

HOUSE BILL NO. 215

INTRODUCED BY BRUEGGEMAN

BY REQUEST OF THE DEPARTMENT OF JUSTICE

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5 A BILL FOR AN ACT ENTITLED: "AN ACT STANDARDIZING THE FEE FOR REINSTATEMENT OF A
6 DRIVER'S LICENSE OR DRIVING PRIVILEGE AFTER SUSPENSION OR REVOCATION BY INCREASING
7 THE FEE FOR REINSTATEMENT AFTER CERTAIN SUSPENSIONS OR REVOCATIONS FROM \$25 TO \$100;
8 EXEMPTING THE HOLDER OF A COMMERCIAL DRIVER'S LICENSE FROM THE STANDARDIZED
9 REINSTATEMENT FEE; AMENDING SECTIONS 61-5-215 AND 61-5-216, MCA; AND PROVIDING AN
10 EFFECTIVE DATE AND AN APPLICABILITY DATE."
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12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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14 **NEW SECTION. Section 1. License reinstatement fee following license suspension or revocation.**

15 (1) Except as provided in subsection (2), a person whose driver's license, OTHER THAN A COMMERCIAL DRIVER'S
16 LICENSE, or driving privilege has been suspended or revoked shall pay a reinstatement fee of \$100 to the
17 department to have the driver's license or driving privilege reinstated.

18 (2) A person whose driver's license or driving privilege was suspended or revoked under 61-5-205 or
19 61-8-402 shall pay a reinstatement fee as required by 61-2-107. A driver's license or driving privilege that was
20 suspended or revoked under 61-5-207 must be reinstated without payment of a reinstatement fee.

21 (3) The department shall deposit the fees collected under subsection (1) in the general fund.
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23 **Section 2.** Section 61-5-215, MCA, is amended to read:

24 **"61-5-215. Provisional licenses prohibited -- reinstatement fee.** ~~(1) No~~ A provisional, restricted, or
25 probationary license may not be issued upon a suspension under 61-5-214.

26 ~~(2) A person whose license is suspended under 61-5-214 shall pay a reinstatement fee of \$25 to the~~
27 ~~court for deposit in the state general fund."~~

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29 **Section 3.** Section 61-5-216, MCA, is amended to read:

30 **"61-5-216. Reinstatement of license.** Upon receipt of notification from the court that the operator has

1 appeared, posted the bond, or paid the fine, costs, or restitution amounts and if the reinstatement fee required
2 under 61-2-107 or [section 1] has been paid, the department shall ~~immediately~~ reinstate the license, unless the
3 operator otherwise is not entitled to reinstatement."
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5 NEW SECTION. Section 4. Codification instruction. [Section 1] is intended to be codified as an
6 integral part of Title 61, chapter 5, part 2, and the provisions of Title 61, chapter 5, part 2, apply to [section 1].
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8 NEW SECTION. Section 5. Effective date. [This act] is effective July 1, 2003.
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10 NEW SECTION. Section 6. Applicability. [This act] applies to the reinstatement of a driver's license
11 or driving privilege that is suspended or revoked on or after July 1, 2003.
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