

HOUSE BILL 523

Introduced by Nisbet, et al.

2/01	Introduced
2/02	Referred to Highways & Transportation
2/09	Hearing
2/14	Tabled in Committee

1 House BILL NO. 523
 2 INTRODUCED BY Michael Vincent
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4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING MOTOR VEHICLE
 5 LIABILITY PROTECTION ON MOTORCYCLES AND QUADRICYCLES
 6 OPERATED ON PUBLIC HIGHWAYS; REQUIRING PROTECTIVE HEADGEAR
 7 FOR ALL MOTORCYCLE AND QUADRICYCLE RIDERS; INCREASING
 8 PENALTY FOR VIOLATION; AND AMENDING SECTIONS 61-6-303,
 9 61-9-417, AND 61-9-518, MCA."
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11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 **Section 1.** Section 61-6-303, MCA, is amended to read:

13 **"61-6-303. Exempt vehicles.** The following vehicles and
 14 their drivers are exempt from the provisions of 61-6-301:

15 (1) a vehicle owned by the United States government or
 16 any state or political subdivision;

17 (2) a vehicle for which cash, securities, or a bond
 18 has been deposited or filed with the department upon such
 19 terms and conditions providing the same benefits available
 20 under a required motor vehicle liability insurance policy;

21 (3) a vehicle owned by a self-insurer certified as
 22 provided in 61-6-143;

23 (4) an implement of husbandry or special mobile
 24 equipment that is only incidentally operated on a highway or
 25 property open to use by the public;

1 (5) a vehicle operated upon a highway only for the
 2 purpose of crossing such highway from one property to
 3 another;

4 (6) a commercial vehicle registered or proportionally
 5 registered in this and any other jurisdiction, provided that
 6 vehicle is covered by a motor vehicle liability insurance
 7 policy complying with the laws of another jurisdiction in
 8 which it is registered;

9 (7) a motorcycle or quadricycle not operated on a
 10 public highway as defined in 61-1-202;

11 (8) a vehicle moved solely by human or animal power;

12 (9) a vehicle owned by a nonresident if it is
 13 currently registered in the owner's resident jurisdiction
 14 and he is in compliance with the motor vehicle liability
 15 insurance requirements, if any, of that jurisdiction."

16 **Section 2.** Section 61-9-417, MCA, is amended to read:

17 **"61-9-417. Headgear required for minor motorcycle or**
 18 **quadricycle riders. An The operator and passenger under-18**
 19 **years-of-age of any motorcycle or quadricycle operated upon**
 20 **the streets or highways of this state shall wear protective**
 21 **headgear upon the head. The headgear shall must meet**
 22 **standards established by the department of justice."**

23 **Section 3.** Section 61-9-518, MCA, is amended to read:

24 **"61-9-518. Violation of motorcycle or quadricycle**
 25 **requirements -- penalty. {it} A person convicted of the**

1 violation of 61-9-417 shall be fined \$5.
2 ~~{2}--A person convicted of the violation of or 61-9-418~~
3 shall be punished by a fine of not less than \$10 or more
4 than \$100 or by imprisonment for not more than 10 days or by
5 both such fine and imprisonment for the first such
6 conviction. For a second conviction within 1 year
7 thereafter, such person shall be punished by a fine of not
8 less than \$25 or more than \$200 or by imprisonment for not
9 more than 20 days or by both such fine and imprisonment.
10 Upon a third or subsequent conviction within 1 year after
11 the first conviction, such person shall be punished by a
12 fine of not less than \$50 or more than \$500 or by
13 imprisonment for not more than 6 months or by both such fine
14 and imprisonment."
15 NEW SECTION. **Section 4.** Extension of authority. Any
16 existing authority to make rules on the subject of the
17 provisions of [this act] is extended to the provisions of
18 [this act].

-End-