

HB 423 INTRODUCED BY MOORE, ET AL.
INCREASE PENALTY FOR VIOLATION OF FUEL CONSERVATION
SPEED LIMIT FROM \$5 TO \$20

1/23 INTRODUCED
1/23 REFERRED TO HIGHWAYS & TRANSPORTATION
1/24 FISCAL NOTE REQUESTED
1/29 FISCAL NOTE RECEIVED
2/10 HEARING
2/19 TABLED IN COMMITTEE

1 HB BILL NO. 423
 2 INTRODUCED BY James Moore Ream Corne
 3 Stephen J. Hamner TRAFORD Strong Keenan Cradd
 4 Christopher Collier

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE PENALTY
 6 FOR VIOLATION OF THE FUEL CONSERVATION SPEED LIMIT FROM \$5
 7 TO \$20; AND AMENDING SECTION 61-8-718, MCA."

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

9 Section 1. Section 61-8-718, MCA, is amended to read:

10 "61-8-718. Penalty for violation of fuel conservation
 11 speed limit. (1) A person violating the speed limit imposed
 12 pursuant to 61-8-304 is guilty of the offense of unnecessary
 13 waste of a resource and upon conviction shall be fined \$5
 14 \$20, and no jail sentence may be imposed. Bond for this
 15 offense shall be \$5 \$20.

16 (2) For the purpose of this section only, the fees of
 17 the justice's court shall be the balance of the fine not
 18 otherwise allocated by law and shall be remitted as set
 19 forth in 3-10-603(3).

20 (3) A violation of 61-8-304 is not a misdemeanor
 21 pursuant to 45-2-101, 61-8-104, or 61-8-711."

-End-

INTRODUCED BILL
 HB-423



STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB423, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act to increase the penalty for violation of the fuel conservation speed limit from \$5 to \$20.

ASSUMPTIONS:

1. 75,800 55 mph violations were written in 1986. It is assumed that 20% fewer violations will occur in FY88 and FY89 due to driver regard for the increased fee.
2. It is assumed that the court cost will be \$7.50 as set by Section 3-10-603, MCA.
3. Balance of the fines not distributed will go into the state's general fund.

FISCAL IMPACT:

	FY88			FY89		
	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>
Revenue: Fines	\$379,000	\$1,212,800	\$833,800	\$379,000	\$1,212,800	\$833,800
Distribution:						
State:						
General Fund	0	236,500	236,500	0	236,500	236,500
25% Driver Education (SSR)	94,750	303,200	208,450	94,750	303,200	208,450
18% Crime Victims (SSR)	68,220	218,300	150,080	68,220	218,300	150,080
\$7.50 County:	216,030	454,800	238,770	216,030	454,800	238,770

EFFECT ON COUNTY OR OTHER LOCAL REVENUE OR EXPENDITURES:


See fiscal impact. Under the current law, insufficient revenues are generated to fully fund the county court costs. Under the proposed law, sufficient revenue will be generated to fund those costs and provide revenue to the state's general fund under Section 61-12-701, MCA.

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

Unknown.

TECHNICAL OR MECHANICAL DEFECTS IN PROPOSED LEGISLATION OR CONFLICTS WITH EXISTING LEGISLATION:

Section 61-8-718(2) becomes unnecessary with passage of this bill.

 DATE 1/29/87
 DAVID L. HUNTER, BUDGET DIRECTOR
 Office of Budget and Program Planning

 DATE 1-30-87
 JANET MOORE, PRIMARY SPONSOR

Fiscal Note for HB423, as introduced.

HB-423