

HOUSE BILL 440

Introduced by Southworth, et al.

1/29	Introduced
1/29	Referred to Highways & Transportation
1/30	First Reading
1/30	Fiscal Note Requested
2/04	Fiscal Note Received
2/05	Fiscal Note Printed
2/14	Hearing
2/14	Tabled in Committee

*HOUSE* BILL NO. *440*

INTRODUCED BY *Southwest* *Randy* *McCracken*  
*Stalbin* *Mark* *Whalen*  
A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE  
ISSUANCE OF SPECIAL PERMITS FOR TRIPLE TRAILERS BY THE  
DEPARTMENT OF HIGHWAYS; AND AMENDING SECTION 61-10-124,  
MCA."

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

**Section 1.** Section 61-10-124, MCA, is amended to read:

**61-10-124. Special permits -- fee -- cranes.** (1) As used in this section, "crane" means a self-propelled single-unit vehicle consisting of not more than four axles and used for raising, shifting, and lowering heavy weights by means of a projecting swinging arm.

(2) Except as provided in subsections (3)(b), (3)(d), and (6), in addition to the regular registration and gross vehicle weight fees, a fee of \$10 for each trip permit and a fee of \$75 for each term permit issued for size and weight in excess of that specified in 61-10-101 through 61-10-110 must be paid for all movements under special permits on the public highways under the jurisdiction of the department of highways.

(3) (a) Except as provided in subsections (3)(b), (3)(d), and (6), term or blanket permits may not be issued

for an overwidth vehicle, combination of vehicles, load, or other thing in excess of 15 feet; an overlength vehicle, combination of vehicles, load, object, or other thing in excess of 95 feet; and an overheight vehicle, combination of vehicles, load, or other thing in excess of 14 feet, or of a limit determined by the department. A vehicle, combination of vehicles, load, or other thing in excess of these dimensions is limited to trip permits. Special permits for vehicle combinations of more than two trailers or more than two units designed for or used to carry a load are not permitted except as provided in subsection (6). Special permits for vehicle combinations may specify and special permits under subsection (6) must specify highway routing and otherwise limit or prescribe conditions of operation of the vehicle or combination, including but not limited to required equipment, speed, stability, operational procedures, and insurance.

(b) A term permit may be issued to a dealer in implements of husbandry and self-propelled machinery for an overwidth or overlength vehicle referred to in subsection (3)(a). The fee for this permit is \$75. This permit covers a period of 1 year and expires on December 31 of each year with no grace period.

(c) With payment of the appropriate gross weight fee required by 61-10-203 and with payment of the fee prescribed

1 in subsection (2), allowable gross weight of a five-axle  
2 combination logging vehicle is 80,000 pounds.

3 (d) A term permit may be issued for any combination of  
4 vehicles that exceeds 95 feet in length but does not exceed  
5 100 feet in length, except a truck-trailer-trailer or--a  
6 truck--tractor-semitrailer-trailer-trailer combination, for  
7 travel only on highways that are part of the federal-aid  
8 interstate system, as defined in 60-1-103, or on other  
9 highways within a 2-mile radius of an interchange on the  
10 interstate system in order to obtain necessary services or  
11 to load or unload at a terminal. When a terminal is beyond  
12 a 2-mile radius, the department may authorize travel between  
13 the terminal and the interchange. The fee for this permit  
14 is \$125.

15 (4) Except as provided in subsection (3)(b), a permit  
16 may not be issued for a period of time greater than the  
17 period for which the GVW license is valid as provided in  
18 this title, including grace periods allowed by this title.  
19 Owners of vehicles licensed in other jurisdictions may, at  
20 the discretion of the department of highways, purchase  
21 permits to expire with their registration. A license  
22 required by the state governs the issuance of a special  
23 permit.

24 (5) The owner or operator of a crane with a gross  
25 vehicle weight of less than 80,000 pounds may purchase a

1 30-day special permit for overweight if the crane has a  
2 current special mobile equipment identification plate and if  
3 the department of highways has approved the configuration of  
4 the crane through a weight analysis completed within the  
5 same calendar year. The permit is not transferable, and the  
6 fee for the permit is \$200.

