

MINUTES OF THE MEETING  
HIGHWAYS & TRANSPORTATION COMMITTEE  
50TH LEGISLATIVE SESSION  
HOUSE OF REPRESENTATIVES

February 3, 1987

Rep. John Harp, Chairman, called this hearing to order at 1:00 p.m. in room 317 of the Capitol, Helena, MT.

ROLL CALL:

Rep. John Mercer was excused. All other members of the committee were present although Rep. Thomas was out of the committee part of the time. Mary McCue, researcher, was present.

Bills to be heard were HB 317, HB 319, HB 304, HB 297

HOUSE BILL 317:

Rep. Ed Grady, House District 47, Helena, sponsor of HB 317 said this is an act requiring bicycles operated on highways or public roads to be equipped with a slow-moving vehicle sign; amends section 61-8-607, MCA. Highway patrol figures show that in 1985 there were 3 fatal accidents on bicycles, 176 injuries. In the first nine months of 1986 there were 3 fatal accidents, 161 injuries, for a total of 144 accidents in the first nine months. This indicates there is some problem with bicycles being on the roadways. It is very hard to see these bikers and at night they are supposed to have reflectors and lights. During the daytime they are hard to see. He thinks it would be a very simple measure to ask that a slow-moving vehicle sign be put on the bicycles.

PROPONENTS:

BILL KIMPTON, Toston, had asked for this bill to be introduced. He supported this because bicycles need to have a little more visible recognition on the highways. They are encouraged to have a high flag, maybe that should be required. For the safety of the cyclists maybe a slow-moving vehicle sign would be a good idea.

OPPONENTS:

MARY CHERYL LARANGO, Missoula, works for the City of Missoula Engineering Division with the Bicycle Program. She urged the committee to vote no on HB 317. She read a letter from Mr.

John Williams, Missoula Bicycle Safety Program. (Exhibit No. 2). He stated reasons for his disapproval of equipping bicycles with slow-moving vehicle triangles. Many times bicycles travel at the speed of cars and cannot really be considered to be slow-moving vehicles. If current laws were enforced they would solve most of the accident problems. She deals regularly with bicycle shops and owners in Missoula. One shop owner she discussed this with thought there would be a problem in attaching such a sign to a bicycle as it comes from the factory.

TERRY TOWER, Missoula, is handicapped so she cannot bicycle, but she has family members who bicycle to work, which is good for the pollution problem, who feel that if they see a bicycle and cannot tell that it is slow moving, an extra sign probably wouldn't help. Such a sign on her son's bike just would not be "cool". Her daughter is a touring bicyclist and although she tries to obey the laws, feels such a sign is unnecessary.

QUESTIONS (OR DISCUSSION) FROM THE COMMITTEE:

Rep. Roth was advised 35 mph or less is considered a slow-moving vehicle. A bicyclist could go faster than 35 mph.

Rep. Fritz asked just what kind of a sign was in mind for this? There is a standard slow-moving vehicle sign for farm equipment. There are all different sizes, Rep. Grady said.

Rep. Swysgood explained that under current law a sign has to be a certain size and shape, and probably would be too big for a bicycle. He asked how many accidents were related to drunk drivers. Rep. Grady did not know.

Rep. Harper mentioned that the gentleman from Toston has seen problems bicyclists have on a certain stretch of road in that area. He wanted to know where part of the gas money that goes for bikeways is spent. Some of that money could go to the road to Bozeman for a bikeway. It is a real problem there. Ms. Larango thought part of that money goes for pedestrians. Also some is used for striping. Bikeways is included with the other uses.

Rep. Grady closed saying he doesn't think the theory is foolish. There are some serious problems. There is a problem in his own district where a bikeway should be put in. He wished the committee would take a serious attitude toward this.

EXECUTIVE ACTION

Rep. Jones moved Do Not Pass.

Rep. Swysgood said there is probably no highway in the state that has more bicyclists on it than the one from Hamilton, across Lost Trail, down through Lewis and Jackson and into Dillon. That is frequented by all of the bicyclists. This law will not do anything for these people. Sometimes they ride 3 or 4 abreast. A sign isn't going to address this situation on that highway. That is a very narrow stretch of road but he knew of no accidents in the last 6-8 years that involved trucks, cars and bicycles. Just a fact of life where there are bicycles. He doesn't think a sign will help. They have to police their own society.

