

1 Senate BILL NO. 106
 2 INTRODUCED BY Dumble
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
 5 31-149, R.C.M. 1947, BY STRIKING REFERENCES TO SIXTY (60)
 6 DAY REVOCATIONS FOR DRIVING WHILE INTOXICATED AND MAKING ALL
 7 REVOCATIONS FOR A PERIOD OF ONE (1) YEAR."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 10 Section 1. Section 31-149, R.C.M. 1947, is amended to
 11 read as follows:

12 "31-149. Period of suspension or revocation. (a) The
 13 board shall not suspend or revoke a driver's license or
 14 privilege to drive a motor vehicle on the public highways
 15 for a period of more than one (1) year, except as permitted
 16 under sections 31-148, 31-155, 53-424 and 53-430, R. C. M.
 17 1947.

18 (b) Any person whose license or privilege to drive a
 19 motor vehicle on the public highways has been suspended or
 20 revoked shall not be entitled to have such license or
 21 privilege renewed or restored unless the revocation was for
 22 a cause which has been removed, except that after the
 23 expiration of the period of such revocation or suspension,
 24 such person may make application for a new license as
 25 provided by law, but the board shall not then issue a new

1 license unless and until it is satisfied after investigation
 2 of character, habits, and driving ability of such person
 3 that it will be safe to grant the privilege of driving a
 4 motor vehicle on the public highways. Provided, however,
 5 when any person is convicted or forfeits bail or collateral
 6 not vacated for the offense of operating or being in actual
 7 physical control of a motor vehicle while under the
 8 influence of intoxicating liquor or narcotic drug, or
 9 knowingly or willingly under the influence of any other drug
 10 to a degree which renders him incapable of safely driving a
 11 motor vehicle or a combination thereof, the board shall,
 12 upon receiving a report of such conviction or forfeiture of
 13 bail or collateral not vacated, suspend or revoke the
 14 license or driving privilege of such person for a period of
 15 ~~sixty--(60)--days. Upon receiving a report of a conviction or~~
 16 ~~forfeiture of bail or collateral for a subsequent such~~
 17 ~~offense, within five--(5)--years thereof, the board shall~~
 18 ~~suspend or revoke the license or driving privilege of such~~
 19 ~~person for a period of one (1) year.~~

20 (c) The revocation period for all revocations made
 21 mandatory by section 31-146, R. C. M. 1947, shall be one (1)
 22 year, ~~except as provided in subsection (b) of this~~
 23 ~~section."~~

-End-

SB106