HOUSE BILL NO. 726

2/08	Introduced
2/08	Referred to Judiciary
2/19	Hearing
2/19	Committee Report-Bill Do Pass
2/21	2nd Reading Pass As Amended
2/22	3rd Reading Pass

Transmitted to Senate

- 3/04 Referred to Judiciary
 3/11 Hearing
 3/13 Adverse Committee Report
 3/13 Bill Killed

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LC 1454/01

INTRODUCED BY 1 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING DISTRICT 4 5 COURTS AUTHORITY TO AUTHORIZE THE ISSUANCE OF A RESTRICTED 6 PROBATIONARY DRIVER'S LICENSE TO A PERSON ON HIS FIRST REFUSAL TO SUBMIT TO A CHEMICAL TEST FOR DETERMINING THE 7 ALCOHOLIC CONTENT OF HIS BLOOD; PROVIDING THAT A VIOLATION 8 OF THE TERMS OF SUCH LICENSE IS PUNISHABLE IN THE SAME 9 MANNER AS A THIRD CONVICTION FOR DRIVING UNDER THE INFLUENCE 10 OF ALCOHOL OR DRUGS: AMENDING SECTIONS 61-5-206, 61-8-402, 11 AND 61-8-403, MCA; AND PROVIDING AN EFFECTIVE DATE." 12 13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 14 15 Section 1. Section 61-5-206, MCA, is amended to read: "61-5-206. Authority of division to suspend license or 16 driving privilege or issue probationary license. (1) The 17 division is hereby authorized to suspend the license or 18 19 driving privilege of an operator or chauffeur without preliminary hearing upon a showing by its records or other 20 21 sufficient evidence that the licensee: 22 (a) has been involved as a driver in any accident resulting in the death or personal injury of another or 23 24 serious property damage; 25 (b) has been convicted with such frequency of serious Nontana Legislative Council

offenses against traffic regulations governing the movement 1 of vehicles as to indicate a disrespect for traffic laws and 2 З a disregard for the safety of other persons on the highways; (c) is an habitually reckless or negligent driver of a 4 5 motor vehicle: (d) is incompetent to drive a motor vehicle; 6 (e) has permitted an unlawful or fraudulent use of 7 such license as specified in 61-5-302; 8 (f) has committed an offense in another state which if 9 committed in this state would be grounds for suspension or 10 11 revocation; or 12 (g) has falsified his date of birth on his application 13 for a driver's license. (2) However, the division shall if ordered by a court 14 or may, in its discretion, and in lieu of such suspension of 15 license or driving privilege, issue a probationary license 16 to an operator or chauffeur, without preliminary hearing, 17 18 upon a showing by its records or other sufficient evidence 19 that the licensee's driving record is such as would authorize suspension as provided in subsection (1) hereof. 20 21 Jpon issuance of a probationary license the licensee shall be subject to the restrictions set forth thereon. The 22 licensee's driving privilege may be suspended upon 23 conviction or forfeiture of bail not vacated of any traffic 24 violation during the period of such probation. The licensee 25

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shall surrender to the division all driver licenses
 theretofore issued to him before such probationary licenses
 shall be issued. His refusal or neglect to surrender such
 licenses, upon demand, shall be ground for suspending all
 such licenses. Probationary licenses may be issued for a
 period not to exceed 12 months.

7 (3) Upon suspending the license of any person or upon 8 placing such person on probation, as hereinbefore in this section authorized, the division shall immediately notify 9 10 the licensee in writing and upon his request shall afford him an opportunity for a hearing as early as practical 11 12 within not to exceed 20 days after receipt of such request 13 in the county wherein the licensee resides unless the division and the licensee agree that such hearing may be 14 held in some other county. Upon such hearing the division 15 16 through its duly authorized agent may administer oaths and may issue subpoenas for the attendance of witnesses and the 17 production of relevant books and papers and may require a 18 19 reeximination of the licensee. Upon such hearing the division shall either rescind its order of suspension or 20 21 probation, or, good cause appearing therefor, may affirm, 22 reduce, or extend the period of probation or suspension of 23 such license.

24 (4) The provisions of subsection (3) do not apply to a
25 probationary license ordered to be issued by a district

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1 court pursuant to 61-8-403(2)."

