

HOUSE BILL 253

Introduced by D. Brown

1/19	Introduced
1/20	Referred to Judiciary
1/20	First Reading
1/20	Fiscal Note Requested
1/25	Fiscal Note Received
1/25	Fiscal Note Printed
2/02	Tabled in Committee

1 House BILL NO. 253
2 INTRODUCED BY Don Brown

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT DECREASING FROM \$100 TO
5 \$50 THE DRIVER'S LICENSE REINSTATEMENT FEE FOR PERSONS
6 CONVICTED OF CERTAIN DRIVING-RELATED OFFENSES; AMENDING
7 SECTION 61-2-107, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

10 **Section 1.** Section 61-2-107, MCA, is amended to read:

11 "61-2-107. (Temporary) License reinstatement fee to
12 fund county drinking and driving prevention programs --
13 balance transferred. (1) Notwithstanding the provisions of
14 any other law of the state, a driver's license that has been
15 suspended or revoked under 61-5-205 or 61-8-402 must remain
16 suspended or revoked until the driver has paid to the
17 department a fee of \$100 in addition to any other fines,
18 forfeitures, and penalties assessed as a result of
19 conviction for a violation of the traffic laws of the state.

20 (2) (a) The department shall deposit one-half of the
21 fees collected under subsection (1) in the general fund to
22 be used for funding county drinking and driving prevention
23 programs as provided in 61-2-108.

24 (b) The remaining fees collected under subsection (1)
25 that are not allocated under subsection (2)(a) must be

1 deposited in the general fund. On or before June 30, 1993,
2 the department shall transfer to the general fund the
3 balance of money in the state special revenue account
4 collected as license reinstatement fees. (Terminates July 1,
5 1993--sec. 7(1), Ch. 5, Sp. L. January 1992.)

6 61-2-107. (Effective July 1, 1993) License
7 reinstatement fee to fund county drinking and driving
8 prevention programs. (1) Notwithstanding the provisions of
9 any other law of the state, a driver's license that has been
10 suspended or revoked under 61-5-205 or 61-8-402 must remain
11 suspended or revoked until the driver has paid to the
12 department a fee of ~~\$100~~ \$50 in addition to any other fines,
13 forfeitures, and penalties assessed as a result of
14 conviction for a violation of the traffic laws of the state.

15 (2) (a) The department shall deposit one-half of the
16 fees collected under subsection (1) in the general fund to
17 be used for funding county drinking and driving prevention
18 programs as provided in 61-2-108.

19 (b) The remaining fees collected under subsection (1)
20 that are not allocated under subsection (2)(a) must be
21 deposited in an account in the state special revenue fund to
22 be distributed to county treasurers. The department shall
23 distribute to each county treasurer money in the account
24 collected as license reinstatement fees in that county. The
25 county treasurer shall distribute the money to each

1 incorporated city or town in the county in the ratio that
2 the population of the incorporated city or town bears to the
3 total population of incorporated cities or towns in the
4 county, based on figures provided by the most recent
5 official census. An incorporated city or town shall
6 distribute the money to state and local government entities,
7 and private entities working with state and local government
8 entities, that operate programs within the county that
9 address the problems and concerns of minors, including but
10 not limited to substance abuse and delinquency and
11 chemical-free youth facilities and programs. Up to one-half
12 of the money distributed under this subsection (b) may be
13 used for adult chemical dependency programs and law
14 enforcement training programs and for equipment for local
15 government law enforcement agencies within the respective
16 jurisdiction."

17 NEW SECTION. **Section 2.** Effective date. [This act] is
18 effective July 1, 1993.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0253, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION: An act decreasing from \$100 to \$50 the driver's license reinstatement fee for persons convicted of certain driving-related offenses.

ASSUMPTIONS:

1. Assume persons convicted for Driving Under the Influence (DUI) pay one-half of the current \$100 fine to reinstate their driver's license.
2. Assume the division's appropriated authority to spend these pass-through funds is reduced by the anticipated decrease in reinstatement fees paid.
3. Assume the decrease is applied equally to the general fund, which transfers funds to county DUI task forces to reduce DUIs 61-2-107(2) (a); and to the state special revenue fund, which transfers funds to county treasurers to redistribute to cities and towns who must distribute the money to programs addressing the problems and concerns of minors, but up to one-half of these funds may be used for programs in adult chemical dependency, and law enforcement equipment and training 61-2-107(2) (b).

FISCAL IMPACT:**Expenditures**

Highway Traffic Safety

	FY '94			FY '95		
	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>
Local Assistance-Counties	210,000	105,000	(105,000)	210,000	105,000	(105,000)
Local Assistance-Cities/Towns	<u>300,000</u>	<u>150,000</u>	<u>(150,000)</u>	<u>300,000</u>	<u>150,000</u>	<u>(150,000)</u>
Total	\$510,000	\$205,000	(\$255,000)	\$510,000	\$255,000	(\$255,000)

Funding:

General Fund (01)	210,000	105,000	(105,000)	210,000	105,000	(105,000)
State Special (02)	<u>300,000</u>	<u>150,000</u>	<u>(150,000)</u>	<u>300,000</u>	<u>150,000</u>	<u>(150,000)</u>
Total	\$510,000	\$255,000	(\$255,000)	\$510,000	\$255,000	(\$255,000)

Revenues:

General Fund (01)	300,000	150,000	(150,000)	300,000	150,000	(150,000)
State Special (02)	<u>300,000</u>	<u>150,000</u>	<u>(150,000)</u>	<u>300,000</u>	<u>150,000</u>	<u>(150,000)</u>
Total	\$600,000	\$300,000	(\$300,000)	\$600,000	\$300,000	(\$300,000)

(Continued)

David Lewis 1-25-93
 DAVID LEWIS, BUDGET DIRECTOR DATE
 Office of Budget and Program Planning

DAVE BROWN, PRIMARY SPONSOR DATE

Fiscal Note for HB0253, as introduced.

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Fiscal Note Request, HB0253 as introduced.
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(continued)

Net Impact: Reduces state general fund (\$45,000) each year.

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES: Decrease of \$255,000 of pass-through funds to local governments each year to reduce DUIs.

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION: Lessened ability of local governments to reduce DUIs.

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