

HOUSE BILL NO. 747

INTRODUCED BY PHILLIPS, CHRISTIAENS, JACK MOORE,
MILLER, PATTERSON

IN THE HOUSE

February 9, 1985	Introduced and referred to Committee on State Administration.
February 20, 1985	Committee recommend bill do pass. Report adopted. Bill printed and placed on members' desks.
February 22, 1985	Second reading, do pass. Considered correctly engrossed.
February 23, 1985	Third reading, passed. Transmitted to Senate.

IN THE SENATE

March 4, 1985	Introduced and referred to Committee on Highways and Transportation.
March 28, 1985	Committee recommend bill be concurred in. Report adopted.
March 29, 1985	On motion, rules temporarily suspended in order that all bills considered on second reading on the 70th Legislative Day advance to third reading that same day.

April 1, 1985

Second reading, concurred in.

Third reading, concurred in.
Ayes, 50; Noes, 0.

Returned to House.

IN THE HOUSE

April 2, 1985

Received from Senate.

Sent to enrolling.

Reported correctly enrolled.

1 HOUSE BILL NO. 747
 2 INTRODUCED BY Phillipi Christians
 3 Phillipi Christians

4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
 5 61-5-104, MCA, TO EXTEND THE EXEMPTION FROM THE REQUIREMENT
 6 TO POSSESS A MONTANA DRIVER'S LICENSE TO CERTAIN PERSONS
 7 ASSOCIATED WITH THE ARMED FORCES OF THE UNITED STATES."
 8

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

10 Section 1. Section 61-5-104, MCA, is amended to read:
 11 "61-5-104. Exemptions. (1) The following persons are
 12 exempt from license hereunder:

13 (a) any person who is a member of the armed forces of
 14 the United States while operating a motor vehicle owned by
 15 or leased to the United States government and being operated
 16 on official business;

17 (b) any person who is a member of the armed forces of
 18 the United States on active duty in Montana who holds a
 19 valid license issued by another state and the spouse of such
 20 a person who holds a valid license issued by another state
 21 and who is not employed in Montana except as a member of the
 22 armed forces; if a spouse of a member of the armed forces
 23 becomes gainfully employed in Montana, such spouse must be
 24 licensed as required by 61-5-102 within 90 days of becoming
 25 so employed;

1 (c) any person on active duty in the armed forces of
 2 the United States who has in his immediate possession a
 3 valid license issued in a foreign country by the armed
 4 forces of the United States, for a period of 45 days from
 5 the date of his return to the United States;

6 ~~(b)~~(d) any person while driving or operating any road
 7 machine, farm tractor, or implement of husbandry temporarily
 8 operated or moved on a highway.

9 (2) A nonresident who is at least 15 years of age and
 10 who has in his immediate possession a valid operator's
 11 license issued to him in his home state or country may
 12 operate a motor vehicle in this state only as an operator.

13 (3) A nonresident who is at least 18 years of age and
 14 who has in his immediate possession a valid chauffeur's
 15 license issued to him in his home state or country may
 16 operate a motor vehicle in this state either as an operator
 17 or chauffeur subject to the age limits applicable to
 18 chauffeurs in this state.

19 (4) Any nonresident who is at least 18 years of age,
 20 whose home state or country does not require the licensing
 21 of operators, may operate a motor vehicle as an operator
 22 only, for a period of not more than 90 days in any calendar
 23 year, if the motor vehicle so operated is duly registered in
 24 the home state or country of such nonresident.

25 (5) A driver's license issued hereunder to any person



1 who enters the United States armed forces, if valid and in
2 force and effect at the time such person enters the service,
3 shall continue in full force and effect so long as such
4 service shall continue unless such license is sooner
5 suspended, revoked, or canceled for a cause as provided by
6 law, and for not to exceed 30 days following the date on
7 which holder of such driver's license is honorably separated
8 from such service. During said 30-day period, such license
9 shall be valid only when in the immediate possession of the
10 licensee while driving and the licensee has his discharge,
11 separation, leave, or furlough papers in his immediate
12 possession."

