

HOUSE BILL NO. 604

INTRODUCED BY E. GREEF, T. STEENBERG

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE MONTANA FOOTPATH AND BICYCLE TRAIL ACT
5 OF 1975; CREATING A TEMPORARY PILOT PROJECT FOR THE MAINTENANCE AND REPAIR OF
6 SHARED-USE TRAILS, INCLUDING THE STRUCTURES AND PROCESSES NECESSARY FOR SHARED-USE
7 TRAILS SAFETY EDUCATION; PROVIDING FOR AND ALLOCATING THE REVENUE FROM A TEMPORARY,
8 OPTIONAL FEE ON MOTOR VEHICLE REGISTRATION TO BE USED FOR MAINTAINING, REPAIRING, AND
9 ESTABLISHING SHARED-USE TRAILS AND FOR SAFETY EDUCATION; PROVIDING A STATUTORY
10 APPROPRIATION; ~~RESTRICTING THE DEPARTMENT OF JUSTICE FROM CHANGING REGISTRATION~~
11 ~~RENEWAL CARDS~~; AMENDING SECTIONS 17-7-502, 60-3-301, 60-3-302, 60-3-303, 60-3-304, 61-3-321, AND
12 61-3-509, MCA; AND PROVIDING EFFECTIVE DATES AND A TERMINATION DATE."

13
14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15
16 NEW SECTION. **Section 1. Shared-use trail pilot project.** (1) The department of transportation shall
17 establish, TO THE EXTENT FUNDS ARE AVAILABLE PURSUANT TO [SECTION 2], a pilot project for the maintenance and
18 repair of shared-use trails described in this part and for educating users of shared-use trails.

19 (2) The department shall, TO THE EXTENT FUNDS ARE AVAILABLE PURSUANT TO [SECTION 2]:

20 (a) obtain or compile an inventory of all shared-use trails located in the right-of-way of each
21 STATE-MAINTAINED federal-aid highway in Montana, the estimated costs to maintain and repair the shared-use
22 trails, and other information relevant to the use and maintenance of the shared-use trails;

23 (b) contract for services to produce, disseminate, and deliver safety information and programs to
24 pedestrians, bicyclists, and other potential users of shared-use trails. The contract must be with an entity that
25 has a demonstrated ability to provide safety information on a statewide basis to pedestrians, bicyclists, and other
26 potential users of shared-use trails.

27 (c) solicit public input for shared-use trails; and

28 (d) at least annually, conduct a public forum to gather input regarding shared-use trail maintenance,
29 repair, and user education.

30 (3) The department may conduct additional public forums in the transportation commission districts

1 established in 2-15-2502 to gather more localized input regarding shared-use trail maintenance, repair, and user
2 education.

3 (4) The purpose of the pilot project is to:

4 (a) ensure that the department compiles, analyzes, and maintains and the public has access to relevant
5 information that is needed to maintain and repair shared-use trails;

6 (b) provide safety education to ~~users of footpaths, bicycle paths or trails, or the highways of this state~~
7 PEDESTRIANS, BICYCLISTS, AND OTHER POTENTIAL USERS OF SHARED-USE TRAILS; and

8 (c) ensure that available funding is equitably distributed within the transportation commission districts
9 of the state and that potential users of shared-use trails in different regions of the state have an opportunity to
10 participate in planning for and prioritizing the maintenance of shared-use trails.

11
12 **NEW SECTION. Section 2. Allocation of funds.** (1) Of the total funds in the account established in
13 61-3-321(21)(a):

14 (a) ~~IN FISCAL YEAR 2016 ONLY, an amount not to exceed \$90,000 in fiscal year 2016~~ \$50,000 is allocated
15 to the department of justice to reprogram the ~~department's software~~ AND EQUIPMENT OF THE DEPARTMENT AND THE
16 DEPARTMENT'S VENDOR to accommodate the optional fee provided for in 61-3-321(21);

17 (B) IN EACH FISCAL YEAR, AN AMOUNT NOT TO EXCEED \$90,000 MUST BE ALLOCATED TO THE DEPARTMENT OF
18 JUSTICE FOR THE ADDITIONAL CONTRACT COSTS FOR THE VEHICLE RENEWAL CARD VENDOR TO COVER FORMS AND
19 MAILING THAT RESULT FROM THE PROVISIONS OF 61-3-321(21); and

20 ~~(b)(c)~~ of the remainder in fiscal year 2016 and for succeeding fiscal years:

21 (i) 20% of the total must be allocated to the department of transportation to be used for shared-use trail
22 user education throughout the state as provided in [section 1(2)(b)]; and

23 (ii) 80% of the total must be allocated as provided in subsection (2) by the ~~transportation commission~~
24 DEPARTMENT OF TRANSPORTATION to each of the five districts established in 2-15-2502.

