

CHAPTER NO. 173.

SENATE BILL NO. 98

INTRODUCED BY HAZELBAKER

BY REQUEST OF THE ATTORNEY GENERAL

IN THE SENATE

January 15, 1979

Introduced and referred to  
Committee on Highways and  
Transportation.

January 24, 1979

Committee recommend bill  
do pass and be placed on  
Consent Calendar. Report  
adopted.

January 25, 1979

Printed and placed on members' desks.

January 27, 1979

### Consent Calendar discussion.

January 29, 1979

Consent Calendar, do pass.  
Transmitted to second house.

## IN THE HOUSE

January 30, 1979

Introduced and referred to  
Committee on Highways and  
Transportation.

March 2, 1979

Committee recommend bill  
be concurred in. Report  
adopted.

March 3, 1979

Second reading, concurred in.

March 6, 1979

Third reading, concurred in.

IN THE SENATE

March 7, 1979

Returned from second house.  
Concurred in. Sent to  
enrolling.

Reported correctly enrolled.

1 *Asota* BILL NO. 98  
2 INTRODUCED BY Refford  
3 BY REQUEST OF THE ATTORNEY GENERAL

4  
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION  
6 61-5-106 TO ALLOW STUDENTS WHO HAVE COMPLETED DRIVER  
7 EDUCATION TO OBTAIN AN INSTRUCTION PERMIT."

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

10 Section 1. Section 61-5-106, MCA, is amended to read:  
11 "61-5-106. Instruction and traffic education permits  
12 and temporary licenses. (1) Any person satisfying the age  
13 requirements specified in 61-5-105(1) may apply to the  
14 division for an instruction permit. The division may in its  
15 discretion, after the applicant has successfully passed all  
16 parts of the examination other than the driving test, issue  
17 to the applicant an instruction permit which shall entitle  
18 the applicant, while having such permit in his immediate  
19 possession, to drive a motor vehicle upon the public  
20 highways for a period of 6 months when accompanied by a  
21 licensed operator or chauffeur who is occupying a seat  
22 beside the driver. In addition, the division may issue such  
23 an instruction permit to any person who is at least 14 1/2  
24 years of age and who has successfully completed or is  
25 successfully participating in a traffic education course

1 approved by the division and the superintendent of public  
2 instruction. Any instruction permit so issued shall be  
3 restricted to the operation of a motor vehicle only when  
4 accompanied by an approved instructor or licensed parent or  
5 guardian and may be further restricted to specific times  
6 and/or areas.

7 (2) The division upon receiving proper application may  
8 in its discretion issue a traffic education permit effective  
9 for a school year or more restricted period to an applicant  
10 who is enrolled in a traffic education program approved by  
11 the division even though the applicant has not reached the  
12 legal age to be eligible for an operator's license. Such  
13 permit shall entitle the permittee when he has such a permit  
14 in his immediate possession to operate only on a designated  
15 highway or within a designated area a motor vehicle only  
16 when an approved instructor is occupying a seat beside the  
17 permittee or a motorcycle only when under the immediate and  
18 proximate supervision of an approved instructor.

19 (3) The division may in its discretion issue a  
20 temporary driver's permit to an applicant for an operator's  
21 license permitting him to operate a motor vehicle while the  
22 division is completing its investigation and determination  
23 of all facts relative to such applicant's right to receive  
24 an operator's license. Such permit must be in his immediate  
25 possession while operating a motor vehicle, and it shall be

LC 0363/01

1 invalid when the applicant's license has been issued or for  
2 good cause has been refused."

-End-

Approved by Committee  
on Highways & Transportation

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*SB 98*  
CONSENT CALENDAR

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**SB 0098/02**

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