

HOUSE BILL NO. 442

INTRODUCED BY RANDALL, LAVIN

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4 A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE DOLLAR AMOUNT OF PROPERTY DAMAGE  
5 THAT MUST BE SUSTAINED IN AN ACCIDENT BEFORE A MOTOR VEHICLE OPERATOR IS REQUIRED TO  
6 IMMEDIATELY REPORT THE ACCIDENT; ~~INCREASING THE DOLLAR AMOUNT OF PROPERTY DAMAGE~~  
7 ~~THAT MUST BE SUSTAINED BEFORE AN INVESTIGATING LAW ENFORCEMENT OFFICER IS REQUIRED~~  
8 ~~TO SUBMIT A WRITTEN REPORT; AND AMENDING SECTIONS SECTION 61-7-108 AND 61-7-109, MCA."~~

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

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12 **Section 1.** Section 61-7-108, MCA, is amended to read:

13 **"61-7-108. Immediate notice of accidents.** The driver of a vehicle who knows or reasonably should  
14 have known that the driver has been involved in an accident resulting in injury to or death of any person, striking  
15 the body of a deceased person, or property damage to an apparent extent of \$500 ~~\$2,000~~ \$1,000 or more shall  
16 immediately by the quickest means of communication give notice of the accident to the local police department  
17 if the accident occurs within a municipality, otherwise to the office of the county sheriff or the nearest office of the  
18 highway patrol."

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20 ~~Section 2.~~ Section 61-7-109, MCA, is amended to read:

21 ~~"61-7-109. Written reports of accidents -- additional information -- form of report.~~ (1) The operator  
22 of a motor vehicle that is in any manner involved in an accident within this state in which a person is killed or  
23 injured or in which damage to the property of a person in excess of \$1,000 ~~\$2,000~~ is sustained shall, within 10  
24 days after the accident, report the matter in writing to the department unless the accident was investigated and  
25 reported by a law enforcement officer as provided in subsection (3).

26 ~~(2) The department may require the driver of a vehicle involved in an accident of which report must be~~  
27 ~~made as provided in this section to file supplemental reports whenever the original report is insufficient and may~~  
28 ~~require witnesses of accidents to render reports.~~

29 ~~(3) A law enforcement officer who in the regular course of duty investigates a motor vehicle accident in~~  
30 ~~which a person is killed or injured or in which damage to the property of a person exceeds \$1,000 \$2,000, either~~



1 at the time of and at the scene of the accident or after the accident by interviewing participants or witnesses, shall  
2 within 10 days after completing the investigation forward a written report of the accident to the department:

3 ~~——— (4) The form of the accident report required under this section must contain information sufficient to  
4 enable the department to determine whether the requirements for the deposit of security for safety responsibility  
5 are inapplicable by reason of the existence of insurance or other exemptions specified in chapter 6 of this title.~~

6 ~~——— (5) A report required by subsection (1) or (2) may not be used as evidence in any trial, civil or criminal,  
7 arising out of an accident."~~

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