

HOUSE BILL NO. 780  
INTRODUCED BY D. VILLA

A BILL FOR AN ACT ENTITLED: "AN ACT REGULATING LEAVING UNATTENDED CHILDREN IN MOTOR VEHICLES; PROVIDING DEFINITIONS; AND PROVIDING PENALTIES."

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

NEW SECTION. **Section 1. Short title.** [Sections 1 through 5] may be cited as the "Unattended Children in Motor Vehicles Safety Act".

NEW SECTION. **Section 2. Purpose.** The purpose of [sections 1 through 5] is to protect innocent children from being injured or killed when left alone in a motor vehicle.

NEW SECTION. **Section 3. Definitions.** As used in [sections 1 through 5], unless the context requires otherwise, the following definitions apply:

- (1) "Motor vehicle" has the meaning provided in 61-1-101.
- (2) "Unattended child" means a child 8 years of age or younger who is not accompanied by another individual who is at least 14 years of age.

NEW SECTION. **Section 4. Prohibition on leaving unattended child.** A person may not leave an unattended child in a motor vehicle if:

- (1) the conditions present a risk to the child's health or safety; or
- (2) the engine of the motor vehicle is running or the keys to the motor vehicle are left in the motor vehicle.

NEW SECTION. **Section 5. Penalty.** (1) A person who violates [section 4] is subject to a civil penalty as follows:

- (a) for a first violation, a fine of not less than \$200 or more than \$500; and
  - (b) for a second or subsequent violation, a fine of not less than \$500 or more than \$1,000.
- (2) The fines collected under subsection (1) must be deposited in the general fund of the jurisdiction employing the person who issues a citation.

NEW SECTION. **Section 6. Codification instruction.** [Sections 1 through 5] are intended to be codified as an integral part of Title 61, chapter 12, and the provisions of Title 61, chapter 12, apply to [sections 1 through 5].

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