7 (6) The department may issue special permits to the  
8 operating company for a truck-trailer-trailer or--truck  
9 tractor-semitrailer-trailer-trailer combination of vehicles  
10 under the following conditions:

11 (a) the combination may be operated only on highways  
12 that are part of the federal-aid interstate system as  
13 defined in 60-1-103 and within a 2-mile radius of an  
14 interchange on the interstate system on other highways only  
15 in order to obtain necessary services or to load or unload  
16 at a terminal. When a terminal is beyond a 2-mile radius,  
17 the department may authorize travel between the terminal and  
18 the interchange.

19 (b) a combination of vehicles powered by a cab-over  
20 (tilt cab) type truck-tractor or a truck may not exceed  
21 overall length of 105 feet, inclusive of front and rear  
22 bumpers and overhang;

23 (c) a combination of vehicles powered by a conventional  
24 truck-tractor may not exceed overall length of 110 feet,  
25 inclusive of front and rear bumpers and overhang;

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1 (d) no individual cargo unit of the combination may  
2 exceed 28 1/2 feet in length and 102 inches in width;

3 (e) gross weight fees under 61-10-203 must be paid on  
4 the truck or truck tractor for the declared registered gross  
5 weight of the special vehicle combination, but not to exceed  
6 the formula in 61-10-107;

7 (f) the combination must have a restricted route permit  
8 under 61-10-107(3) and a special overlength permit issued at  
9 a fee of \$200 for a term permit or \$20 for each trip permit;

10 (g) travel of the combination may be restricted to  
11 specific routes, hours of operation, specific days, or  
12 seasonal periods; and

13 (h) the department may enforce any other restrictions  
14 determined by the department to be necessary. The permit is  
15 not transferable, and the fee for the permit is \$200.

16 (7) A permit may not be issued for a truck  
17 tractor-semitrailer-trailer-trailer combination."

-End-

## STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for HB0440, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act prohibiting the issuance of special permits for triple trailers by the department of highways; and amending section 61-10-124, MCA.

ASSUMPTIONS:

1. Companies which purchase special triple permits are generally engaged exclusively in triple trailer operations. Approximately 303 special permits for triple trailer operations are issued each year at \$200 per permit.
2. The special triples permit issued to single trip operators will be discontinued. Approximately 1,409 single trip operators purchase special triple trailer permits at \$20 per permit.
3. Restricted route-load permits issued for exceeding 80,000 pounds will no longer be necessary for triple trailer operations. Restricted route-load permits cost \$100 per year. Approximately 303 companies are engaged in triple trailer operations and purchase the restricted route-load permits.
4. Companies operating triple trailer operations will reduce their average, licensed weight from 118,000 pounds to the legal weight of 80,000 pounds. Consequently, G.V.W. fees for each of the 303 companies engaged in triple trailer operations will decrease \$1,244.50 per company.
5. Current law is represented by the executive budget recommendation for GVW fees which are deposited in the highway state special revenue fund.

FISCAL IMPACT:Highway State Revenue Fund:


	FY 92			FY 93		
<u>Revenues:</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>	<u>Current Law</u>	<u>Proposed Law</u>	<u>Difference</u>
G.V.W. Fees (02)	25,530,575	25,034,412	(496,163)	25,530,575	25,034,412	(496,163)

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:


Any reduction in GVW fees will accelerate the depletion of the highway state special revenue fund.

TECHNICAL NOTES:

Section 1(3)(d) and Section 6 would prohibit one type of triple trailer operation but allow another type to continue operating. Although truck-tractor-semitrailer-trailer-trailer combinations will be prohibited, truck-trailer-trailer combinations may continue to operate.

  
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 ROD SUNDSTED, BUDGET DIRECTOR  
 Office of Budget and Program Planning

DATE

  
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 JIM SOUTHWORTH, PRIMARY SPONSOR

DATE

Fiscal Note for HB0440, as introduced.

2-5-91  
 HB 440