

HOUSE BILL 701

IN THE HOUSE

February 9, 1979	Introduced and referred to Committee on Judiciary.
February 15, 1979	Committee recommend bill, as amended.
February 17, 1979	Printed and placed on members' desks.
February 20, 1979	Second reading, do not pass.
	On motion, previous action reconsidered.
February 21, 1979	Second reading, as amended.
February 22, 1979	Considered correctly engrossed.
February 23, 1979	Third reading, passed.

IN THE SENATE

February 23, 1979	Introduced and referred to Committee on Judiciary.
March 12, 1979	Committee recommend bill, as amended.
March 14, 1979	Motion, pass consideration.
March 15, 1979	Second reading, indefinitely postponed.
March 16, 1979	On motion, Senate reconsider its action taken on Second reading. Motion failed.

IN THE HOUSE

March 17, 1979	Returned from Senate, indefinitely postponed.
----------------	---

House BILL NO. 701

1 INTRODUCED BY *Donald Bennett Hooper*
 2 *J. Durden Keely Curtis*

3 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A GRADUATED
 4 SYSTEM OF FINES FOR SPEEDING AND TO PROVIDE FOR THE
 5 DISPOSITION OF THE FINES COLLECTED; AMENDING SECTIONS
 6 61-8-718 AND 61-12-701, MCA."

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

9 Section 1. Section 61-8-718, MCA, is amended to read:
 10
 11 "61-8-718. Penalty for violation of conservation speed
 12 limit. (1) A person violating the speed limit imposed
 13 pursuant to 61-8-304 is guilty of the offense of unnecessary
 14 waste of a resource currently in short supply and upon
 15 conviction shall be fined:

16 (a) \$5 for speeds greater than the speed limit but
 17 less than or equal to 5 miles per hour in excess of the
 18 speed limit;

19 (b) \$15 for speeds greater than 5 miles per hour but
 20 less than or equal to 10 miles per hour in excess of the
 21 speed limit; and

22 (c) \$25 for speeds greater than 10 miles per hour in
 23 excess of the speed limit.

24 (2) end--no jail sentence may be imposed. Bond for
 25 this offense shall be \$5 is an amount equal to the fine.

1
 2 (2) For the purpose of this section only, the fees
 3 of the justice court shall be \$4 to be remitted as set forth
 4 in 3-10-603(3).

5 (a) That portion of any fine collected under
 6 subsection (1) not otherwise allocated by law shall be paid
 7 into the state highway account in the earmarked revenue
fund.

8 Section 2. Section 61-12-701, MCA, is amended to read:

9
 10 "61-12-701. Highway patrol -- fees -- fines and
 11 forfeitures. (1) All fees, fines, and forfeitures collected
 12 in any court from persons apprehended or arrested by
 13 patrolmen for violation of the laws and regulations relating
 14 to the use of state highways and the operation of vehicles
 15 thereon must be paid to the state treasurer and by him
 16 credited to the general fund of the state, except for that
 17 portion of the fines as provided in 20-7-504 which shall be
 18 paid into the automobile driver education account in the
 19 earmarked revenue funds, and except for fines collected under
 61-8-718.

20 (2) At the time of payment of any such fee, fine, or
 21 forfeiture there shall be filed with the state treasurer a
 22 complete statement showing the total of the fees, fines, or
 23 forfeitures received or incurred, which statement shall give
 24 the title of the court and cause and be subscribed to by the
 25 person or officer making such payments."

-End-
 -2-

HB 701
 INTRODUCED BILL

Approved by Committee
on Judiciary

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 61-8-718, MCA, is amended to read:

12 "61-8-718. Penalty for violation of conservation speed

13 limit. (1) A person violating the speed limit imposed

14 pursuant to 61-8-304 is guilty of the offense of unnecessary

15 waste of a resource currently in short supply and upon

16 conviction shall be fined:

17 fail 45 \$10 for speeds greater than the speed limit but
18 less than or equal to 5 10 miles per hour in excess of the
19 speed limit;

161 \$12 for speeds greater than 5 10 miles per
hour but less than or equal to 18 20 miles per hour in
excess of the speed limit; and

23 (c) \$25 \$40 for speeds greater than 10 20 miles per
24 hour in excess of the speed limit.

25 121 and no no jail sentence may be imposed. Bond for

1 this offense shall be 65 is an amount equal to the fine.

