

SENATE BILL NO. 159

INTRODUCED BY D. HARRINGTON

BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE INCLUSION OF DRUG USE IN COUNTY DRINKING AND DRIVING PREVENTION PROGRAMS; AND AMENDING SECTIONS 61-2-106, 61-2-107, AND 61-2-108, MCA."

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

Section 1. Section 61-2-106, MCA, is amended to read:

"61-2-106. County ~~drinking substance abuse~~ and driving prevention program. (1) The governing body of a county may appoint a task force to study the problem of ~~alcohol-related~~ traffic accidents related to alcohol, drugs, or a combination of alcohol and drugs and recommend a program designed to:

(a) prevent driving while under the influence of alcohol, drugs, or a combination of alcohol and drugs;

(b) reduce ~~alcohol-related~~ traffic accidents related to alcohol, drugs, or a combination of alcohol and drugs; and

(c) educate the public on the dangers of driving after consuming alcoholic beverages or other chemical substances that impair judgment or motor functions.

(2) A task force appointed under subsection (1) shall conduct its study and submit its recommendations within 6 months from the date it was appointed. Task force meetings are open to the public. The task force shall give notice of its meetings by publication in the community meeting announcement section of a newspaper of general circulation in the county.

(3) The county governing body may by resolution adopt the recommendations of the task force appointed under subsection (1). The proposed program must be approved by the governor as provided in 61-2-105.

(4) The ~~chairman~~ presiding officer of the task force shall submit to the county governing body:

(a) a budget and a financial report for each fiscal year; and

(b) an annual report containing but not limited to:

(i) an evaluation of the effectiveness of the program;

(ii) the number of arrests and convictions in the county for driving under the influence of alcohol, drugs.

1 or a combination of alcohol and drugs and the sentences imposed for ~~these~~ the convictions;

2 (iii) the number of ~~alcohol-related~~ traffic accidents related to alcohol, drugs, or a combination of alcohol
3 and drugs in the county; and

4 (iv) any other information requested by the county governing body or considered appropriate by the task
5 force.

6 (5) A copy of the annual report and financial report may be submitted to the department."
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8 **Section 2.** Section 61-2-107, MCA, is amended to read:

9 **"61-2-107. License reinstatement fee to fund county drinking or drug consumption and driving**
10 **prevention programs.** (1) Notwithstanding the provisions of any other law of the state, a driver's license that has
11 been suspended or revoked under 61-5-205 or 61-8-402 must remain suspended or revoked until the driver has
12 paid to the department a fee of \$200 in addition to any other fines, forfeitures, and penalties assessed as a result
13 of conviction for a violation of the traffic laws of the state.

14 (2) The department shall deposit one-half of the fees collected under subsection (1) in the general fund
15 and the other half in an account in the state special revenue fund to be used for funding county ~~drinking and~~
16 ~~driving~~ prevention programs as provided in 61-2-108."
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18 **Section 3.** Section 61-2-108, MCA, is amended to read:

19 **"61-2-108. Funding allocation for programs to prevent or reduce drinking or drug consumption**
20 **and driving.** If the county in which the violation or violations occurred has initiated and maintained a ~~drinking and~~
21 ~~driving~~ prevention program as provided in 61-2-106, the department shall transmit the county portion of the
22 proceeds of the license reinstatement fees collected in that county to the county treasurer, as provided in
23 61-2-107(2), at the end of each quarter."
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