2 Section 2. Section 61-8-402, MCA, is amended to read: 3 "61-8-402. Chemical blood, breath, or urine tests. (1) Any person who operates a motor vehicle upon ways of this 4 5 state open to the public shall be deemed to have given б consent, subject to the provisions of 61-8-401, to a 7 chemical test of his blood, breath, or urine for the purpose 8 of determining the alcoholic content of his blood if 9 arrested by a peace officer for driving or in actual 10 physical control of a motor vehicle while under the 11 influence of alcohol. The test shall be administered at the 12 direction of a peace officer having reasonable grounds to believe the person to have been driving or in actual 13 physical control of a motor vehicle upon ways of this state 14 15 open to the public while under the influence of alcohol. The 16 arresting officer may designate which one of the aforesaid 17 tests shall be administered.

18 (2) Any person who is unconscious or who is otherwise
19 in a condition rendering him incapable of refusal shall be
20 deemed not to have withdrawn the consent provided by
21 subsection (1) of this section.

22 (3) If a resident driver under arrest refuses upon the 23 request of a peace officer to submit to a chemical test 24 designated by the arresting officer as provided in 25 subsection (1) of this section, none shall be given, but the

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1 officer shall, on behalf of the division, immediately seize his driver's license. The peace officer shall forward the 2 3 license to the division, along with a sworn report that he had reasonable grounds to believe the arrested person had 4 been driving or was in actual physical control of a motor 5 vehicle upon ways of this state open to the public, while 6 7 under the influence of alcohol and that the person had 8 refused to submit to the test upon the request of the peace 9 officer. Upon receipt of the report, the division shall 10 suspend the license for the period provided in subsection 11 (5).

12 (4) Upon seizure of a resident driver's license, the 13 peace officer shall issue, on behalf of the division, a 14 temporary driving permit, which is valid for 72 hours after 15 the time of issuance.

16 (5) The following suspension and revocation periods17 are applicable upon refusal to submit to a chemical test:

(a) upon a first refusal, a suspension of 90 days with
no provision for a restricted probationary license, <u>unless</u>
ordered by a court pursuant to 61-8-403(2);

(b) upon a second or subsequent refusal within 5 years of a previous refusal, as determined from the records of the division, a revocation of 1 year with no provision for a restricted probationary license.

25 (6) Like refusal by a nonresident shall be subject to

suspension by the division in like manner, and the same
 temporary driving permit shall be issued to nonresidents.

3 (7) All such suspensions are subject to review as
4 hereinafter provided."

5 Section 3. Section 61-8-403, MCA, is amended to read: 6 "61-8-403. Right of appeal to court -- probationary 7 license -- penalty. (1) The division shall immediately 8 notify any person whose license or privilege to drive has 9 been suspended or revoked, as hereinbefore authorized, in writing and such person shall have the right to file a 10 petition within 30 days thereafter for a hearing in the 11 12 matter in the district court in the county wherein such person resides or in the district court in the county in 13 14 which this arrest was made. Such court is hereby vested with 15 jurisdiction and it shall be its duty to set the matter for hearing upon 10 days' written notice to the county attorney 16 17 of the county wherein the appeal is filed and such county 18 attorney shall represent the state, and thereupon the court 19 shall take testimony and examine into the facts of the case, 20 except that the issues shall be limited to whether a peace officer had reasonable grounds to believe the person had 21 22 been driving or was in actual physical control of a vehicle upon ways of this state open to the public, while under the 23 24 influence of alcohol, whether the person was placed under 25 arrest, and whether such person refused to submit to the

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test. The court shall thereupon determine whether the
 petitioner is entitled to a license or is subject to
 suspension as heretofore provided.

4 (2) (a) A person whose license is suspended pursuant 5 to 61-8-402 for a first refusal to submit to a chemical test 6 for the purpose of determining the alcoholic content of his 7 blood may apply to the district court in the county where he 8 resides for an order directing the division to issue a 9 restricted probationary license to him. If the court finds 10 that the petitioner will abide by the terms of a restricted 11 probationary license and that the public will be adequately 12 protected, it may order the division to issue such a 13 license. The court may direct the division to impose such restrictions on the probationary license as it considers 14 15 proper.

16 (b) A person who is found guilty of violating the 17 terms of a restricted probationary license issued pursuant 18 to subraction (2)(a) shall be punished as provided for in 19 61-8-114(3).

