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House BILL NO. 294

INTRODUCED BY

*Haroldo Marcel Sizer*  
*Harding*

A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE PENALTY FOR PASSING IN A NO-PASSING ZONE."

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

NEW SECTION. **Section 1. No-passing zone violation -- penalty.** A person convicted of a violation of 61-8-326 shall be punished upon conviction by imprisonment for a period of not more than 6 months or by a fine of not less than \$100 or more than \$500 or by both fine and imprisonment.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 61, chapter 8, part 7, and the provisions of Title 61, chapter 8, part 7, apply to [section 1].

-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0294, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

An act increasing the penalty for passing in a no-passing zone.

ASSUMPTIONS:

1. The current fine for passing in a no-passing zone is \$50. The amended minimum is \$100. Assume a doubling of revenue for this violation if HB294 passes.
2. In FY94, the Highway Patrol issued 600 citations for this offense. Assume that 100% of the violators were convicted and paid the \$50 fine, or revenue of \$30,000.
3. Fine revenues are distributed half to the state and half to the county. The state half is distributed 44.81% (\$13,400) to the general fund, and the remaining \$16,600 to various state special revenue accounts.
4. Assumes that no jail time will be served for this violation.
5. Assume the bill will be effective October 1, 1995, causing 75% of the estimated annual revenues to be collected in FY96.

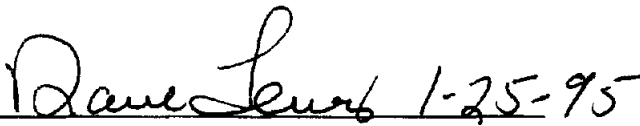
FISCAL IMPACT:

Revenues:

	<u>FY96</u>	<u>FY97</u>
	<u>Difference</u>	<u>Difference</u>
Fines - general fund (01)	10,000	13,400
Fines - state special rev. (02)	<u>12,500</u>	<u>16,000</u>
Total	22,500	30,000

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

Counties would also receive additional revenues of \$22,500 in FY96, and \$30,000 in FY97.

  
DAVE LEWIS, BUDGET DIRECTOR      DATE  
Office of Budget and Program Planning

  
KARL OHS, PRIMARY SPONSOR      DATE

Fiscal Note for HB0294, as introduced

**HB294**

HOUSE BILL NO. 294

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-END-

SENATE STANDING COMMITTEE REPORT

Page 1 of 1  
March 3, 1995

MR. PRESIDENT:

We, your committee on Highways and Transportation having had under consideration HB 294 (third reading copy -- blue), respectfully report that HB 294 be amended as follows and as so amended be concurred in.

Signed: *Larry Tveit*  
Senator Larry Tveit, Chair

That such amendments read:

1. Title, line 5.

Following: "ZONE"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 1, line 16.

Insert: "NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval."

-END-

HB 294

*PV*  
Amd. Coord.  
503 Sec. of Senate

*Senator Harding*  
Senator Carrying Bill

SENATE  
501141SC.SPV

## 1 HOUSE BILL NO. 294

2 INTRODUCED BY OHS, MERCER, SLITER, HARDING

3

4 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE PENALTY FOR PASSING IN A NO-PASSING  
5 ZONE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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14 integral part of Title 61, chapter 8, part 7, and the provisions of Title 61, chapter 8, part 7, apply to  
15 [section 1].

16

17 NEW SECTION. SECTION 3. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE ON PASSAGE AND  
18 APPROVAL.

19

-END-