



ADMINISTRATIVE RULES OF MONTANA



17.50.210 MOTOR VEHICLE GRAVEYARDS

- (1) Each motor vehicle graveyard is required to be licensed, but no fee is required. The graveyard shall be operated and maintained in accordance with the requirements of this subchapter which are applicable to motor vehicle wrecking facilities.
- (2) Every motor vehicle graveyard shall maintain records on each vehicle placed in the graveyard.
 - (a) Each motor vehicle graveyard shall submit its records on each junk vehicle to the department on a quarterly basis. A form entitled "Motor Vehicle Graveyard Log Sheet" will be furnished by the department to record this information.
 - (b) A properly completed certificate of ownership, sheriff's certificate of sale, notarized bill of sale from the former owner or person selling the vehicle, release of ownership or interest in the motor vehicle, or sheriff's release must be obtained for each junk vehicle placed in a county motor vehicle graveyard. This documentation must be submitted to the department as soon as the junk vehicles are removed from the motor vehicle graveyard.
- (3) If the county contracts for the establishment, maintenance, or operation of its free motor vehicle graveyard, or for the collection of junk vehicles, a copy of the contract must be furnished to the department. Prior department approval of the contract is required. The contract shall include a provision requiring the contractor to operate the free motor vehicle graveyard in strict compliance with all applicable laws and with the provisions of this subchapter. Any failure to operate the free motor vehicle graveyard in accordance with the requirements of the law or with the requirements of this subchapter will invalidate the contract.
- (4) No salvage may be permitted from vehicles which have been released to a county junk vehicle program.
- (5) The county shall publish and adequately disseminate in the county the hours of operation and other pertinent information regarding the procedures for the collection and acceptance of junk vehicles for each motor vehicle graveyard within its boundaries. Each motor vehicle graveyard must be supervised when open to the public.
- (6) The department may require periodic reports from motor vehicle graveyards. Department representatives shall have physical access to each motor vehicle graveyard, its records, and operational procedure during reasonable hours of operation.
- (7) Junk vehicles must be placed in an orderly manner within the motor vehicle graveyard site. Stacking the junk vehicles is permissible, provided they remain shielded from public view.

- (8) If there are significant changes from the operation, establishment, location, or collection methods specified in the approved county plan, the county shall prepare and submit within six months of such change a new plan for approval by the department.

Authorizing statute(s): 75-10-503, MCA

Implementing statute(s): 75-10-503, 75-10-521, MCA

History: NEW, EMERG, Eff. 11/4/73; AMD, Eff. 5/6/76; AMD, 1992 MAR p. 1370, Eff. 6/26/92; TRANS, from DHES, 1995 MAR p. 2253.