

HOUSE BILL NO. 210

Introduced: 01/13/83

Referred to Committee on Judiciary: 01/13/83

Hearing: 1/24/84

Report: 01/25/83, Do Pass, As Amended

2nd Reading: 01/27/83, Do Pass, As Amended

3rd Reading: 01/29/83, Do Pass

transmitted to Senate: 1/29/83

Referred to Committee on Judiciary: 01/31/83

Hearing: 3/2/83

Died in Senate committee

1 ~~House~~ BILL NO. 210
2 INTRODUCED BY Paul R. Pistoria
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING PRESENTATION
5 OF A VALID INSURANCE CARD FOR REGISTRATION OF A MOTOR
6 VEHICLE AND SUSPENSION OF DRIVER'S LICENSE FOR CERTAIN
7 OFFENSES; AMENDING SECTIONS 61-6-302 AND 61-6-304, MCA."
8

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

10 Section 1. Section 61-6-302, MCA, is amended to read:

11 "61-6-302. Proof of compliance. (1) Except as provided
12 in subsection (2), before any applicant required to register
13 his motor vehicle may do so, the applicant must:

14 (a) certify to the county treasurer that he possesses
15 an automobile liability insurance policy, a certificate of
16 self-insurance, or a posted indemnity bond or that he is
17 eligible for an exemption under 61-6-303 covering the motor
18 vehicle; and

19 ~~(b) display the currently valid insurance card issued~~
20 ~~pursuant to subsection (5) for the motor vehicle being~~
21 ~~registered.~~

22 (2) The certification ~~required by subsection (1)(a)~~
23 shall be on a form prescribed by the division of motor
24 vehicles. The division may immediately cancel the
25 registration and license plates of the vehicle upon

1 notification that the insurance certification was not
2 correctly represented. Any person who intentionally provides
3 false information on an insurance certification is guilty of
4 unsworn falsification to authorities, punishable as provided
5 in 45-7-203.

6 ~~(2)(3)~~ An applicant for registration of an automobile
7 or a truck having a rated capacity of three-quarters of a
8 ton or less, who wishes to register the vehicle by mail
9 must:

10 (a) sign a statement on the application stating that
11 the applicant is in compliance with the financial liability
12 requirements of 61-6-301; and

13 ~~(b) attach a legible photocopy of the insurance card~~
14 ~~issued pursuant to subsection (5) for the motor vehicle~~
15 ~~being registered.~~

16 ~~(3)(4)~~ An owner of a motor vehicle who ceases to
17 maintain the insurance or bond required or whose certificate
18 of self-insurance is canceled or whose vehicle ceases to be
19 exempt shall immediately surrender the registration and
20 license plates for the vehicle to the county treasurer for
21 delivery to the division and may not operate or permit
22 operation of the vehicle in Montana until insurance has
23 again been furnished as required and the vehicle is again
24 registered and licensed.

25 ~~(4)(5)~~ Every person shall carry in a motor vehicle

1 being operated by him an insurance card approved by the
 2 division but issued by the insurance carrier to the motor
 3 vehicle owner as proof of compliance with 61-6-301. A motor
 4 vehicle operator shall exhibit the insurance card upon
 5 demand of a justice of the peace, a peace officer, a highway
 6 patrolman, or a field deputy or inspector of the division.
 7 However, no person charged with violating this subsection
 8 may be convicted if he produces in court or the office of
 9 the arresting officer proof of insurance valid at the time
 10 of his arrest."

11 Section 2. Section 61-6-304, MCA, is amended to read:

12 "61-6-304. Penalties ~~-- proof of financial~~
 13 ~~responsibility.~~ (1) It is unlawful for any person to
 14 operate a motor vehicle upon highways, streets, or roadways
 15 of this state without a valid policy of liability insurance
 16 in effect in an amount not less than that provided in
 17 61-6-301 or unless such person has been issued a certificate
 18 of self-insurance pursuant to 61-6-143 or has previously
 19 posted an indemnity bond with the division of motor vehicles
 20 as provided by 61-6-301 or is operating a vehicle exempt
 21 under 61-6-303. A violation of 61-6-301 through 61-6-304 is
 22 a misdemeanor punishable by a fine not to exceed \$250.

23 ~~(2) The division, upon receiving a record of~~
 24 ~~conviction or forfeiture of bail, not vacated, for an~~
 25 ~~offense under this part, shall within 20 days suspend the~~

1 ~~driver's license or nonresident operating privilege of the~~
 2 ~~person convicted;~~
 3 ~~(a) for 1 year; or~~
 4 ~~(b) until such person gives and thereafter maintains~~
 5 ~~with the division for 1 year proof of financial~~
 6 ~~responsibility as provided in 61-6-132."~~

-End-

Approved by Committee
on Judiciary

HOUSE BILL NO. 210
INTRODUCED BY PISTORIA

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OF--A--VALID--INSURANCE--CARD--FOR--REGISTRATION--OF--A--MOTOR
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provided in subsection (2), before any applicant required to
register his motor vehicle may do so, the applicant must:

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an automobile liability insurance policy, a certificate of
self-insurance, or a posted indemnity bond--or--that--he--is
eligible--for--an--exemption--under--61-6-303--covering--the--motor
vehicle; and

(b) display the currently valid insurance card issued
pursuant--to--subsection--(5)--for--the--motor--vehicle--being
registered.

(2) The certification required by subsection (1)(a)
shall be on a form prescribed by the division of motor
vehicles--the--division--may--immediately--cancel--the

registration--and--license--plates--of--the--vehicle--upon
notification--that--the--insurance--certification--was--not
correctly represented. Any person who intentionally provides
false information on an insurance certification is guilty of
unsworn falsification to authorities, punishable as provided
in 45-7-203.

(2)(2) An applicant for registration of an automobile
or a truck having a rated capacity of three-quarters of a
ton or less, who wishes to register the vehicle by mail
must:

(a) sign a statement on the application stating that
the applicant is in compliance with the financial liability
requirements of 61-6-301 and

(b) attach a legible photocopy of the insurance card
issued pursuant to subsection (5) for the motor vehicle
being registered.

(3)(1) An owner of a motor vehicle who ceases to
maintain the insurance or bond required or whose certificate
of self-insurance is canceled or whose vehicle ceases to be
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license plates for the vehicle to the county treasurer for
delivery to the division and may not operate or permit
operation of the vehicle in Montana until insurance has
again been furnished as required and the vehicle is again
registered and licensed.

~~{4}{5}--Every--person--shall--carry--in--a--motor--vehicle
being--operated--by--him--an--insurance--card--approved--by--the
division--but--issued--by--the--insurance--carrier--to--the--motor
vehicle--owner--as--proof--of--compliance--with--61-6-302. A--motor
vehicle--operator--shall--exhibit--the--insurance--card--upon
demand--of--a--justice--of--the--peace--a--peace--officer--a--highway
patrolman--or--a--field--deputy--or--inspector--of--the--division.
However--no--person--charged--with--violating--this--subsection
may--be--convicted--if--he--produces--in--court--or--the--office--of
the--arresting--officer--proof--of--insurance--valid--at--the--time
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Section 1. Section 61-6-304, MCA, is amended to read:

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operate a motor vehicle upon highways, streets, or roadways
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in effect in an amount not less than that provided in
61-6-301 or unless such person has been issued a certificate
of self-insurance pursuant to 61-6-143 or has previously
posted an indemnity bond with the division of motor vehicles
as provided by 61-6-301 or is operating a vehicle exempt
under 61-6-303. A violation of 61-6-301 through 61-6-304 is
a misdemeanor punishable by a fine not to exceed \$250.

~~(2) The division, upon receiving a record of
conviction or forfeiture of bail, not vacated, for an~~

~~offense under this part, shall within 20 days suspend the
driver's license or nonresident operating privilege of the
person convicted;~~

~~(a) for 1 year; or~~

~~(b) until such person gives and thereafter maintains
with IQ the division for--a--year proof of financial
responsibility as provided in 61-6-132. PROOF OF FINANCIAL
RESPONSIBILITY MUST BE MAINTAINED WITH THE DIVISION FOR 1
YEAR AND FAILURE TO DO SO SHALL RESULT IN SUSPENSION FOR THE
REMAINDER OF THAT YEAR."~~

-End-

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 10 ~~REMAINDER OF THAT YEAR. IF HE FAILS TO MAINTAIN PROOF OF~~
 11 ~~FINANCIAL RESPONSIBILITY DURING THAT YEAR, THE DIVISION~~
 12 ~~SHALL NOTIFY HIM BY CERTIFIED MAIL THAT IT INTENDS TO~~
 13 ~~SUSPEND HIS DRIVER'S LICENSE FOR THE REMAINDER OF THE YEAR.~~
 14 ~~IF HE DOES NOT FURNISH THE DIVISION WITH SUCH PROOF WITHIN~~
 15 ~~10 DAYS OF RECEIVING THE NOTICE OF INTENT TO SUSPEND, THE~~
 16 ~~DIVISION SHALL SUSPEND HIS DRIVER'S LICENSE FOR THE~~
 17 ~~REMAINDER OF THE YEAR."~~

-End-