

HOUSE BILL NO. 394
INTRODUCED BY CLARK
BY REQUEST OF THE DEPARTMENT OF JUSTICE

IN THE HOUSE

JANUARY 24, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON HIGHWAYS & TRANSPORTATION.
JANUARY 25, 1989	FIRST READING.
FEBRUARY 8, 1989	COMMITTEE RECOMMEND BILL DO PASS AS AMENDED. REPORT ADOPTED.
FEBRUARY 9, 1989	PRINTING REPORT.
FEBRUARY 11, 1989	SECOND READING, DO PASS.
FEBRUARY 13, 1989	ENGROSSING REPORT.
FEBRUARY 14, 1989	THIRD READING, PASSED. AYES, 84; NOES, 13.
	TRANSMITTED TO SENATE.

IN THE SENATE

FEBRUARY 15, 1989	INTRODUCED AND REFERRED TO COMMITTEE ON HIGHWAYS & TRANSPORTATION.
	FIRST READING.
MARCH 17, 1989	COMMITTEE RECOMMEND BILL BE CONCURRED IN AS AMENDED. REPORT ADOPTED.
MARCH 18, 1989	SECOND READING, CONCURRED IN.
MARCH 21, 1989	THIRD READING, CONCURRED IN. AYES, 49; NOES, 0.
	RETURNED TO HOUSE WITH AMENDMENTS.

IN THE HOUSE

MARCH 30, 1989

RECEIVED FROM SENATE.

SECOND READING, AMENDMENTS
CONCURRED IN.

MARCH 31, 1989

THIRD READING, AMENDMENTS
CONCURRED IN.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

House BILL NO. *394*

INTRODUCED BY *Clark*

BY REQUEST OF THE DEPARTMENT OF JUSTICE

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING WHAT INFORMATION MAY BE RELEASED BY THE DIVISION OF MOTOR VEHICLES IN AN ABSTRACT OF THE DRIVING RECORD OF A LICENSEE; PROVIDING FOR FEES; AMENDING SECTION 61-11-105, MCA; AND REPEALING SECTION 61-6-107, MCA."

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

Section 1. Section 61-11-105, MCA, is amended to read:

"61-11-105. ~~Restrictions---on---release~~ Release of information -- fees. (1) The department shall, upon request, furnish a person the individual driving record of a licensee showing the following:

(a) licensee identification data and address;

(b) driver's license status and expiration date;

(c) convictions of the licensee; and

(d) traffic accidents in which the licensee was involved.

(2) ~~No--information~~ Information relating to a traffic accident that did not involve a conviction, as defined in 61-11-203, may not be released by the department unless the release is requested or approved by a party involved in the

accident or is required by court order or a duly executed subpoena.

(3) A fee of \$4 must be paid for each record requested. A fee of \$10 must be paid if a certified record is requested as provided in 61-11-102(6). Individual driving records must be provided without charge to any criminal justice agency, as defined in 44-5-103, or other state or federal agency."

NEW SECTION. **Section 2.** Repealer. Section 61-6-107, MCA, is repealed.

NEW SECTION. **Section 3.** 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].

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB394, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act clarifying what information may be released by the division of motor vehicles in an abstract of the driving record of a licensee; providing for fees; amending Section 61-11-105, MCA; and repealing Section 61-6-107, MCA.

ASSUMPTIONS:

Approximately 357,000 driving record abstracts were sold in FY88, of which 150 were certified. It is assumed that the volume will continue in the 1991 biennium.

FISCAL IMPACT:

	<u>Current</u>	<u>FY90</u>		<u>Current</u>	<u>FY91</u>	
<u>Revenues:</u>	<u>Law</u>	<u>Proposed</u>	<u>Difference</u>	<u>Law</u>	<u>Proposed</u>	<u>Difference</u>
		<u>Law</u>			<u>Law</u>	
General Fund	\$714,000	\$1,428,000	\$ 714,000	\$714,000	\$1,428,000	\$ 714,000

Ray Shackleford 1/31/89
RAY/SHACKLEFORD, BUDGET DIRECTOR DATE
OFFICE OF BUDGET AND PROGRAM PLANNING

Robert C. Clark 1-30-89
ROBERT C. CLARK, PRIMARY SPONSOR DATE

Fiscal Note for HB394, as introduced

HB 394

APPROVED BY COMMITTEE
ON HIGHWAYS & TRANSPORTATION

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(d) traffic accidents in which the licensee was involved.

(2) No--information Information relating to a traffic accident that did not involve a conviction, as defined in 61-11-203, may not be released by the department unless the release is requested or approved by a party involved in the

accident or is required by court order or a duly executed subpoena.

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NEW SECTION. **Section 2.** Repealer. Section 61-6-107, MCA, is repealed.

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-End-

SENATE STANDING COMMITTEE REPORT

March 16, 1989

MR. PRESIDENT:

We, your committee on Highways and Transportation, having had under consideration HB 394 (third reading copy -- blue), respectfully report that HB 394 be amended and as so amended be concurred in:

Sponsor: Clark (Harp)

1. Page 2, line 3.
Strike: "\$4"
Insert: "\$3"

AND AS AMENDED BE CONCURRED IN

Signed: Sen. Tveit
Larry J. Tveit, Chairman

HB 394

SENATE

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(3) A fee of \$4 \$3 must be paid for each record requested. A fee of \$10 must be paid if a certified record is requested as provided in 61-11-102(6). Individual driving records must be provided without charge to any criminal justice agency, as defined in 44-5-103, or other state or federal agency."

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