

SENATE BILL 309

Introduced by Stang, et al.

2/03	Introduced
2/03	Referred to Education & Cultural Resources
2/03	First Reading
2/03	Fiscal Note Requested
2/10	Hearing
2/10	Fiscal Note Printed (sic)
2/10	Fiscal Note Received (sic)
2/19	Committee Report--Bill Passed as Amended
2/20	Taken from 2nd Reading and Rereferred to Taxation
2/20	Revised Fiscal Note Requested
3/02	Revised Fiscal Note Received
3/03	Revised Fiscal Note Printed
4/01	Tabled in Committee

1 ~~Senate~~ BILL NO. 309  
2 INTRODUCED BY [Signature]  
3 BY REQUEST OF THE DEPARTMENT OF JUSTICE  
4

5 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING THE  
6 SUSPENSION OF DRIVER'S LICENSES FOR CONVICTION OF VIOLATING  
7 FEDERAL OR STATE CONTROLLED SUBSTANCE AND DANGEROUS DRUG  
8 LAWS, INCLUDING CONVICTION OF DRIVING UNDER THE INFLUENCE OF  
9 DANGEROUS DRUGS."

10  
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 NEW SECTION. Section 1. Suspension of driver's license  
13 of individual convicted of drug offense. (1) (a) The  
14 department shall suspend the driver's license, including the  
15 commercial driver's license, of a person convicted of a drug  
16 offense. The suspension must be for a period of 6 months  
17 from the date of conviction and may not provide for a  
18 restricted probationary license.

19 (b) If a person does not have a driver's license at the  
20 time of a conviction for a drug offense, or the person's  
21 driver's license was suspended at that time, and if the  
22 person applies for the issuance or reinstatement of a  
23 driver's license, the department shall delay the issuance or  
24 reinstatement of the driver's license for a period of 6  
25 months from the date of the application for a license.

1 (2) For purposes of this section, the following  
2 definitions apply:

3 (a) "Conviction" includes any juvenile adjudication as  
4 a delinquent youth or youth in need of supervision based  
5 upon the commission of the offense referred to in subsection  
6 (1).

7 (b) "Drug offense" means:

8 (i) the possession, distribution, manufacture,  
9 cultivation, sale, or transfer or the attempt or conspiracy  
10 to possess, distribute, manufacture, cultivate, sell, or  
11 transfer any substance the possession of which is prohibited  
12 under the federal Controlled Substances Act; or

13 (ii) the operation of a motor vehicle under the  
14 influence of any substance the possession of which is  
15 prohibited under the federal Controlled Substances Act.

16 (3) Notwithstanding the provisions of 41-5-601, a youth  
17 court shall provide the records of an adjudication under  
18 subsection (1) to the department for use only as authorized  
19 in this section. Juvenile adjudication information  
20 transmitted to the department is confidential criminal  
21 justice information and may only be released pursuant to  
22 44-5-303.

23 NEW SECTION. Section 2. Codification instruction.  
24 [Section 1] is intended to be codified as an integral part  
25 of Title 61, chapter 5, part 2, and the provisions of Title

LC 0746/01

1 61, chapter 5, part 2, apply to [section 1].

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