

HOUSE BILL NO. 215
INTRODUCED BY BRUEGGEMAN
BY REQUEST OF THE DEPARTMENT OF JUSTICE

A BILL FOR AN ACT ENTITLED: "AN ACT STANDARDIZING THE FEE FOR REINSTATEMENT OF A DRIVER'S LICENSE OR DRIVING PRIVILEGE AFTER SUSPENSION OR REVOCATION BY INCREASING THE FEE FOR REINSTATEMENT AFTER CERTAIN SUSPENSIONS OR REVOCATIONS FROM \$25 TO \$100; EXEMPTING THE HOLDER OF A COMMERCIAL DRIVER'S LICENSE FROM THE STANDARDIZED REINSTATEMENT FEE; AMENDING SECTIONS 61-5-215 AND 61-5-216, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

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

NEW SECTION. Section 1. License reinstatement fee following license suspension or revocation.

(1) Except as provided in subsection (2), a person whose driver's license, OTHER THAN A COMMERCIAL DRIVER'S LICENSE, or driving privilege has been suspended or revoked shall pay a reinstatement fee of \$100 to the department to have the driver's license or driving privilege reinstated.

(2) A person whose driver's license or driving privilege was suspended or revoked under 61-5-205 or 61-8-402 shall pay a reinstatement fee as required by 61-2-107. A driver's license or driving privilege that was suspended or revoked under 61-5-207 must be reinstated without payment of a reinstatement fee.

(3) The department shall deposit the fees collected under subsection (1) in the general fund.

Section 2. Section 61-5-215, MCA, is amended to read:

"61-5-215. Provisional licenses prohibited --reinstatement fee. ~~(1) No~~ A provisional, restricted, or probationary license may not be issued upon a suspension under 61-5-214.

~~(2) A person whose license is suspended under 61-5-214 shall pay a reinstatement fee of \$25 to the court for deposit in the state general fund."~~

Section 3. Section 61-5-216, MCA, is amended to read:

"61-5-216. Reinstatement of license. Upon receipt of notification from the court that the operator has appeared, posted the bond, or paid the fine, costs, or restitution amounts and if the reinstatement fee required

under 61-2-107 or [section 1] has been paid, the department shall immediately reinstate the license, unless the operator otherwise is not entitled to reinstatement."

NEW SECTION. **Section 4. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 61, chapter 5, part 2, and the provisions of Title 61, chapter 5, part 2, apply to [section 1].

NEW SECTION. **Section 5. Effective date.** [This act] is effective July 1, 2003.

NEW SECTION. **Section 6. Applicability.** [This act] applies to the reinstatement of a driver's license or driving privilege that is suspended or revoked on or after July 1, 2003.

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