

HOUSE BILL NO. 121  
INTRODUCED BY B. MCCHESENEY  
BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE RESPONSIBILITY OF THE DEPARTMENT OF TRANSPORTATION FOR THE ADMINISTRATION OF THE HIGHWAY TRAFFIC SAFETY PROGRAM; REQUIRING THE DEPARTMENT TO WORK WITH THE OFFICE OF PUBLIC INSTRUCTION TO PROVIDE SUPPORT AND MAINTENANCE OF DRIVER TRAINING FACILITIES; AND AMENDING SECTION 61-2-103, MCA."

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

**Section 1.** Section 61-2-103, MCA, is amended to read:

**"61-2-103. Duties.** (1) The governor is responsible for the administration of the highway traffic safety program. The governor may contract and do all other things necessary to secure the full benefits available to this state under the ~~Federal~~ federal Highway Safety Act, ~~of 1966~~ 23 U.S.C. 401 through 403, and, in so doing, may cooperate with federal and state agencies, private and public organizations, and individuals to effectuate the purposes of that enactment and all amendments to it. The governor may appoint an administrator of the highway traffic safety program to carry out the governor's responsibilities under this part. For purposes of participation in the ~~Federal~~ federal Highway Safety Act ~~of 1966~~, 23 U.S.C. 401 through 403, the governor shall designate the superintendent of public instruction as the state agency responsible for all aspects of federally assisted driver education and safety programs in the public schools, including the approval of the programs, certification of teachers, and the acceptance, allocation, and expenditure of funds for driver education in accordance with applicable federal laws and regulations. Nothing in this part interferes with the provisions of Title 20, chapter 7, part 5, or 20-9-603.

(2) The department shall:

- (a) ~~advise and assist the governor in all matters of highway safety and establish comprehensive training programs, including establishment and regulation of driver training schools, certification of the schools and instructors, and establishment of adult training and retraining programs;~~
- (b) ~~develop and procure practice driving facilities, simulators, and other teaching aids for school and driver training use; and~~

~~(e)~~(b) establish a continuing and adequate research program designed to determine the causes of accidents and effect a program of prevention; and

(c) cooperate with the office of public instruction to provide support and maintenance of driver training facilities to comply with the federal Highway Safety Act, 21 U.S.C. 401 through 403.

(3) The department of justice shall:

(a) establish a uniform system of driver licensing, including mental and physical standards; and

(b) prescribe and establish safety regulations for motor vehicles and operators."

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