

Habitual Traffic Offender Point Schedule

(§61-11-203, MCA)

"**Habitual Traffic Offender**" means any person who, within a 3-year period, accumulates 30 or more conviction points according to the schedule specified in this subsection:

- Deliberate homicide resulting from the operation of a motor vehicle, **15 points**;
- Mitigated deliberate homicide, negligent homicide resulting from operation of a motor vehicle, or negligent vehicular assault, **12 points**;
- Any offense punishable as a felony under the motor vehicle laws of Montana or any felony in the commission of which a motor vehicle is used, **12 points**;
- Driving while under the influence of intoxicating liquor or narcotics or drugs of any kind or operation of a motor vehicle by a person with alcohol concentration of 0.08 or more, **10 points**;
- Operating a motor vehicle while the license to do so has been suspended or revoked, **6 points**;
- Failure of the driver of a motor vehicle involved in an accident resulting in death or injury to any person to stop at the scene of the accident and give the required information and assistance, **8 points**;
- Willful failure of the driver involved in an accident resulting in property damage of \$250 to stop at the scene of the accident and give the required information or failure to otherwise report an accident in violation of the law, **4 points**;
- Reckless driving, **5 points**;
- Illegal drag racing or engaging in a speed contest in violation of the law, **5 points**;
- Any mandatory motor vehicle liability protection offenses, **5 points**;
- Operating a motor vehicle without a license to do so, **2 points**, however, this subsection does not apply to operating a motor vehicle within a period of 180 days from the date the license expired.
- Speeding (with exceptions defined in MCA §61-8-725), **3 points**;
- All other moving violations, **2 points**.

A "**Moving violation**" means a violation of a traffic regulation of this state or another jurisdiction by a person while operating a motor vehicle or in actual physical control of a motor vehicle upon a highway.

A "**Traffic Regulation**" includes any provision governing motor vehicle operation, equipment, safety, or driver licensing. A traffic regulation does not include provisions governing vehicle registration or local parking.

There may not be multiple application of cumulative points when two or more charges are filed involving a "**Single Occurrence**". If there are two or more convictions involving a single occurrence, only the number of points for the specific conviction carrying the highest points is chargeable against that defendant.

In accordance with ARM 2.6.205, any state driver with an accumulation of more than 12 conviction points in the past 36 months, may not drive a state vehicle or a personal vehicle for state business until having successfully complete a certified safe driver course approved by the Risk Management & Tort Defense Division.

In accordance with ARM 2.6.205, any state driver with an accumulation of more than 15 conviction points in the past 36 months, may not drive a state vehicle or a personal vehicle for state business until the accumulated point total is less than 12 points in the past 36 months.