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HOUSE BILL NO. 584

INTRODUCED BY R. MEHLHOFF, C. EDMUNDS, B. MCCHESENEY, R. HOLLANDSWORTH, D. ANKNEY,
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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LICENSE PLATE LAWS; ALLOWING NEW STANDARD
LICENSE PLATES TO BE OF CERTAIN PRIOR DESIGNS; AMENDING SECTIONS 61-3-301 AND 61-3-332,
MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

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

Section 1. Section 61-3-301, MCA, is amended to read:

"61-3-301. Registration -- license plate required -- display. (1) (a) Except as provided in 61-4-120,
61-4-129, and subsection (1)(b) of this section, a person may not operate a motor vehicle, trailer, semitrailer, pole
trailer, or travel trailer upon the public highways of Montana unless the motor vehicle, trailer, semitrailer, pole
trailer, or travel trailer is properly registered and has the proper license plates conspicuously displayed on the
motor vehicle, trailer, semitrailer, pole trailer, or travel trailer. A license plate must be securely fastened to prevent
it from swinging and may not be obstructed from plain view.

(b) A motorcycle, quadricycle, trailer, semitrailer, pole trailer, or travel trailer must have a single license
plate displayed on the rear of the vehicle. A custom vehicle or street rod registered under 61-3-320(1)(b) or
(1)(c)(iii) may display a single license plate firmly attached to the rear exterior of the custom vehicle or street rod.
All other motor vehicles must have one license plate displayed on the front and one license plate displayed on
the rear of the motor vehicle.

(c) A person may not display on a motor vehicle, trailer, semitrailer, pole trailer, or travel trailer at the
same time a number assigned to it under any motor vehicle law except as provided in this chapter.

(2) A person may not purchase or display on a motor vehicle, trailer, semitrailer, pole trailer, or travel
trailer a license plate bearing the number assigned to any county, as provided in 61-3-332, other than the county
where the vehicle is domiciled or the county where the trailer, semitrailer, pole trailer, or travel trailer is domiciled
at the time of application for registration.

1 (3) It is unlawful to:

2 (a) display license plates issued to one motor vehicle, trailer, semitrailer, pole trailer, or travel trailer on
3 any other motor vehicle, trailer, semitrailer, pole trailer, or travel trailer unless legally transferred as provided by
4 statute; or

5 (b) repaint old license plates to resemble current license plates; ~~or~~

6 ~~(c) display a prior design of standard license plates including military, veteran, and amateur radio license~~
7 ~~plates, or any license plates that have been issued for 5 or more years after the replacement of the license plates~~
8 ~~is required under 61-3-332(3)(a), except as provided in 61-3-332(3)(c) and (3)(d), 61-3-448, or 61-3-468.~~

9 (4) For the purposes of this section, "conspicuously displayed" means that the required license plates
10 are obviously visible and firmly attached to:

11 (a) the front bumper and the rear bumper of a motor vehicle equipped with front and rear bumpers,
12 except for a custom vehicle or street rod as provided in subsection (1)(b); or

13 (b) a clearly visible location on the rear of a trailer, semitrailer, pole trailer, or travel trailer."
14

15 **Section 2.** Section 61-3-332, MCA, is amended to read:

16 **"61-3-332. Standard license plates.** (1) In addition to special license plates, collegiate license plates,
17 generic specialty license plates, and fleet license plates authorized under this chapter, a separate series of
18 standard license plates must be issued for motor vehicles, quadricycles, travel trailers, trailers, semitrailers, and
19 pole trailers registered in this state or offered for sale by a vehicle dealer licensed in this state. Standard license
20 plates issued to licensed vehicle dealers must be readily distinguishable from license plates issued to vehicles
21 owned by other persons.

22 (2) (a) Except as provided in 61-3-479 and subsections (2)(b), (3)(b), and (3)(c) of this section, all
23 standard license plates for motor vehicles, trailers, semitrailers, or pole trailers must bear a distinctive marking,
24 as determined by the department, and be furnished by the department. In years when standard license plates
25 are not reissued for a vehicle, the department shall provide a registration decal that must be affixed to the rear
26 license plate of the vehicle.

27 (b) For light vehicles that are permanently registered as provided in 61-3-562 and motor vehicles
28 described in 61-3-303(9) that are permanently registered, the department shall provide a distinctive registration
29 decal indicating that the motor vehicle is permanently registered. The registration decal must be affixed to the rear
30 license plate of the permanently registered motor vehicle.

1 (c) For a travel trailer, motorcycle, quadricycle, trailer, semitrailer, or pole trailer that is permanently
 2 registered as provided in 61-3-313(2), the department may use the word or an abbreviation for the word
 3 "permanent" on the plate in lieu of issuing a registration decal for the plate.

