

1 House BILL NO. 251
2 INTRODUCED BY Seifert

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
5 31-177, R.C.M. 1947, PROVIDING A POINT TOTAL FOR DRIVING
6 WHILE AN HABITUAL TRAFFIC OFFENDER."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 31-177, R.C.M. 1947, is amended to
10 read as follows:

11 "31-177. Definitions. As used in this act:

12 (1) "Habitual traffic offender" means any person, who,
13 within a five (5) year period, from and after passage of
14 this act, accumulates thirty (30) or more conviction points
15 according to the schedule specified in this subsection.

16 (a) driving while an habitual offender, thirty (30)
17 points;

18 (b) first or second degree murder resulting from
19 the operation of a motor vehicle, fifteen (15) points;

20 (c) voluntary or involuntary manslaughter resulting
21 from operation of a motor vehicle, twelve (12) points;

22 (d) any offenses punishable as a felony under the
23 motor vehicle laws of Montana, or any felony in the
24 commission of which a motor vehicle is used, twelve (12)
25 points;

1 ~~(e)~~ (e) driving while under the influence of
2 intoxicating liquor or narcotics or drugs of any kind, ten
3 (10) points;

4 ~~(f)~~ (f) operating a motor vehicle while his license to
5 do so has been suspended or revoked, ten (10) points;

6 ~~(g)~~ (g) failure of the driver of a motor vehicle
7 involved in an accident resulting in death or injury to any
8 person to stop at the scene of the accident and give the
9 required information and assistance, eight (8) points;

10 ~~(h)~~ (h) willful failure of the driver involved in an
11 accident resulting in property damage of two hundred fifty
12 dollars (\$250) to stop at the scene of the accident and give
13 the required information or to otherwise fail to report an
14 accident in violation of the law, four (4) points;

15 ~~(i)~~ (i) reckless driving, five (5) points;

16 ~~(j)~~ (j) illegal drag racing or engaging in a speed
17 contest in violation of the law, six (6) points;

18 ~~(k)~~ (k) operating a motor vehicle without a license to
19 do so, six (6) points, except as hereafter provided:
20 operating a motor vehicle while license has expired within a
21 period of one hundred and eighty (180) days;

22 ~~(l)~~ (l) speeding, three (3) points;

23 ~~(m)~~ (m) all other moving violations including operation
24 of a motor vehicle without a license to do so where said
25 license has expired in the previous one hundred and eighty

1 (180) days, two (2) points;

2 ~~(m)---there~~ There shall be no multiple application of
3 cumulative points when two (2) or more charges are filed
4 involving a single occurrence. If there are two (2) or more
5 convictions involving a single occurrence, only the number
6 of points for the specific conviction carrying the highest
7 points shall be chargeable against that defendant.

8 (2) "Conviction" means a finding of guilt by duly
9 constituted judicial authority, or a plea of guilty, or a
10 forfeiture of bail, bond, or other security deposited to
11 secure appearance by a person charged with having committed
12 any offense relating to the use or operation of a motor
13 vehicle which is prohibited by law, ordinance, or
14 administrative order.

15 (3) "Administrator" means the Montana highway patrol
16 chief.

17 (4) "Bureau" means the Montana highway patrol bureau.

18 (5) "License" means any and all types of licenses or
19 permits to operate a motor vehicle."

-End-

Approved by Committee
on Highways & Transportation

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22 ~~(c)~~ (d) any offenses punishable as a felony under the
23 motor vehicle laws of Montana, or any felony in the
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-End-

March 13, 1975

SENATE COMMITTEE ON HIGHWAYS AND TRANSPORTATION

AMENDMENTS TO HOUSE BILL NO. 251

That House Bill No. 251, third reading, be amended as follows:

1. Amend page 1, section 1, line 18.
Following: "(b)"
Strike: "first or second degree murder"
Insert: "deliberate homicide or mitigated deliberate homicide"
2. Amend page 1, section 1, line 20.
Following: "(c)"
Strike: "voluntary or involuntary manslaughter"
Insert: "negligent homicide"