HOUSE BILL NO. 156

INTRODUCED BY TOOLE BY REQUEST OF THE PUBLIC SERVICE COMMISSION

IN THE HOUSE

JANUARY 12, 1991

JANUARY 14, 1991

JANUARY 23, 1991 COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.

POSTED ON CONSENT CALENDAR.

ON HIGHWAYS & TRANSPORTATION.

JANUARY 24, 1991 CONSENT CALENDAR, QUESTIONS AND ANSWERS.

FIRST READING.

ENGROSSING REPORT.

JANUARY 25, 1991 THIRD READING, PASSED. AYES, 94; NOES, 1.

TRANSMITTED TO SENATE.

IN THE SENATE

JANUARY 25, 1991

JANUARY 26, 1991

MARCH 6, 1991

MARCH 8, 1991

MARCH 9, 1991

INTRODUCED AND REFERRED TO COMMITTEE ON HIGHWAYS & TRANSPORTATION.

INTRODUCED AND REFERRED TO COMMITTEE

FIRST READING.

COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.

SECOND READING, CONCURRED IN.

THIRD READING, CONCURRED IN. AYES, 48; NOES, 0.

RETURNED TO HOUSE.

IN THE HOUSE

MARCH 11, 1991

RECEIVED FROM SENATE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

House BILL NO. 156 1 INTRODUCED BY 1976 2 BY REQUEST OF THE PUBLIC SERVICE COMMISSION 3 Δ A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE PUBLIC 5 6 SERVICE COMMISSION TO PARTICIPATE IN THE COOPERATIVE OR RECIPROCAL REGISTRATION OF INTERSTATE AND INTERNATIONAL 7 MOTOR CARRIERS; AMENDING SECTION 69-12-103, MCA; AND 8 9 PROVIDING AN IMMEDIATE EFFECTIVE DATE." 10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 11 Section 1. Section 69-12-103, MCA, is amended to read: 12 13 "69-12-103. Provision for interstate or international carriers -- cooperative or reciprocal registration. (1) (a) 14 15 Except as provided in subsection (1)(b), the terms and provisions of this chapter shall apply to commerce with 16 17 foreign nations and to commerce among the several states of 18 this-Unionz-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 constitution, and the acts of congress. The commission is 21 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

LC 0449/01

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 state7. 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 the making of annual or special reports or statements herein 20 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

> INTRODUCED BILL HB 156

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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	<u>to:</u>
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-

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-185, 45

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.

DATE

ROD SUNDSTED, BUDGET DIRECTOR I Office of Budget and Program Planning

HOWARD TOOLE, PRIMARY SPONSOR

Fiscal Note for HB0156, as introduced

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

1	international motor carrier7-in-order-to-obtain-a-permitas
2	hereinprovided;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 <u>a</u> 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
2 2	performed within thelimitsof 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

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THIRD READING

HB 156

CONSENT CALENDAR

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1	this chapter of motor carriers operating wholly within this
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5	other states to allow for the cooperative or reciprocal
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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;
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15	responsibility, and orders;
16	(iii) collect and disburse fees;
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22	NEW SECTION. Section 2. Effective date. [This act] is
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HB 0156/02

1 HOUSE BILL NO. 156 2 INTRODUCED BY TOOLE BY REQUEST OF THE PUBLIC SERVICE COMMISSION 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW THE PUBLIC 5 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 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 11 12 Section 1. Section 69-12-103, MCA, is amended to read: "69-12-103. Provision for interstate or international 13 14 carriers -- cooperative or reciprocal registration. (1) (a) Except as provided in subsection (1)(b), the terms and 15 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 may be permitted under the provisions of the constitution of 19 20 the United States, treaties made thereunder under that constitution, and the acts of congress. The commission is 21 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.

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REFERENCE BILL

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