

HOUSE BILL NO. 407

INTRODUCED BY V. COURT, W. CURDY, K. DUDIK, M. DUNWELL, J. ELLIS, D. HAYMAN, E. LIESER,
R. LYNCH, E. MCCLAFFERTY, M. PHILLIPS, R. SHAW, E. HILL, Z. PERRY, N. WILSON

A BILL FOR AN ACT ENTITLED: "AN ACT ~~INCREASING THE REGISTRATION FEES FOR CERTAIN~~
~~VEHICLES PROVIDING FOR AN OPTIONAL DONATION TO THE MONTANA HERITAGE PRESERVATION AND~~
~~DEVELOPMENT COMMISSION WHEN REGISTERING A MOTOR VEHICLE~~ AND REQUIRING THAT THE
AMOUNT OF THE INCREASE REVENUE THAT ACCRUES BE DEPOSITED IN THE MONTANA HERITAGE
PRESERVATION AND DEVELOPMENT ACCOUNT TO BE USED FOR OPERATIONS IN VIRGINIA CITY AND
NEVADA CITY; AMENDING SECTION ~~61-3-321~~; 61-3-303, MCA; AND PROVIDING A DELAYED EFFECTIVE
DATE."

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.~~ (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) Unless a light vehicle is permanently registered under 61-3-562, the annual registration fee for light vehicles, trucks and buses under 1 ton, and logging trucks less than 1 ton is as follows:

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

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

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

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

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

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

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



- 1 ~~_____ (a) 2,850 pounds and over, \$10; and~~
- 2 ~~_____ (b) under 2,850 pounds, \$5.~~
- 3 ~~_____ (5) Except as provided in subsection (15), the one-time registration fee for off-highway vehicles other~~
4 ~~than a quadricycle or motorcycle is \$61.25 \$67.25.~~
- 5 ~~_____ (6) The annual registration fee for heavy trucks, buses, and logging trucks in excess of 1 ton is \$22.75.~~
- 6 ~~_____ (7) (a) The annual registration fee for a motor home, based on the age of the motor home, is as follows:~~
- 7 ~~_____ (i) less than 2 years old, \$282.50 \$288.50;~~
- 8 ~~_____ (ii) 2 years old and less than 5 years old, \$224.25 \$230.25;~~
- 9 ~~_____ (iii) 5 years old and less than 8 years old, \$132.50 \$138.50; and~~
- 10 ~~_____ (iv) 8 years old and older, \$97.50 \$103.50.~~
- 11 ~~_____ (b) The owner of a motor home that is 11 years old or older and that is subject to the registration fee~~
12 ~~under this section may permanently register the motor home upon payment of:~~
- 13 ~~_____ (i) a one-time registration fee of \$237.50 \$243.50;~~
- 14 ~~_____ (ii) unless a new set of license plates is being issued, an insurance verification fee of \$5, which must be~~
15 ~~deposited in the account established under 61-6-158;~~
- 16 ~~_____ (iii) if applicable, five times the renewal fees for personalized license plates under 61-3-406; and~~
- 17 ~~_____ (iv) if applicable, the donation fee for a generic specialty license plate under 61-3-480 or a collegiate~~
18 ~~license plate under 61-3-465.~~
- 19 ~~_____ (8) (a) Except as provided in subsection (15), the one-time registration fee for motorcycles and~~
20 ~~quadricycles registered for use on public highways is \$53.25 \$59.25, and the one-time registration fee for~~
21 ~~motorcycles and quadricycles registered for both off-road use and for use on the public highways is \$114.50~~
22 ~~\$120.50.~~
- 23 ~~_____ (b) An additional fee of \$16 must be collected for the registration of each motorcycle or quadricycle as~~
24 ~~a safety fee, which must be deposited in the state motorcycle safety account provided for in 20-25-1002.~~
- 25 ~~_____ (9) Except as provided in subsection (15), the one-time registration fee for travel trailers, based on the~~
26 ~~length of the travel trailer, is as follows:~~
- 27 ~~_____ (a) under 16 feet in length, \$72 \$78; and~~
- 28 ~~_____ (b) 16 feet in length or longer, \$152 \$158.~~
- 29 ~~_____ (10) Except as provided in subsection (15), the one-time registration fee for a motorboat, sailboat,~~
30 ~~personal watercraft, or motorized pontoon required to be numbered under 23-2-512 is as follows:~~

