

SENATE BILL NO. 268

INTRODUCED BY Hargrove

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE RESTRICTIONS ON OPERATING A SNOWMOBILE WITHOUT A MONTANA DRIVER'S LICENSE BY ALLOWING THE OPERATION BY A PERSON WHO HAS COMPLETED AN APPROVED SNOWMOBILE SAFETY EDUCATION COURSE AND WHO IS ACCOMPANIED AND SUPERVISED BY A PERSON WHO IS 18 YEARS OF AGE OR OLDER; AND AMENDING SECTION 23-2-631, MCA."

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

Section 1. Section 23-2-631, MCA, is amended to read:

"23-2-631. Operation on public roads, and streets, and highways. (1) No A person shall may not operate a snowmobile upon a controlled access highway or facility at any time. Snowmobile operation may be is permitted on the roadway or shoulder of any public road or highway, state highway, county road, or city street located within the boundaries of any municipality only in the event that:

(a) the street, road, or highway is drifted or covered by snow to such an extent that travel thereon on the street, road, or highway by other motor vehicles is impractical or impossible;

(b) the operator has received permission or is otherwise authorized for such that travel by the municipality in the case of town or city streets, the board of county commissioners for county roads, or the state highway patrol for all other highways; or such

(c) operation has been specifically so authorized on municipal streets by a municipal ordinance.

(2) A snowmobile may make a direct crossing of a street or highway whenever such the crossing is necessary to get to another authorized area of operation. Such The crossing shall must be made at an angle of approximately 90 degrees to the direction of traffic at a place where no obstruction prevents a quick and safe crossing. The snowmobile shall must make a complete stop before entering upon any part of the traffic way, and the operator shall yield the right-of-way to all oncoming traffic.

(3) No A snowmobile may not be operated upon a public street or highway when permitted to do so by 23-2-601 through 23-2-644 unless equipped with at least one headlamp and one taillamp, which shall must be lighted at all times during such operation, and unless equipped with a suitable braking device which

1 ~~may be operated~~ operable by either hand or foot.

2 (4)(a) ~~The~~ Unless operation is otherwise allowed under subsection (4)(b) or (4)(c), the operator of
3 a snowmobile who operates ~~his vehicle~~ the snowmobile upon a public roadway, street, or highway when
4 allowed to do so under the provisions of 23-2-601 through 23-2-644 ~~shall~~ must have in ~~his~~ possession a
5 license to drive a motor vehicle as required by the laws of the state of Montana.

6 (b) The operator of a snowmobile may operate the snowmobile upon a public roadway, street, or
7 highway when allowed to do so under the provisions of 23-2-601 through 23-2-644 if the operator:

8 (i) has in possession a certificate showing the successful completion of a Montana-approved
9 snowmobile safety education course; and

10 (ii) is in the physical presence and under the supervision of a person who is 18 years of age or
11 older.

12 (c) An operator who crosses a street, road, or highway, ~~or~~ who operates a snowmobile upon a
13 street, road, or highway that is drifted or covered with snow to such an extent that travel ~~thereon~~ on the
14 street, road, or highway by other motor vehicles is impractical or impossible, ~~or~~ who operates a snowmobile
15 in any other areas of the state where operation is lawfully permitted is not required to apply for or possess
16 a driver's license under the laws of the state of Montana."

17 -END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for SB0268, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

An act revising the restrictions on operating a snowmobile without a Montana driver's license by allowing the operation by a person who has completed an approved snowmobile safety education program and who is accompanied and supervised by a person who is 18 years of age or older.

ASSUMPTIONS:

1. The Department of Fish, Wildlife and Parks provides a snowmobile safety education program through volunteer instructors.
2. Approximately 500 students per year will participate in this program state wide, and receive successful completion certificates.

FISCAL IMPACT:

Materials, training, and promotional costs will amount to \$10,000 per year and will be supported with snowmobile fuel tax funds.

Dave Lewis 2-3-95

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

Don Hargrove 2-4-95

DON HARGROVE, PRIMARY SPONSOR DATE

Fiscal Note for SB0268, as introduced

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(2) A snowmobile may make a direct crossing of a street or highway whenever such the crossing is necessary to get to another authorized area of operation. Such The crossing shall must be made at an angle of approximately 90 degrees to the direction of traffic at a place where no obstruction prevents a quick and safe crossing. The snowmobile shall must make a complete stop before entering upon any part of the traffic way, and the operator shall yield the right-of-way to all oncoming traffic.

(3) No A snowmobile may not be operated upon a public street or highway when permitted to do so by 23-2-601 through 23-2-644 unless equipped with at least one headlamp and one taillamp, which shall must be lighted at all times during such operation, and unless equipped with a suitable braking device which



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