25 (2) The amount of funds to be allocated to a district is equal to the total amount of optional registration
26 fees provided for in 61-3-321(21)(a) collected in the district divided by the total amount of the optional registration
27 fees provided for in 61-3-321(21)(a) collected for the entire state.

28 (3) Except as provided in subsection (4), the total funds allocated to a district under subsection ~~(4)(b)(ii)~~
29 (1)(C)(II) must be used within the district for the maintenance and repair of shared-use trails described in this part.

30 ~~At least~~ THE DEPARTMENT MAY USE BUT IS NOT REQUIRED TO USE UP TO 10% of the funds allocated to a district under

1 subsection ~~(1)(b)(iii)~~ must be used (1)(C)(II) to maintain or repair shared-use trails that are not part of the
2 federal-aid highway system.

3 (4) (a) Subject to the provisions of subsection (4)(b), if all of the shared-use trails in the district are
4 maintained and repaired at a level that meets or exceeds the standards established pursuant to 60-3-304(3)(c)
5 or if there are no shared-use trails in the district that are not part of the federal-aid highway system, any funds
6 remaining in a fiscal year may be used to construct new shared-use trails within the district.

7 (b) Prior to the construction or extension of a shared-use trail, the department shall enter into a
8 maintenance agreement with the county or municipality, or both, in which the trail is proposed to be constructed
9 or extended. Based on the maintenance agreement and available funding, the department shall transfer funds
10 from the account established in 61-3-321(21)(a) to the appropriate county or municipality as provided for in the
11 maintenance agreement.

12

13 **Section 3.** Section 17-7-502, MCA, is amended to read:

14 **"17-7-502. Statutory appropriations -- definition -- requisites for validity.** (1) A statutory
15 appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the
16 need for a biennial legislative appropriation or budget amendment.

17 (2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both
18 of the following provisions:

19 (a) The law containing the statutory authority must be listed in subsection (3).

20 (b) The law or portion of the law making a statutory appropriation must specifically state that a statutory
21 appropriation is made as provided in this section.

22 (3) The following laws are the only laws containing statutory appropriations: 2-15-247; 2-17-105;
23 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-108; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310;
24 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121;
25 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-112; 17-3-212; 17-3-222; 17-3-241; 17-6-101;
26 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506;
27 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-1-327; 22-3-1004; 23-4-105;
28 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 30-10-1004; 37-43-204; 37-51-501; 39-1-105; 39-71-503;
29 41-5-2011; 42-2-105; 44-4-1101; 44-12-206; 44-13-102; 53-1-109; 53-1-215; 53-2-208; 53-9-113; 53-24-108;
30 53-24-206; 60-11-115; 61-3-321; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150;

1 76-13-416; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-11-518; 81-1-112; 81-7-106; 81-10-103; 82-11-161;
 2 85-20-1504; 85-20-1505; 87-1-603; 90-1-115; 90-1-205; 90-1-504; 90-3-1003; 90-6-331; and 90-9-306.

3 (4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing,
 4 paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued
 5 pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana
 6 to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state
 7 treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory
 8 appropriation authority for the payments. (In subsection (3): pursuant to sec. 10, Ch. 360, L. 1999, the inclusion
 9 of 19-20-604 terminates contingently when the amortization period for the teachers' retirement system's unfunded
 10 liability is 10 years or less; pursuant to sec. 10, Ch. 10, Sp. L. May 2000, secs. 3 and 6, Ch. 481, L. 2003, and
 11 sec. 2, Ch. 459, L. 2009, the inclusion of 15-35-108 terminates June 30, 2019; pursuant to sec. 73, Ch. 44, L.
 12 2007, the inclusion of 19-6-410 terminates contingently upon the death of the last recipient eligible under
 13 19-6-709(2) for the supplemental benefit provided by 19-6-709; pursuant to sec. 14, Ch. 374, L. 2009, the
 14 inclusion of 53-9-113 terminates June 30, 2015; pursuant to sec. 5, Ch. 442, L. 2009, the inclusion of 90-6-331
 15 terminates June 30, 2019; pursuant to sec. 16, Ch. 58, L. 2011, the inclusion of 30-10-1004 terminates June 30,
 16 2017; pursuant to sec. 6, Ch. 61, L. 2011, the inclusion of 76-13-416 terminates June 30, 2019; pursuant to sec.
 17 13, Ch. 339, L. 2011, the inclusion of 81-1-112 and 81-7-106 terminates June 30, 2017; pursuant to sec. 11(2),
 18 Ch. 17, L. 2013, the inclusion of 17-3-112 terminates on occurrence of contingency; pursuant to secs. 3 and 5,
 19 Ch. 244, L. 2013, the inclusion of 22-1-327 is effective July 1, 2015, and terminates July 1, 2017; and pursuant
 20 to sec. 10, Ch. 413, L. 2013, the inclusion of 2-15-247, 39-1-105, 53-1-215, and 53-2-208 terminates June 30,
 21 2015.)"