- 1 ~~———— (a) for a personal watercraft or a motorboat, sailboat, or motorized pontoon less than 16 feet in length,~~
2 ~~\$65.50 \$71.50;~~
- 3 ~~———— (b) for a motorboat, sailboat, or motorized pontoon at least 16 feet in length but less than 19 feet in~~
4 ~~length, \$125.50 \$131.50; and~~
- 5 ~~———— (c) for a motorboat, sailboat, or motorized pontoon 19 feet in length or longer, \$295.50 \$301.50.~~
- 6 ~~———— (11) (a) Except as provided in subsections (11)(b) and (15), the one-time registration fee for a~~
7 ~~snowmobile is \$60.50 \$66.50.~~
- 8 ~~———— (b) (i) A snowmobile that is licensed by a Montana business and is owned exclusively for the purpose~~
9 ~~of daily rental to customers is assessed:~~
- 10 ~~———— (A) a fee of \$40.50 in the first year of registration; and~~
- 11 ~~———— (B) if the business reregisters the snowmobile for a second year, a fee of \$20.~~
- 12 ~~———— (ii) If the business reregisters the snowmobile for a third year, the snowmobile must be permanently~~
13 ~~registered and the business is assessed the registration fee imposed in subsection (11)(a).~~
- 14 ~~———— (12) (a) The one-time registration fee for a low-speed electric vehicle is \$25.~~
- 15 ~~———— (b) The one-time registration fee for a golf cart that is owned by a person who has or is applying for a~~
16 ~~low-speed restricted driver's license is \$25.~~
- 17 ~~———— (c) The one-time registration fee for golf carts authorized to operate on certain public streets and~~
18 ~~highways pursuant to 61-8-391 is \$25. Upon receipt of the fee, the department shall issue the owner a decal,~~
19 ~~which must be displayed visibly on the golf cart.~~
- 20 ~~———— (13) (a) Except as provided in subsection (13)(b), a fee of \$10 must be collected when a new set of~~
21 ~~standard license plates, a new single standard license plate, or a replacement set of special license plates~~
22 ~~required under 61-3-332 is issued. The \$10 fee imposed under this subsection does not apply when previously~~
23 ~~issued license plates are transferred under 61-3-335. All registration fees imposed under this section must be~~
24 ~~paid if the vehicle to which the plates are transferred is not currently registered.~~
- 25 ~~———— (b) An additional fee of \$15 must be collected if a vehicle owner elects to keep the same license plate~~
26 ~~number from license plates issued before January 1, 2010, when replacement of those plates is required under~~
27 ~~61-3-332(3).~~
- 28 ~~———— (c) The fees imposed in this subsection (13) must be deposited in the account established under~~
29 ~~61-6-158, except that \$2 of the fee imposed in subsection (13)(a) must be deposited in the state general fund.~~
- 30 ~~———— (14) The provisions of this part with respect to the payment of registration fees do not apply to and are~~

1 not binding upon motor vehicles, trailers, semitrailers, snowmobiles, watercraft, or tractors owned or controlled
2 by the United States of America or any state, county, city, or special district, as defined in 18-8-202, or to a vehicle
3 or vessel that meets the description of property exempt from taxation under 15-6-201(1)(a), (1)(d), (1)(e), (1)(g),
4 (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.

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

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

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

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

15 ~~———— (19) (a) Unless a person exercises the option in either subsection (19)(b) or (19)(c), an additional fee of~~
16 ~~\$6 must be collected for each light vehicle registered under this part. This fee must be accounted for and~~
17 ~~transmitted separately from the registration fee. The fee must be deposited in an account in the state special~~
18 ~~revenue fund to be used for state parks, for fishing access sites, and for the operation of state-owned facilities.~~
19 ~~Of the \$6 fee, the department of fish, wildlife, and parks shall use \$5.37 for state parks, 25 cents for fishing~~
20 ~~access sites, and 38 cents for the operation of state-owned facilities at Virginia City and Nevada City.~~

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

25 ~~———— (c) (i) A person who registers one or more light vehicles may, at the time of annual registration, certify~~
26 ~~that the person does not intend to use any of the vehicles to visit state parks and fishing access sites and may~~
27 ~~make a written election not to pay the additional \$6 fee provided for in subsection (19)(a). If a written election is~~
28 ~~made, the fee may not be collected at any subsequent annual registration unless the person makes the written~~
29 ~~election to pay the additional fee on one or more of the light vehicles.~~

30 ~~———— (ii) The written election not to pay the additional fee on a light vehicle expires if the vehicle is registered~~

1 to a different person.

