

SENATE BILL NO. 351

2/07 Introduced  
2/08 Referred to Judiciary  
2/15 Hearing  
2/15 Adverse Committee Report  
2/15 Bill Killed

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Senate BILL NO. 351

INTRODUCED BY Harty

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE MANDATORY LIABILITY PROTECTION LAWS BY PROVIDING FOR RESTITUTION TO VICTIMS OF ACCIDENTS CAUSED BY PERSONS OPERATING A MOTOR VEHICLE IN VIOLATION OF THOSE LAWS; AMENDING SECTION 61-6-304, MCA."

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

Section 1. Section 61-6-304, MCA, is amended to read:

"61-6-304. Penalties -- restitution. (1) It is unlawful for any person to operate a motor vehicle upon highways, streets, or roadways of this state without a valid policy of liability insurance 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) If a person is convicted of causing an accident while operating a motor vehicle in violation of 61-6-301 through 61-6-304 and damages caused by the accident are not

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covered by the victim's insurance policy, the court may order the violator to pay full compensation to the victim. Any such restitution paid by the offender to the victim must be set off against any damages awarded to the victim in a civil action arising out of the facts or events which were the basis for the restitution. The court trying the civil action shall determine the amount of any setoff asserted by the defendant under this section."

-End-

