

HOUSE BILL NO. 549

INTRODUCED BY M. MACDONALD

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING MANDATORY MOTOR VEHICLE INSURANCE LAWS TO INCLUDE CERTAIN MOTORCYCLES; AND AMENDING SECTION 61-6-303, MCA."

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

**Section 1.** Section 61-6-303, MCA, is amended to read:

**"61-6-303. Exempt vehicles.** The following vehicles and their drivers are exempt from the provisions of 61-6-301:

- (1) a vehicle owned by the United States government or any state or political subdivision;
- (2) a vehicle for which cash, securities, or a bond has been deposited or filed with the department upon terms and conditions providing the same benefits available under a required motor vehicle liability insurance policy;
- (3) a vehicle owned by a self-insurer certified as provided in 61-6-143;
- (4) an implement of husbandry or special mobile equipment that is only incidentally operated on a highway or property open to use by the public;
- (5) a vehicle operated ~~upon~~ on a highway only for the purpose of crossing the highway from one property to another;
- (6) a commercial vehicle registered or proportionally registered in this and any other jurisdiction if the vehicle is covered by a motor vehicle liability insurance policy complying with the laws of another jurisdiction in which it is registered;
- (7) a ~~motorcycle or quadricycle, as defined in 61-1-101;~~
- (8) a vehicle moved solely by human or animal power; ~~and~~
- (9) a vehicle owned by a nonresident if it is currently registered in the owner's resident jurisdiction and the owner is in compliance with the motor vehicle liability insurance requirements, if any, of that jurisdiction;
- (10) A MOTORCYCLE DESIGNED FOR OFF-ROAD RECREATIONAL USE UNLESS IT HAS BEEN MODIFIED TO MEET THE EQUIPMENT STANDARDS SPECIFIED IN CHAPTER 9 AND HAS BEEN REGISTERED FOR HIGHWAY USE; AND
- (11) A MOPED. FOR THE PURPOSES OF THIS SECTION, A MOPED MEANS A VEHICLE EQUIPPED WITH TWO OR

1 THREE WHEELS, FOOT PEDALS TO PERMIT MUSCULAR PROPULSION, AND AN INDEPENDENT POWER SOURCE PROVIDING  
2 A MAXIMUM OF 2 BRAKE HORSEPOWER. THE POWER SOURCE MAY NOT BE CAPABLE OF PROPELLING THE DEVICE,  
3 UNASSISTED, AT A SPEED EXCEEDING 30 MILES AN HOUR ON A LEVEL SURFACE. THE DEVICE MUST BE EQUIPPED WITH A  
4 POWER DRIVE SYSTEM THAT FUNCTIONS DIRECTLY OR AUTOMATICALLY ONLY AND DOES NOT REQUIRE CLUTCHING OR  
5 SHIFTING BY THE OPERATOR AFTER THE DRIVE SYSTEM IS ENGAGED."

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7 **COORDINATION SECTION. SECTION 2. COORDINATION INSTRUCTION.** (1) IF SENATE BILL NO. 110 AND [THIS  
8 ACT] ARE BOTH PASSED AND APPROVED AND IF THE DEFINITION OF "MOTORCYCLE" IN 61-1-101(42)(C) IN SENATE BILL  
9 NO. 110 IS ESSENTIALLY THE SAME AS THE DESCRIPTION IN 61-6-303(10) IN [THIS ACT], THEN 61-6-303(10) IN [THIS ACT]  
10 MUST READ:

11 "(10) a motorcycle as described in 61-1-101(42)(c)."

12 (2) IF HOUSE BILL NO. 486 AND [THIS ACT] ARE BOTH PASSED AND APPROVED AND IF THE DEFINITION OF "MOPED"  
13 IN 61-8-102 IN HOUSE BILL NO. 486 IS ESSENTIALLY THE SAME AS THE DESCRIPTION IN 61-6-303(11) IN [THIS ACT], THEN  
14 61-6-303(11) IN [THIS ACT] MUST READ:

15 "(11) a moped, as defined in 61-8-102".

16 - END -