SENATE HIGHWAYS
EXHIBIT NO. 3
DATE 4-11-13
BILL NO. HB 559

Amendments to House Bill No. 559
3rd Reading Copy

Requested by Senator Edward Buttrey

For the Senate Highways and Transportation Committee

Prepared by Dave Bohyer
April 11, 2013 (2:08pm)

1. Title, line 12.
**Strike:** "AND"
**Following:** "61-3-310,"
**Insert:** "AND 61-8-725,"

2. Page 14.
**Following:** line 2
**Insert:** "**Section 8.** Section 61-8-725, MCA, is amended to read:

"**61-8-725. Penalty for violation of speed limits -- no record for certain violations.** (1) A person violating the speed limit imposed pursuant to 61-8-303 shall be fined in accordance with the following schedule:

| Amount of Fine | MPH in Excess of Speed Limit |
|---|---|
| $ 20 | 1 - 10 (daytime) |
| 20 | 1 - 10 (nighttime) |
| 40 | 11 - 20 |
| 70 | 21 - 30 |
| 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), 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:

(a) 10 miles an hour during the daytime; or

(b) 5 miles an hour during the nighttime.

(3) The surcharge provided for in 3-1-317 may not be imposed for a violation of 61-8-303.

(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



OVER >

person was operating a commercial motor vehicle.

(5) This section does not apply to the violation of a special speed zone established under 61-8-309 or 61-8-310."

{*Internal References to 61-8-725:*
*61-11-203 ok/ddb*}"

**Renumber**: subsequent sections

- END -