

1 HOUSE BILL NO. 167
 2 INTRODUCED BY Scott T. McCallum
 3 BY REQUEST OF THE PUBLIC SERVICE COMMISSION

4
 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SPECIAL
 6 PROVISIONS RELATING TO MOTOR CARRIER TRANSPORTATION OF
 7 BUILDINGS AND TO DELETE THE GRANDFATHER PROVISIONS AND
 8 RULEMAKING AUTHORITY AS BEING SURPLUSAGE; AMENDING SECTION
 9 69-12-331, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

12 **Section 1.** Section 69-12-331, MCA, is amended to read:

13 "69-12-331. Special provisions relating to
 14 transportation of buildings. ~~{1}~~ A certificate that permits
 15 the transportation of a building other than a mobile home,
 16 as defined in 15-1-101, from its existing foundation to a
 17 new location shall must permit such transportation
 18 throughout the state and may not restrict such
 19 transportation to a particular region of the state.

20 ~~{2}--The-provisions-of-this-section-shall-apply-only--to~~
 21 ~~those---licensed---motor---carriers---who---have---specifically~~
 22 ~~identified-the-moving--of--buildings--or--certain--types--of~~
 23 ~~buildings--as--an--area--of--authorization--on--their--present~~
 24 ~~public-service-commission-certification-or--to--those--motor~~
 25 ~~carriers--operating--under--an--authority--broad--enough--to~~

1 include--the--moving--of--buildings--who--have--been--actively
 2 engaged-in-the-business-of-moving-buildings-for-a-period--of
 3 2--years--prior--to--July--17--1979;--For--purposes--of--this
 4 subsection, a motor carrier has been actively engaged in the
 5 business of moving buildings if the moving of buildings has
 6 constituted a substantial part of his business during the
 7 2-year period prior to July 17, 1979.

8 ~~{3}--The--commission--shall--adopt--rules--to--implement~~
 9 ~~subsection--{1}--."~~

10 NEW SECTION. **Section 2.** Effective date. [This act] is
 11 effective on passage and approval.

-End-



INTRODUCED BILL
 HB 167

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 16 as defined in 15-1-101, from its existing foundation to a
 17 new location shall must permit such transportation
 18 throughout the state and may not restrict such
 19 transportation to a particular region of the state.

20 (2) ~~The provisions of this section shall apply only to~~
 21 ~~those licensed motor carriers who have specifically~~
 22 ~~identified the moving of buildings or certain types of~~
 23 ~~buildings as an area of authorization on their present~~
 24 ~~public service commission certification or to those motor~~
 25 ~~carriers operating under an authority broad enough to~~

1 ~~include the moving of buildings who have been actively~~
 2 ~~engaged in the business of moving buildings for a period of~~
 3 ~~2 years prior to July 1, 1979. For purposes of this~~
 4 ~~subsection, a motor carrier has been actively engaged in the~~
 5 ~~business of moving buildings if the moving of buildings has~~
 6 ~~constituted a substantial part of his business during the~~
 7 ~~2-year period prior to July 1, 1979.~~

8 (3) ~~The commission shall adopt rules to implement~~
 9 ~~subsection (1).~~

10 NEW SECTION. **Section 2.** Effective date. [This act] is
 11 effective on passage and approval.

-End-

THIRD READING
 HB 167
 CONSENT CALENDAR

HOUSE BILL NO. 167

INTRODUCED BY MCCULLOCH

BY REQUEST OF THE PUBLIC SERVICE COMMISSION

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SPECIAL PROVISIONS RELATING TO MOTOR CARRIER TRANSPORTATION OF BUILDINGS AND TO DELETE THE GRANDFATHER PROVISIONS AND RULEMAKING AUTHORITY AS BEING SURPLUSAGE; AMENDING SECTION 69-12-331, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 69-12-331, MCA, is amended to read:

"69-12-331. Special provisions relating to transportation of buildings. (1) A certificate that permits the transportation of a building other than a mobile home, as defined in 15-1-101, from its existing foundation to a new location shall must permit such transportation throughout the state and may not restrict such transportation to a particular region of the state.

(2) The provisions of this section shall apply only to those licensed motor carriers who have specifically identified the moving of buildings or certain types of buildings as an area of authorization on their present public service commission certification or to those motor carriers operating under an authority broad enough to

include the moving of buildings who have been actively engaged in the business of moving buildings for a period of 2 years prior to July 1, 1979. For purposes of this subsection, a motor carrier has been actively engaged in the business of moving buildings if the moving of buildings has constituted a substantial part of his business during the 2-year period prior to July 1, 1979.

(3) The commission shall adopt rules to implement subsection (1)."

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

-End-