



AN ACT ASSESSING A GROSS VEHICLE WEIGHT FEE FOR PERMANENT REGISTRATION OF ELECTRIC VEHICLES AND PLUG-IN HYBRID ELECTRIC VEHICLES; PROVIDING FOR DEPOSIT OF THE GROSS VEHICLE WEIGHT PERMANENT REGISTRATION FEE IN THE HIGHWAY RESTRICTED ACCOUNT AS PROVIDED IN ARTICLE VIII, SECTION 6, OF THE MONTANA CONSTITUTION; AMENDING SECTION 61-3-562, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE.

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

Section 1. Gross vehicle weight permanent registration fee -- electric vehicles -- plug-in hybrid electric vehicles. (1) The permanent registration fee for an electric vehicle is based on unladen gross vehicle weight as follows:

- (a) for a class 1 vehicle, \$260;
- (b) for a class 2 vehicle, \$380.

(2) The permanent registration fee for a plug-in hybrid electric vehicle is based on gross vehicle weight as follows:

- (a) for a class 1 vehicle, \$140;
- (b) for a class 2 vehicle, \$200.

(3) As used in in this section, unless the context clearly indicates otherwise, the following definitions apply:

- (a) "Class 1 vehicle" means a vehicle having an unladen gross weight of less than 6,000 pounds.
- (b) "Class 2 vehicle" means a vehicle having an unladen gross weight of at least 6,000 pounds but

not more than 10,000 pounds.

- (c) (i) "Electric vehicle" means a vehicle that:

- (A) is originally equipped with a 100% electric motor that draws propulsion energy solely from a

battery with at least 20 kilowatt hours of capacity that can be recharged from an external source of electricity;

- (B) has at least four wheels; and
- (C) is manufactured primarily for use on public streets, roads, and highways.

(ii) The term does not include:

- (A) a low-speed electric vehicle; or
- (B) a medium-speed electric vehicle.

(d) "Plug-in hybrid electric vehicle" means a vehicle that:

- (i) is originally equipped so that the vehicle draws propulsion from an internal combustion engine

and a battery with at least 5 kilowatt hours of capacity that can be recharged from an external source of electricity;

- (ii) has at least four wheels; and
- (iii) is manufactured primarily for use on public streets, roads, and highways.

Section 2. Section 61-3-562, MCA, is amended to read:

"61-3-562. Permanent registration -- transfer of light vehicle ownership -- rules. (1) (a) The owner of a light vehicle 11 years old or older subject to the registration fee, as provided in 61-3-321(2), may permanently register the light vehicle upon payment of ~~a~~an \$87.50 registration fee, the applicable registration and license fees under 61-3-412, if applicable, the administrative fee and the annual one-time-only donation fee for a generic specialty license plate under 61-3-480 or collegiate license plates under 61-3-465, the fee provided for in [section 1] for an electric vehicle or a plug-in hybrid electric vehicle, if applicable, and an amount equal to five times the local option motor vehicle tax or flat fee on vehicles under 61-3-537 and, as applicable, either:

- (i) (A) the original fee and four times the renewal fee for personalized plates; or
- (B) five times the renewal fees for personalized plates; or
- (ii) if a new set of license plates is not being issued, an insurance verification fee of \$5, which must be deposited in the account established under 61-6-158.

(b) The following series of license plates may not be used for purposes of permanent registration of a light vehicle:

- (i) Montana national guard license plates issued under 61-3-458(2)(b);
- (ii) reserve armed forces license plates issued under 61-3-458(2)(c); and
- (iii) amateur radio operator license plates issued under 61-3-422.

(2) In addition to the fees described in subsection (1), an owner of a truck with a manufacturer's rated capacity of 1 ton or less that is permanently registered shall pay five times the applicable fees imposed under 61-10-201.

(3) The owner of a motor vehicle that is permanently registered under this section is not subject to additional registration fees or to other motor vehicle registration fees described in this section for as long as the owner owns the vehicle.

(4) The county treasurer shall once each month remit to the state the amounts collected under this section, other than the local option motor vehicle tax or flat fee and the fee collected pursuant to [section 1], for the purposes of 61-3-321(2) and 61-10-201. The county treasurer shall retain the local option motor vehicle tax or flat fee. The county treasurer or an authorized agent shall transmit the fee collected pursuant to [section 1] to the state as provided in 15-1-504 for deposit to the credit of the department in the highway restricted account provided for in 15-70-126.

(5) (a) The permanent registration of a light vehicle allowed by this section may not be transferred to a new owner. If the light vehicle is transferred to a new owner, the department shall cancel the light vehicle's permanent registration.

(b) Upon transfer of a light vehicle registered under this section to a new owner, the new owner shall apply for a certificate of title under 61-3-201 and 61-3-216 and register the light vehicle under 61-3-303."

Section 3. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 61, chapter 3, part 5, and the provisions of Title 61, chapter 3, part 5, apply to [section 1].

Section 4. Coordination instruction. If both House Bill No. 60 and [this act] are passed and approved, then [section 1 of this act] must be amended to read as follows:

NEW SECTION. Section 1. Gross vehicle weight permanent registration fee -- electric vehicles -- plug-in hybrid electric vehicles. (1) The permanent registration fee for an electric vehicle is based on

unladen gross weight as follows:

(a) for a class 1 vehicle, \$260;

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(2) The permanent registration fee for a plug-in hybrid electric vehicle is based on gross vehicle

weight as follows:

(a) for a class 1 vehicle, \$140;

(b) for a class 2 vehicle, \$200."

Section 5. Effective date. [This act] is effective January 1, 2024.

- END -

I hereby certify that the within bill,
HB 439, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2023.

President of the Senate

Signed this _____ day
of _____, 2023.

HOUSE BILL NO. 439

INTRODUCED BY D. LOGE, G. NIKOLAKAKOS, D. FERN, R. FITZGERALD, M. YAKAWICH

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