

1 HOUSE BILL NO. 478

2 INTRODUCED BY WARDEN, JENT

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING THAT INDIVIDUALS REQUIRED TO REGISTER IN
5 COMPLIANCE WITH THE FEDERAL MILITARY SELECTIVE SERVICE ACT MUST BE PROVIDED AN
6 OPPORTUNITY TO FULFILL REGISTRATION REQUIREMENTS IN CONJUNCTION WITH AN APPLICATION
7 FOR A DRIVER'S LICENSE, ~~OR COMMERCIAL DRIVER'S LICENSE~~, INSTRUCTION PERMIT, ~~OR STATE~~
8 IDENTIFICATION CARD; REQUIRING THE DEPARTMENT OF ~~TRANSPORTATION~~ JUSTICE TO SUBMIT
9 ANY SUPPLIED REGISTRATION INFORMATION TO THE SELECTIVE SERVICE SYSTEM; AND AMENDING
10 SECTION 61-5-107, MCA."

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

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14 **Section 1.** Section 61-5-107, MCA, is amended to read:

15 **"61-5-107. Application for license, instruction permit, or motorcycle endorsement.** (1) Each
16 application for an instruction permit, driver's license, commercial driver's license, or motorcycle endorsement
17 must be made upon a form furnished by the department. Each application must be accompanied by the proper
18 fee, and payment of the fee entitles the applicant to not more than three attempts to pass the examination within
19 a period of 6 months from the date of application. A voter registration form for mail registration as prescribed by
20 the secretary of state must be attached to each driver's license application. If the applicant wishes to register
21 to vote, the department shall accept the registration and forward the form to the election administrator.

22 (2) Each application must include the full legal name, date of birth, sex, residence address of the
23 applicant [and the applicant's social security number], must include a brief description of the applicant, and must
24 provide the following additional information:

25 (a) the name of each jurisdiction in which the applicant has previously been licensed to drive any type
26 of motor vehicle during the 10-year period immediately preceding the date of the application;

27 (b) a certification from the applicant that the applicant is not currently subject to a suspension,
28 revocation, disqualification, or withdrawal of a previously issued driver's license or any driving privileges in
29 another jurisdiction and that the applicant does not have a driver's license from another jurisdiction;

30 (c) a brief description of any physical or mental disability, limitation, or condition that impairs or may

1 impair the applicant's ability to exercise ordinary and reasonable control in the safe operation of a motor vehicle
2 on the highway; and

3 (d) a brief description of any adaptive equipment or operational restrictions that the applicant relies upon
4 or intends to rely upon to attain the ability to exercise ordinary and reasonable control in the safe operation of
5 a motor vehicle on the highway, including the nature of the equipment or restrictions.

6 [(3) The department shall keep the applicant's social security number from this source confidential,
7 except that the number may be used for purposes of subtitle VI of Title 49 of the U.S.C. or as otherwise
8 permitted by state law administered by the department and may be provided to the department of public health
9 and human services for use in administering Title IV-D of the Social Security Act.]

10 (4) (a) When an application is received from an applicant who is not ineligible for licensure under
11 61-5-105 and who was previously licensed by another jurisdiction, the department shall request a copy of the
12 applicant's driving record from each jurisdiction in which the applicant was licensed in the preceding 10-year
13 period. The driving record may be transmitted manually or by electronic medium.

14 (b) When received, the driving records must be appended to the driver's record created and maintained
15 in this state. The department may rely on information contained in driving records received under this section
16 to determine the appropriate action to be taken against the applicant upon subsequent receipt of a report of a
17 conviction or other conduct requiring suspension or revocation of a driver's license under state law.

18 (5) An individual WHO IS UNDER 26 YEARS OF AGE BUT AT LEAST 15 YEARS OF AGE WHO IS required to
19 register in compliance with the federal Military Selective Service Act, 50 App. U.S.C. 453, must be provided an
20 opportunity to fulfill those registration requirements in conjunction with an application for an instruction permit,
21 or driver's license, except a commercial driver's license, OR STATE IDENTIFICATION CARD. IF UNDER 18 YEARS OF AGE
22 BUT AT LEAST 15 YEARS OF AGE, AN INDIVIDUAL MUST BE PROVIDED AN OPPORTUNITY TO BE REGISTERED BY THE
23 SELECTIVE SERVICE SYSTEM UPON ATTAINING 18 YEARS OF AGE. Any registration information supplied on the
24 application must be transmitted by the department to the selective service system. (Bracketed language
25 terminates on occurrence of contingency--sec. 1, Ch. 27, L. 1999.)"

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