

DRIVING UNDER THE INFLUENCE/GENERALLY

LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting. (5-4-105, MCA; [Chapter 309, Laws of 2017](#)) The history must include related legislation introduced over the last five sessions and hyperlinks to the bill, hearing information, and fiscal notes. The links below open to the introduced bill. The other information is available by selecting the Additional Bill Links hyperlink at the top of the bill and then the link “Status of this Bill.”

Legislation can be complex and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.

Background Materials and Research

Topic Summary: This topic covers the topic of driving under the influence of alcohol. It does not cover the 24/7 program which is covered in a separate primer.

Legislative Services Division Materials:

- [LJIC Table of Bills: Recommendations to the 2011 Legislature](#)
- [SJ 39 Study of DUI Laws \(2009-2010\): Materials and Reports](#) -- Law and Justice Interim Committee

Other Materials:

- [Penalties chart as of June 2017](#) -- Montana Department of Transportation

Introduced Legislation

2019

[House Bill No. 534](#) -- (H) Vetoed by Governor -- AN ACT INCREASING PENALTIES FOR 5TH AND SUBSEQUENT DUI OFFENSES; AMENDING SECTION 61-8-731, MCA; AND PROVIDING AN APPLICABILITY DATE.

[House Bill No. 635](#) -- (H) Died in Process -- AN ACT ESTABLISHING THE DUI REDUCTION GRANT PROGRAM; INCREASING CERTAIN ALCOHOL TAXES AND REALLOCATING CERTAIN ALCOHOL TAX REVENUE; PROVIDING FOR INFLATION-BASED ADJUSTMENTS; ESTABLISHING THE DUI REDUCTION GRANT BOARD AND STATE SPECIAL REVENUE ACCOUNT; PROVIDING RULEMAKING AUTHORITY; REQUIRING REPORTING; PROVIDING A STATUTORY APPROPRIATION; AMENDING SECTIONS 16-1-306, 16-1-401,

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16-1-406, 16-1-411, 17-1-508, 17-2-124, AND 17-7-502, MCA; AND PROVIDING AN EFFECTIVE DATE, AN APPLICABILITY DATE, AND A TERMINATION DATE.

[House Bill No. 728](#) -- (H) Died in Standing Committee -- AN ACT PROVIDING STATE RECOGNITION FOR THE NORTHERN TRIBES DUI TASK FORCE; PROVIDING REQUIREMENTS FOR THE TRIBAL TASK FORCE TO OBTAIN STATE RECOGNITION; PROVIDING AN APPROPRIATION; AND PROVIDING AN EFFECTIVE DATE.

[House Joint Resolution No. 64](#) -- (H) Died in Process -- A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA REQUESTING AN INTERIM STUDY OF BEST PRACTICES FOR REDUCING THE NUMBER OF DRIVING UNDER THE INFLUENCE CRIMES.

[Senate Bill No 65](#) -- (H) Died in Standing Committee -- AN ACT GENERALLY REVISING LAWS REGARDING DRIVING UNDER THE INFLUENCE; PROVIDING DEFINITIONS, A DESCRIPTION OF DRIVING UNDER THE INFLUENCE CRIMES, TREATMENT REQUIREMENTS, SOBRIETY MONITORING PROGRAM, FORFEITURE PROVISIONS, IMPLIED CONSENT AND ADMINISTRATIVE LICENSE SUSPENSION, APPEAL PROCESS, CONDITIONS OF ADMISSIBILITY, PROCESS FOR ADMINISTRATION OF TESTS, CONDITIONS FOR RECEIVING A PROBATIONARY DRIVERS LICENSE, OPEN CONTAINER VIOLATION, REVOCATION AND SUSPENSION OF LICENSE PROCEDURES; PROVIDING RULEMAKING AUTHORITY; PROVIDING PENALTIES; PROVIDING DEFINITIONS; AMENDING SECTIONS 23-2-535, ~~44-4-1202~~, ~~44-4-1203~~, 44-4-1205, 45-5-106, 45-5-205, 45-5-207, 45-5-628, 46-16-130, 46-18-201, 46-18-236, 50-46-320, 53-9-103, 61-1-101, 61-2-107, 61-2-302, 61-5-125, 61-5-205, 61-5-208, 61-5-212, 61-5-218, 61-5-231, 61-5-405, 61-8-101, 61-8-102, 61-8-805, 61-8-807, 61-11-101, AND 67-1-211, MCA; REPEALING SECTIONS 61-8-401, 61-8-402, 61-8-403, 61-8-404, 61-8-405, 61-8-406, 61-8-407, 61-8-408, 61-8-409, 61-8-410, 61-8-411, 61-8-421, 61-8-422, 61-8-440, 61-8-441, 61-8-442, 61-8-460, 61-8-461, 61-8-465, 61-8-714, 61-8-722, 61-8-731, 61-8-732, 61-8-733, 61-8-734, AND 61-8-741, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE AND AN APPLICABILITY DATE.

