

HOUSE BILL NO. 747

INTRODUCED BY J. DOOLING

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO DISABILITY PARKING; INCREASING FINES FOR VIOLATIONS; ESTABLISHING THAT A PERSON WHO PROVIDES FALSE INFORMATION OR ASSISTS AN UNQUALIFIED PERSON IN ACQUIRING CERTAIN DISABILITY PARKING ACCOMMODATIONS IS GUILTY OF A MISDEMEANOR; AND AMENDING SECTION 49-4-307, MCA."

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

Section 1. Section 49-4-307, MCA, is amended to read:

"49-4-307. ~~Penalty~~ Penalties. (1) (a) A person who parks a motor vehicle or motorcycle in violation of 49-4-302(2) ~~is guilty of a misdemeanor and is punishable by a fine of \$100~~ or (3) shall be fined not less than \$150 or more than \$250 for a first violation, and not less than \$250 or more than \$500 for a second or subsequent violation.

(b) ~~_____ However, a person charged with violating in violation of 49-4-302(2) or (3) may not be convicted-fined if within 3 business days the person produces in court or the office of the arresting officer a disability parking permit that was previously issued to the person and that is valid at the time of arrest the parking violation.~~

(2) _____ If the operator is not with the vehicle at the time of violation, the registered owner of the motor vehicle is personally responsible. A defense that the motor vehicle was parked in violation of 49-4-302(2) or (3) by a person other than the registered owner is not allowed unless it is shown that at the time, the motor vehicle was being used without the consent of the registered owner.

(3) _____ An individual who provides false information in order to acquire or who assists an unqualified person in acquiring a disability license plate issued under 61-3-458(4)(b) or (4)(i), a license plate displaying a wheelchair as provided in 61-3-332(9), or a disability parking placard issued under this part, and any person who abuses the privileges granted by this part is guilty of a misdemeanor punishable by a fine of not less than \$300 or community service not to exceed 10 hours dedicated to improving access for persons with disabilities,

