## HOUSE BILL NO. 335

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# INTRODUCED BY PISTORIA

### IN THE HOUSE

JANUARY 21, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON LOCAL GOVERNMENT.
JANUARY 30, 1987	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
JANUARY 31, 1987	PRINTING REPORT.
FEBRUARY 3, 1987	SECOND READING, DO PASS.
FEBRUARY 4, 1987	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 91; NOES, 8.
	TRANSMITTED TO SENATE.
IN	THE SENATE
FEBRUARY 5, 1987	INTRODUCED AND REFERRED TO COMMITTEE ON STATE ADMINISTRATION.
FEBRUARY 12, 1987	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
FEBRUARY 16, 1987	SECOND READING, CONCURRED IN.
FEBRUARY 17, 1987	ON MOTION, TAKEN FROM ENGROSSING AND REREFERRED TO COMMITTEE ON JUDICIARY.
MARCH 6, 1987	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
MARCH 10, 1987	ON MOTION, CONSIDERATION PASSED FOR THE DAY.
MARCH 12, 1987	SECOND READING, CONCURRED IN AS

AMENDED.

MARCH 14, 1987	1987	THIRD READING, CONCURRED IN. AYES, 48; NOES, 2.	
			RETURNED TO HOUSE WITH AMENDMENTS.
		IN	THE HOUSE
MARCH	17,	1987	RECEIVED FROM SENATE.
			SECOND READING, AMENDMENTS CONCURRED IN.
MARCH	18,	1987	THIRD READING, AMENDMENTS CONCURRED IN.
			SENT TO ENROLLING.

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LC 0812/01

LC 0812/01

House BILL NO. 335 1 INTRODUCED BY 2 3

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING A PRIVATE 5 PARKING SERVICE FROM IMPOUNDING A MOTOR VEHICLE; PROVIDING 6 THAT FAILURE TO COMPLY WITH THE PARKING REGULATIONS OF A 7 PRIVATE PARKING SERVICE RESULTS IN A CIVIL LIABILITY; AND 8 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

9

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

Section 1. Private parking services -- limitation on penalties. (1) As used in this section, the following definitions apply:

(a) "Local government" means a municipality, if the
private parking service operates parking services within a
municipality, or a county, if such services are not operated
within a municipality.

(b) "Private parking service" means the service of
providing areas for parking motor vehicles, as defined in
61-1-102, by the general public for compensation and
includes such services conducted:

22 (i) on private property; or

23 (ii) on public property under contract or agreement24 with the local government.

25 (2) A private parking service may not impound a motor

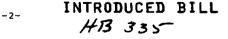


vehicle either by removing it to a location that is not
 unconditionally accessible to its operator or by attaching a
 device that makes the motor vehicle immobile.

4 (3) Failure to comply with the parking regulations of 5 a private parking service results in a civil liability by 6 the violator that may be remedied by the private parking service as any other civil action is remedied. A violation 7 8 of a regulation of a private parking service does not 9 constitute a violation of the parking regulations or 10 ordinances of the local government. In addition to any 11 civil remedies, the private parking service may refuse to 12 provide parking services to a violator who has not satisfied 13 his liability to the private parking service.

14 Section 2. Effective date. This act is effective on 15 passage and approval.

-End-



LC 0812/01

APPROVED BY COMM. ON LOCAL GOVERNMENT

1 House BILL NO. <u>335</u> 2 INTRODUCED BY DISTORIA,

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING A PRIVATE 5 PARKING SERVICE FROM IMPOUNDING A MOTOR VEHICLE; PROVIDING 6 THAT FAILURE TO COMPLY WITH THE PARKING REGULATIONS OF A 7 PRIVATE PARKING SERVICE RESULTS IN A CIVIL LIABILITY; AND 8 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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Section 2. Effective date. This act is effective onpassage and approval.

-End-

-2- SECOND READING HO-335 LC 0812/01

INTRODUCED BY BALANA BILL NO. 335 1 2 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING A PRIVATE 5 PARKING SERVICE FROM IMPOUNDING A MOTOR VEHICLE; PROVIDING 6 THAT FAILURE TO COMPLY WITH THE PARKING REGULATIONS OF A 7 PRIVATE PARKING SERVICE RESULTS IN A CIVIL LIABILITY; AND 8 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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15 private parking service operates parking services within a
16 municipality, or a county, if such services are not operated
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23 (ii) on public property under contract or agreement24 with the local government.

