

**Montana Code Annotated 2009**EXHIBIT 2  
DATE 2-4-11  
Section C

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**3-10-601. Collection and disposition of fines, penalties, forfeitures, and fees.** (1) Except as provided in 61-8-726 and 75-7-123, a justice's court shall collect the fees prescribed by law for justices' courts and shall pay them into the county treasury of the county in which the justice of the peace holds office, on or before the 10th day of each month, to be credited to the general fund of the county.

(2) Except as provided in 61-8-726, 75-7-123, and subsection (4) of this section, all fines, penalties, and forfeitures that are required to be imposed, collected, or paid in a justice's court must, for each calendar month, be paid by the justice's court on or before the 5th day of the following month to the treasurer of the county in which the justice's court is situated, except that they may be distributed as provided in 44-12-206 if imposed, collected, or paid for a violation of Title 45, chapter 9 or 10.

(3) Except as provided in 46-18-236(7), 61-8-726, and 75-7-123, the county treasurer shall, as provided in 15-1-504, distribute money received under subsection (2) as follows:

- (a) 50% to the department of revenue for deposit in the state general fund; and
- (b) 50% to the county general fund.

(4) (a) The justice's court may contract with a private person or entity for the collection of any final judgment that requires a payment to the justice's court.

(b) In the event that a private person or entity is retained to collect a judgment, the justice's court may assign the judgment to the private person or entity and the private person or entity may, as an assignee, institute a suit or other lawful collection procedure and other postjudgment remedies in its own name.

(c) The justice's court may pay the private person or entity a reasonable fee for collecting the judgment. The fee incurred by the justice's court must be added to the judgment amount.

**History:** En. Sec. 2, Ch. 84, L. 1917; re-en. Sec. 4930, R.C.M. 1921; re-en. Sec. 4930, R.C.M. 1935; amd. Sec. 9, Ch. 491, L. 1973; amd. Sec. 4, Ch. 420, L. 1975; amd. Sec. 15, Ch. 344, L. 1977; R.C.M. 1947, 25-307; amd. Sec. 1, Ch. 557, L. 1987; amd. Sec. 1, Ch. 296, L. 1991; amd. Sec. 3, Ch. 667, L. 1991; amd. Sec. 1, Ch. 39, Sp. L. November 1993; amd. Sec. 5, Ch. 18, L. 1995; amd. Sec. 3, Ch. 509, L. 1995; amd. Sec. 26, Ch. 546, L. 1995; amd. Sec. 2, Ch. 257, L. 2001; amd. Sec. 1, Ch. 449, L. 2001; amd. Sec. 4, Ch. 515, L. 2001; amd. Sec. 2, Ch. 470, L. 2003; amd. Sec. 1, Ch. 510, L. 2003; amd. Sec. 2, Ch. 232, L. 2005.

*Provided by Montana Legislative Services*

# Montana Code Annotated 2009

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**2-17-425. Limit on use of state vehicle to commute to worksite -- definitions.** (1) Except as provided in subsection (2), a state-owned vehicle may not be used by a state agency employee to commute from the employee's residence to the employee's worksite.

(2) (a) The department director may authorize an exception to subsection (1) if the commute from an employee's residence to the employee's worksite is less than 30 miles, the employee is required to be on call for quick response to an emergency that threatens life or property and on-call duty is a specifically identified duty in the employee's position description, and employees in the position have frequently responded to emergency calls in the past 6 months.

(b) Any exception authorized pursuant to subsection (2)(a) and the rationale for the exception must be documented in a memorandum or letter signed by the employee's department director and kept on file with the agency head. A copy of the letter or memorandum must be sent to the governor.

(c) This section does not apply:

(i) to the psychiatrist employed by the department of corrections and assigned to the Montana state prison;

(ii) when the vehicle is, in effect, the employee's worksite; or

(iii) when 24-hour use of a state-owned vehicle is specifically authorized by law for an elected or appointed state official and use of the vehicle is considered part of the official's compensation package.

