

HOUSE BILL NO. 104

INTRODUCED BY J. ECK

BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE FEE FOR LICENSE PLATES ISSUED FOR EACH PROPORTIONATELY REGISTERED MOTOR VEHICLE, TRAILER, SEMITRAILER, OR POLE TRAILER; CLARIFYING THE DEPARTMENT OF TRANSPORTATION'S AUTHORITY TO REGISTER CERTAIN VEHICLES; DEFINING THE TERM "DEVICE"; AMENDING SECTIONS 61-3-702, 61-3-722, 61-4-307, AND 61-10-130, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

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

Section 1. Section 61-3-702, MCA, is amended to read:

"61-3-702. Foreign vehicles to display license plates evidence of licensure or registration. All foreign registered and licensed motor vehicles, trailers, semitrailers, or pole trailers must carry in plain sight on the motor vehicle, trailer, semitrailer, or pole trailer the license plates, registration decal, or device, as defined in 61-3-722, from the other state or foreign country."

Section 2. Section 61-3-722, MCA, is amended to read:

"61-3-722. Registration and identification of proportionally registered motor vehicles -- fees -- effect of registration. (1) The department or its authorized agent shall register each proportionally registered motor vehicle, trailer, semitrailer, or pole trailer and issue a license plate or plates, a distinctive registration decal, or other suitable identification device for each motor vehicle, trailer, semitrailer, or pole trailer described in the application upon payment of the appropriate fees and property taxes, as provided by law, for the application and for the license plates, registration decals, or devices decal, or device issued. A fee of \$2 must be paid for each license plate, each registration decal, and each device issued for

(2) For each proportionally registered motor vehicle, trailer, semitrailer, or pole trailer, the following fees must be paid:

- (a) \$10 for each license plate;
(b) \$2 for each registration decal; and



1 (c) \$2 for each device.

2 (3) A fee of \$5 must be paid for each motor vehicle, trailer, semitrailer, or pole trailer receiving temporary
3 registration as authorized by section ~~704~~ 620 of the international registration plan ~~of developed by~~ the American
4 association of motor vehicle administrators, ~~adopted in April 1988.~~

5 (4) A registration card must be issued for each proportionally registered motor vehicle, trailer, semitrailer,
6 or pole trailer. The registration card must show, in addition to other information required by chapter 3, ~~show~~ the
7 number of the license, registration decal, or ~~other~~ device issued for the proportionally registered motor vehicle,
8 trailer, semitrailer, or pole trailer and must be carried in the motor vehicle, trailer, semitrailer, or pole trailer at all
9 times.

10 ~~(2)~~(5) (a) Fleet Except as provided in subsection (5)(b), fleet motor vehicles, trailers, semitrailers, or pole
11 trailers registered and identified as fleet motor vehicles are considered fully licensed and registered in this state
12 for any type of movement or operation, ~~except that, in those instances in which,~~

13 (b) If a grant of authority is required for intrastate movement or operation, the motor vehicle, trailer,
14 semitrailer, or pole trailer may not be operated in intrastate commerce in this state unless the owner has been
15 granted intrastate authority by the public service commission and ~~unless~~ the motor vehicle, trailer, semitrailer,
16 or pole trailer is being operated in conformity with that authority.

17 (6) As used in this section, "device" means a cab card as described in the international registration plan
18 developed by the American association of motor vehicle administrators."

19

20 **Section 3.** Section 61-4-307, MCA, is amended to read:

21 **"61-4-307. Display of plates.** A motor vehicle or combination of motor vehicles transported over the
22 highways of the state by a permitholder shall display in a prominent position on the motor vehicle the distinctive
23 transit plates, registration decal, or ~~devices~~ device, as defined in 61-3-722, with the towing motor vehicle
24 displaying the plates, decal, or device on the front of the motor vehicle and a towed motor vehicle displaying the
25 plates on the rear of the motor vehicle."

26

27 **Section 4.** Section 61-10-130, MCA, is amended to read:

28 **"61-10-130. Custom combiner's special permit -- fee -- collection -- distribution -- not transferable.**

29 (1) In lieu of the taxes required by 15-24-301 and in lieu of motor vehicle license fees, gross vehicle weight fees,
30 and overwidth, overlength, and overheight permits provided for in Title 61, a nonresident engaged in the business

1 of custom combining who brings equipment into the state may pay a special permit fee of \$40 for each unit. A
2 unit includes:

3 (a) one truck suitable for hauling grain;

4 (b) one header trailer or one combine trailer; and

5 (c) pickup trucks and all other equipment, except combines, used by a nonresident and brought into the
6 state as part of the nonresident's business of custom combining.

7 (2) In lieu of gross vehicle weight fees and overwidth, overlength, and overheight permits, Montana
8 residents engaged in the business of custom combining may pay the annual farm gross vehicle weight fees and
9 a special permit fee of \$20 for each unit. A unit includes:

10 (a) one truck suitable for hauling grain;

11 (b) one header trailer or one combine trailer; and

12 (c) pickup trucks used by the resident in the resident's business of custom combining.

13 (3) When used to transport agricultural products, a truck authorized to be used under a custom
14 combiner's special permit may be operated only within a 100-mile radius from the harvested field to the point of
15 first unloading. The truck may not haul agricultural products from one commercial elevator to another commercial
16 elevator. The truck may be operated on any highway, except a highway that is part of the federal-aid interstate
17 system, without incurring excess weight penalties under 61-10-145 if the total gross weight of the truck does not
18 exceed allowable weight limitations by more than 20% for each axle and the maximum load for each inch of tire
19 width does not exceed 670 pounds. A trip permit is not required. If the truck exceeds the tolerance provided under
20 this subsection, the fine or penalty imposed applies to all weight over the legal limit allowed by 61-10-107.

21 (4) A combine trailer authorized to be used under subsection (1)(b) or (2)(b) may be operated under the
22 same limitations, except that the 100-mile limitation does not apply and the combine trailer may be used upon
23 any highway of the state, including a highway that is part of the federal-aid interstate system. If the combine trailer
24 exceeds the tolerance provided under subsection (3), the fine or penalty imposed applies to all weight over the
25 legal limit allowed by 61-10-107.

26 (5) The fee required by this section must be collected by the department of transportation. Upon payment
27 of the fee, the department of transportation shall provide an identifying plate, decal, or device, as defined in
28 61-3-722, to be displayed on each truck, header trailer, or combine trailer and other equipment used by the
29 nonresident or resident in the person's business of custom combining in the state. The plate, decal, or device is
30 valid for the calendar year in which the fee is collected.

1 (6) All fees collected under this section must be distributed not later than January 31 immediately
2 following the period of licensure as follows:

3 (a) 62 1/2% to the state general fund; and

4 (b) 37 1/2% to the state special revenue fund for the department of transportation.

5 (7) The identifying ~~devices~~ plate, decal, or device and fee paid for each unit are not transferable from
6 one vehicle to another or transferable on the sale or change of ownership of the vehicle.

7 (8) The department of transportation may adopt rules, as provided in Title 2, chapter 4, to implement the
8 provisions of this section."

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10 NEW SECTION. Section 5. Effective date. [This act] is effective January 1, 2016.

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