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15 passage and approval.

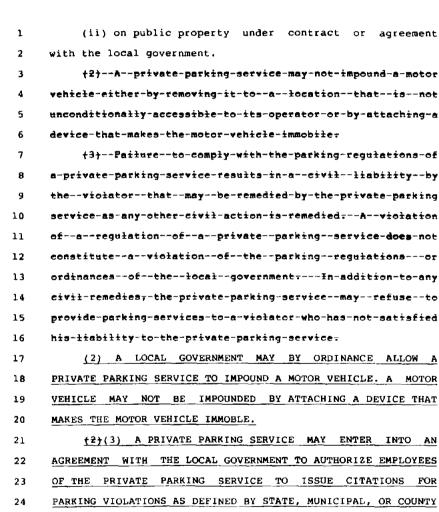
-End-

-2- THIRD READING HB-335

#### HB 0335/03

tana Legislative Council

1	HOUSE BILL NO. 335
2	INTRODUCED BY PISTORIA
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING AUTHORIZING
5	A PRIVATE PARKING SERVICE FROM-IMPOUNDING-AMOTORVEHICLE;
6	provibingThatPaibureToCompbyWithTheParking
7	REGULATIONS-OF-A-PRIVATE-PARKING-SERVICE-RESULTS-IN-ACIVIL
8	STABISTY TO ENTER INTO AN AGREEMENT WITH A LOCAL GOVERNMENT
9	FOR ENFORCEMENT OF PARKING REGULATIONS; ALLOWING CERTAIN
10	FORMS OF IMPOUNDING MOTOR VEHICLES; AND PROVIDING AN
11	IMMEDIATE EFFECTIVE DATE."
12	
13	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
14	Section 1. Private parking services limitation-on
15	penalties PARKING CITATIONS. (1) As used in this section,
16	the following definitions apply:
17	(a) "Local government" means a municipality, if the
18	private parking service operates parking services within a
19	municipality, or a county, if such services are not operated
20	within a municipality.
21	(b) "Private parking service" means the service of
22	providing areas for parking motor vehicles, as defined in
23	61-1-102, by the general public for compensation and
24	includes such services conducted:
25	(i) on private property; or



25 LAWS, WHICH OCCUR WITHIN THE BOUNDARIES OF THE PRIVATE

-2- REFERENCE BILL HB 335 SECOND PRINTING AS AMENDED

HB 0335/03

#### HB 0335/03

HB 335

1 PARKING SERVICE'S PARKING AREAS. ALL SUCH CITATIONS MUST BE

2 CONSIDERED WITHIN THE JURISDICTION OF THE LOCAL GOVERNMENT

3 AND MUST BE HANDLED IN THE SAME MANNER AS CITATIONS ISSUED

4 BY PEACE OFFICERS THEREOF.

5 Section 2. Effective date. This act is effective on

6 passage and approval.

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-End-

# **STANDING COMMITTEE REPORT**

		March 5	<sub>19</sub> .87
MR. PRESIDENT	-		
We, your com	nmittee on SENATE JUDICIARY		•••••••••••••••••••••••••••••••••••••••
having had unde	r consideration	HOUSE BILL	No. 335
<u>Refere</u>	nce reading copy ( <u>salmon</u> color	٢	
	<b>XXXXXX</b> Prohibit private p Pistoria (Meyer)	parking service from impounding	motor vehicle.
Respectfully repo	ort as follows: That	HOUSE BILL	
	be amended as follows;		
	<pre>1. Title, line 4. Following: " "AN ACT" Strike: "PROHIBITING" Insert: "AUTHORIZING"</pre>		
	3. Page 1, lines 11 and 1 Following: "services" Strike: the remainder of Insert: "parking citation	on line 11 line 11 through "penalties" on	line l2
)	the local government to an service to issue citations municipal, or county laws private parking service's considered within the jur:		te parking ned by state, ties of the lons must be nt and must be
<b>XXXXXX</b> X <del>XXXXXXXXXXX</del>	AND AS AMENDED BE CONCURRED IN	Musul	•