22

23 **Section 4.** Section 60-3-301, MCA, is amended to read:

24 "**60-3-301. Short title.** This part may be cited as the "Montana ~~Footpath and Bicycle~~ Shared-Use Trail
 25 ~~Act of 1975~~"."

26

27 **Section 5.** Section 60-3-302, MCA, is amended to read:

28 "**60-3-302. Bicycle Shared-use trail defined.** As used in this part, "bicycle "shared-use trail"" means
 29 ~~a publicly owned and maintained lane or way designated and signed for use as a bicycle route~~ a multiuse trail
 30 or other path that is physically separated from motorized vehicular traffic by an open space or, PAVEMENT

1 MARKINGS, OR A barrier, either within a highway right-of-way or within an independent right-of-way, and THAT IS
 2 usable for transportation purposes by pedestrians, runners, bicyclists, skaters, equestrians, and other
 3 nonmotorized users. A SIDEWALK, AS DEFINED IN 61-8-102, IS NOT A SHARED-USE TRAIL."

4

5 **Section 6.** Section 60-3-303, MCA, is amended to read:

6 **"60-3-303. ~~Footpaths and bicycle~~ Shared-use trails to be established -- funding. (1) (a) The Subject**
 7 to the provisions of subsection (1)(b), the commission ~~OR THE DEPARTMENT~~ or a county or city, with funds received
 8 from the commission ~~OR THE DEPARTMENT~~, may construct ~~footpaths and bicycle trails~~. ~~Footpaths and bicycle trails~~
 9 may be established and extended to the nearest city or town or termination point of the highway or road ~~or extend~~
 10 a shared-use trail:

11 (i) wherever a highway, road, or street is being constructed, reconstructed, or relocated. ~~In addition,~~
 12 ~~footpaths and bicycle trails may be established;~~

13 (ii) ~~at any time along all streets a road, street, or highway~~ under state jurisdiction. ~~Funds may also be~~
 14 ~~expended to construct footpaths and bicycle trails along other highways, roads, and streets and in parks and~~
 15 ~~recreation areas; or~~

16 (iii) if the construction enhances traffic safety and convenience. ~~Footpaths and bicycle trails may be~~
 17 ~~constructed along all sections of the national defense interstate highway system.~~

18 (b) Funds allocated by the ~~commission~~ DEPARTMENT pursuant to [section 2] may be used for the
 19 purposes described in subsection (1)(a) only as provided in [section 2(3)].

20 (2) ~~Footpaths and trails~~ A shared-use trail may not be established under subsection (1):

21 (a) if the cost of establishing the ~~paths and trails~~ shared-use trail is excessively disproportionate to the
 22 need or probable use; or

23 (b) if sparsity of population, other available ways, or other factors indicate an absence of any need for
 24 the ~~paths and trails~~ shared-use trail.

25 (3) The commission shall let to contract in any period of 5 consecutive fiscal years not less than an
 26 average of \$200,000 each year for ~~footpaths and bicycle~~ shared-use trails. The department shall establish
 27 accounting procedures to document compliance with this subsection."