20 (c) The time limits provided in subsection (1) apply
21 to an appeal under this subsection (2)."

<u>NEW SECTION.</u> Section 4. Extension of authority. Any
existing authority of the division of motor vehicles to make
rules on the subject of the provisions of this act is
extended to the provisions of this act.

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1 NEW SECTION. Section 5. Effective date. This act is 2 effective on passage by the legislature, approval by the 3 governor, and receipt by the secretary of state of a written certificate of approval from the U.S. department of 4 transportation. The secretary of state shall attach a copy 5 6 of the certificate to the enrolled bill enacting this act 7 and send a copy of the certificate to the department of justice, division of motor vehicles, and the code 8 9 commissioner.

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APPROVED BY COMMITTEE ON JUDICIARY

1 2 INTRODUCED BY 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING DISTRICT

5 COURTS AUTHORITY TO AUTHORIZE THE ISSUANCE OF A RESTRICTED PROBATIONARY DRIVER'S LICENSE TO A PERSON ON HIS FIRST 6 REFUSAL TO SUBMIT TO A CHEMICAL TEST FOR DETERMINING THE 7 ALCOHOLIC CONTENT OF HIS BLOOD; PROVIDING THAT A VIOLATION 8 OF THE TERMS OF SUCH LICENSE IS PUNISHABLE IN THE SAME 9 MANNER AS A THIRD CONVICTION FOR DRIVING UNDER THE INFLUENCE 10 11 OF ALCOHOL OR DRUGS: AMENDING SECTIONS 61-5-206, 61-8-402, AND 61-8-403, MCA; AND PROVIDING AN EFFECTIVE DATE." 12

13

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

15 Section 1. Section 61-5-206, MCA, is amended to read: 16 "61-5-206. Authority of division to suspend license or 17 driving privilege or issue probationary license. (1) The 18 division is hereby authorized to suspend the license or 19 driving privilege of an operator or chauffeur without 20 preliminary hearing upon a showing by its records or other 21 sufficient evidence that the licensee:

(a) has been involved as a driver in any accident
resulting in the death or personal injury of another or
serious property damage;

25 (b) has been convicted with such frequency of serious

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offenses against traffic regulations governing the movement 1 of vehicles as to indicate a disrespect for traffic laws and 2 a disregard for the safety of other persons on the highways; 3 4 (c) is an habitually reckless or negligent driver of a 5 motor vehicle; (d) is incompetent to drive a motor vehicle; 6 7 (e) has permitted an unlawful or fraudulent use of such license as specified in 61-5-302; 8 9 (f) has committed an offense in another state which if committed in this state would be grounds for suspension or 10 11 revocation: or 12 (g) has falsified his date of birth on his application for a driver's license. 13 (2) However, the division shall if ordered by a court 14 or may, in its discretion, and in lieu of such suspension of 15 license or driving privilege, issue a probationary license 16 17 to an operator or chauffeur, without preliminary hearing, 18 upon a showing by its records or other sufficient evidence that the licensee's driving record is such as would 19 authorize suspension as provided in subsection (1) hereof. 20 Upon issuance of a probationary license the licensee shall 21 be subject to the restrictions set forth thereon. The 22 23 licensee's driving privilege may be suspended upon 24 conviction or forfeiture of bail not vacated of any traffic violation during the period of such probation. The licensee 25

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shall surrender to the division all driver licenses
 theretofore issued to him before such probationary licenses
 shall be issued. His refusal or neglect to surrender such
 licenses, upon demand, shall be ground for suspending all
 such licenses. Probationary licenses may be issued for a
 period not to exceed 12 months.

7 (3) Upon suspending the license of any person or upon placing such person on probation, as hereinbefore in this 8 section authorized, the division shall immediately notify 9 the licensee in writing and upon his request shall afford 10 him an opportunity for a hearing as early as practical 11 12 within not to exceed 20 days after receipt of such request 13 in the county wherein the licensee resides unless the division and the licensee agree that such hearing may be 14 held in some other county. Upon such hearing the division 15 16 through its duly authorized agent may administer oaths and may issue subpoenas for the attendance of witnesses and the 17 production of relevant books and papers and may require a 18 19 reexamination of the licensee. Upon such hearing the division shall either rescind its order of suspension or 20 21 probation, or, good cause appearing therefor, may affirm, 22 reduce, or extend the period of probation or suspension of such license. 23

24 (4) The provisions of subsection (3) do not apply to a
25 probationary license ordered to be issued by a district

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1 court pursuant to 61-8-403(2)."