[Senate Bill No. 362](#) -- Chapter Number Assigned -- AN ACT REVISING THE REQUIREMENTS FOR THE 24/7 SOBRIETY AND DRUG MONITORING PROGRAM ACT; ALLOWING DISCRETION ON THE FREQUENCY AND TYPE OF TESTING METHODS; REMOVING THE REQUIREMENT FOR A PILOT PROGRAM; AND AMENDING SECTIONS 44-4-1202, 44-4-1203, AND 44-4-1205, MCA.

2017

[House Bill 654](#) – Died in Standing Committee -- AN ACT ESTABLISHING DRUG AND ALCOHOL TREATMENT PROGRAMS FOR CONVICTED OFFENDERS AT CERTAIN STATE FACILITIES; APPROPRIATING MONEY TO CONTRACT FOR PROVISION OF DRUG AND ALCOHOL TREATMENT PROGRAMS AT THE STATE FACILITIES; REDEFINING TERMS RELATED TO STATE YOUTH CORRECTIONAL FACILITIES AND STATE PRISONS; ALLOWING THE DEPARTMENT OF CORRECTIONS TO HOLD CERTAIN YOUTH AND ADULT OFFENDERS IN THE SAME FACILITY SUBJECT TO CERTAIN CONDITIONS; REQUIRING THE DEPARTMENT TO PRIORITIZE YOUTH NEEDS WHEN CONSIDERING THE CURRENT USE OF A FACILITY PREVIOUSLY USED TO HOUSE YOUTH; PROVIDING DIRECTION TO THE DEPARTMENT; AMENDING SECTIONS 19-20-101, 20-4-134, 20-4-502, 20-5-420, 20-9-327, 41-5-103, 41-5-106, 41-5-121, 41-5-122, 41-5-206, 41-5-208, 41-5-355, 41-5-1304, 41-5-1416, 41-5-1503, 41-5-1504, 41-5-1512, 41-5-1513, 41-5-1522, 41-5-1523, 41-5-2002, 41-5-2005, 45-5-214, 45-5-501, 45-7-307, 45-8-318, 46-23-201, 52-2-302, 52-5-101, 52-5-108, 52-5-109, 52-5-110, 52-5-111, 52-5-112,

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52-5-113, 52-5-114, 52-5-120, 52-5-121, 52-5-126, 52-5-128, 52-5-129, 53-1-104, 53-1-107, 53-1-109, 53-1-201, 53-1-202, 53-1-203, 53-1-207, 53-30-101, 53-30-102, AND 53-30-141, MCA; AND PROVIDING AN EFFECTIVE DATE.

[Senate Bill 280](#) – Died in Standing Committee -- ACT REVISING LAWS RELATED TO DRIVING UNDER THE INFLUENCE; PROVIDING FOR AN INTERLOCK RESTRICTED LICENSE INSTEAD OF LICENSE SUSPENSION IN CERTAIN SITUATIONS FOLLOWING CONVICTION FOR DRIVING UNDER THE INFLUENCE OR VIOLATION OF THE IMPLIED CONSENT LAWS; AMENDING SECTIONS [61-2-107](#), [61-2-108](#), [61-5-205](#), [61-5-208](#), [61-5-212](#), [61-8-402](#), [61-8-410](#), [61-8-440](#), [61-8-442](#), [61-8-465](#), [61-8-714](#), [61-8-732](#), AND [61-8-734](#), MCA; AND PROVIDING AN APPLICABILITY DATE.

