

MINUTES

MONTANA SENATE 51st LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: By CHAIRMAN TVEIT, on FEBRUARY 28, 1989, at 1:00 p.m. in Room 410 of the State Capitol.

ROLL CALL

Members Present: SENATORS: Larry Tveit, Darryl Meyer, Hubert Abrams, Bill Farrell, Jerry Noble, Cecil Weeding, Bob Williams

Members Excused: John Harp, Lawrence Stimatz

Members Absent: None

Staff Present: Lee Heiman, Legislative Council

Announcements/Discussion: CHAIRMAN TVEIT announced the hearings on House Bill 334 and House Bill 331.

HEARING ON HOUSE BILL 334

Presentation and Opening Statement by Sponsor:

REPRESENTATIVE CONNELLY, District 8 explained the background on House Bill 334. In 1983 the County Task Force Program was established through the County Commissioners and Highway Safety Traffic Department. In 1987 the \$50 reinstatement fee was put on. There has been some misunderstanding as far as how this fee should apply. House Bill 334 is to clarify in order to get your license back you must first pay the fee. In some cases, the counties were not charging the \$50 fee. They were allowing the person to get their license back and that was not the purpose of the program. The fee was originally put on to discourage driving while drinking.

List of Testifying Proponents and What Group they Represent:

Peter Funk, Assistant Attorney General for the Department of Justice

List of Testifying Opponents and What Group They Represent:

None

Testimony:

PETER FUNK, Assistant Attorney General for the Department of Justice stated that his Department does support House Bill 334. The existing language which is proposed to be changed creates a problem. The problem is what happens when a person fails to pay the \$50 and continues to drive. The language of the statute says "the license may not be restored". So when a person is stopped while driving and they have not paid the fee, some County Attorneys are reluctant to charge them with the offense of driving while your license has been suspended or pulled.

Questions From Committee Members: None

Closing by Sponsor: REPRESENTATIVE CONNELLY closed the hearing on House Bill 334. She stated that they have had excellent results with the DUI Task Force. In Flathead the DUIs have dropped by 70%.

DISPOSITION OF HOUSE BILL 334

Discussion: Senator Harp will carry House Bill 334.

Amendments and Votes: None

Recommendation and Vote: SENATOR NOBLE MOVED that HOUSE BILL 334 BE CONCURRED IN.

MOTION PASSED UNANIMOUSLY.

HEARING ON HOUSE BILL 331Presentation and Opening Statement by Sponsor:

REPRESENTATIVE HARPER, District 44 stated that House Bill 331 was at the request of one of his constituents who will address the Committee regarding his experience. The bill changes the anniversary date for motor vehicle re-registration from the 25th of the month to the last day of the month. He explained that on the registration the expiration may be on April 30th, but a person is not in violation of the law until May 25. Since the plates say May, a person could be in violation.

List of Testifying Proponents and What Group they Represent:

Mike Thomas
Peter Funk, Assistant Attorney General for the
Department of Justice

List of Testifying Opponents and What Group They Represent:

None

Testimony:

MIKE THOMAS gave an example of his situation. He stated that he plates with a sticker that said May and he had assumed that he had a grace period. However, on the registration the date is April and a citation was issued. He stated that this bill would be very helpful.

PETER FUNK, Assistant Attorney General stated their support for House bill 331. The Justice Department has discussed this with the Motor Vehicle Division and the Registrar of Motor Vehicles and it does not appear that this change would cause any problems with the existing operation of the Division.

Questions From Committee Members: SENATOR WILLIAMS asked Mike Thomas how much the citation cost.

MIKE THOMAS stated that the fine was \$30 but was reduced to \$20.

Closing by Sponsor: REPRESENTATIVE HARPER closed the hearing on House Bill 331 stating that the date at the end of the bill is December 31, 1989. He did not feel that it would be propitious to make the change in the middle of the period.

DISPOSITION OF HOUSE BILL 331

Discussion: Senator Meyer will carry House Bill 331.

Amendments and Votes: None

Recommendation and Vote: SENATOR WEEDING MOVED that HOUSE BILL 331 BE CONCURRED IN.

MOTION PASSED UNANIMOUSLY.

ADJOURNMENT

Adjournment At: 1:30 p.m.



SENATOR LARRY TVEIT, Chairman

LT/pb

senmin.228

ROLL CALL

HIGHWAY

COMMITTEE

DATE February 28, 1989

51st

LEGISLATIVE SESSION

NAME	PRESENT	ABSENT	EXCUSED
CHAIRMAN TVEIT	✓		
VICE CHAIRMAN MEYER	✓		
SENATOR ABRAMS	✓		
SENATOR FARRELL	✓		
SENATOR WEEDING	✓		
SENATOR NOBLE	✓		
SENATOR STIMATZ			✓
SENATOR HARP			✓
SENATOR WILLIAMS	✓		

Each day attach to minutes.

SENATE STANDING COMMITTEE REPORT

February 28, 1989

MR. PRESIDENT:

We, your committee on Highways and Transportation, having had under consideration HB 334 (third reading copy -- blue), respectfully report that HB 334 be concurred in.

Sponsor: Connelly (Harp)

BE CONCURRED IN

Signed: _____
Larry J. Tveit, Chairman

*410-189
3/28
1:56 p.m.*

SENATE STANDING COMMITTEE REPORT

February 28, 1989

MR. PRESIDENT:

We, your committee on Highways and Transportation, having had under consideration HB 331 (third reading copy -- blue), respectfully report that HB 331 be concurred in.

Sponsor: Harper (Meyer)

BE CONCURRED IN

Signed: _____
Larry J. Tveit, Chairman

*Y.C.
2/28/89
P. 56 p.m.*

DATE FEBRUARY 28, 1989

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One	
			Support	Oppos
Albert Gofe	High. Traffic Safety-Justice	HB 334	X	

(Please leave prepared statement with Secretary)