2 Section 2. Section 61-8-402, MCA, is amended to read: 3 "61-8-402. Chemical blood, breath, or urine tests. (1) Any person who operates a motor vehicle upon ways of this 4 5 state open to the public shall be deemed to have given 6 consent, subject to the provisions of 61-8-401, to a 7 chemical test of his blood, breath, or urine for the purpose 8 of determining the alcoholic content of his blood if 9 arrested by a peace officer for driving or in actual 10 physical control of a motor vehicle while under the 11 influence of alcohol, The test shall be administered at the 12 direction of a peace officer having reasonable grounds to 13 believe the person to have been driving or in actual 14 physical control of a motor vehicle upon ways of this state open to the public while under the influence of alcohol. The 15 16 arresting officer may designate which one of the aforesaid tests shall be administered. 17

(2) Any person who is unconscious or who is otherwise
in a condition rendering him incapable of refusal shall be
deemed not to have withdrawn the consent provided by
subsection (1) of this section.

(3) If a resident driver under arrest refuses upon the request of a peace officer to submit to a chemical test designated by the arresting officer as provided in subsection (1) of this section, none shall be given, but the

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officer shall, on behalf of the division, immediately seize 1 2 his driver's license. The peace officer shall forward the 3 license to the division, along with a sworn report that he 4 had reasonable grounds to believe the arrested person had 5 been driving or was in actual physical control of a motor 6 vehicle upon ways of this state open to the public, while 7 under the influence of alcohol and that the person had refused to submit to the test upon the request of the peace 8 officer. Upon receipt of the report, the division shall 9 suspend the license for the period provided in subsection 10 (5). 11

12 (4) Upon seizure of a resident driver's license, the
13 peace officer shall issue, on behalf of the division, a
14 temporary driving permit, which is valid for 72 hours after
15 the time of issuance.

16 (5) The following suspension and revocation periods17 are applicable upon refusal to submit to a chemical test:

(a) upon a first refusal, a suspension of 90 days with
no provision for a restricted probationary license, unless
ordered by a court pursuant to 61-8-403(2);

(b) upon a second or subsequent refusal within 5 years
of a previous refusal, as determined from the records of the
division, a revocation of 1 year with no provision for a
restricted probationary license.

25 (6) Like refusal by a nonresident shall be subject to

suspension by the division in like manner, and the same
 temporary driving permit shall be issued to nonresidents.

3 (7) All such suspensions are subject to review as
4 hereinafter provided."

Section 3. Section 61-8-403, MCA, is amended to read: 5 б "61-8-403. Right of appeal to court -- probationary 7 license -- penalty, (1) The division shall immediately notify any person whose license or privilege to drive has 8 been suspended or revoked, as hereinbefore authorized, in 9 writing and such person shall have the right to file a 10 11 petition within 30 days thereafter for a hearing in the 12 matter in the district court in the county wherein such 13 person resides or in the district court in the county in 14 which this arrest was made. Such court is hereby vested with 15 jurisdiction and it shall be its duty to set the matter for hearing upon 10 days' written notice to the county attorney 16 17 of the county wherein the appeal is filed and such county 18 attorney shall represent the state, and thereupon the court 19 shall take testimony and examine into the facts of the case, except that the issues shall be limited to whether a peace 20 21 officer had reasonable grounds to believe the person had been driving or was in actual physical control of a vehicle 22 23 upon ways of this state open to the public, while under the 24 influence of alcohol, whether the person was placed under 25 arrest, and whether such person refused to submit to the

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test. The court shall thereupon determine whether the
 petitioner is entitled to a license or is subject to
 suspension as heretofore provided.

