

1 HOUSE BILL NO. 439

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

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4 A BILL FOR AN ACT ENTITLED: "AN ACT ASSESSING A GROSS VEHICLE WEIGHT FEE FOR

5 PERMANENT REGISTRATION OF ELECTRIC VEHICLES AND PLUG-IN HYBRID ELECTRIC VEHICLES;

6 PROVIDING FOR DEPOSIT OF THE GROSS VEHICLE WEIGHT PERMANENT REGISTRATION FEE IN

7 THE HIGHWAY RESTRICTED ACCOUNT AS PROVIDED IN ARTICLE VIII, SECTION 6, OF THE MONTANA

8 CONSTITUTION; AMENDING SECTION 61-3-562, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

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

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12 NEW SECTION. **Section 1. Gross vehicle weight permanent registration fee -- electric vehicles**

13 **-- plug-in hybrid electric vehicles.** (1) The permanent registration fee for an electric vehicle is based on

14 UNLADEN gross vehicle weight as follows:

- 15 (a) for a class 1 vehicle, \$260;
- 16 (b) for a class 2 vehicle, \$380;_
- 17 ~~(c) for a class 3 vehicle, \$680;~~
- 18 ~~(d) for a class 4 vehicle, \$2,200.~~

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

20 weight as follows:

- 21 (a) for a class 1 vehicle, \$140;
- 22 (b) for a class 2 vehicle, \$200;_
- 23 ~~(c) for a class 3 vehicle, \$420;~~
- 24 ~~(d) for a class 4 vehicle, \$1,400.~~

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

26 definitions apply:

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

1 not more than 10,000 pounds.

2 ~~(c)~~—"Class 3 vehicle" means a vehicle having an unladen gross weight of more than 10,000 pounds
3 but not more than 26,000 pounds.

4 ~~(d)~~—"Class 4 vehicle" means a vehicle having an unladen gross weight in excess of 26,000 pounds.

5 ~~(e)~~(C) (i) "Electric vehicle" means a vehicle that:

6 (A) is originally equipped with a 100% electric motor that draws propulsion energy solely from a
7 battery with at least 20 kilowatt hours of capacity that can be recharged from an external source of electricity;

8 (B) has at least four wheels; and

9 (C) is manufactured primarily for use on public streets, roads, and highways.

10 (ii) The term does not include

11 (A) a low-speed electric vehicle; or

12 (B) a medium-speed electric vehicle.

13 ~~(f)~~(D) "Plug-in hybrid electric vehicle" means a vehicle that:

14 (i) is originally equipped so that the vehicle draws propulsion from an internal combustion engine
15 and a battery with at least 5 kilowatt hours of capacity that can be recharged from an external source of
16 electricity;

17 (ii) has at least four wheels; and

18 (iii) is manufactured primarily for use on public streets, roads, and highways.

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

21 **"61-3-562. Permanent registration -- transfer of light vehicle ownership -- rules.** (1) (a) The
22 owner of a light vehicle 11 years old or older subject to the registration fee, as provided in 61-3-321(2), may
23 permanently register the light vehicle upon payment of a ~~an~~ \$87.50 registration fee, the applicable registration
24 and license fees under 61-3-412, if applicable, the administrative fee and the annual one-time-only donation fee
25 for a generic specialty license plate under 61-3-480 or collegiate license plates under 61-3-465, the fee
26 provided for in [section 1] for an electric vehicle or a plug-in hybrid electric vehicle, if applicable, and an amount
27 equal to five times the local option motor vehicle tax or flat fee on vehicles under 61-3-537 and, as applicable,
28 either:

Amendment - 1st Reading/2nd House-blue (S) Highways and Transportation

- 2023

68th Legislature 2023

Drafter: Joe Carroll, 406-444-3804

HB0439.002.001

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

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

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

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

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

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

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

25 (b) Upon transfer of a light vehicle registered under this section to a new owner, the new owner
26 shall apply for a certificate of title under 61-3-201 and 61-3-216 and register the light vehicle under 61-3-303."
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28 NEW SECTION. Section 3. Codification instruction. [Section 1] is intended to be codified as an

1 integral part of Title 61, chapter 3, part 5, and the provisions of Title 61, chapter 3, part 5, apply to [section 1].

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COORDINATION SECTION. **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:

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"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:

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8

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

9

(b) for a class 2 vehicle, \$380.

10

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

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weight as follows:

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

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

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

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