

HOUSE BILL NO. 369  
INTRODUCED BY C. YOUNKIN

A BILL FOR AN ACT ENTITLED: "AN ACT EXTENDING TO SPEED LIMIT VIOLATIONS THE SURCHARGES IMPOSED BY SECTIONS 3-1-317 AND 46-18-236, MCA, UPON A PERSON COMMITTING A CRIME; AND AMENDING SECTION 61-8-725, MCA."

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

**Section 1.** 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 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."~~

- END -