4 (2) (a) A person whose license is suspended pursuant 5 to 61-8-402 for a first refusal to submit to a chemical test 6 for the purpose of determining the alcoholic content of his 7 blood may apply to the district court in the county where he 8 resides for an order directing the division to issue a restricted probationary license to him. If the court finds 9 10 that the petitioner will abide by the terms of a restricted probationary license and that the public will be adequately 11 protected, it may order the division to issue such a 12 license. The court may direct the division to impose such 13 14 restrictions on the probationary license as it considers 15 proper. 16 (b) A person who is found quilty of violating the

15 <u>(b)</u> in person who is round gailey of violating the 17 <u>terms of a restricted probationary license</u> issued pursuant 18 <u>to subsection (2)(a) shall be punished as provided for in</u>

19 61-8-714(3).

20 (c) The time limits provided in subsection (1) apply
21 to an appeal under this subsection (2)."

22 <u>NEW SECTION.</u> Section 4. Extension of authority. Any 23 existing authority of the division of motor vehicles to make 24 rules on the subject of the provisions of this act is 25 extended to the provisions of this act. 1 NEW SECTION. Section 5. Effective date. This act is 2 effective on passage by the legislature, approval by the 3 governor, and receipt by the secretary of state of a written certificate of approval from the U.S. department of 4 5 transportation. The secretary of state shall attach a copy 6 of the certificate to the enrolled bill enacting this act 7 and send a copy of the certificate to the department of 8 justice, division of motor vehicles, and the code commissioner. q

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HOUSE BILL NO. 726 1 INTRODUCED BY GOULD 2 3 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING DISTRICT 4 COURTS AUTHORITY TO AUTHORIZE THE ISSUANCE OF A RESTRICTED 5 PROBATIONARY DRIVER'S LICENSE TO A PERSON ON HIS FIRST 6 REFUSAL TO SUBMIT TO A CHEMICAL TEST FOR DETERMINING THE 7 ALCOHOLIC CONTENT OF HIS BLOOD; PROVIDING THAT A VIOLATION 8 OF THE TERMS OF SUCH LICENSE IS PUNISHABLE IN THE SAME 9 MANNER AS A THIRD CONVICTION FOR DRIVING UNDER THE INFLUENCE 10 OF ALCOHOL OR DRUGS; AMENDING SECTIONS 61-5-2067 61-8-4027 11 AND 61-8-403, MCA; AND PROVIDING AN EFFECTIVE DATE." 12 13

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 14 Section-1---Section--61-5-2067-MCAy-is-amended-to-read: 15 #61-5-206---Authority-of-division-to-suspend-license-or 16 17 division--is--hereby--authorized--to--suspend-the-license-or 18 driving--privilege--of--an--operator--or--chauffeur--without 19 preliminary--hearing--upon-a-showing-by-its-records-or-other 20 sufficient-evidence-that-the-licensee: 21

22 (a)--has-been-involved-as--a--driver--in--any--accident 23 resulting--in--the--death--or--personal-injury-of-another-or 24 serious-property-damage;

25 (b)--has-been-convicted-with-such-frequency-of--serious

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1	offensesagainst-traffic-regulations-governing-the-movement
2	of-vehicles-as-to-indicate-a-disrespect-for-traffic-laws-and
3	a-disregard-for-the-safety-of-other-persons-on-the-highways;
4	<pre>{c}is-an-habitually-reckless-or-negligent-driver-of-a</pre>
5	motor-vehicle;
6	{d}is-incompetent-to-drive-a-motor-vehicle;
7	te;has-permitted-an-unlawfulorfraudulentuseof
8	such-license-as-specified-in-61-5-3027
9	(f)has-committed-an-offense-in-another-state-which-if
10	committedinthis-state-would-be-grounds-for-suspension-or
11	revocation;-or
12	(g)has-falsified-his-date-of-birth-on-his-application
13	for-a-driver's-license.
14	(2) However;-the-division <u>shall-if-ordered-by-acourt</u>
15	or may,-in-its-discretion,-and-in-lieu-of-such-suspension-of
16	licenseordriving-privilege;-issue-a-probationary-license
17	to-an-operator-or-chauffeur;withoutpreliminaryhearing;
18	uponashowing-by-its-records-or-other-sufficient-evidence
19	thatthelicensee'sdrivingrecordissuchaswould
20	authorizesuspensionas-provided-in-subsection-(1)-hereof.
21	Upon-issuance-of-a-probationary-license-thelicenseeshall
**	
22	besubjecttotherestrictionssetforththereonThe
	besubjecttotherestrictionssetforththereonThe licensee'sdrivingprivilegemaybesuspendedupon
22	

