

HOUSE BILL NO. 369
INTRODUCED BY YOUNKIN, NEWMAN

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; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.~~"

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."~~

NEW SECTION. SECTION 2. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE ON PASSAGE AND APPROVAL.

- END -

