

HOUSE BILL NO. 439

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

A BILL FOR AN ACT ENTITLED: "AN ACT ASSESSING A GROSS VEHICLE WEIGHT FEE FOR PERMANENT REGISTRATION OF ELECTRIC VEHICLES AND PLUG-IN HYBRID ELECTRIC VEHICLES; PROVIDING FOR DEPOSIT OF THE GROSS VEHICLE WEIGHT PERMANENT REGISTRATION FEE IN THE HIGHWAY RESTRICTED ACCOUNT AS PROVIDED IN ARTICLE VIII, SECTION 6, OF THE MONTANA CONSTITUTION; AMENDING SECTION 61-3-562, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

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

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 vehicle weight as follows:

- (a) for a class 1 vehicle, \$260;
- (b) for a class 2 vehicle, \$380~~75~~;
- ~~(c) for a class 3 vehicle, \$680;~~
- ~~(d) for a class 4 vehicle, \$2,200.~~

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

- (a) for a class 1 vehicle, \$140;
- (b) for a class 2 vehicle, \$200~~75~~;
- ~~(c) for a class 3 vehicle, \$420;~~
- ~~(d) for a class 4 vehicle, \$1,400.~~

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

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

Amendment - 1st Reading-white - Requested by: Denley Loge - (H) Transportation

- 2023

68th Legislature 2023

Drafter: Joe Carroll, 406-444-3804

HB0439.001.001

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.

19

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-white - Requested by: Denley Loge - (H) Transportation

- 2023

68th Legislature 2023

Drafter: Joe Carroll, 406-444-3804

HB0439.001.001

- 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."
- 27

28 NEW SECTION. Section 3. Codification instruction. [Section 1] is intended to be codified as an

Amendment - 1st Reading-white - Requested by: Denley Loge - (H) Transportation

- 2023

68th Legislature 2023

Drafter: Joe Carroll, 406-444-3804

HB0439.001.001

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

2

3 NEW SECTION. **Section 4. Effective date.** [This act] is effective January 1, 2024.

4

- END -