

SENATE BILL NO. 292

INTRODUCED BY NEUMAN, STIMATZ,
H. HAMMOND, ANDERSON, COBB, HARP

BY REQUEST OF THE DEPARTMENT OF JUSTICE,
DIVISION OF MOTOR VEHICLES

IN THE SENATE

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| February 1, 1985 | Introduced and referred to Committee on Judiciary. |
| February 15, 1985 | Committee recommend bill do pass. Report adopted. |
| February 16, 1985 | Bill printed and placed on members' desks. |
| February 18, 1985 | Second reading, do pass. |
| February 19, 1985 | Considered correctly engrossed. |
| February 20, 1985 | Third reading, passed. Ayes, 49; Noes, 0. Transmitted to House. |

IN THE HOUSE

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| February 27, 1985 | Introduced and referred to Committee on Judiciary. |
| March 15, 1985 | Committee recommend bill be concurrent in. Report adopted. |
| March 19, 1985 | Second reading, concurred in. |
| March 21, 1985 | Third reading, concurred in. Returned to Senate. |

IN THE SENATE

March 21, 1985

Received from House.

Sent to enrolling.

Reported correctly enrolled.

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 2 INTRODUCED BY *Senate* BILL NO. *292*
Neuman *Stacy* *W. Hammond*
 3 BY REQUEST OF THE DEPARTMENT OF JUSTICE, *Anderson* *Cobb*
 4 DIVISION OF MOTOR VEHICLES *Harif*

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 6 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING AND CLARIFYING
 7 THE MANDATORY LIABILITY PROTECTION LAW; AMENDING SECTIONS
 8 61-6-102, 61-6-303, AND 61-6-304, MCA; AND PROVIDING AN
 9 IMMEDIATE EFFECTIVE DATE."

10
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 61-6-102, MCA, is amended to read:

13 "61-6-102. Definitions. The following words and
 14 phrases, when used in this part, have the meanings
 15 respectively ascribed to them in this section except in
 16 those instances where the context clearly indicates a
 17 different meaning:

18 (1) "Judgment" means any judgment that has become
 19 final by expiration without appeal of the time within which
 20 an appeal might have been perfected or by final affirmation
 21 on appeal rendered by a court of competent jurisdiction of
 22 any state or of the United States upon a cause of action
 23 arising out of the ownership, maintenance, or use of any
 24 motor vehicle, for damages, including damages for care and
 25 loss of services, because of bodily injury to or death of

1 any person or for damages because of injury to or
 2 destruction of property, including the loss of use thereof,
 3 or upon a cause of action on an agreement of settlement for
 4 such damages.

5 (2) "License" means any license, temporary instruction
 6 permit, or temporary license issued under the laws of this
 7 state pertaining to the licensing of persons to operate
 8 motor vehicles.

9 (3) "Nonresident's operating privilege" means the
 10 privilege conferred upon a nonresident by the laws of this
 11 state pertaining to the operation by him of a motor vehicle
 12 or the use of a motor vehicle owned by him in this state.

13 (4) "Proof of financial responsibility" means proof of
 14 ability to respond in damages for liability on account of
 15 accidents occurring subsequent to the effective date of said
 16 proof, arising out of the ownership, maintenance, or use of
 17 a motor vehicle.

18 (5) "State" means any state, territory, or possession
 19 of the United States, the District of Columbia, or any
 20 province of the Dominion of Canada.

21 (6) "Ways of this state open to the public" means any
 22 highway, road, alley, lane, parking area, or other public or
 23 private place adapted and fitted for public travel and in
 24 common use by the public."