28

29 **Section 7.** Section 60-3-303, MCA, is amended to read:

30 **"60-3-303. ~~Footpaths and bicycle~~ Shared-use trails to be established -- funding. (1) The**

1 commission or a county or city, with funds received from the commission, may construct ~~footpaths and bicycle~~
 2 ~~trails. Footpaths and bicycle trails may be established and extended to the nearest city or town or termination~~
 3 ~~point of the highway or road~~ or extend a shared-use trail:

4 (a) wherever a highway, road, or street is being constructed, reconstructed, or relocated. ~~In addition,~~
 5 ~~footpaths and bicycle trails may be established;~~

6 (b) at any time along all streets a road, street, or highway under state jurisdiction. ~~Funds may also be~~
 7 ~~expended to construct footpaths and bicycle trails along other highways, roads, and streets and in parks and~~
 8 ~~recreation areas; or~~

9 (c) if the construction enhances traffic safety and convenience. ~~Footpaths and bicycle trails may be~~
 10 ~~constructed along all sections of the national defense interstate highway system.~~

11 (2) ~~Footpaths and trails~~ A shared-use trail may not be established under subsection (1):

12 (a) if the cost of establishing the ~~paths and trails~~ shared-use trail is excessively disproportionate to the
 13 need or probable use; or

14 (b) if sparsity of population, other available ways, or other factors indicate an absence of any need for
 15 the ~~paths and trails~~ shared-use trail.

16 (3) The commission shall let to contract in any period of 5 consecutive fiscal years not less than an
 17 average of \$200,000 each year for ~~footpaths and bicycle~~ shared-use trails. The department shall establish
 18 accounting procedures to document compliance with this subsection."

19

20 **Section 8.** Section 60-3-304, MCA, is amended to read:

21 "**60-3-304. Duties of department of transportation.** (1) The ALLOCATION OF AVAILABLE FUNDS FOR THE
 22 maintenance, repair, and establishment of paths and shared-use trails and the expenditure of funds as authorized
 23 by this part are primarily for the maintenance and repair of shared-use trails and for the promotion of traffic safety
 24 on the highways, roads, and streets of the state.

25 (2) The transportation commission shall, when requested, provide technical assistance and advice to
 26 cities and counties in carrying out the purpose of this part.

27 (2)(3) The department of transportation shall:

28 (a) compile an inventory of all shared-use trails located in the right-of-way of each STATE-MAINTAINED
 29 federal-aid highway in Montana;

30 (b) develop and maintain a plan for maintaining and repairing all of the shared-use trails described in

1 subsection (3)(a):

2 (c) recommend construction and maintenance standards for footpaths and bicycle shared-use trails-
3 The department shall;

4 (d) provide a uniform system of signing footpaths and bicycle shared-use trails which shall apply that
5 applies to paths and trails all shared-use trails, whether under the jurisdiction of the commission and cities and
6 counties. The commission and cities and counties shall restrict the use of footpaths and bicycle trails under their
7 jurisdiction to pedestrians and nonmotorized vehicles to the maximum possible extent, except that the
8 commission, in cooperation with local governments, may authorize the operation of snowmobiles on designated
9 portions of bicycle trails and footpaths when snow conditions permit or a city or county; and

10 (e) as provided in [section 2], allocate funds in the account established in 61-3-321(21).

11 (4) (a) Except as provided in subsection (4)(b), shared-use trails may not be used by motorized vehicles.

12 (b) The transportation commission, a city or county, or the commission jointly with a city or county may
13 authorize the use of snowmobiles on all or a portion of a shared-use trail under its jurisdiction."

14

15 **Section 9.** Section 60-3-304, MCA, is amended to read:

16 **"60-3-304. Duties of department of transportation.** (1) The maintenance, repair, and establishment
17 of paths and shared-use trails and the expenditure of funds as authorized by this part are primarily for the
18 maintenance and repair of shared-use trails and for the promotion of traffic safety on the highways, roads, and
19 streets of the state.

20 (2) The transportation commission shall, when requested, provide technical assistance and advice to
21 cities and counties in carrying out the purpose of this part.

22 (2)(3) The department of transportation shall;

23 (a) compile an inventory of all shared-use trails located in the right-of-way of each STATE-MAINTAINED
24 federal-aid highway in Montana;

25 (b) develop and maintain a plan for maintaining and repairing all of the shared-use trails described in
26 subsection (3)(a);

27 (c) recommend construction and maintenance standards for footpaths and bicycle shared-use trails-
28 The department shall; and

29 (d) provide a uniform system of signing footpaths and bicycle shared-use trails which shall apply that
30 applies to paths and trails all shared-use trails, whether under the jurisdiction of the commission and cities and

1 ~~counties. The commission and cities and counties shall restrict the use of footpaths and bicycle trails under their~~
 2 ~~jurisdiction to pedestrians and nonmotorized vehicles to the maximum possible extent, except that the~~
 3 ~~commission, in cooperation with local governments, may authorize the operation of snowmobiles on designated~~
 4 ~~portions of bicycle trails and footpaths when snow conditions permit or a city or county.~~

5 (4) (a) Except as provided in subsection (4)(b), shared-use trails may not be used by motorized vehicles.