4 (3) (a) (i) ~~Beginning January 1, 2010, and every 5 years after that date, the department shall design~~
 5 ~~standard license plates to replace previously issued standard license plates. For the purposes of this subsection~~
 6 ~~(3), all military, veteran, and amateur radio license plates and any license plate with a wheelchair design,~~
 7 ~~excluding collegiate or generic specialty plates with a wheelchair design, are treated as standard license plates.~~

8 NEW LICENSE PLATES ISSUED UNDER 61-3-303 OR THIS SECTION MUST BE A STANDARD LICENSE PLATE DESIGN FIRST
 9 ISSUED WITHIN THE LAST 35 YEARS OR CURRENT COLLEGIATE OR GENERIC SPECIALTY LICENSE PLATE DESIGNS. FOR THE
 10 PURPOSES OF THIS SUBSECTION (3), ALL MILITARY, VETERAN, AND AMATEUR RADIO LICENSE PLATES AND ANY LICENSE
 11 PLATE WITH A WHEELCHAIR DESIGN, EXCLUDING COLLEGIATE OR GENERIC SPECIALTY PLATES WITH A WHEELCHAIR DESIGN,
 12 ARE TREATED AS STANDARD LICENSE PLATES.

13 ~~(ii)(ii) License plates issued on or after January 1, 2010, must be replaced with the most recent design~~
 14 ~~of standard license plates or a new replacement collegiate or generic specialty new license plate plates if, upon~~
 15 ~~renewal of registration under 61-3-332 this section, the license plates are 5 or more years old or will become older~~
 16 ~~than 5 years during the registration period. The new license plates must be a standard license plate design first~~
 17 ~~issued within the last 25 years or current collegiate or generic specialty license plate designs.~~

18 ~~(iii) License New license plates must be issued on or before January 1, 2010, must be replaced with the~~
 19 ~~most recent design of standard license plates or a new replacement collegiate or generic specialty license plate~~
 20 in accordance with the implementation schedule adopted by the department under 61-3-315.

21 ~~(ii)(iii) Until January 1, 2015, and upon payment of the fee required in 61-3-321(12)(b), a vehicle owner~~
 22 ~~may elect to keep the same license plate number from license plates issued on or after January 1, 2006, but~~
 23 ~~before January 1, 2010, when replacement of those plates is required under this subsection.~~

24 (b) A motor vehicle that is registered for a 13-month to a 24-month period, as provided in 61-3-311, may
 25 display the license plate and plate design in effect at the time of registration for the entire registration period.

26 (c) A light vehicle described in subsection (2)(b) or a motor home that is permanently registered may
 27 display the license plate and plate design in effect at the time of registration for the entire period that the light
 28 vehicle or motor home is permanently registered.

29 (d) The provisions of this subsection (3) do not apply to a travel trailer, motorcycle, quadricycle, trailer,
 30 semitrailer, or pole trailer.

1 (e) The requirements of this subsection (3) apply to collegiate license plates authorized under 61-3-461
2 through 61-3-468, generic specialty license plates authorized under 61-3-472 through 61-3-481, commemorative
3 centennial license plates authorized under 61-3-448, and special military or veteran license plates authorized
4 under 61-3-458.

5 (4) For trailers and motor vehicles, other than motorcycles and quadricycles, plates must be of metal 6
6 inches wide and 12 inches in length. Except for generic specialty license plates, the outline of the state of
7 Montana must be used as a distinctive border on all license plates, and the word "Montana" must be placed on
8 each license plate. All license plates must be treated with a reflectorized background material according to
9 specifications prescribed by the department.

10 (5) The distinctive registration numbers for standard license plates must begin with a number one or with
11 a letter-number combination, such as "A 1" or "AA 1", or any other similar combination of letters and numbers.
12 Except for special license plates, collegiate license plates, generic specialty license plates, and fleet license
13 plates, the distinctive registration number or letter-number combination assigned to the motor vehicle must appear
14 on the plate preceded by the number of the county and appearing in horizontal order on the same horizontal
15 baseline. The county number must be separated from the distinctive registration number by a separation mark
16 unless a letter-number combination is used. The dimensions of the numerals and letters must be determined by
17 the department, and all county and registration numbers must be of equal height.

