House Bill 785

In The House

February 16, 1981	Introduced and referred to Committee on Judiciary.
February 24, 1981	Committee recommend bill do not pass.

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LC 2349/01

1 <u>HOUSE</u> BILL NO. <u>785</u> Factors 2 INTRODUCED BY <u>COMM</u> <u>Curter</u> <u>SPILK ER</u> <u>DUSSE</u> 4457 3 <u>Bengton</u> M^c & one <u>Profile</u> <u>Bob Prove</u> <u>Berglok</u> 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE HABITUAL 5 OFFENDERS OF THE PROHIBITION AGAINST DRIVING UNDER THE 6 INFLUENCE OF ALCOHOL OR DRUGS TO DISPLAY A RED WARNING 7 MARKER WHILE DRIVING A VEHICLE."

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

10 Section 1. Identification of habitual DWI offender. A 11 person convicted three or more times of a violation of 12 61-8-401 is required to display a detachable red marker 4 13 inches in diameter inside both the windshield and the rear window of any motor vehicle operated by him. The marker must 14 15 be visible in order to alert other motorists that the driver is an habitual offender of the prohibition against driving 16 17 under the influence of alcohol or drugs.

18 Section 2. Red markers provided by division of motor 19 vehicles. The division of motor vehicles shall provide red 20 markers to an offender pursuant to [section 1] when his driver's license is reinstated. The division shall note on 21 22 the license as a restriction that red markers must be 23 displayed whenever the licensee operates a vehicle within a 24 period of 4 years following reissuance of the driver's 25 license. The division may charge the recipient of the red

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1 markers the cost of providing the markers but not to exceed

2 \$1 per marker.

3 Section 3. Penalty for failure to display red marker. 4 A person violating the requirements of [section 1] is quilty 5 of a misdemeanor and upon conviction shall be punished by imprisonment in the county jail for not less than 10 days or 6 7 more than 30 days and by a fine not to exceed \$500. 8 Notwithstanding any provision to the contrary, the 9 imposition or execution of the first 10 days of the jail 10 sentence may not be deferred or suspended.

 Section 4. Codification instruction. This act is
intended to be codified as an integral part of Title 61,
chapter 8, and the provisions of Title 61 apply to this act. -End-

> -2- INTRODUCED BILL HB785