

1 *House* BILL NO. *468*
 2 INTRODUCED BY *Kell MULAR Gillis*
 3 *By request of Dept. of Highways and Transportation*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
 5 32-2143, R.C.M. 1947, PROVIDING A PENALTY FOR RECKLESS
 6 DRIVING WHICH RESULTS FROM AN ATTEMPT TO FLEE OR ELUDE A
 7 POLICE OFFICER."
 8

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 10 Section 1. Section 32-2143, R.C.M. 1947, is amended to
 11 read as follows:

12 "32-2143. Reckless driving. (a) Any person who drives
 13 any vehicle in willful or wanton disregard for the safety of
 14 persons or property is guilty of reckless driving.

15 (b) Every person convicted of reckless driving shall
 16 be punished upon a first conviction by imprisonment for a
 17 period of not more than ninety (90) days, or by fine of not
 18 less than twenty-five dollars (\$25.00) nor more than three
 19 hundred dollars (\$300.00), or by both such fine and
 20 imprisonment, and on a second or subsequent conviction shall
 21 be punished by imprisonment for not less than ten (10) days
 22 nor more than six (6) months, or by a fine of not less than
 23 fifty dollars (\$50.00) nor more than five hundred dollars
 24 (\$500.00), or by both such fine and imprisonment.

25 (c) Each person convicted of reckless driving arising

1 from an attempt on his part to flee from or elude a police
 2 officer who was lawfully in pursuit and whose vehicle was at
 3 the time in compliance with the requirements of section
 4 32-21-132, shall be punished by imprisonment in the county
 5 or city jail for not less than ten (10) days nor more than
 6 six (6) months, to which may be added, at the discretion of
 7 the court, a fine of not less than three hundred dollars
 8 (\$300) nor more than five hundred dollars (\$500). On a
 9 second or subsequent conviction he shall be punished by
 10 imprisonment for a term of not less than thirty (30) days
 11 nor more than one (1) year to which may be added at the
 12 discretion of the court a fine of not less than five hundred
 13 dollars (\$500) nor more than one thousand dollars (\$1,000).

14 ~~(e)~~ (d) Each and every municipality in this state is
 15 hereby given authority to enact the foregoing paragraphs
 16 (a), ~~and~~ (b), and (c) of this section as an ordinance, and
 17 is hereby given jurisdiction of the enforcement of said
 18 ordinance and of the imposition of the fines and penalties
 19 therein provided."

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Approved by Committee on Judiciary

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