

Amendments to Senate Bill No. 104
1st Reading Copy

Requested by Senator Jesse Laslovich

For the Senate Judiciary Committee

Prepared by Valencia Lane
January 28, 2005 (8:22am)

1. Page 2, line 5.

Following: "(3)"

Insert: "(a)"

2. Page 2, line 8.

Following: line 7

Insert: "(b) The requirements of subsections (1)(a) and (1)(c) do not apply to a person under 18 years of age who, at the time of application for a driver's license, is an enrollee of a job corps program located in Montana. The department may require the applicant to provide current documentation of the applicant's job corps program enrollment status."

3. Page 3, line 5.

Following: "(c)(i)"

Strike: "For"

Insert: "Except as provided in subsection (1)(d), for"

4. Page 3, line 11.

Following: "(ii)"

Strike: "For"

Insert: "Except as provided in subsection (1)(d), for"

5. Page 3, line 17.

Following: line 16

Insert: "(d) A restricted licensee who is a current enrollee of a job corps program located in Montana may operate a motor vehicle with more than one passenger who is under 21 years of age without being supervised by a licensed driver who is at least 21 years of age if the restricted licensee is operating the motor vehicle as part of the restricted licensee's job corps training program."

- END -



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Senate OKs teen driving limits

Associated Press

CHEYENNE - In a dramatic shift from two years ago, the Senate on Thursday voted overwhelmingly in favor of a measure restricting teenage driving privileges.

By a 29-1 margin, senators forwarded to the House legislation designed to reduce teen car pool late-night driving by youths.

Senate File 14 was drafted to allow young drivers to gradually gain experience behind the wheel by being granted full driving privileges. Nearly all other states have such laws, and many have reported decreased crashes caused by teens since enactment.

In 2003, a similar measure failed in the Senate 16-14.

SF14 would authorize a new license to 16-year-olds known as an "intermediate permit."

The holder would have to be accompanied by a licensed driver 18 or over if there is more than one nonfamily member under 18 in the vehicle.

Also, the holder would be prohibited from driving between 11 p.m. and 5 a.m. unless accompanied by a licensed driver 18 or older, with some exceptions such as traveling to work or school.

Sen. Phil Nicholas, R-Laramie, failed to remove the restriction on the number of youths who could be transported by another teen, instead suggesting that the number of seat belts determine the limit on passengers.

He offered an example of a high school wrestler who steps off the team bus at 3 a.m. in the school parking lot and gives a lift to two teammates who live in his neighborhood.

"Why are we prohibiting that?" he said. "Where is the danger?"

Many 16-year-olds are good drivers, and the poor ones will likely still be bad drivers at 18, after the law no longer applies, Nicholas said. He said the measure casts too wide a net that lawmakers could pass any number of bills to save a few lives.

"Are we going to say everyone over 70 can't drive?"

Sen. Jim Anderson, R-Glenrock, opposed the amendment and related details of a rollover that killed his then-16-year-old daughter.

She and three other teens had crammed into a small pickup and gone for a ride. She was ejected through the windshield but survived, Anderson said.

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"Sixteen years ago if we had that (law), that accident to my daughter would not have occurred. The issue is one of judgment, which kids don't always have."

Sen. Charles Scott, R-Casper, also arguing against the amendment, conceded that a ban on would be inconvenient to parents who rely on other people's teens to transport their children.

"It's much better to have the nuisance than to have the accident," he said.

The Nicholas amendment failed 24-6, then the Senate passed the bill with Sen. Curt Meier, F LaGrange, casting the lone dissenting vote.

The measure was sponsored by the Joint Transportation Interim Committee.

Proposed restrictions for teenage drivers

Key provisions of Senate File 14, as amended by the Senate, which would create an intermediate permit for 16-year-old drivers:

- A person may apply for an intermediate permit if he is at least 16 years old, has held an instructional permit for one year and has completed at least 50 hours driving, including at least 10 hours of night driving. A parent or guardian would have to certify the driving time.
- The holder of an intermediate permit may not transport more than one passenger under 18 who is not a member of his immediate family, and may not drive between 11 p.m. and 5 a.m. unless accompanied by a person 18 or older who holds a valid license.
- Exceptions to the time restrictions include driving for a medical necessity or emergency, or driving to work, school or church.
- No vehicle can be pulled over solely for a violation; another infraction would have to have occurred.

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SB104 Section 6.

Amendment to address the exclusion of non-public school students in some school districts. No school district should be allowed to deny access to a drivers education program that is in this statute.

(2) The department may issue a traffic education learner license, which is valid for 1 year from the date of issuance, to any person who is at least 14 1/2 years of age and who has successfully completed or is successfully participating in a traffic education course approved by the department and the superintendent of public instruction, **and is available to all who meet the age requirements specified in 20-7-503 and reside within the geographical boundaries of the school district that offers the course.** A traffic education learner license entitles the licensee to operate a motor vehicle only when accompanied by an approved instructor or licensed parent or guardian and may be restricted to specific times or areas.

Amendments to Senate Bill No. 104
1st Reading Copy

Requested by Senator Jesse Laslovich

For the Senate Judiciary Committee

Prepared by Valencia Lane
January 28, 2005 (1:11pm)

1. Page 1, line 25.
Page 2, line 18.
Page 2, line 20.
Page 3, line 6.
Page 3, line 7.
Page 3, line 9.
Page 3, line 12.
Page 3, line 13.
Page 3, line 14.
Page 3, line 16.

Strike: "21"

Insert: "18"

2. Page 2, line 5.

Following: "(3)"

Insert: "(a)"

3. Page 2, line 8.

Following: line 7

Insert: "(b) The requirements of subsections (1)(a) and (1)(c) do not apply to a person under 18 years of age who, at the time of application for a driver's license, is an enrollee of a job corps program located in Montana. The department may require the applicant to provide current documentation of the applicant's job corps program enrollment status."

4. Page 2, line 18 through line 19.

Following: "older" on line 18

Strike: remainder of line 18 through "vehicle" on line 19

5. Page 3, line 5.

Following: "(c)(i)"

Strike: "For"

Insert: "Except as provided in subsection (1)(d), for"

6. Page 3, line 7 through line 8.

Following: "age" on line 7
Strike: remainder of line 7 through "vehicle" on line 8

7. Page 3, line 9 through line 10.
Following: "family" on line 9
Strike: remainder of line 9 through "licensee" on line 10

8. Page 3, line 11.
Following: "(ii)"
Strike: "For"
Insert: "Except as provided in subsection (1)(d), for"

9. Page 3, line 17.
Following: line 16
Insert: "(d) A restricted licensee who is a current enrollee of a job corps program located in Montana may operate a motor vehicle with more than one passenger who is under 18 years of age without being supervised by a licensed driver who is at least 18 years of age if the restricted licensee is operating the motor vehicle as part of the restricted licensee's job corps training program."

10. Page 3, line 25.
Following: "report of"
Insert: "a second or subsequent"

11. Page 3, line 26.
Following: "license for"
Strike: "90 days upon a first conviction and for"
Following: "6 months"
Strike: "upon a second or subsequent conviction"

12. Page 4, line 20.
Page 4, line 25.
Strike: "21"
Insert: "18"

13. Page 5, line 5.
Following: "instruction"
Insert: "and that is available to all who meet the age requirements specified in 20-7-503 and reside within the geographical boundaries of the school district that offers the course"

- END -