25 Section 2. Section 61-6-303, MCA, is amended to read:

1 "61-6-303. Exempt vehicles. The following vehicles and
2 their drivers are exempt from the provisions of 61-6-301:

3 (1) a vehicle owned by the United States government or
4 any state or political subdivision;

5 (2) a vehicle for which cash, securities, or a bond
6 has been deposited or filed with the division upon such
7 terms and conditions providing the same benefits available
8 under a required motor vehicle liability insurance policy;

9 (3) a vehicle owned by a self-insurer certified as
10 provided in 61-6-143;

11 (4) an implement of husbandry or special mobile
12 equipment that is only incidentally operated on a highway or
13 property open to use by the public;

14 (5) a vehicle operated upon a highway only for the
15 purpose of crossing such highway from one property to
16 another;

17 (6) a commercial vehicle registered or proportionally
18 registered in this and any other jurisdiction provided that
19 vehicle is covered by a motor vehicle liability insurance
20 policy complying with the laws of another jurisdiction in
21 which it is registered;

22 (7) a motorcycle;

23 (8) a vehicle moved solely by human or animal power;

24 (9) a vehicle owned by a nonresident if it is
25 currently registered in the owner's resident jurisdiction

1 and he is in compliance with the motor vehicle liability
2 insurance requirements, if any, of that jurisdiction."

3 Section 3. Section 61-6-304, MCA, is amended to read:

4 "61-6-304. Penalties. It is unlawful for any person to
5 operate a motor vehicle upon highways, streets, or roadways
6 ways of this state open to the public without a valid policy
7 of liability insurance in effect in an amount not less than
8 that provided in 61-6-301 or unless such person has been
9 issued a certificate of self-insurance pursuant to 61-6-143
10 or has previously posted an indemnity bond with the division
11 of motor vehicles as provided by 61-6-301 or is operating a
12 vehicle exempt under 61-6-303. A violation of 61-6-301
13 through 61-6-304 is a misdemeanor punishable by a fine not
14 to exceed \$250."

15 NEW SECTION. Section 4. Extension of authority. Any
16 existing authority of the division of motor vehicles to make
17 rules on the subject of the provisions of this act is
18 extended to the provisions of this act.

19 NEW SECTION. Section 5. Effective date. This act is
20 effective on passage and approval.

-End-

APPROVED BY COMMITTEE
ON JUDICIARY

1 Senate BILL NO. 292
2 INTRODUCED BY Neuman, Stansbury, Hammond, Anderson, Cobb
3 BY REQUEST OF THE DEPARTMENT OF JUSTICE, Harris
4 DIVISION OF MOTOR VEHICLES

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING AND CLARIFYING
7 THE MANDATORY LIABILITY PROTECTION LAW; AMENDING SECTIONS
8 61-6-102, 61-6-303, AND 61-6-304, MCA; AND PROVIDING AN
9 IMMEDIATE EFFECTIVE DATE."

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

12 Section 1. Section 61-6-102, MCA, is amended to read:
13 "61-6-102. Definitions. The following words and
14 phrases, when used in this part, have the meanings
15 respectively ascribed to them in this section except in
16 those instances where the context clearly indicates a
17 different meaning:

18 (1) "Judgment" means any judgment that has become
19 final by expiration without appeal of the time within which
20 an appeal might have been perfected or by final affirmation
21 on appeal rendered by a court of competent jurisdiction of
22 any state or of the United States upon a cause of action
23 arising out of the ownership, maintenance, or use of any
24 motor vehicle, for damages, including damages for care and
25 loss of services, because of bodily injury to or death of

1 any person or for damages because of injury to or
2 destruction of property, including the loss of use thereof,
3 or upon a cause of action on an agreement of settlement for
4 such damages.

5 (2) "License" means any license, temporary instruction
6 permit, or temporary license issued under the laws of this
7 state pertaining to the licensing of persons to operate
8 motor vehicles.

9 (3) "Nonresident's operating privilege" means the
10 privilege conferred upon a nonresident by the laws of this
11 state pertaining to the operation by him of a motor vehicle
12 or the use of a motor vehicle owned by him in this state.

13 (4) "Proof of financial responsibility" means proof of
14 ability to respond in damages for liability on account of
15 accidents occurring subsequent to the effective date of said
16 proof, arising out of the ownership, maintenance, or use of
17 a motor vehicle.