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HB 726 THIRD READING

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1 shall---surrender---to--the--division--all--driver--licenses
2 theretofore-issued-to-him-before-such--probationary--license
3 shall--be--issued---His-refusal-or-neglect-to-surrender-such
4 licenses_-upon-demandy-shall-be-ground--for--suspending--all
5 such--licenses----Probationary--licenses-may-be-issued-for-a
6 period-not-to-exceed-l2-months-

+3+--Bpon-suspending-the-license-of-any-person-or--upon 7 8 placing--such--person-on-probation7-as-hereinbefore-in-this section-authorized;-the-division--shall--immediately--notify 9 the--licensee--in--writing-and-upon-his-request-shall-afford 10 11 him-an-opportunity-for--a--hearing--as--early--as--practical within--not--to-exceed-20-days-after-receipt-of-such-request 12 13 in-the--county--wherein--the--licensee--resides--unless--the division--and--the--licensee--agree-that-such-hearing-may-be 14 held-in-some-other-county:--Upon-such-hearing--the--division 15 through--its--duly-authorized-agent-may-administer-oaths-and 16 17 may-issue-subpoenas-for-the-attendance-of-witnesses-and--the 18 production--of--relevant--books-and-papers-and-may-require-a reexamination--of--the--licensee---Upon--such--hearing---the 19 division--shall--either--rescind--its-order-of-suspension-or 20 21 probationy-ory-good-cause-appearing--therefory--may--affirmy 22 reducer--or--extend-the-period-of-probation-or-suspension-of such-licenser 23

24 <u>(4)--The-provisions-of-subsection-(3)-do-not-apply-to-a</u>
 25 probationary-license-ordered-to--be--issued--by--a--district

court-pursuant-to-61-8-483(2)-

1

Section 1. Section 61-8-402, MCA, is amended to read: 2 3 "61-8-402, Chemical blood, breath, or urine tests. (1) Any person who operates a motor vehicle upon ways of this 4 state open to the public shall be deemed to have given 5 consent, subject to the provisions of 61-8-401, to a 6 chemical test of his blood, breath, or urine for the purpose 7 of determining the alcoholic content of his blood if 8 arrested by a peace officer for driving or in actual 9 10 physical control of a motor vehicle while under the 11 influence of alcohol. The test shall be administered at the direction of a peace officer having reasonable grounds to 12 believe the person to have been driving or in actual 13 14 physical control of a motor vehicle upon ways of this state 15 open to the public while under the influence of alcohol. The arresting officer may designate which one of the aforesaid 16 17 tests shall be administered.

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restricted probationary license.

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2 temporary driving permit shall be issued to nonresidents.

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test. The court shall thereupon determine whether the
 petitioner is entitled to a license or is subject to
 suspension as heretofore provided.

(2) (a) A person whose license is suspended pursuant 4 to 61-8-402 for a first refusal to submit to a chemical test 5 for the purpose of determining the alcoholic content of his 6 7 blood may apply to the district court in the county where he resides for an order directing the division to issue a 8 9 restricted probationary license to him. If the court finds 10 that the petitioner will abide by the terms of a restricted probationary license and that the public will be adequately 11 protected, it may order the division to issue such a 12 license. The court may direct the division to impose such 13 restrictions on the probationary license as it considers 14 15 proper.

(b) A person who is found guilty of violating the
 terms of a restricted probationary license issued pursuant
 to subsection (2)(a) shall be punished as provided for in
 61-8-714(3).

20 (c) The time limits provided in subsection (1) apply
21 to an appeal under this subsection (2)."

22 <u>NEW SECTION.</u> Section 3. Extension of authority. Any 23 existing authority of the division of motor vehicles to make 24 rules on the subject of the provisions of this act is 25 extended to the provisions of this act.

NEW SECTION. Section 4. Effective date. This act is 1 effective on passage by the legislature, approval by the 2 governor, and receipt by the secretary of state of a written 3 4 certificate of approval from the U.S. department of 5 transportation. The secretary of state shall attach a copy of the certificate to the enrolled bill enacting this act 6 and send a copy of the certificate to the department of 7 justice, division of motor vehicles, and the code commissioner. q

-End-