2 ~~27131~~ For the purpose of this section only, the fees

3 of the justice court shall be \$4 to be remitted as set forth

4 in 3-10-603(3).

5 (4) That portion of any fine collected under

6 subsection (1) not otherwise allocated by law shall be paid

7 into the state highway account in the earmarked revenue

8 funds."

9 Section 2. Section 61-12-701, MCA, is amended to read:

10 "61-12-701. Highway patrol -- fees -- fines and

11 forfeitures. (1) All fees, fines, and forfeitures collected

12 in any court from persons apprehended or arrested by

13 patrolmen for violation of the laws and regulations relating

14 to the use of state highways and the operation of vehicles

15 thereon must be paid to the state treasurer and by him

16 credited to the general fund of the state, except for that

17 portion of the fines as provided in 20-7-504 which shall be

18 paid into the automobile driver education account in the

19 earmarked revenue funds, and except for fines collected under

20 61-8-718.

21 (2) At the time of payment of any such fee, fine, or
22 forfeiture there shall be filed with the state treasurer a
23 complete statement showing the total of the fees, fines, or
24 forfeitures received or incurred, which statement shall give
25 the title of the court and cause and be subscribed to by the

1 person or officer making such payments."

-End-

HOUSE BILL NO. 701

INTRODUCED BY ROSENTHAL, BENNETT, HARPER,
BERTELSEN, KEEDY, CURTISS

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A GRADUATED
6 SYSTEM OF FINES FOR SPEEDING AND TO PROVIDE FOR THE
7 DISPOSITION OF THE FINES COLLECTED; AMENDING SECTIONS
8 61-8-718 AND 61-12-701, MCA."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 61-8-718, MCA, is amended to read:

12 "61-8-718. Penalty for violation of conservation speed

13 limit. (1) A person violating the speed limit imposed

14 pursuant to 61-8-304 is guilty of the offense of unnecessary

15 waste of a resource currently in short supply and upon

16 conviction shall be fined;

17 if \$5 \$18 if for speeds greater than the speed limit
18 but less than or equal to 5 10 miles per hour in excess of
19 the speed limit;

161 \$15 \$20 \$10 for speeds greater than 5 10 miles per
hour but less than or equal to 19 20 miles per hour in
excess of the speed limit; and

23 (c) \$25 \$40 for speeds greater than 10 20 miles per
24 hour in excess of the speed limit.

25 121 and no No jail sentence may be imposed. Bond For

1 this offense shall be \$5 is an amount equal to the fine.

2 **t27131** For the purpose of this section only, the fees
3 of the justice court shall be \$4 to be remitted as set forth
4 in 3-10-603(3).

5 14) That portion of any fine collected under
6 subsection 111 not otherwise allocated by law shall be paid
7 into the state highway account in the earmarked revenue
8 funds."

Section 2. Section 61-12-701, MCA, is amended to read:
"61-12-701. Highway patrol -- fees -- fines and
forfeitures. (1) All fees, fines, and forfeitures collected
in any court from persons apprehended or arrested by
patrolmen for violation of the laws and regulations relating
to the use of state highways and the operation of vehicles
thereon must be paid to the state treasurer and by him
credited to the general fund of the state, except for that
portion of the fines as provided in 20-7-504 which shall be
paid into the automobile driver education account in the
earmarked revenue fund, and except for fines collected under
61-8-718.

HB 0701/03

1 person or officer making such payments."

-End-

March 12, 1979

SENATE STANDING COMMITTEE REPORT
(Judiciary)

That House Bill No. 701 be amended as follows:

1. Title, lines 6 and 7.

Strike: "AND TO PROVIDE FOR THE DISPOSITION OF THE FINES
COLLECTED"

2. Title, line 7,

Following: "AMENDING"

Strike: "SECTIONS"

Insert: "SECTION"

3. Title, line 8.

Strike: "AND 61-12-701"

4. Page 1, line 17.

Following: "\$10"

Strike: "\$5" —

Insert: "\$6"

5. Page 1, line 20.

Following: "\$20"

Strike: "\$10"

Insert: "\$15"

6. Page 2, lines 5 through 8.

Strike: subsection (4) in its entirety

7. Page 2, line 9 through line 1 on page 3.

Strike: section 2 in its entirety