

HOUSE BILL 475

Introduced by Grady, et al.

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| 1/30 | Introduced |
| 1/30 | Referred to Highways & Transportation |
| 1/31 | First Reading |
| 2/12 | Hearing |
| 2/14 | Tabled in Committee |
| 2/21 | Committee Report--Bill Passed as Amended |
| 2/22 | Fiscal Note Requested |
| 2/25 | Fiscal Note Received |
| 2/25 | 2nd Reading Do Pass Motion Failed |

1 HOUSE BILL NO. 475
 2 INTRODUCED BY Wendy Cluding-Tehrani
 3 Lucien Foster Stromy Madison Debra Sipe
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO EXEMPT FROM MOTOR
 5 CARRIER CERTIFICATE REQUIREMENTS CARRIERS OPERATING PURSUANT
 6 TO A CONTRACT WITH THE UNITED STATES DEPARTMENT OF
 7 AGRICULTURE FOR THE TRANSPORTATION OF SURPLUS FOOD
 8 COMMODITIES; AND AMENDING SECTION 69-12-324, MCA."

9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 **Section 1.** Section 69-12-324, MCA, is amended to read:

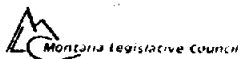
12 "69-12-324. Special provisions when certain federal or
 13 state contract contracts involved. (1) The presentation to
 14 the commission of the a written contract to the commission
 15 with the United States government or state government shall
 16 be deemed sufficient proof of public convenience and
 17 necessity in accordance with the terms and conditions
 18 contained within the United States government or state
 19 government contracts. ~~Subject to the provisions of this~~
 20 ~~section, a transportation movement is considered to be for~~
 21 for-hire transportation of:

22 (a) ~~the transportation-for-hire of~~ persons between two
 23 points within the state by a motor carrier pursuant to the
 24 terms of a written contract between the carrier and the
 25 United States government or an agency or department thereof;

1 or
 2 (b) ~~the transportation-for-hire of~~ solid waste between
 3 two points within the state by a motor carrier pursuant to
 4 the terms of a written contract between the carrier and the
 5 state government or an agency or department thereof; or
 6 (c) surplus food commodities under a contract with the
 7 United States department of agriculture.

8 (2) ~~The class of~~ The commission may issue a certificate
 9 of public convenience and necessity ~~issued~~ pursuant to the
 10 terms and conditions of the United States government or
 11 state government contract ~~may be issued by the commission~~
 12 identified in subsection (1) upon receipt of an executed
 13 copy of the United States government or state government
 14 contract. The certificate of public convenience and
 15 necessity may be issued thereafter without requiring the
 16 commission to fix a time and place for public hearing.

17 (3) The certificate of public convenience and
 18 necessity, issued pursuant to the terms of the United States
 19 government or state government contract identified in
 20 subsection (1), is authorized only for the duration of the
 21 United States government or state government contract
 22 concerned. The certificate may be renewed for another
 23 definite term if the same motor carrier is the motor carrier
 24 authorized to operate under the United States government or
 25 state government contract."



APPROVED BY COMMITTEE
ON HIGHWAYS & TRANSPORTATION

HOUSE BILL NO. 475

INTRODUCED BY GRADY, WEEDING, KOEHNKE, LARSON, FOSTER,
TOOLE, STIMATZ, MADISON, J. DEBRUYCKER, J. RICE, NOBLE,
KNOX, ELLIS, DRISCOLL

A BILL FOR AN ACT ENTITLED: "AN ACT TO EXEMPT FROM MOTOR
CARRIER CERTIFICATE REQUIREMENTS CARRIERS OPERATING PURSUANT
TO A CONTRACT WITH THE UNITED STATES DEPARTMENT OF
AGRICULTURE OFFICE OF PUBLIC INSTRUCTION FOR THE
TRANSPORTATION OF UNITED STATES DEPARTMENT OF AGRICULTURE
SURPLUS FOOD COMMODITIES; AND AMENDING SECTION 69-12-324,
MCA."

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

Section 1. Section 69-12-324, MCA, is amended to read:

"69-12-324. Special provisions when certain federal or
state contract contracts involved. (1) The presentation to
the commission of the a written contract to--the--commission
with the United States government or state government shall
be deemed sufficient proof of public convenience and
necessity in accordance with the terms and conditions
contained within the United States government or state
government contracts--~~Subject--to--the--provisions--of--this~~
~~section--a--transportation-movement-is-considered-to-be~~ for
for-hire transportation of:

(a) ~~the-transportation-for-hire-of~~ persons between two
points within the state by a motor carrier pursuant to the
terms of a written contract between the carrier and the
United States government or an agency or department thereof;
or

(b) ~~the--transportation-for-hire-of~~ solid waste between
two points within the state by a motor carrier pursuant to
the terms of a written contract between the carrier and the
state government or an agency or department thereof; or

(c) UNITED STATES DEPARTMENT OF AGRICULTURE surplus
food commodities under a contract with the United States
department-of-agriculture OFFICE OF PUBLIC INSTRUCTION.

(2) ~~The-Class-E~~ The commission may issue a certificate
of public convenience and necessity ~~issued~~ pursuant to the
terms and conditions of the United States government or
state government contract ~~may-be-issued-by-the-commission~~
identified in subsection (1) upon receipt of an executed
copy of the United States government or state government
contract. The certificate of public convenience and
necessity may be issued thereafter without requiring the
commission to fix a time and place for public hearing.

(3) The certificate of public convenience and
necessity, issued pursuant to the terms of the United States
government or state government contract identified in
subsection (1), is authorized only for the duration of the

HB 0475/02

1 United States government or state government contract
2 concerned. The certificate may be renewed for another
3 definite term if the same motor carrier is the motor carrier
4 authorized to operate under the United States government or
5 state government contract."

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