



ADMINISTRATIVE RULES OF MONTANA



23.3.115 CONSENT OF PARENTS OR GUARDIANS

- (1) The motor vehicle division shall not issue an operator's license to any person under 18 years of age nor shall any road test be administered unless the application is signed and verified in either of the following alternative forms:
 - (a) Signing party consents to allow the minor to obtain operator's permits until the minor reaches majority unless consent is withdrawn through receipt by the division of written notification of withdrawal of consent. During such period, signing party agrees to joint and several liability with the minor for negligent or willful misconduct of the minor when driving a motor vehicle upon a highway; or
 - (b) Signing party consents to allow the minor to obtain operator's permit until the minor reaches majority unless consent is withdrawn through receipt by the division of written notification of withdrawal of consent. Signing party asserts that there is presently on deposit with the division proof of financial responsibility of the minor applicant in the form and in amounts required under the Motor Vehicle Safety Responsibility Act and section 61-5-108(3) MCA. Signing party agrees that if for any reason said proof of financial responsibility ceases to be maintained, signing party assumes joint and several liability with the minor for negligent or willful misconduct of the minor when driving a motor vehicle upon a highway.
- (2) A minor's application for an operator's permit must be signed by:
 - (a) Both parents if verification is in the form described in subsection (1) (a) ;
 - (b) One parent if verification is in the form described in subsection (1) (b) ;
 - (c) A widowed parent;
 - (d) A parent with sole legal custody;
 - (e) A sole legal guardian; or
 - (f) An employer or other responsible person if there is no parent or other legal guardian.
- (3) If the application is signed by a person other than a parent (under subsections (2) (e) or (f) , the reason for lack of parent's signature must be stated.

Authorizing statute(s): Sec. 44-1-103 MCA

Implementing statute(s): Sec. 61-5-108 MCA

History: Eff. 12/31/72; AMD, Eff. 12/5/76; AMD, 1980 MAP p. 575, Eff. 2/15/80.