

House Bill 337

In The House

January 19, 1981	Introduced and referred to Committee on Judiciary.
February 7, 1981	Committee recommend bill do pass as amended.
February 9, 1981	Bill printed and placed on members' desks.
February 10, 1981	Second reading do not pass.

1 HOUSE BILL NO. 337  
2 INTRODUCED BY Kendall Harrington D-1  
3 BY REQUEST OF THE DEPARTMENT OF HIGHWAYS Parmenter

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE GOVERNMENT  
6 PERSONNEL TO ARREST FOR VIOLATIONS OF MOTOR VEHICLE  
7 REGISTRATION, SPECIAL MOBILE EQUIPMENT, AND SPECIAL FUEL TAX  
8 LAWS, AND FOR RESISTING ARREST AND OBSTRUCTING A PEACE  
9 OFFICER; AND TO CLARIFY THEIR AUTHORITY TO ARREST FOR  
10 VIOLATIONS OF MOTOR CARRIER LAWS; AMENDING SECTIONS  
11 61-12-206 AND 69-12-203, MCA."

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

14                   Section 1. Section 69-12-203, MCA, is amended to read:  
15                   "69-12-203. Supervisor of motor carriers. (1) The  
16 commission shall appoint a supervisor of motor carriers who  
17 shall have general responsibility to the commission for  
18 enforcement of the provisions of this chapter. The  
19 supervisor shall be either an attorney admitted to practice  
20 law in Montana or a person qualified by at least 5 years of  
21 suitable experience and training in appropriate phases of  
22 the motor carrier industry. He shall serve at the pleasure  
23 of the commission and at an annual salary to be set by the  
24 commission.

25 (2) The supervisor shall direct all enforcement

1 activities in behalf of the commission, including the  
2 investigation and prosecution of violations of this chapter,  
3 as amended, or the rules or orders prescribed thereunder by  
4 the commission. In directing enforcement activities, the  
5 supervisor shall coordinate with the highway patrol and the  
6 department of highways as set forth in 61-10-141a.

19 Section 2. Section 61-12-206, MCA, is amended to read:

20       \*61-12-206. Offenses for which arrest authorized. (1)  
21 Employees appointed under 61-12-2J1 may make arrests for  
22 violations of the following statutory provisions only:

23 (a) part 1, chapter 10, of this title;  
24 (b) part 3, chapter 4, of this title;  
25 (c) sections 15-24-201 through 15-24-205;

1       (d) sections 15-70-302 through 15-70-307;  
2       (e) sections 15-70-311 through 15-70-314;  
3       (f) title 15, chapter 7;  
4       (g) section 45-7-301;  
5       (h) section 45-7-302;  
6       (i) section 61-3-301;  
7       (j) section 61-3-332;  
8       (k) section 61-3-431;  
9       (l) section 61-3-434;  
10      (m) section 61-3-502(1);  
11      (n) sections 61-4-114 through 61-4-116;  
12      (o) sections 61-10-201 through 61-10-215;  
13      (p) sections 61-10-222 through 61-10-224;  
14      (q) sections 61-10-231 through 61-10-233;  
15      (r) title 69, chapter 12.  
16      (2) These employees may not arrest for violations  
17      other than specified in this section."

-End-

Approved by Committee  
on Judiciary

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

14                   Section 1. Section 69-12-203, MCA, is amended to read:

15                   "69-12-203. Supervisor of motor carriers. (1) The

16 commission shall appoint a supervisor of motor carriers who

17 shall have general responsibility to the commission for

18 enforcement of the provisions of this chapter. The

19 supervisor shall be either an attorney admitted to practice

20 law in Montana or a person qualified by at least 5 years of

21 suitable experience and training in appropriate phases of

22 the motor carrier industry. He shall serve at the pleasure

23 of the commission and at an annual salary to be set by the

(2) The supervisor shall direct all enforcement

1 activities in behalf of the commission, including the  
2 investigation and prosecution of violations of this chapter,  
3 as amended, or the rules or orders prescribed thereunder by  
4 the commission. In directing enforcement activities, the  
5 supervisor shall coordinate with the highway patrol and the  
6 department of highways as set forth in 61-10-141.

19                   Section 2. Section 61-12-206, MCA, is amended to read:

20                   "61-12-206. Offenses for which arrest authorized. (1)

21 Employees appointed under 61-12-201 may make arrests for

22 violations of the following statutory provisions only:

23                   (a) part 1, chapter 10, of this title;

24                   (b) part 3, chapter 4, of this title;

25                   (c) sections 15-24-201 through 15-24-205;

1       101. SECTION 15-24-1001;  
2       101E sections 15-70-302 through 15-70-307;  
3       101F sections 15-70-311 through 15-70-314;  
4       101G Title 15, chapter 7;  
5       101H section 45-7-301;  
6       101I section 45-7-302;  
7       101J section 61-3-301;  
8       101K section 61-3-332;  
9       101L section 61-3-431;  
10       101M section 61-3-434;  
11       101N section 61-3-502(1);  
12       101O sections 61-4-114 through 61-4-116;  
13       101P sections 61-10-201 through 61-10-215;  
14       101Q sections 61-10-222 through 61-10-224;  
15       101R sections 61-10-231 through 61-10-233;  
16       101S Title 69, chapter 12.  
17       (2) These employees may not arrest for violations  
18       other than specified in this section."

-End-