6 (b) The transportation commission, a city or county, or the commission jointly with a city or county may
 7 authorize the use of snowmobiles on all or a portion of a shared-use trail under its jurisdiction."

8

9 **Section 10.** Section 61-3-321, MCA, is amended to read:

10 **"61-3-321. Registration fees of vehicles and vessels -- certain vehicles exempt from registration**
 11 **fees -- disposition of fees.** (1) Except as otherwise provided in this section, registration fees must be paid upon
 12 registration or, if applicable, renewal of registration of motor vehicles, snowmobiles, watercraft, trailers,
 13 semitrailers, and pole trailers as provided in subsections (2) through (20):

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

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

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

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

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

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

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

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

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

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

27 (5) Except as provided in subsection (15), the one-time registration fee for off-highway vehicles other
 28 than a quadricycle or motorcycle is \$61.25.

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

30 (7) (a) The annual registration fee for a motor home, based on the age of the motor home, is as follows:

- 1 (i) less than 2 years old, \$282.50;
- 2 (ii) 2 years old and less than 5 years old, \$224.25;
- 3 (iii) 5 years old and less than 8 years old, \$132.50; and
- 4 (iv) 8 years old and older, \$97.50.
- 5 (b) The owner of a motor home that is 11 years old or older and that is subject to the registration fee
- 6 under this section may permanently register the motor home upon payment of:
- 7 (i) a one-time registration fee of \$237.50;
- 8 (ii) unless a new set of license plates is being issued, an insurance verification fee of \$5, which must be
- 9 deposited in the account established under 61-6-158;
- 10 (iii) if applicable, five times the renewal fees for personalized license plates under 61-3-406; and
- 11 (iv) if applicable, the donation fee for a generic specialty license plate under 61-3-480 or a collegiate
- 12 license plate under 61-3-465.
- 13 (8) (a) Except as provided in subsection (15), the one-time registration fee for motorcycles and
- 14 quadricycles registered for use on public highways is \$53.25, and the one-time registration fee for motorcycles
- 15 and quadricycles registered for both off-road use and for use on the public highways is \$114.50.
- 16 (b) An additional fee of \$16 must be collected for the registration of each motorcycle or quadricycle as
- 17 a safety fee, which must be deposited in the state motorcycle safety account provided for in 20-25-1002.
- 18 (9) Except as provided in subsection (15), the one-time registration fee for travel trailers, based on the
- 19 length of the travel trailer, is as follows:
- 20 (a) under 16 feet in length, \$72; and
- 21 (b) 16 feet in length or longer, \$152.
- 22 (10) Except as provided in subsection (15), the one-time registration fee for a motorboat, sailboat,
- 23 personal watercraft, or motorized pontoon required to be numbered under 23-2-512 is as follows:
- 24 (a) for a personal watercraft or a motorboat, sailboat, or motorized pontoon less than 16 feet in length,
- 25 \$65.50;
- 26 (b) for a motorboat, sailboat, or motorized pontoon at least 16 feet in length but less than 19 feet in
- 27 length, \$125.50; and
- 28 (c) for a motorboat, sailboat, or motorized pontoon 19 feet in length or longer, \$295.50.
- 29 (11) (a) Except as provided in subsections (11)(b) and (15), the one-time registration fee for a
- 30 snowmobile is \$60.50.

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

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

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

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

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

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

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

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

18 (b) An additional fee of \$15 must be collected if a vehicle owner elects to keep the same license plate
19 number from license plates issued before January 1, 2010, when replacement of those plates is required under
20 61-3-332(3).

21 (c) The fees imposed in this subsection (13) must be deposited in the account established under
22 61-6-158, except that \$2 of the fee imposed in subsection (13)(a) must be deposited in the state general fund.

23 (14) The provisions of this part with respect to the payment of registration fees do not apply to and are
24 not binding upon motor vehicles, trailers, semitrailers, snowmobiles, watercraft, or tractors owned or controlled
25 by the United States of America or any state, county, city, or special district, as defined in 18-8-202, or to a vehicle
26 or vessel that meets the description of property exempt from taxation under 15-6-201(1)(a), (1)(d), (1)(e), (1)(g),
27 (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.