2015

[House Bill 214](#) -- Missed Deadline for Revenue Bill Transmittal -- AN ACT REVISING LAWS RELATED TO OPERATING CERTAIN VESSELS WHILE UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; PROVIDING ENFORCEMENT PROVISIONS; PROVIDING PENALTIES; AMENDING SECTIONS [23-1-122](#), [23-2-506](#), [23-2-523](#), [61-5-205](#), [61-8-401](#), [61-8-402](#), [61-8-404](#), [61-8-406](#), [61-8-407](#), [61-8-409](#), [61-8-410](#), [61-8-411](#), [61-8-442](#), [61-8-465](#), [61-8-714](#), [61-8-723](#), [61-8-731](#), [61-8-733](#), [61-8-734](#), AND [87-1-506](#), MCA; AND REPEALING SECTION [23-2-535](#), MCA.

[Senate Bill](#) – Chapter Number Assigned -- AN ACT CREATING A RESTRICTED-USE DRIVING PERMIT; ALLOWING A PERSON WHO MAY NOT BE ISSUED A DRIVER'S LICENSE UNDER THE INTERSTATE DRIVER LICENSE COMPACT TO PETITION A DISTRICT COURT FOR A RESTRICTED-USE DRIVING PERMIT; PROVIDING ELIGIBILITY REQUIREMENTS; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTIONS [61-5-105](#) AND [61-5-212](#), MCA; AND PROVIDING AN EFFECTIVE DATE.

[Senate Bill 357](#) -- Missed Deadline for General Bill Transmittal -- AN ACT PROVIDING THAT A CONVICTION FOR CRIMINAL CHILD ENDANGERMENT COUNTS AS A PRIOR OFFENSE TOWARDS FELONY DRIVING UNDER THE INFLUENCE; AMENDING SECTION [61-8-731](#), MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

[House Bill 111](#) – Chapter Number Assigned -- AN ACT REVISING SENTENCING FOR FELONY DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; AMENDING SECTION [61-8-731](#), MCA; AND PROVIDING AN APPLICABILITY

[House Bill 178](#) -- Missed Deadline for General Bill Transmittal -- AN ACT CLARIFYING THE ADMISSIBILITY IN A DUI TRIAL OF EVIDENCE OF A PERSON'S COMMISSION OF OTHER ACTS; AMENDING SECTION [61-8-404](#), MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

[House Bill 488](#) – Chapter Number Assigned -- AN ACT GENERALLY REVISING LAWS CONCERNING DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; ESTABLISHING A BLOOD-DRAW SEARCH WARRANT PROCESSING ACCOUNT IN THE STATE SPECIAL REVENUE FUND; PROVIDING FOR THE IMPOSITION OF A FINE UPON A PERSON'S REFUSAL TO SUBMIT TO A BLOOD-DRAW TEST; AUTHORIZING THE DEPARTMENT OF JUSTICE TO ADOPT RULES FOR THE COLLECTION, ADMINISTRATION, AND ACCOUNTABILITY OF BLOOD-DRAW REFUSAL FINES; REVISING LAWS AND PENALTIES RELATED TO THE OFFENSE OF AGGRAVATED DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; INCREASING FINES FOR THE OFFENSE OF DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; INCREASING FINES FOR THE OFFENSE OF DRIVING WITH EXCESSIVE ALCOHOL

CONCENTRATION OR DELTA-9-TETRAHYDROCANNABINOL; REVISING LAWS AND PENALTIES RELATING TO THE OFFENSE OF FELONY DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; REVISING PENALTIES AND SENTENCING PROVISIONS FOR THE OFFENSE OF DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; AMENDING SECTIONS 46-16-130, 61-5-208, 61-5-231, 61-8-401, 61-8-402, 61-8-403, 61-8-405, 61-8-408, 61-8-409, 61-8-421, 61-8-442, 61-8-465, 61-8-714, 61-8-722, 61-8-731, 61-8-732, 61-8-733, 61-8-734, AND 61-8-741, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

[Senate Bill 315](#) -- Missed Deadline for General Bill Transmittal -- AN ACT PROVIDING THAT A THIRD CONVICTION FOR DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS OR FOR DRIVING WITH EXCESSIVE ALCOHOL CONCENTRATION IS A FELONY; AND AMENDING SECTIONS 61-5-208, 61-8-714, 61-8-722, 61-8-731, AND 61-8-732, MCA.

