -