



ADMINISTRATIVE RULES OF MONTANA



23.3.123 ROAD TEST

- (1) An applicant may not under any circumstances take the test in a car assigned to an examiner.
- (2) Unless an exception is appropriate, only the examiner and the applicant may be in the car during the test. Examples of situations where an exception is appropriate include cases in which the applicant is foreign-speaking and a translator is necessary and cases in which religious customs require that somebody accompany the applicant.
- (3) Give examinations regardless of weather, if the applicant consents. If the applicant requests a postponement, permit it, holding the test as incomplete.
- (4) If the applicant has a minor accident and does not appear upset, direct him to drive back to the starting point. If the applicant appears to be the least upset or major damage has occurred, direct him to make arrangements for someone to drive for him, or to have his car towed away for repair.
- (5) If an accident involves another car or pedestrian, or if the damage amounts to more than \$25 to the applicant's car, have him complete and submit to you an accident report, listing you as a witness.
- (6) If an applicant violates a law on a road test, such as running through a stop light, fail him but do not cite him. Because a purpose of the road test is to determine whether the applicant knows the laws, he is presumed not to have violated the law purposely.

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

Implementing statute(s): 61-5-101 et seq. MCA

History: Eff. 12/31/72.