[Senate Bill 400](#) -- Missed Deadline for Revenue Bill Transmittal -- AN ACT CREATING THE OFFENSE OF REFUSAL TO SUBMIT TO A BLOOD OR BREATH TEST FOR THE PURPOSE OF DETERMINING THE PRESENCE OF ALCOHOL OR DRUGS IN THE PERSON'S BODY; PROVIDING PENALTIES; AMENDING SECTION 61-8-402, MCA; AND PROVIDING AN APPLICABILITY DATE.

2013

[House Bill 168](#) -- Chapter Number Assigned -- AN ACT REVISING LAWS RELATING TO DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS TO PROVIDE A LEGAL LIMIT FOR THE AMOUNT OF DELTA-9-TETRAHYDROCANNABINOL ALLOWED BE PRESENT IN A PERSON'S BLOOD WHILE OPERATING A MOTOR VEHICLE; AND AMENDING SECTIONS 45-5-106, 46-16-130, 46-18-201, 46-18-236, 50-46-320, 61-2-302, 61-5-205, 61-5-208, 61-5-212, 61-5-231, 61-8-401, 61-8-402, 61-8-404, 61-8-405, 61-8-408, 61-8-421, 61-8-442, 61-8-465, 61-8-722, 61-8-731, 61-8-732, 61-8-733, 61-8-734, 61-8-741, AND 61-11-101, MCA.

[House Bill 275](#) -- (H) Died in Standing Committee - AN ACT REVISING SENTENCING FOR FELONY DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; AND AMENDING SECTION 61-8-731, MCA.

[House Bill 276](#) -- (H) Died in Standing Committee -- AN ACT GENERALLY REVISING LAWS RELATED TO IMPOUNDMENT OF LICENSE PLATES AND CONVICTION OF DRIVING UNDER THE INFLUENCE; REQUIRING THE IMPOUNDMENT OF LICENSE PLATES UPON CONVICTION OF DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS OR VIOLATION OF THE IMPLIED CONSENT LAW; PROVIDING FOR SPECIAL LICENSE PLATES FOR THOSE CONVICTED OF DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS OR VIOLATION OF THE IMPLIED CONSENT LAW; REQUIRING THE USE OF THE SPECIAL LICENSE PLATES ON ANY VEHICLE OPERATED BY A PERSON CONVICTED OF DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS OR VIOLATION OF THE IMPLIED CONSENT LAW; PROVIDING PENALTIES; AMENDING SECTION 61-8-402, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE.

[House Bill 355](#) -- Chapter Number Assigned -- AN ACT REVISING LAWS REGARDING ALCOHOL- AND DRUG-RELATED DRIVING OFFENSES; RAISING THE 5-YEAR LOOKBACK PROVISION FOR CERTAIN ALCOHOL- AND DRUG-RELATED DRIVING OFFENSES; PROVIDING THAT ALL PRIOR CONVICTIONS ARE COUNTED FOR DETERMINING THE NUMBER OF CONVICTIONS IN THE CASE OF A THIRD OR SUBSEQUENT

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DUI; AMENDING SECTIONS 61-8-465 AND 61-8-734, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND APPLICABILITY DATES.

[House Bill 434](#) -- (H) Died in Standing Committee -- AN ACT REVISING LAWS REGARDING DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; REQUIRING A REPORT TO THE LAW AND JUSTICE INTERIM COMMITTEE ON THE EFFECTIVENESS OF COUNTY DRINKING AND DRIVING PREVENTION PROGRAMS; REQUIRING PAYMENT OF A MINIMUM FINE OF \$5,000 FOR ANY OFFENSE RELATED TO DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; PROVIDING THAT ONE-HALF OF THE FINES COLLECTED BE USED TO FUND COUNTY DRINKING AND DRIVING PROGRAMS; AMENDING SECTIONS 3-10-601, 45-5-106, 46-17-303, 46-17-402, 46-18-235, 61-2-107, 61-8-465, 61-8-714, 61-8-722, AND 61-8-731, MCA; AND PROVIDING AN EFFECTIVE DATE, AN APPLICABILITY DATE, AND A TERMINATION DATE.

[House Bill 487](#) -- (H) Died in Standing Committee -- AN ACT CREATING A RESTRICTED-USE DRIVING PERMIT; PROVIDING THAT A PERSON WITH A RESTRICTED-USE DRIVING PERMIT MAY DRIVE ONLY FOR ESSENTIAL DRIVING PURPOSES WITHIN THE STATE OF MONTANA; ALLOWING A PERSON WHO IS INELIGIBLE FOR A DRIVER'S LICENSE BECAUSE OF THE WITHDRAWAL OF DRIVING PRIVILEGES DUE TO ALCOHOL-RELATED OR DRUG-RELATED VIOLATIONS IN ANOTHER STATE TO APPLY FOR A RESTRICTED-USE DRIVING PERMIT; REQUIRING A PERSON TO LIVE IN MONTANA AND NOT ACCRUE ANY TRAFFIC VIOLATIONS OR CONVICTIONS IN THE 5-YEAR PERIOD BEFORE APPLYING FOR A RESTRICTED-USE DRIVING PERMIT; PROVIDING DEFINITIONS; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTION 61-5-105, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

[Senate Bill 367](#) -- (S) Died in Standing Committee -- AN ACT GENERALLY REVISING LAWS RELATED TO DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; REVISING THE PENALTIES FOR DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; PROVIDING THE COURT WITH ALTERNATIVE METHODS FOR MONITORING COMPLIANCE WHEN RECOMMENDING A RESTRICTED OR PROBATIONARY LICENSE; IMPOSING STANDARDS AND REPORTING REQUIREMENTS RELATED TO IGNITION INTERLOCK DEVICES; AMENDING SECTIONS 61-8-410, 61-8-421, 61-8-441, 61-8-465, AND 61-8-733, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

2011

[House Bill 12](#) -- Chapter Number Assigned -- AN ACT REVISING PENALTIES FOR ALCOHOL-RELATED DRIVING OFFENSES BY EXTENDING THE POSSIBLE JAIL TIME FOR CERTAIN MISDEMEANOR OFFENSES; AMENDING SECTIONS 61-8-714 AND 61-8-722, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

[House Bill 14](#) -- (S) Died in Standing Committee -- AN ACT REVISING LAWS RELATING TO ALCOHOL-RELATED AND DRUG-RELATED DRIVING OFFENSES; EXTENDING OR ELIMINATING THE 5-YEAR LOOKBACK PROVISION FOR CERTAIN ALCOHOL-RELATED AND DRUG-RELATED DRIVING OFFENSES; PROVIDING THAT ALL PRIOR CONVICTIONS ARE COUNTED FOR DETERMINING THE NUMBER OF CONVICTIONS REGARDLESS OF THE NUMBER OF YEARS BETWEEN PRIOR AND CURRENT CONVICTIONS ON THIRD AND SUBSEQUENT OFFENSES; AMENDING SECTIONS 61-5-208 AND 61-8-734, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE, A RETROACTIVE APPLICABILITY DATE, AND AN APPLICABILITY DATE.

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[House Bill 18](#) -- (S) Died in Standing Committee -- AN ACT ADDING VEHICULAR HOMICIDE WHILE UNDER THE INFLUENCE AS A CRIME FOR WHICH A YOUTH 16 YEARS OF AGE OR OLDER MAY BE CHARGED AS AN ADULT IN DISTRICT COURT; AND AMENDING SECTION 41-5-206, MCA.

[House Bill 67](#) -- (H) Died in Standing Committee -- AN ACT TO STRENGTHEN AND CLARIFY THE CHEMICAL DEPENDENCY ASSESSMENT, EDUCATIONAL COURSE, AND TREATMENT REQUIREMENTS FOR OFFENDERS OF DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; AMENDING SECTION 61-8-732, MCA; AND PROVIDING AN APPLICABILITY DATE.

