

HOUSE BILL NO. 246

INTRODUCED BY CONNELLY, PECK, BACHINI, MCCORMICK

BY REQUEST OF THE DEPARTMENT OF JUSTICE,  
MOTOR VEHICLE DIVISION

IN THE HOUSE

January 18, 1985	Introduced and referred to Committee on Judiciary.
January 24, 1985	Committee recommend bill do pass. Report adopted.  Bill printed and placed on members' desks.
January 26, 1985	Second reading, do pass.
January 28, 1985	Considered correctly engrossed.
January 29, 1985	Third reading, passed. Ayes, 97; Noes, 3.  Transmitted to Senate.

IN THE SENATE

January 30, 1985	Introduced and referred to Committee on Judiciary.
March 6, 1985	Committee recommend bill be concurrent in. Report adopted.
March 7, 1985	Second reading, concurred in.
March 9, 1985	Third reading, concurred in. Ayes, 48; Noes, 0  Returned to House.

IN THE HOUSE

March 11, 1985

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.







## 1 HOUSE BILL NO. 246

2 INTRODUCED BY CONNELLY, PECK, BACHINI, MCCORMICK

3 BY REQUEST OF THE DEPARTMENT OF JUSTICE,

4 MOTOR VEHICLE DIVISION

5  
6 A BILL FOR AN ACT ENTITLED: "AN ACT PERMITTING THE SEIZURE  
7 OF A DRIVER'S LICENSE BY THE COURT ON CONVICTION REQUIRING  
8 MANDATORY SUSPENSION; AMENDING SECTION 61-11-101, MCA."9  
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 Section 1. Section 61-11-101, MCA, is amended to read:

12 "61-11-101. Report of convictions and suspension or  
13 revocation of driver's licenses -- surrender of licenses.14 (1) Whenever any person is convicted of any offense for  
15 which chapter 5 makes mandatory the suspension or revocation  
16 of the operator's or chauffeur's license of such person by  
17 the division, the court in which such conviction is had  
18 shall require the surrender to it of all operator's and  
19 chauffeur's licenses then held by the person so convicted.  
20 The court shall thereupon, within 5 days, forward the  
21 license to the division and at the same time forward a  
22 record of such conviction to the division, providing that if  
23 such person does not possess a driver's license the court  
24 shall so indicate in its report to the division.

25 (2) Every court having jurisdiction over offenses

1 committed under any act of this state or municipal ordinance  
2 regulating the operation of motor vehicles on highways shall  
3 forward, within 5 days, to the division a record of the  
4 conviction or forfeiture of bail, not vacated, of any person  
5 in the court for a violation of any such laws, other than  
6 regulations governing standing or parking, and may recommend  
7 the suspension of the operator's or chauffeur's license of  
8 the person so convicted. The court may also recommend that  
9 the division issue a restricted probationary license in lieu  
10 of the suspension required in 61-5-208(2) on the condition  
11 that the individual attend a driver improvement school or an  
12 alcohol treatment program if one is available. The division  
13 shall issue a restricted probationary license unless the  
14 person otherwise is not entitled to a Montana operator's or  
15 chauffeur's license.16 (3) Any court or other agency of this state, or a  
17 subdivision thereof, which has jurisdiction to take any  
18 action suspending, revoking, or otherwise limiting a license  
19 to drive shall report any such action and the adjudication  
20 upon which it is based to the division within 5 days on  
21 forms furnished by the division."

-End-

REFERENCE BILL

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