

House Bill 440

In The House

January 23, 1981	Introduced and referred to Committee on Judiciary.
January 26, 1981	Fiscal note requested.
January 29, 1981	Fiscal note returned.
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 pass consideration until 356h legislative day.
February 13, 1981	Second reading pass consideration until 37th legislative day.
February 16, 1981	Second reading do pass as amended.
February 17, 1981	Correctly engrossed.
February 18, 1981	Third reading passed.

In The Senate

February 19, 1981	Introduced and referred to Committee on Highways and Transportation.
March 20, 1981	Committee recommend bill concurred.
March 21, 1981	On motion taken from Bill and Journals and referred to second reading March 25, 1981. Motion adopted.
March 25, 1981	Second reading indefinitely postponed.

In The House

March 26, 1981	Returned from Senate indefinitely postponed.
----------------	--

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A GRADUATED
6 SYSTEM OF FINES FOR VIOLATION OF THE CONSERVATION SPECIES
7 LIMIT; AMENDING SECTION 61-8-718, MCA."

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

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

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 if \$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;

22 (c) \$50 for speeds greater than 15 miles per hour in
23 excess of the speed limit.

24 121 end--no in jail sentence may be imposed. bond for
25 this offense shall be \$4 is an amount equal to the fine.

1 ~~for the purpose of this section only, the fees~~
2 of the justice's court shall be ~~the-balance-of-the-fine-not~~
3 otherwise-allocated-by-law-and-shall ~~be~~ ~~to~~ be remitted as
4 set forth in 3-10-603(3)."

-End-

STATE OF MONTANA

REQUEST NO. 222-81

FISCAL NOTE

Form BD-15

1-27-81

In compliance with a written request received 1-27-81, 1981, there is hereby submitted a Fiscal Note for HB 440 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

DESCRIPTION:

House Bill 440 is an act to provide a graduated system of fines for violation of the conservation speed limit; amending section 61-8-718, MCA.

ASSUMPTIONS:

There would be no expenditure impact by the passage of this bill. Revenue may increase, but cannot be calculated. Presently 75 to 80 thousand citations are issued annually for violation of the conservation speed limit. Upon enactment of this bill, the Department of Justice would expect an undetermined drop in the violations.

FISCAL IMPACT:

Revenue may increase but amount cannot be calculated. The revenue from these fines is now distributed as follows:

74% to Justice Court for costs
20% to Traffic Education Fund
6% to Crime Victims Compensation Account

Daniel M. Lewis

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-29-81

47th Legislature

HB 0440/02

Approved by Committee
on Judiciary

1 HOUSE BILL NO. 440
2 INTRODUCED BY JENSEN, KEYSER, RYAN
3 BY REQUEST OF THE DEPARTMENT OF JUSTICE
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A GRADUATED
6 SYSTEM OF FINES FOR VIOLATION OF THE CONSERVATION SPEED
7 LIMIT; AMENDING SECTION 61-8-718, MCA."

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

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

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 ~~\$10~~ for speeds greater than the speed limit~~

17 ~~but less than or equal to 5 10 miles per hour in excess of~~

18 ~~the speed limit;~~

19 ~~(b) \$25 for speeds greater than 5 10 miles per hour in~~

20 ~~excess of the speed limit but less than or equal to 5 20~~

21 ~~miles per hour in excess of the speed limit; and~~

22 ~~(c) \$50 for speeds greater than 5 20 miles per hour~~

23 ~~in excess of the speed limit.~~

24 (2) and--no no jail sentence may be imposed. Bond for

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

1 ~~t27(3)~~ For the purpose of this--section SUBSECTION
2 ~~(1)(A)~~ only, the fees of the justice's court shall be the
3 balance-of-the-fine-not-otherwise-allocated-by-law-and-shall
4 \$4-to THE BALANCE OF THE FINE NOT OTHERWISE ALLOCATED BY LAW
5 AND SHALL be remitted as set forth in 3-10-603(3)."

-End-

- 2 -

HB 440

SECOND READING

HOUSE BILL NO. 440

INTRODUCED BY JENSEN, KEYSER, RYAN
REQUEST OF THE DEPARTMENT OF JUSTICE

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO PROVIDE A GRADUATED
6 SYSTEM OF FINES FOR VIOLATION OF THE CONSERVATION SPEED
7 LIMIT; AMENDING SECTION 61-8-718, MCA."

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

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

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 if the speed is less than or equal to 5 10 miles per hour in excess of
17 but less than or equal to 5 10 miles per hour in excess of
18 the speed limit;

19 (b) \$25 \$15 for speeds greater than 5 10 miles per
20 hour in excess of the speed limit but less than or equal to
21 15 20 miles per hour in excess of the speed limit; and

22 (c) \$50 for speeds greater than ~~15~~ 20 miles per hour
23 in excess of the speed limit.

24 [2] and no No jail sentence may be imposed. Bond for
25 this offense ~~shall-be-\$5~~ is an amount equal to the fine.

1 ~~t27(3)~~ For the purpose of this--section SUBSECTION
2 {1}(A) only, the fees of the justice's court shall be the
3 balance-of-the-fine-not-otherwise-allocated-by-law-and-shall
4 54-to THE BALANCE OF THE FINE NOT OTHERWISE ALLOCATED BY LAW
5 AND SHALL be remitted as set forth in 3-10-603(3)."}

-End-