28 (15) Whenever ownership of a trailer, semitrailer, pole trailer, off-highway vehicle, motorcycle,
29 quadricycle, travel trailer, motor home, motorboat, sailboat, personal watercraft, motorized pontoon, snowmobile,
30 motor vehicle owned and operated solely as a collector's item pursuant to 61-3-411, or low-speed electric vehicle

1 is transferred, the new owner shall title and register the vehicle or vessel as required by this chapter and pay the
2 fees imposed under this section.

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

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

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

8 (19) (a) Unless a person exercises the option in either subsection (19)(b) or (19)(c), an additional fee of
9 \$6 must be collected for each light vehicle registered under this part. This fee must be accounted for and
10 transmitted separately from the registration fee. The fee must be deposited in an account in the state special
11 revenue fund to be used for state parks, for fishing access sites, and for the operation of state-owned facilities.
12 Of the \$6 fee, the department of fish, wildlife, and parks shall use \$5.37 for state parks, 25 cents for fishing
13 access sites, and 38 cents for the operation of state-owned facilities at Virginia City and Nevada City.

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

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

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

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

28 (21) (a) Unless a person exercises the option in subsection (21)(b), an additional fee of \$2 must be
29 collected for each light vehicle registered under this part. This fee must be accounted for and transmitted
30 separately from the registration fee. The fee must be deposited in an account in the state special revenue fund.

1 Funds in the account are statutorily appropriated, as provided in 17-7-502, to the transportation commission and
 2 must be allocated as provided in [section 2].

3 (b) A person who registers one or more light vehicles may, at the time of annual registration, certify that
 4 the person does not intend to use shared-use trails and may make a written election not to pay the additional \$2
 5 fee provided for in subsection (21)(a). If a written election is made, the fee may not be collected at any
 6 subsequent annual registration unless the person makes the written election to pay the additional fee.

7 (c) The written election not to pay the additional fee on a light vehicle expires if the vehicle is registered
 8 to a different person.

9 ~~(24)~~(22) This section does not apply to a motor vehicle, trailer, semitrailer, or pole trailer that is governed
 10 by 61-3-721."
 11

12 **Section 11.** Section 61-3-509, MCA, is amended to read:

13 **"61-3-509. Disposition of fees -- responsibility for dishonored payments.** (1) ~~All~~ Except as otherwise
 14 provided in 61-3-321, all registration fees imposed by 61-3-321 on light vehicles, motor homes, motorcycles,
 15 quadricycles, buses, motor vehicles having a manufacturer's rated capacity of more than 1 ton, and truck tractors
 16 for which a license is sought and an original application for title that includes a manufacturer's statement of origin
 17 is made must be remitted to the state as provided in 15-1-504 every 30 days. The payments must be deposited
 18 in the state general fund.

19 (2) (a) The department, its authorized agent, or a county treasurer is responsible for pursuing remedies
 20 available under 27-1-717 or otherwise provided by law when a check, draft, converted check, electronic funds
 21 transfer, or order for the payment of money is dishonored:

22 (i) for lack of funds or credit;

23 (ii) because the issuer does not have an account with the entity from which the funds are to be drawn;

24 or

25 (iii) because the issuer stops payment with the intent to defraud the payee of the check or the payee
 26 named on the issued check, draft, converted check, electronic funds transfer, or order for the payment of money.

27 (b) Once fees have been remitted to the state under this section, adjustments may be made only for
 28 dishonored instruments if less than 1 year has elapsed from the date of remittance."
 29

30 ~~NEW SECTION. Section 12. Restriction on department of justice.~~ The department of justice may

1 ~~not change to a motor registration renewal card that is a larger format or different type from the card format and~~
2 ~~type in use prior to [the effective date of this act] solely because of the addition of language providing for the~~
3 ~~optional fee provided for in 61-3-321(21).~~

4
5 **NEW SECTION. Section 12. Codification instruction.** [Sections 1 and 2] are intended to be codified
6 as an integral part of Title 60, chapter 3, part 3, and the provisions of Title 60, chapter 3, part 3, apply to [sections
7 1 and 2].

8
9 **NEW SECTION. Section 13. Effective dates.** (1) Except as provided in subsection (2), [this act] is
10 effective July 1, 2015.

11 (2) [Sections 7 and 9] are effective July 1, 2021.

12
13 **NEW SECTION. Section 14. Termination.** [Sections 1, 2, 3, 6, 8, and 10] terminate June 30, 2021.

14 - END -