60th Legislature HB0275.01

1 HOUSE BILL NO. 275
2 INTRODUCED BY R. KOOPMAN
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REDUCING THE PENALTY FOR A SPEEDING VIOLATION IF
5 FRONT HEADLIGHTS ARE IN USE DURING DAYTIME HOURS ON PRIMARY AND INTERSTATE HIGHWAYS;
6 AND AMENDING SECTION 61-8-725, MCA."
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8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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NEW SECTION. Section 1. Reduction of fines for speeding violations for daytime use of headlights. A driver of a vehicle who receives a speeding violation pursuant to 61-8-303 must have the penalties proscribed in 61-8-725 reduced by 20% if the vehicle has the headlights engaged at any time from one-half hour after sunrise to one-half hour before sunset. This reduction in penalties applies only to vehicles being driven on primary and interstate highways.

Section 2. Section 61-8-725, MCA, is amended to read:

"61-8-725. Penalty for violation of speed limits -- no record for certain violations. (1) <u>Subject to [section 1]</u>, a A person violating the speed limit imposed pursuant to 61-8-303 shall be fined in accordance with the following schedule:

20	Amount of F	ine MPH in Excess of Speed Limit
21	\$ 20	1 - 10 (daytime)
22	20	1 - 10 (nighttime)
23	40	11 - 20
24	70	21 - 30
25	100	31+

(2) A violation of a speed limit imposed pursuant to 61-8-303 is not a criminal offense within the meaning of 3-1-317, 45-2-101, 46-18-236, 61-8-104, and 61-8-711 and, except as provided in subsection (4) of this section, may not be recorded or charged against a driver's record, and an insurance company may not hold a violation of a speed limit against the insured or increase premiums because of the violation if the speed limit is exceeded by no more than:



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2 (b) 5 miles an hour during the nighttime.

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- 3 (3) The surcharge provided for in 3-1-317 may not be imposed for a violation of 61-8-303.
- 4 (4) The recordkeeping restrictions provided in subsection (2) with respect to a person's driving record do not apply to a speed limit violation or conviction that was committed by:
 - (a) a Montana resident in another state whose violation or conviction was reported to the department by a court or the licensing authority in the state in which the violation occurred; or
 - (b) a person who holds a commercial driver's license regardless of whether or not the violation occurred while the person was operating a commercial motor vehicle."

NEW SECTION. Section 3. Codification instruction. [Section 1] is intended to be codified as an integral part of Title 61, chapter 8, part 3, and the provisions of Title 61, chapter 8, part 3, apply to [section 1].

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