

HOUSE BILL NO. 882

INTRODUCED BY J. WINDY BOY, M. WEATHERWAX, J. COHENOUR, T. RUNNING WOLF, F. SMITH, S. WEBBER, M. FOX, J. SMALL, S. STEWART PEREGOY

A BILL FOR AN ACT ENTITLED: "AN ACT EXEMPTING MEMBERS OF A FEDERALLY RECOGNIZED INDIAN TRIBE FROM MOTOR VEHICLE REGISTRATION FEES; AND AMENDING SECTION 61-3-321, MCA."

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

Section 1. Section 61-3-321, MCA, is amended to read:

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

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

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

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

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

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

(b) For a trailer, semitrailer, or pole trailer that is registered under 61-3-701, the annual registration

1 fee based on the declared weight is as follows:

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

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

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

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

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

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

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

12 (6) The annual registration fee for heavy trucks, buses, and logging trucks in excess of 1 ton is  
13 \$22.75.

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

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

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

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

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

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

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

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

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

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

28 (c) For a motor home with a manufacturer's suggested retail price of more than \$300,000 that is 10

1 years old or less, the annual registration fee is the amount provided in subsection (7)(a) plus \$800.

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

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

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

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

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

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

17 (c) Whenever a valid summer motorized recreation trail pass issued pursuant to 23-2-111 is  
18 affixed to a motorcycle or quadricycle, the one-time registration fee for motorcycles and quadricycles registered  
19 for:

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

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

22 (9) Except as provided in subsection (15), the one-time registration fee for travel trailers, based on  
23 the 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

1 length, \$65.50;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

20 (19) (a) Unless a person exercises the option in either subsection (19)(b) or (19)(c), an additional  
21 fee of \$9 must be collected for each light vehicle registered under this part. This fee must be accounted for and  
22 transmitted separately from the registration fee. Of the \$9 fee:

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

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

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

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

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

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

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

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

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

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

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

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

