

SENATE BILL 273

Introduced by Swift, et al.

2/04	Introduced
2/05	Fiscal Note Requested
2/05	Referred to Highways & Transportation
2/05	First Reading
2/11	Fiscal Note Received
2/11	Fiscal Note Printed
2/12	Hearing
2/13	Committee Report--Bill Passed as Amended
2/14	2nd Reading Passed
2/15	3rd Reading Passed
	Transmitted to House
2/16	First Reading
2/16	Referred to Taxation
2/18	Rereferred to Highways & Transportation
3/18	Hearing
3/21	Committee report--Bill Concurred as Amended
4/05	2nd Reading Concurred
4/06	3rd Reading Concurred
	Returned to Senate with Amendments
4/09	2nd Reading Amendments Not Concurred
4/16	Conference Committee Appointed
	House
4/18	Conference Committee Appointed Died in Process

*SENATE* BILL NO. *273*

INTRODUCED BY

*James Farnell*  
*Wanzonried* *White* *HARR*

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE PERMITTING OF GROSS VEHICLE WEIGHTS FOR CERTAIN VEHICLE CONFIGURATIONS; AND AMENDING SECTIONS 61-8-312 AND 61-10-124, MCA."

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

**Section 1.** Section 61-8-312, MCA, is amended to read:

"61-8-312. Special speed limitations on trucks, truck tractors, motor-driven cycles, and vehicles towing house trailers. (1) No A person shall may not operate any a truck or truck tractor the gross weight of which exceeds 8,000 pounds at a speed greater than 65 miles per hour on those completed sections of interstate and four-lane divided highways and 60 miles per hour on those completed sections of primary and secondary highways. However, the truck nighttime speed limit shall may not exceed that of automobiles as stated in 61-8-303.

(2) No A person shall may not operate a vehicle subject to a term permit under 61-10-124~~(3)~~~~(d)~~(3)(e) or a truck-trailer-trailer or truck tractor-semitrailer-trailer-trailer combination of vehicles subject to special permits under 61-10-104~~(4)~~(6) at a speed greater than 55 miles per hour.

(3) No A person shall may not operate any a motor-driven cycle at any time mentioned in 61-9-201 at a speed greater than 35 miles per hour unless such the motor-driven cycle is equipped with a headlamp or lamps which that are adequate to reveal a person or vehicle at a distance of 300 feet ahead.

(4) No A person shall may not operate a vehicle which that is towing a house trailer at a speed greater than a maximum of 50 miles per hour."

**Section 2.** 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)~~(3)(e), 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)~~(3)(e), and (6), term or blanket permits may not be

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

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

24 (c) With payment of the appropriate gross weight fee  
 25 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) With payment of appropriate gross weight fees, the  
 4 allowable gross weight of six-axle logging trucks and  
 5 vehicles hauling wood chips, operating under special permits  
 6 issued under 61-10-107, must be calculated based on the  
 7 distance between the first and the last axle in the vehicle  
 8 configuration.

9 (d)(e) A term permit may be issued for any combination  
 10 of vehicles that exceeds 95 feet in length but does not  
 11 exceed 100 feet in length, except a truck-trailer-trailer or  
 12 a truck tractor-semitrailer-trailer-trailer combination, for  
 13 travel only on highways that are part of the federal-aid  
 14 interstate system, as defined in 60-1-103, or on other  
 15 highways within a 2-mile radius of an interchange on the  
 16 interstate system in order to obtain necessary services or  
 17 to load or unload at a terminal. When a terminal is beyond a  
 18 2-mile radius, the department may authorize travel between  
 19 the terminal and the interchange. The fee for this permit is  
 20 \$125.

21 (4) Except as provided in subsection (3)(b), a permit  
 22 may not be issued for a period of time greater than the  
 23 period for which the GVW license is valid as provided in  
 24 this title, including grace periods allowed by this title.  
 25 Owners of vehicles licensed in other jurisdictions may, at

1 the discretion of the department of highways, purchase  
 2 permits to expire with their registration. A license  
 3 required by the state governs the issuance of a special  
 4 permit.

5 (5) The owner or operator of a crane with a gross  
 6 vehicle weight of less than 80,000 pounds may purchase a  
 7 30-day special permit for overweight if the crane has a  
 8 current special mobile equipment identification plate and if  
 9 the department of highways has approved the configuration of  
 10 the crane through a weight analysis completed within the  
 11 same calendar year. The permit is not transferable, and the  
 12 fee for the permit is \$200.