(3) Using a state-owned vehicle to commute between the employee's residence and a worksite that is more than 30 miles from the employee's residence is not permitted under any circumstance unless that use is authorized by the employee's department director pursuant to rules adopted under 2-17-424, the rationale for the exception is documented in a memorandum or letter signed by the employee's department director and kept on file with the agency head, and a copy of the letter or memorandum is sent to the governor.

(4) As used in this section, "state agency" or "agency" means any office, board, commission, department, or other entity of the executive, judicial, or legislative branch of state government, including the university system.

**History:** En. Sec. 1, Ch. 463, L. 2009.

*Provided by Montana Legislative Services*

Agency vehicles assigned to state employees  
per exception granted by Department Directors pursuant to  
MCA 2-17-425

Department	Number of Vehicles
Montana Department of Transportation	0
MDT- Motor Carriers Service - <i>Law Enforcement</i>	22
Department of Administration	0
Department of Environmental Quality	0
Department of Corrections	22
Department of Natural Resources and Conservation	2
Department of Labor and Industry - <i>Homebased Inspector</i>	61
Department of Revenue	0
Department of Public Health and Human Services	0
Department of Livestock - <i>Enforcement</i>	23
Department of Livestock- <i>Meat Inspection</i>	16
Department of Agriculture	0
Fish Wildlife and Parks- <i>Wardens</i>	75
Fish Wildlife and Parks	35
Military Affairs - <i>Disaster Emergency Services</i>	6

**standards and performance specifications and inclusion on the applicable Conforming Products List (CPL)** established by NHTSA, the Research and Innovative Technology Administration (RITA), the American College of Surgeons or by other nationally recognized standard-setting agencies (or by State standards and performance specifications, as long as they are at least as stringent as applicable national standards and performance specifications):

- a. **Police traffic** enforcement, speed-measuring devices, automated speed-measuring systems, red light camera systems, or other enforcement technologies, and systems used to identify and collect evidence for presentation in court and costs for certification testing of such enforcement technologies, devices and systems used by the police when conducted at testing laboratories established by NHTSA (a comprehensive list can be found online on NHTSA's website).
- b. **Alcohol/drug testing devices** and costs for re-certification of such devices (a comprehensive list can be found online on NHTSA's website).
- c. **Ambulance costs not to exceed 25% for Federal share**, unless the State submits to the appropriate NHTSA grant-approving official documentation supporting a higher percentage of highway safety utilization. Minimum requirements for an ambulance include: (1) meeting the GSA Federal Ambulance Specifications (KKK series); (2) being equipped in accordance with the essential equipment list recommended by the American College of Surgeons; (3) containing space for two litter patients and 60 inches of headroom for EMT's; (4) being manned by a minimum of one basic level EMT; and (5) having exterior vehicle lighting sufficient for identification as an ambulance.
- d. **Helicopter costs, not to exceed 25% for Federal share**, unless the State submits to the appropriate NHTSA grant-approving official documentation supporting a higher percentage of highway safety utilization. Helicopters must be equipped for emergency medical services (EMS) missions and for police traffic safety functions related to law enforcement, with an absolute priority accorded to EMS duty needs for crash site victim removal. Activity logs must be maintained to verify highway safety use and expenditure.
- e. **Automated External Defibrillators (AED) costs, not to exceed 25% for Federal share. AED are to be used for training EMS personnel only. AED CANNOT be used to equip ambulances (or police cars or offices).**
- f. **Fixed wing aircraft costs, not to exceed 25% for Federal share**, unless the

*Grant Funding Policy*

Revised July 2007



**U.S. DEPARTMENT OF TRANSPORTATION**

**NATIONAL HIGHWAY TRAFFIC SAFETY  
ADMINISTRATION**

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**HIGHWAY SAFETY GRANT FUNDING POLICY**

**FOR FIELD-ADMINISTERED GRANTS**