[House Bill 69](#) -- Chapter Number Assigned -- AN ACT ENCOURAGING DUI COURT PARTICIPATION; REVISING PENALTIES FOR DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; ALLOWING DUI COURTS TO SUSPEND ALL OR A PORTION OF IMPRISONMENT SENTENCES; DEFINING A DUI COURT; AMENDING SECTIONS 61-8-714 AND 61-8-722, MCA; AND PROVIDING AN APPLICABILITY DATE.

[House Bill 146](#) -- (H) Died in Standing Committee -- AN ACT REVISING PENALTIES FOR VIOLATIONS OF ALCOHOL-RELATED OR DRUG-RELATED DRIVING OFFENSES; AMENDING SECTIONS 46-1-202, 46-18-501, 46-18-502, 46-23-201, 61-8-401, 61-8-406, 61-8-442, 61-8-714, 61-8-731, 61-8-732, 61-8-733, AND 61-8-734, MCA; REPEALING SECTION 61-8-722, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE.

[House Bill 253](#) -- (H) Died in Standing Committee -- AN ACT REQUIRING A PERSON WHOSE INTOXICATION OR DRUG USE CAUSES AN EMERGENCY INCIDENT TO PAY FOR THE REASONABLE COSTS OF THE EMERGENCY RESPONSE IF THE PERSON IS CONVICTED OF CERTAIN CRIMINAL OFFENSES AS A RESULT OF THE INCIDENT; CLARIFYING WHAT CHARGES CONSTITUTE REASONABLE COSTS; AND LIMITING RECOVERY OF COSTS.

[House Bill 299](#) -- (H) Died in Standing Committee -- AN ACT PROVIDING THAT A THIRD CONVICTION FOR DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS OR FOR DRIVING WITH EXCESSIVE ALCOHOL CONCENTRATION IS A FELONY; PROVIDING FOR ALCOHOL TESTING AS A CONDITION OF CERTAIN SENTENCES; AND AMENDING SECTIONS 61-5-208, 61-8-714, 61-8-722, 61-8-731, 61-8-732, AND 61-8-734, MCA.

[House Bill 631](#) -- (S) Died in Standing Committee -- AN ACT REVISING MOTOR VEHICLE LAWS RELATING TO DRIVER'S LICENSE SUSPENSIONS, REVOCATIONS, AND RESTRICTIONS AND DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS OR DRIVING WITH EXCESSIVE ALCOHOL CONTENT; PROVIDING DEFINITIONS; REPEALING THE DRIVER IMPROVEMENT AND REHABILITATION PROGRAM; REVISING LAWS RELATING TO PROBATIONARY LICENSES AND INTERLOCK-RESTRICTED LICENSES; REVISING THE COMMENCEMENT OF DRIVER'S LICENSE SUSPENSIONS AND REVOCATIONS; ESTABLISHING A NEW PENALTY RELATED TO OPERATING A MOTOR VEHICLE WITHOUT AN INTERLOCK; EXPANDING THE DEPARTMENT OF JUSTICE'S RULEMAKING AUTHORITY TO INCLUDE THE MONITORING OF PERSONS WITH INTERLOCK-RESTRICTED LICENSES; REVISING COURT REPORTS TO THE DEPARTMENT OF JUSTICE CONCERNING DRIVING PRIVILEGES, PROBATIONARY LICENSES, AND INTERLOCK-RESTRICTED LICENSES; REPEALING CERTAIN PROVISIONS RELATED TO VEHICLE FORFEITURE FOR DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS OR DRIVING WITH EXCESSIVE ALCOHOL CONCENTRATION; AMENDING SECTIONS 61-1-101, 61-2-302, 61-5-125, 61-5-134, 61-5-206, 61-5-208, 61-5-

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212, 61-5-215, 61-8-102, 61-8-401, 61-8-402, 61-8-406, 61-8-410, 61-8-440, 61-8-441, 61-8-731, AND 61-11-101, MCA; AND REPEALING SECTIONS 61-2-301, 61-8-421, 61-8-422, 61-8-442, AND 61-8-733, MCA.