2 ~~—— (20) For each light vehicle, trailer, semitrailer, pole trailer, heavy truck, motor home, motorcycle,~~
 3 ~~quadricycle, and travel trailer subject to a registration fee under this section, an additional fee of \$5 must be~~
 4 ~~collected and forwarded to the state for deposit in the account established in 44-1-504.~~

5 ~~—— (21) This section does not apply to a motor vehicle, trailer, semitrailer, or pole trailer that is governed by~~
 6 ~~61-3-721.~~

7 ~~—— (22) For each registration fee collected in subsections (5), (7) through (10), and (11)(a), \$6 must be~~
 8 ~~forwarded to the state for deposit in the Montana heritage preservation and development account established~~
 9 ~~in 22-3-1004 to be used by the Montana heritage preservation and development commission for restoration,~~
 10 ~~maintenance, and operation of historic properties in Virginia City and Nevada City."~~

11

12 **SECTION 1. SECTION 61-3-303, MCA, IS AMENDED TO READ:**

13 **"61-3-303. Original registration -- process -- fees.** (1) Except as provided in 61-3-324, a Montana
 14 resident who owns a motor vehicle, trailer, semitrailer, or pole trailer operated or driven upon the public highways
 15 of this state shall register the motor vehicle, trailer, semitrailer, or pole trailer in the county where the owner is
 16 domiciled. A nonresident who has an interest in real property in Montana may register in the county where the
 17 real property is located a motor vehicle, trailer, semitrailer, or pole trailer operated or driven upon the public
 18 highways of this state.

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

21 (a) as of the date that the motor vehicle, trailer, semitrailer, or pole trailer is to be registered, the owner
 22 delivers an application for a certificate of title to the department, an authorized agent, or a county treasurer; or

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

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

1 maintained by the department is complete.

2 (b) A county treasurer or an authorized agent may register a motor vehicle, trailer, semitrailer, or pole
3 trailer for which the new owner cannot, due to circumstances beyond the new owner's control, surrender a
4 previously assigned certificate of title. The new owner may submit an application for certificate of title, subject to
5 the registration renewal limitations of 61-3-312.

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

8 (a) update the electronic record of title, if any, maintained for the vehicle by the department under
9 61-3-101;

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

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

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

13 and

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

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

17 (a) the fees in lieu of tax or registration fees as required for:

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

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

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

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

23 (v) a bus, a truck having a manufacturer's rated capacity of more than 1 ton, or a truck tractor under
24 61-3-321 and 61-3-529; or

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

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

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

1 (d) a donation of \$6 or more if the person indicates that the person wishes to donate to the Montana
2 heritage preservation and development commission for restoration, maintenance, and operation of historic
3 properties in Virginia City and Nevada City.

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

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

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

16 (9) (a) Except as provided in subsection (9)(b), the fees in lieu of tax, taxes, and fees imposed on or
17 collected from the registration of a travel trailer, motorcycle, or quadricycle or a trailer, semitrailer, or pole trailer
18 that has a declared weight of less than 26,000 pounds are required to be paid only once during the time that the
19 travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer is owned by the same person who
20 registered the travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer. Once registered, a travel
21 trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer is registered permanently unless ownership is
22 transferred.

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

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

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

4 (12) Revenue that accrues from the voluntary donation provided in subsection (5)(d) must be forwarded
5 by the respective county treasurer or an authorized agent to the department for deposit in the Montana heritage
6 preservation and development account established in 22-3-1004 to be used by the Montana heritage preservation
7 and development commission for restoration, maintenance, and operation of historic properties in Virginia City
8 and Nevada City."

9

10 NEW SECTION. Section 2. Effective date. [This act] is effective January 1, 2016.

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- END -