18 (5) "State" means any state, territory, or possession
19 of the United States, the District of Columbia, or any
20 province of the Dominion of Canada.

21 (6) "Ways of this state open to the public" means any
22 highway, road, alley, lane, parking area, or other public or
23 private place adapted and fitted for public travel and in
24 common use by the public."

25 Section 2. Section 61-6-303, MCA, is amended to read:

1 "61-6-303. Exempt vehicles. The following vehicles and
2 their drivers are exempt from the provisions of 61-6-301:

3 (1) a vehicle owned by the United States government or
4 any state or political subdivision;

5 (2) a vehicle for which cash, securities, or a bond
6 has been deposited or filed with the division upon such
7 terms and conditions providing the same benefits available
8 under a required motor vehicle liability insurance policy;

9 (3) a vehicle owned by a self-insurer certified as
10 provided in 61-6-143;

11 (4) an implement of husbandry or special mobile
12 equipment that is only incidentally operated on a highway or
13 property open to use by the public;

14 (5) a vehicle operated upon a highway only for the
15 purpose of crossing such highway from one property to
16 another;

17 (6) a commercial vehicle registered or proportionally
18 registered in this and any other jurisdiction provided that
19 vehicle is covered by a motor vehicle liability insurance
20 policy complying with the laws of another jurisdiction in
21 which it is registered;

22 (7) a motorcycle;

23 (8) a vehicle moved solely by human or animal power;

24 (9) a vehicle owned by a nonresident if it is
25 currently registered in the owner's resident jurisdiction

1 and he is in compliance with the motor vehicle liability
2 insurance requirements, if any, of that jurisdiction."

3 Section 3. Section 61-6-304, MCA, is amended to read:

4 "61-6-304. Penalties. It is unlawful for any person to
5 operate a motor vehicle upon ~~highways, streets, or roadways~~
6 ways of this state open to the public without a valid policy
7 of liability insurance in effect in an amount not less than
8 that provided in 61-6-301 or unless such person has been
9 issued a certificate of self-insurance pursuant to 61-6-143
10 or has previously posted an indemnity bond with the division
11 of motor vehicles as provided by 61-6-301 or is operating a
12 vehicle exempt under 61-6-303. A violation of 61-6-301
13 through 61-6-304 is a misdemeanor punishable by a fine not
14 to exceed \$250."

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16 existing authority of the division of motor vehicles to make
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INTRODUCED BY Neuman, Stuebs, W. Hammond, Anderson, Cobb
BY REQUEST OF THE DEPARTMENT OF JUSTICE, HARRP
DIVISION OF MOTOR VEHICLES

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

Section 1. Section 61-6-102, MCA, is amended to read:

"61-6-102. Definitions. The following words and phrases, when used in this part, have the meanings respectively ascribed to them in this section except in those instances where the context clearly indicates a different meaning:

(1) "Judgment" means any judgment that has become final by expiration without appeal of the time within which an appeal might have been perfected or by final affirmation on appeal rendered by a court of competent jurisdiction of any state or of the United States upon a cause of action arising out of the ownership, maintenance, or use of any motor vehicle, for damages, including damages for care and loss of services, because of bodily injury to or death of

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(2) "License" means any license, temporary instruction permit, or temporary license issued under the laws of this state pertaining to the licensing of persons to operate motor vehicles.

(3) "Nonresident's operating privilege" means the privilege conferred upon a nonresident by the laws of this state pertaining to the operation by him of a motor vehicle or the use of a motor vehicle owned by him in this state.

(4) "Proof of financial responsibility" means proof of ability to respond in damages for liability on account of accidents occurring subsequent to the effective date of said proof, arising out of the ownership, maintenance, or use of a motor vehicle.

(5) "State" means any state, territory, or possession of the United States, the District of Columbia, or any province of the Dominion of Canada.

(6) "Ways of this state open to the public" means any highway, road, alley, lane, parking area, or other public or private place adapted and fitted for public travel and in common use by the public.

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