13 (6) The department may issue special permits to the  
 14 operating company for a truck-trailer-trailer or truck  
 15 tractor-semitrailer-trailer-trailer combination of vehicles  
 16 under the following conditions:

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

25 (b) a combination of vehicles powered by a cab-over

1 (tilt cab) type truck-tractor or a truck may not exceed  
 2 overall length of 105 feet, inclusive of front and rear  
 3 bumpers and overhang;

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

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

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

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

16 (g) travel of the combination may be restricted to  
 17 specific routes, hours of operation, specific days, or  
 18 seasonal periods; and

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

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB0273, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act allowing the permitting of gross vehicle weights for certain vehicle configurations; and amending sections 61-8-312 and 61-10-124, MCA.

ASSUMPTIONS:


1. The proposed legislation would only affect enforcement procedures.
2. No fiscal impact to the Montana Department of Highways.

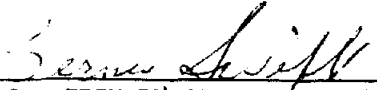
FISCAL IMPACT:

No fiscal impact.

TECHNICAL NOTES:

The proposed legislation could place Montana statutes in conflict with the federal bridge formula used to calculate allowable weight.

 7-9-91  
ROD SUNDSTED, BUDGET DIRECTOR                      DATE  
Office of Budget and Program Planning

 7/11/91  
Bernie A. Swift, PRIMARY SPONSOR                      DATE  
Fiscal Note for SB0273, as introduced.

SB 273

APPROVED BY COMMITTEE  
ON HIGHWAYS & TRANSPORTATION

SENATE BILL NO. 273

INTRODUCED BY SWIFT, FARRELL, SWYSGOOD, WILLIAMS,  
WANZENRIED, SVRCEK, HARP

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(2) No A person shall may not operate a vehicle subject to a term permit under 61-10-124+3)+d)+(3)(e) or a truck-trailer-trailer or truck tractor-semitrailer-trailer-trailer combination of vehicles subject to special permits under 61-10-124+4)+(6) at a speed

greater than 55 miles per hour.

(3) No A person shall may not operate any a motor-driven cycle at any time mentioned in 61-9-201 at a speed greater than 35 miles per hour unless such the motor-driven cycle is equipped with a headlamp or lamps which that are adequate to reveal a person or vehicle at a distance of 300 feet ahead.

(4) No A person shall may not operate a vehicle which that is towing a housetrailer at a speed greater than a maximum of 50 miles per hour."

**Section 2.** 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)+(3)(e), 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),

**SECOND READING**



1 ~~f3~~~~d~~(3)(e), and (6), term or blanket permits may not be  
 2 issued for an overwidth vehicle, combination of vehicles,  
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 4 vehicle, combination of vehicles, load, object, or other  
 5 thing in excess of 95 feet; and an overheight vehicle,  
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 9 excess of these dimensions is limited to trip permits.  
 10 Special permits for vehicle combinations of more than two  
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 21 overwidth or overlength vehicle referred to in subsection  
 22 (3)(a). The fee for this permit is \$75. This permit covers a  
 23 period of 1 year and expires on December 31 of each year  
 24 with no grace period.

25 (c) With payment of the appropriate gross weight fee

1 required by 61-10-203 and with payment of the fee prescribed  
 2 in subsection (2), allowable gross weight of a five-axle  
 3 combination logging vehicle is 80,000 pounds.

4 (d) With payment of appropriate gross weight fees, the  
 5 allowable gross weight of six-axle logging trucks and  
 6 vehicles hauling wood chips, operating under special permits  
 7 issued under 61-10-107, must be calculated based on the  
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 9 configuration, USING THE FORMULA PROVIDED IN 61-10-107.

10 ~~f~~~~d~~(e) A term permit may be issued for any combination  
 11 of vehicles that exceeds 95 feet in length but does not  
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 14 travel only on highways that are part of the federal-aid  
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 16 highways within a 2-mile radius of an interchange on the  
 17 interstate system in order to obtain necessary services or  
 18 to load or unload at a terminal. When a terminal is beyond a  
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 20 the terminal and the interchange. The fee for this permit is  
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 25 this title, including grace periods allowed by this title.

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 2 the discretion of the department of highways, purchase  
 3 permits to expire with their registration. A license  
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6 (5) The owner or operator of a crane with a gross  
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1 (b) a combination of vehicles powered by a cab-over  
 2 (tilt cab) type truck-tractor or a truck may not exceed  
 3 overall length of 105 feet, inclusive of front and rear  
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5 (c) a combination of vehicles powered by a conventional  
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-End-



## 1 SENATE BILL NO. 273

2 INTRODUCED BY SWIFT, FARRELL, SWYSGOOD, WILLIAMS,

3 WANZENRIED, SVRCEK, HARP

4  
5 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE PERMITTING  
6 OF GROSS VEHICLE WEIGHTS FOR CERTAIN VEHICLE CONFIGURATIONS;  
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THIRD READING

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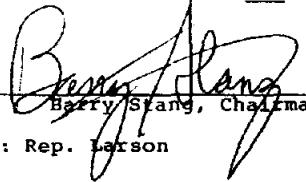
HOUSE STANDING COMMITTEE REPORT

March 21, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Highways and Transportation report that Senate Bill 273 (third reading copy -- blue) be concurred in as amended.

