

1 SENATE BILL NO. 421

2 INTRODUCED BY C. FRIEDEL

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING VEHICLE SALVAGE AND WRECKING
5 LAWS; REQUIRING MOTOR VEHICLE WRECKING FACILITIES TO KEEP CERTAIN RECORDS;
6 PROVIDING FOR A STATE SPECIAL REVENUE ACCOUNT; AND AMENDING SECTION 61-3-225, MCA."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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10 **Section 1.** Section 61-3-225, MCA, is amended to read:

11 **"61-3-225. Motor vehicle wrecking facility quarterly reports -- recordkeeping requirements --**
12 **SPECIAL REVENUE ACCOUNT.** (1) A motor vehicle wrecking facility OR SALVAGE RECYCLING CENTER shall maintain a
13 vehicle acquisition record. The record must contain:

14 (a) the time and date of the transaction and the name of the person conducting the transaction on
15 behalf of the facility;

16 (b) the year, make, and complete identification number of the vehicle transacted for;

17 (c) the amount of consideration given for the vehicle;

18 (d) a photocopy or scanned copy of a current, valid driver's license, passport, or state identification
19 card of the seller or transferor. The requirements of this subsection (1)(d) do not apply if the seller or transferor
20 pays by check or is a professional tow truck operator OR AUTO SALVAGE AUCTION.

21 (e) a signature of the seller or transferor; and

22 (f) the certificate of title if it is obtainable.

23 (2) Quarterly, the owner or operator of a motor vehicle wrecking facility, as defined in 75-10-501,
24 shall deliver to the department or an authorized agent, on a form approved by the department, a list of all junk
25 vehicles, as defined in 75-10-501, received by the owner or operator of the motor vehicle wrecking facility
26 during the quarter, stating the year, make, and complete identification number of each vehicle. If the owner or
27 operator of a motor vehicle wrecking facility received a certificate of title when the owner or operator of the
28 facility received a junk vehicle on the list, that certificate of title must accompany the list a copy of the vehicle

1 acquisition record.

2 (3) The For vehicles obtained by a motor vehicle wrecking facility OR SALVAGE RECYCLING CENTERS
3 that may be rebuilt, the department shall issue a receipt for the certificate of title if requested by the owner or
4 operator of the facility, and the receipt may serve as an instrument for reclaiming the certificate of title if the
5 vehicle is rebuilt.

6 (4) (A) A MOTOR VEHICLE WRECKING FACILITY THAT FAILS TO PROVIDE TO THE DEPARTMENT A VEHICLE
7 ACQUISITION RECORD THAT COMPLIES WITH THE REQUIREMENTS OF SUBSECTION (1) IS SUBJECT TO PENALTIES
8 PURSUANT TO TITLE 30, CHAPTER 14, PART 1.

9 (B) PENALTIES COLLECTED UNDER THIS SUBSECTION (4) BY THE DEPARTMENT ARE NOT SUBJECT TO THE
10 PROVISIONS OF 30-14-143 OR 30-14-226 AND MUST BE DEPOSITED INTO A STATE SPECIAL REVENUE ACCOUNT
11 PROVIDED FOR IN SUBSECTION (4)(C).

12 (C) THERE IS AN ACCOUNT IN THE STATE SPECIAL REVENUE FUND TO THE CREDIT OF THE DEPARTMENT OF
13 JUSTICE TO DEFRAY THE COST TO THE DEPARTMENT IN INVESTIGATING AND ENFORCING THIS SECTION.

14 (5) (A) A PERSON WHO SELLS OR TRANSFERS A MOTOR VEHICLE TO A WRECKING FACILITY WITHOUT THE
15 LAWFUL RIGHT TO DO SO COMMITS THE OFFENSE OF THEFT PROVIDED FOR IN 45-6-301.

16 (B) A PERSON WHO FALSIFIES A DOCUMENT REQUIRED TO BE PROVIDED OR CREATED BY THIS SECTION
17 COMMITS THE OFFENSE OF FORGERY PROVIDED FOR IN 45-6-325."

18 - END -