-End-

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

1 HOUSE BILL NO. 747
2 INTRODUCED BY *Phillip Christiansen*
3 *for*

4 A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION
5 61-5-104, MCA, TO EXTEND THE EXEMPTION FROM THE REQUIREMENT
6 TO POSSESS A MONTANA DRIVER'S LICENSE TO CERTAIN PERSONS
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14 the United States while operating a motor vehicle owned by
15 or leased to the United States government and being operated
16 on official business;

17 (b) any person who is a member of the armed forces of
18 the United States on active duty in Montana who holds a
19 valid license issued by another state and the spouse of such
20 a person who holds a valid license issued by another state
21 and who is not employed in Montana except as a member of the
22 armed forces; if a spouse of a member of the armed forces
23 becomes gainfully employed in Montana, such spouse must be
24 licensed as required by 61-5-102 within 90 days of becoming
25 so employed;

1 (c) any person on active duty in the armed forces of
2 the United States who has in his immediate possession a
3 valid license issued in a foreign country by the armed
4 forces of the United States, for a period of 45 days from
5 the date of his return to the United States;

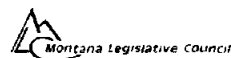
6 (b)(d) any person while driving or operating any road
7 machine, farm tractor, or implement of husbandry temporarily
8 operated or moved on a highway.

9 (2) A nonresident who is at least 15 years of age and
10 who has in his immediate possession a valid operator's
11 license issued to him in his home state or country may
12 operate a motor vehicle in this state only as an operator.

13 (3) A nonresident who is at least 18 years of age and
14 who has in his immediate possession a valid chauffeur's
15 license issued to him in his home state or country may
16 operate a motor vehicle in this state either as an operator
17 or chauffeur subject to the age limits applicable to
18 chauffeurs in this state.

19 (4) Any nonresident who is at least 18 years of age,
20 whose home state or country does not require the licensing
21 of operators, may operate a motor vehicle as an operator
22 only, for a period of not more than 90 days in any calendar
23 year, if the motor vehicle so operated is duly registered in
24 the home state or country of such nonresident.

25 (5) A driver's license issued hereunder to any person



1 who enters the United States armed forces, if valid and in
2 force and effect at the time such person enters the service,
3 shall continue in full force and effect so long as such
4 service shall continue unless such license is sooner
5 suspended, revoked, or canceled for a cause as provided by
6 law, and for not to exceed 30 days following the date on
7 which holder of such driver's license is honorably separated
8 from such service. During said 30-day period, such license
9 shall be valid only when in the immediate possession of the
10 licensee while driving and the licensee has his discharge,
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-End-

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INTRODUCED BY HOUSE BILL NO. 747
Phillipi Christiana Moore

A BILL FOR AN ACT ENTITLED: "AN ACT AMENDING SECTION 61-5-104, MCA, TO EXTEND THE EXEMPTION FROM THE REQUIREMENT TO POSSESS A MONTANA DRIVER'S LICENSE TO CERTAIN PERSONS ASSOCIATED WITH THE ARMED FORCES OF THE UNITED STATES."

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

Section 1. Section 61-5-104, MCA, is amended to read:

"61-5-104. Exemptions. (1) The following persons are exempt from license hereunder:

(a) any person who is a member of the armed forces of the United States while operating a motor vehicle owned by or leased to the United States government and being operated on official business;

(b) any person who is a member of the armed forces of the United States on active duty in Montana who holds a valid license issued by another state and the spouse of such a person who holds a valid license issued by another state and who is not employed in Montana except as a member of the armed forces; if a spouse of a member of the armed forces becomes gainfully employed in Montana, such spouse must be licensed as required by 61-5-102 within 90 days of becoming so employed;

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(c) any person on active duty in the armed forces of the United States who has in his immediate possession a valid license issued in a foreign country by the armed forces of the United States, for a period of 45 days from the date of his return to the United States;

~~(b)~~(d) any person while driving or operating any road machine, farm tractor, or implement of husbandry temporarily operated or moved on a highway.

(2) A nonresident who is at least 15 years of age and who has in his immediate possession a valid operator's license issued to him in his home state or country may operate a motor vehicle in this state only as an operator.

(3) A nonresident who is at least 18 years of age and who has in his immediate possession a valid chauffeur's license issued to him in his home state or country may operate a motor vehicle in this state either as an operator or chauffeur subject to the age limits applicable to chauffeurs in this state.

(4) Any nonresident who is at least 18 years of age, whose home state or country does not require the licensing of operators, may operate a motor vehicle as an operator only, for a period of not more than 90 days in any calendar year, if the motor vehicle so operated is duly registered in the home state or country of such nonresident.

(5) A driver's license issued hereunder to any person



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