[House Bill 637](#) -- (H) Died in Standing Committee -- AN ACT REVISING THE LAWS RELATED TO DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS; RESTRICTING A PERSON CONVICTED OF DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS OR DRIVING WITH EXCESSIVE ALCOHOL CONCENTRATION OR WHO REFUSES TO SUBMIT TO A BLOOD OR BREATH TEST WHEN SUSPECTED OF DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS TO DRIVING ONLY A MOTOR VEHICLE EQUIPPED WITH AN IGNITION INTERLOCK DEVICE OR REQUIRING THE PERSON TO PARTICIPATE IN A SOBRIETY PROGRAM IN CERTAIN CASES; INCREASING DRIVER'S LICENSE REINSTATEMENT FEES AND ALLOCATING A PORTION OF THE FEES TO THE DEPARTMENT OF JUSTICE FOR PAYMENT OF COSTS FOR INSTALLING, LEASING, AND MAINTAINING INTERLOCK DEVICES FOR PERSONS DETERMINED TO BE INDIGENT; PROVIDING A PENALTY FOR NONCOMPLIANCE WITH INTERLOCK OR SOBRIETY PROGRAM RESTRICTIONS; ELIMINATING FORFEITURE OF VEHICLE PROVISIONS RELATED TO THE OFFENSE OF DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS OR DRIVING WITH EXCESSIVE ALCOHOL CONCENTRATION; AMENDING SECTIONS 61-2-107, 61-5-218, 61-8-401, 61-8-402, 61-8-406, 61-8-422, 61-8-440, AND 61-8-442, MCA; REPEALING SECTIONS 61-8-421 AND 61-8-733, MCA; AND PROVIDING AN EFFECTIVE DATE.

[Senate Bill 15](#) -- Chapter Number Assigned -- AN ACT ESTABLISHING THE OFFENSE OF AGGRAVATED DRIVING UNDER THE INFLUENCE; PROVIDING PENALTIES; AMENDING SECTIONS 61-8-101, 61-8-402, 61-8-404, 61-8-409, 61-8-714, 61-8-722, 61-8-731, AND 61-8-734, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND APPLICABILITY DATES.

[Senate Bill 42](#) -- Chapter Number Assigned -- AN ACT REVISING THE LAWS RELATING TO ALCOHOL-RELATED OR DRUG-RELATED DRIVING OFFENSES; CLARIFYING THAT SEARCH WARRANTS MAY BE ISSUED FOR BLOOD SAMPLES IF THE OFFENDER HAS A PRIOR REFUSAL OR CONVICTION OR PENDING OFFENSE; REVISING THE IMPLIED CONSENT LAW; PROVIDING THAT A PEACE OFFICER MAY REQUEST A SEARCH WARRANT TO OBTAIN A BLOOD SAMPLE FOR CHEMICAL TESTING; AMENDING SECTIONS 46-5-224, 61-8-402, 61-8-404, 61-8-405, AND 61-8-409, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.

[Senate Bill 308](#) -- (S) Died in Standing Committee -- AN ACT CREATING THE OFFENSE OF REFUSAL TO SUBMIT TO A BLOOD OR BREATH TEST FOR THE PURPOSE OF DETERMINING ANY MEASURED AMOUNT OR DETECTED PRESENCE OF ALCOHOL OR DRUGS IN THE PERSON'S BODY WHEN REQUESTED BY A PEACE OFFICER; PROVIDING PENALTIES; AND AMENDING SECTION 61-8-402, MCA.

[House Bill 194](#) -- (H) Died in Standing Committee -- AN ACT STATUTORILY IMPOSING ACCOUNTABILITY FOR THE OFFENSES OF VEHICULAR HOMICIDE UNDER THE INFLUENCE AND NEGLIGENT VEHICULAR ASSAULT ON A PASSENGER OF THE VEHICLE UNLESS THE PASSENGER MAKES A TIMELY REPORT OF THE OFFENSE; REQUIRING THE PASSENGER TO REPORT THE OFFENSE TO LAW ENFORCEMENT AND TO THE DEPARTMENT OF JUSTICE; AND AMENDING SECTIONS 45-2-302, 45-5-106, 45-5-205, AND 61-7-109, MCA.

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