18 (6) For the use of exempt motor vehicles, trailers, semitrailers, or pole trailers and motor vehicles,
19 trailers, semitrailers, or pole trailers that are exempt from the registration fee as provided in 61-3-321, in addition
20 to the markings provided in this section, standard license plates must bear the following distinctive markings:

21 (a) For motor vehicles, trailers, semitrailers, or pole trailers owned by the state, the department may
22 designate the prefix number for the various state departments. All numbered plates issued to state departments
23 must bear the words "State Owned", and a year number may not be indicated on the plates because these
24 numbered plates are of a permanent nature and will be replaced by the department only when the physical
25 condition of numbered plates requires it.

26 (b) For motor vehicles, trailers, semitrailers, or pole trailers that are owned by the counties,
27 municipalities, and special districts, as defined in 18-8-202, organized under the laws of Montana and not
28 operating for profit, and that are used and operated by officials and employees in the line of duty and for motor
29 vehicles on loan from the United States government or the state of Montana to, or owned by, the civil air patrol
30 and used and operated by officials and employees in the line of duty, there must be placed on the standard

1 license plates assigned, in a position that the department may designate, the letter "X" or the word "EXEMPT".
2 Distinctive registration numbers for plates assigned to motor vehicles, trailers, semitrailers, or pole trailers of each
3 of the counties in the state and those of the municipalities and special districts that obtain plates within each
4 county must begin with number one and be numbered consecutively. Because these standard license plates are
5 of a permanent nature, they are subject to replacement by the department only when the physical condition of
6 the license plates requires it and a year number may not be displayed on the plates.

7 (7) For the purpose of this chapter, the several counties of the state are assigned numbers as follows:
8 Silver Bow, 1; Cascade, 2; Yellowstone, 3; Missoula, 4; Lewis and Clark, 5; Gallatin, 6; Flathead, 7; Fergus, 8;
9 Powder River, 9; Carbon, 10; Phillips, 11; Hill, 12; Ravalli, 13; Custer, 14; Lake, 15; Dawson, 16; Roosevelt, 17;
10 Beaverhead, 18; Chouteau, 19; Valley, 20; Toole, 21; Big Horn, 22; Musselshell, 23; Blaine, 24; Madison, 25;
11 Pondera, 26; Richland, 27; Powell, 28; Rosebud, 29; Deer Lodge, 30; Teton, 31; Stillwater, 32; Treasure, 33;
12 Sheridan, 34; Sanders, 35; Judith Basin, 36; Daniels, 37; Glacier, 38; Fallon, 39; Sweet Grass, 40; McCone, 41;
13 Carter, 42; Broadwater, 43; Wheatland, 44; Prairie, 45; Granite, 46; Meagher, 47; Liberty, 48; Park, 49; Garfield,
14 50; Jefferson, 51; Wibaux, 52; Golden Valley, 53; Mineral, 54; Petroleum, 55; Lincoln, 56. Any new counties must
15 be assigned numbers by the department as they are formed, beginning with the number 57.

16 (8) Each type of special license plate approved by the legislature, except collegiate license plates
17 authorized in 61-3-463 and generic specialty license plates authorized in 61-3-472 through 61-3-481, must be
18 a separate series of plates, numbered as provided in subsection (5), except that the county number must be
19 replaced by a design that distinguishes each separate plate series. Unless otherwise specifically stated in this
20 section, the special plates are subject to the same rules and laws as govern the issuance of standard license
21 plates, must be placed or mounted on a motor vehicle, trailer, semitrailer, or pole trailer owned by the person who
22 is eligible to receive them, with the registration decal affixed to the rear license plate of the motor vehicle, trailer,
23 semitrailer, or pole trailer, and must be removed upon sale or other disposition of the motor vehicle, trailer,
24 semitrailer, or pole trailer.

25 (9) (a) A Montana resident who is eligible to receive a special parking permit under 49-4-301 may, upon
26 written application on a form prescribed by the department, be issued a special license plate with a design or
27 decal bearing a representation of a wheelchair as the symbol of a person with a disability.

28 (b) If the motor vehicle to which the license plate is attached is permanently registered, the owner of the
29 motor vehicle shall provide, upon request of a person authorized to enforce special parking laws or ordinances
30 in this or any state, evidence of continued eligibility to use the license plate in the form of a valid special parking

1 permit issued to or renewed by the vehicle owner under 49-4-304 and 49-4-305.

2 (c) A person with a permanent condition, as provided in 49-4-301(2)(b), who has been issued a special
3 license plate upon written application, as provided in this subsection (9), is not required to reapply upon
4 reregistration of the motor vehicle.

5 (10) The provisions of this section do not apply to a motor vehicle, trailer, semitrailer, or pole trailer that
6 is registered as part of a fleet, as defined in 61-3-712, and that is subject to the provisions of 61-3-711 through
7 61-3-733."

8

9 NEW SECTION. **Section 3. Effective date.** [This act] is effective January 1, 2012.

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