You Decide

2.1 In *State v. Stanko*, Stanko was clocked at eighty-five miles per hour and was ticketed for speeding. The arresting officer testified that the portion of the road over which he clocked Stanko was narrow with curves and hills and obscured vision. The weather was dry, and visibility was good. Section 61-8-303(1), MCA (Montana Code Annotated), provides as follows:

A person operating or driving a vehicle of any character on a public highway of this state shall drive the vehicle in a careful and prudent manner and at a rate of speed no greater than is reasonable and proper under the conditions existing at the point of operation, taking into account the amount and character of traffic, condition of brakes, weight of vehicle, grade and width of highway, condition of surface, and freedom of obstruction to the view ahead. The person operating or driving the vehicle shall drive the vehicle so as not to unduly or unreasonably endanger the life, limb, property, or other rights of a person entitled to the use of the street or highway.

Is the Montana statute void for vagueness? See *State v. Stanko,* 974 P.2d 1132 (Mont. 1998).

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