

OFFICE OF THE GOVERNOR
STATE OF MONTANA

STEVE BULLOCK
GOVERNOR



MIKE COONEY
LT. GOVERNOR

May 11, 2017

The Honorable Corey Stapleton
Secretary of State
State Capitol
Helena, MT 59620

Dear Secretary Stapleton,

In accordance with the power vested in me as Governor by the Constitution and the laws of the State of Montana, I hereby veto House Bill 562 (HB 562), "AN ACT EXEMPTING CERTAIN USES OF MOBILE COMMUNICATIONS DEVICES WHILE DRIVING A MOTOR VEHICLE FROM LOCAL ORDINANCES; PROVIDING A PENALTY; AND AMENDING SECTIONS 7-14-4116, 61-8-103, AND 61-12-101, MCA."

HB 562 strips local governments of the authority to enact an ordinance or regulation prohibiting the use of cell phones while driving unless the ordinance or regulation includes an exception for using a cell phone when the vehicle is safely parked. Further, the bill would limit the fine for a violation of a validly enacted ordinance to \$100.00.

HB 562 would undermine the many ordinances throughout the state that have already been adopted by local governments. Local jurisdictions are in the best position to enact such ordinances because they know the unique circumstances and history of their own communities. For example, it may be that a community has discovered a \$100 fine has no impact on reducing cell phone use while driving, but a \$200 dollar fine drastically reduces cell phone use. In the interests of public safety, a local government would be justified in adopting the higher fines.

HB 562 needlessly substitutes the judgment of legislators in Helena for the more informed judgment of local governments. Cell phone ordinances are local decisions based on local circumstances that are best left to local governments.

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For these reasons, I veto HB 562.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Bullock", with a long horizontal flourish extending to the right.

STEVE BULLOCK
Governor

cc: Legislative Services Division
Scott Sales, President of the Senate
Austin Knudsen, Speaker of the House