

HOUSE BILL 303

Introduced by Menahan, et al.

1/19	Introduced
1/20	Referred to Human Services & Aging
1/21	Fiscal Note Requested
1/28	Fiscal Note Received
1/30	Fiscal Note Printed
1/30	Hearing
1/30	Tabled in Committee

1 House BILL NO. 303
2 INTRODUCED BY Morgan Hodge
3

4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING SERVICE
5 STATIONS TO PROVIDE A REFUELING SERVICE AT A SELF-SERVICE
6 ISLAND AT SELF-SERVICE PRICE TO DISABLED DRIVERS; REQUIRING
7 THE DEPARTMENT OF JUSTICE TO PLACE A DISABILITY CODE ON THE
8 DRIVER'S LICENSE OF A DISABLED DRIVER; AND PROVIDING AN
9 EFFECTIVE DATE."
10

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

12 NEW SECTION. Section 1. Definitions. As used in
13 [sections 2 and 3], the following definitions apply:

14 (1) "Disabled" means a person who is unable to walk
15 unassisted by another person or without the aid of a walker,
16 crutches, or a brace or prosthetic device or is confined to
17 a wheelchair.

18 (2) "Service station" means a facility with full
19 service and self-service islands that offers gasoline or
20 other motor vehicle fuels for retail sale to the public.

21 NEW SECTION. Section 2. Service station refueling
22 service for disabled persons -- notice -- exceptions.

23 (1) (a) Upon request, an attendant on duty at a service
24 station shall dispense motor fuel to a disabled driver of a
25 vehicle, who is unaccompanied by a physically able person

1 and whose driver's license displays a disability code
2 provided under [section 3].

3 (b) The attendant shall charge the driver a price no
4 greater than that offered to the general public for motor
5 fuel dispensed at the self-service island.

6 (2) Each person licensed to do business under
7 15-70-202 or 15-70-203 shall post in his service station a
8 notice regarding this service to disabled persons. The
9 notice must be displayed in a manner that is conspicuous to
10 all drivers.

11 (3) The department of revenue shall provide a notice
12 setting forth the provisions of this section to each person
13 licensed to do business under 15-70-202 or 15-70-203.

14 (4) The department of justice shall publicize the
15 provisions of [sections 1 through 3] in a manner designed to
16 inform those eligible for the refueling service.

17 (5) The provisions of this section do not apply to
18 service stations with only self-service islands, nor do they
19 apply to any services other than the dispensing of motor
20 fuel.

21 NEW SECTION. Section 3. Disability code on driver's
22 license -- requirements -- replacement license. (1) The
23 department shall provide on each driver's license a space to
24 indicate whether the licensee is entitled to the refueling
25 service provided in [section 2].

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(2) At the time of application for a new driver's license or for a renewal, a licensee who wishes to be eligible for the refueling service shall submit to the department a certificate from a licensed physician that describes the applicant as disabled according to the definition in [section 1].

(3) The department shall place a disability code on the driver's license of an applicant who submits a certificate as provided in subsection (2).

(4) A disabled person currently holding a valid driver's license on [the effective date of this act] may apply for a replacement license that bears the disability code. The replacement license is exempt from the \$5 fee required by 61-5-114.

NEW SECTION. **Section 4.** Extension of authority. Any existing authority to make rules on the subject of the provisions of [this act] is extended to the provisions of [this act].

NEW SECTION. **Section 5.** Codification instruction. (1) [Sections 1 and 2] are intended to be codified as an integral part of Title 49, chapter 4, and the provisions of Title 49, chapter 4, apply to [sections 1 and 2].

(2) [Section 3] is intended to be codified as an integral part of Title 61, chapter 5, part 1, and the provisions of Title 61, chapter 5, part 1, apply to [section

3].

NEW SECTION. **Section 6.** Effective date. [This act] is effective July 1, 1989.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB303, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An Act requiring service stations to provide a refueling service at a self-service island at self-service price to disabled drivers; requiring the Department of Justice to place a disability code on the driver's license of a disabled driver; and providing an effective date.

ASSUMPTIONS:

1. There are 3,300 license plates issued for disabled persons and 9,800 disabled person parking permits. It is assumed 2,000 persons will apply for a replacement driver's license.
2. Assumed that 10,000 announcement letters will be mailed at a cost of \$0.50 per letter.

FISCAL IMPACT:

	<u>Current</u> <u>Law</u>	<u>FY90</u> <u>Proposed</u> <u>Law</u>	<u>Difference</u>	<u>Current</u> <u>Law</u>	<u>FY91</u> <u>Proposed</u> <u>Law</u>	<u>Difference</u>
<u>Expenditures:</u>						
Operating Expenses	\$ -0-	\$7,000	\$7,000	\$ -0-	\$ -0-	\$ -0-
<u>Funding Sources:</u>						
General Fund	-0-	5,600	5,600	-0-	-0-	-0-
Motor Vehicle	-0-	1,400	1,400	-0-	-0-	-0-
Total	\$ -0-	\$7,000	\$7,000	\$ -0-	\$ -0-	\$ -0-



RAY SHACKLEFORD, BUDGET DIRECTOR
OFFICE OF BUDGET AND PROGRAM PLANNING

1/27/89

DATE



WILLIAM MENAHAN, PRIMARY SPONSOR

1/30/89

DATE

Fiscal Note for HB303, as introduced