



1 House BILL NO. 156  
 2 INTRODUCED BY 1976  
 3 BY REQUEST OF THE PUBLIC SERVICE COMMISSION

4  
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE PUBLIC  
 6 SERVICE COMMISSION TO PARTICIPATE IN THE COOPERATIVE OR  
 7 RECIPROCAL REGISTRATION OF INTERSTATE AND INTERNATIONAL  
 8 MOTOR CARRIERS; AMENDING SECTION 69-12-103, MCA; AND  
 9 PROVIDING AN IMMEDIATE EFFECTIVE DATE."

10  
 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 **Section 1.** Section 69-12-103, MCA, is amended to read:

13 "69-12-103. Provision for interstate or international  
 14 carriers -- cooperative or reciprocal registration. (1) (a)  
 15 Except as provided in subsection (1)(b), the terms and  
 16 provisions of this chapter shall apply to commerce with  
 17 foreign nations and to commerce among the ~~several~~ states of  
 18 ~~this Union~~; insofar as such to the extent that application  
 19 may be permitted under the provisions of the constitution of  
 20 the United States, treaties made thereunder under that  
 21 constitution, and the acts of congress. The commission is  
 22 hereby authorized to exercise any additional power that may  
 23 from time to time be conferred upon the state by any an act  
 24 of congress.

25 (b) ~~It shall not be necessary for an~~ An interstate or

1 international motor carrier, ~~in order to obtain a permit as~~  
 2 ~~herein provided, to make any showing of~~ is not required to  
 3 show public convenience and necessity to obtain a permit  
 4 under this section except ~~as to~~ for the transportation of  
 5 passengers ~~and/or~~ or freight between points within this  
 6 state; ~~the~~ The power to regulate ~~such operation being the~~  
 7 transportation of passengers or freight between points  
 8 within this state is specifically reserved herein in this  
 9 chapter. Any A motor carrier operating in and about any  
 10 national park whose rates and methods of accounting are  
 11 controlled by a contract with the United States ~~shall~~ is not  
 12 be subject to any regulation by the commission in conflict  
 13 with ~~such~~ the contract or in conflict with any regulation by  
 14 the United States made pursuant to ~~such~~ the contract or made  
 15 pursuant to an act of congress of the United States.

16 (2) When transportation service is rendered partly in  
 17 this state and partly in an adjoining state or foreign  
 18 country, motor carriers shall comply with the provisions of  
 19 this chapter relating to the payment of compensation and to  
 20 the making of annual or special reports or statements ~~herein~~  
 21 required in this chapter and shall show the total business  
 22 performed within ~~the limits of~~ this state and ~~such other~~  
 23 information concerning its operation within this state ~~as~~  
 24 that may be required by the commission, as fully and  
 25 completely and in the same manner as herein required in

1 this chapter of motor carriers operating wholly within this  
2 state.

3 (3) The commission may:

4 (a) enter into written agreements with agencies of  
5 other states to allow for the cooperative or reciprocal  
6 state registration of interstate or international motor  
7 carriers; and

8 (b) if all provisions of the agreement meet the  
9 requirements of this chapter and of the rules of the  
10 commission, authorize the agency of a participating state  
11 to:

12 (i) issue interstate motor carrier registrations,  
13 stamps, and permits;

14 (ii) accept filings of insurance, financial  
15 responsibility, and orders;

16 (iii) collect and disburse fees;

17 (iv) share and exchange information for audit,  
18 reporting, and enforcement purposes; and

19 (v) perform any other function that the commission  
20 determines is justified to facilitate the cooperative or  
21 reciprocal registration."

22 NEW SECTION. Section 2. Effective date. [This act] is  
23 effective on passage and approval.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0156, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:


An act to allow the Public Service Commission to participate in the cooperative or reciprocal registration of interstate and international motor carriers, and providing an immediate effective date.

ASSUMPTIONS:

1. Duties of the Public Service Commission are likely to include issuing permits, updating and maintaining registration records, coordinating collection and disbursement of fees, exchanging information, processing and routing information to other states, and coordinating audits.
2. At the present time, six other states are conducting a study as to the feasibility of this type of cooperative or reciprocal regulation.
3. While some start-up and continuing costs may be anticipated, the fiscal impact on Montana, if any, cannot be determined until the study is complete.

FISCAL IMPACT:

Fiscal impact cannot be determined at this time.

  
\_\_\_\_\_  
ROD SUNDSTED, BUDGET DIRECTOR      DATE  
Office of Budget and Program Planning      1-16-91

  
\_\_\_\_\_  
HOWARD TOOLE, PRIMARY SPONSOR      DATE  
1/15/91

Fiscal Note for HB0156, as introduced

HB 156

House BILL NO. 156

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

**Section 1.** Section 69-12-103, MCA, is amended to read:

"69-12-103. Provision for interstate or international carriers -- cooperative or reciprocal registration. (1) (a) Except as provided in subsection (1)(b), the terms and provisions of this chapter shall apply to commerce with foreign nations and to commerce among the several states of this Union, insofar as such to the extent that application may be permitted under the provisions of the constitution of the United States, treaties made thereunder under that constitution, and the acts of congress. The commission is hereby authorized to exercise any additional power that may from time to time be conferred upon the state by any an act of congress.

(b) It shall not be necessary for an An interstate or

international motor carrier, in order to obtain a permit as herein provided, to make any showing of is not required to show public convenience and necessity to obtain a permit under this section except as to for the transportation of passengers and/or or freight between points within this state, the The power to regulate such operation being the transportation of passengers or freight between points within this state is specifically reserved herein in this chapter. Any A motor carrier operating in and about any national park whose rates and methods of accounting are controlled by a contract with the United States shall is not be subject to any regulation by the commission in conflict with such the contract or in conflict with any regulation by the United States made pursuant to such the contract or made pursuant to an act of congress of the United States.

(2) When transportation service is rendered partly in this state and partly in an adjoining state or foreign country, motor carriers shall comply with the provisions of this chapter relating to the payment of compensation and to the making of annual or special reports or statements herein required in this chapter and shall show the total business performed within the--limits--of this state and such other information concerning its operation within this state as that may be required by the commission, as fully and completely and in the same manner as herein required in

LC 0449/01

1 this chapter of motor carriers operating wholly within this  
2 state.

3 (3) The commission may:

4 (a) enter into written agreements with agencies of  
5 other states to allow for the cooperative or reciprocal  
6 state registration of interstate or international motor  
7 carriers; and

8 (b) if all provisions of the agreement meet the  
9 requirements of this chapter and of the rules of the  
10 commission, authorize the agency of a participating state  
11 to:

12 (i) issue interstate motor carrier registrations,  
13 stamps, and permits;

14 (ii) accept filings of insurance, financial  
15 responsibility, and orders;

16 (iii) collect and disburse fees;

17 (iv) share and exchange information for audit,  
18 reporting, and enforcement purposes; and

19 (v) perform any other function that the commission  
20 determines is justified to facilitate the cooperative or  
21 reciprocal registration."

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international motor carrier;--in-order-to-obtain-a-permit--as herein--provided;--to-make-any-showing-of is not required to show public convenience and necessity to obtain a permit under this section except as-to for the transportation of passengers and/or or freight between points within this state; the The power to regulate such-operation-being the transportation of passengers or freight between points within this state is specifically reserved herein in this chapter. Any A motor carrier operating in and about any national park whose rates and methods of accounting are controlled by a contract with the United States shall is not be subject to any regulation by the commission in conflict with such the contract or in conflict with any regulation by the United States made pursuant to such the contract or made pursuant to an act of congress of the United States.

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