Signed: \_\_\_\_\_

  
Barry Stang, Chairman

Carried by: Rep. Larson

And, that such amendments read:

1. Page 4, lines 5 and 6.

Following: "trucks" on line 5

Strike: remainder of line 5 through "chips," on line 6

2. Page 4, line 7.

Strike: "61-10-107, must"

Insert: "subsection (2), may"

HOUSE  
SB 273

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WANZENRIED, SVRCEK, HARP

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**Section 2.** 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)~~(3)(e), 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),

1 ~~(3)~~(d)(3)(e), and (6), term or blanket permits may not be  
 2 issued for an overwidth vehicle, combination of vehicles,  
 3 load, or other thing in excess of 15 feet; an overlength  
 4 vehicle, combination of vehicles, load, object, or other  
 5 thing in excess of 95 feet; and an overheight vehicle,  
 6 combination of vehicles, load, or other thing in excess of  
 7 14 feet, or of a limit determined by the department. A  
 8 vehicle, combination of vehicles, load, or other thing in  
 9 excess of these dimensions is limited to trip permits.  
 10 Special permits for vehicle combinations of more than two  
 11 trailers or more than two units designed for or used to  
 12 carry a load are not permitted except as provided in  
 13 subsection (6). Special permits for vehicle combinations may  
 14 specify and special permits under subsection (6) must  
 15 specify highway routing and otherwise limit or prescribe  
 16 conditions of operation of the vehicle or combination,  
 17 including but not limited to required equipment, speed,  
 18 stability, operational procedures, and insurance.

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

25 (c) With payment of the appropriate gross weight fee

1 required by 61-10-203 and with payment of the fee prescribed  
 2 in subsection (2), allowable gross weight of a five-axle  
 3 combination logging vehicle is 80,000 pounds.

4 (d) With payment of appropriate gross weight fees, the  
 5 allowable gross weight of six-axle logging trucks and  
 6 vehicles-hauling-wood-chips, operating under special permits  
 7 issued under ~~61-10-107~~,--must SUBSECTION (2) MAY be  
 8 calculated based on the distance between the first and the  
 9 last axle in the vehicle configuration, USING THE FORMULA  
 10 PROVIDED IN 61-10-107.

11 ~~(d)~~(e) A term permit may be issued for any combination  
 12 of vehicles that exceeds 95 feet in length but does not  
 13 exceed 100 feet in length, except a truck-trailer-trailer or  
 14 a truck tractor-semitrailer-trailer-trailer combination, for  
 15 travel only on highways that are part of the federal-aid  
 16 interstate system, as defined in 60-1-103, or on other  
 17 highways within a 2-mile radius of an interchange on the  
 18 interstate system in order to obtain necessary services or  
 19 to load or unload at a terminal. When a terminal is beyond a  
 20 2-mile radius, the department may authorize travel between  
 21 the terminal and the interchange. The fee for this permit is  
 22 \$125.

23 (4) Except as provided in subsection (3)(b), a permit  
 24 may not be issued for a period of time greater than the  
 25 period for which the GVW license is valid as provided in

1 this title, including grace periods allowed by this title.  
 2 Owners of vehicles licensed in other jurisdictions may, at  
 3 the discretion of the department of highways, purchase  
 4 permits to expire with their registration. A license  
 5 required by the state governs the issuance of a special  
 6 permit.

7 (5) The owner or operator of a crane with a gross  
 8 vehicle weight of less than 80,000 pounds may purchase a  
 9 30-day special permit for overweight if the crane has a  
 10 current special mobile equipment identification plate and if  
 11 the department of highways has approved the configuration of  
 12 the crane through a weight analysis completed within the  
 13 same calendar year. The permit is not transferable, and the  
 14 fee for the permit is \$200.

15 (6) The department may issue special permits to the  
 16 operating company for a truck-trailer-trailer or truck  
 17 tractor-semitrailer-trailer-trailer combination of vehicles  
 18 under the following conditions:

19 (a) the combination may be operated only on highways  
 20 that are part of the federal-aid interstate system as  
 21 defined in 60-1-103 and within a 2-mile radius of an  
 22 interchange on the interstate system on other highways only  
 23 in order to obtain necessary services or to load or unload  
 24 at a terminal. When a terminal is beyond a 2-mile radius,  
 25 the department may authorize travel between the terminal and

1 the interchange.

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

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

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

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

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

18 (g) travel of the combination may be restricted to  
 19 specific routes, hours of operation, specific days, or  
 20 seasonal periods; and

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

-End-