Rep. Harp thinks it is impossible to do everything legislatively. People have to use common sense in their everyday life.

Rep. Campbell suggested licensing bicycles and using that money for bikeways.

Rep. Jones changed his motion to HB 317 be TABLED. Motion was adopted unanimously by 14 members. Rep. Campbell voted no; Reps. Thomas and Mercer were absent.

HOUSE BILL 319:

Rep. Stella Jean Hansen, House District #57, sponsored HB 319 which is an act to require the driver of a motor vehicle to yield to pedestrians crossing the roadway within marked or unmarked crosswalks at an intersection; amends 61-8-502, MCA. This would require a motor vehicle driver to yield to pedestrians crossing the roadway within marked or unmarked crosswalks at intersections. This is similar to a state law that has been in California. Montana's Attorney General, Mike Greeley, in an opinion issued April 21, 1985, to the City of Hamilton, held that pursuant to current Montana state law, the city council may not enact an ordinance requiring that the driver of a motor vehicle on a federally aided or a state highway has to stop for a pedestrian within a crosswalk or in a manner conflicting with Montana state law. HB 319 asks that when a pedestrian steps off a curbed or an uncurbed federal or state highway or at an intersection, the car has to stop for them. Essentially this bill comes from Missoula County. There are 20 federal or state highways within Missoula city limits.

PROPOSERS: - None

OPPOSERS: - None

QUESTIONS (OR DISCUSSION) FROM THE COMMITTEE: - None

Rep. Hansen for closing left Exhibit No. 1, with the committee. It documents the streets and it does document the Attorney General's opinion. She also left a copy of a letter from the Missoula City Council, Exhibit No. 3, asking her to include it in her presentation. It also proposes an amendment, Exhibit No. 4.

HOUSE BILL 304:

Rep. Paul Pistoria, House District 36, Great Falls, sponsored HB 304, which is an act requiring a presentation of a valid insurance card for registration of a motor vehicle; and amends 61-6-302, MCA. This bill has been up before. In 1979 many sponsors introduced HB 708, a liability insurance bill which became law. It was patterned after the Idaho law. Under the 1979 law when you went to get your license, you furnished a receipt of the insurance you had. In 1981 it got taken out. He wants to see it back. Everyone who buys insurance has a receipt. Under present law when you get caught for a violation the law enforcement can demand to see if you do have liability insurance; if you don't have it you are subject to a fine. See Exhibit No. 5. He thinks it should be necessary to present your insurance receipt when you renew your license.

PROPONENTS: - None

OPPONENTS:

JOHN COURTNEY, representing the Montana County Treasurers Association, said basically the idea behind this bill is very good, but unfortunately there are several problems with the bill. Before, when you had to show your proof of insurance purchase when you registered your vehicle, a lot of people forgot their receipt. It doesn't address the real problem of people not having liability insurance. People get their insurance policy, show their card to the treasurer when they reregister and then they stop payment on their check so they cancel their insurance policy and get a refund. He thinks it is working pretty well now when they have to certify on their reregistration card that they have insurance on their vehicle.

QUESTIONS (OR DISCUSSION) FROM THE COMMITTEE:

Rep. Kadas asked if Mr. Courtney had any idea of how many people sign but do not have insurance. He did not know. Rep. Roth responded that a spot check had been done in Billings and around 30% were without insurance.

Rep. Harper asked what effect does it have for a person to sign this oath and not have insurance? Mr. Courtney didn't think it could be enforced if caught. Rep. Harper asked if this affidavit is signed or an insurance card is presented, could some added penalty be enforced? Under HB 304, at least they have currently arranged to have insurance. He thinks some attention should be paid to the beneficial aspect to try to combine it with the hassle the treasurers are raising and try to move forward. Mr. Courtney agreed, but some people just simply won't register their cars because of the other requirements.

Rep. Roth asked if the insurance company has criteria that will eliminate a lot of these people from even getting a policy initiated? That cheating factor may be less because they wouldn't be able to get insurance. Mr. Courtney said then they wouldn't be able to register.

Rep. Pistoria closed. This will cut down on people who don't have insurance. In Great Falls it is around 40%. By law you are required to have the insurance card in the car. It is not going to be a burden. Something has to be done. He hoped the committee would put it in the law.

HOUSE BILL 397:

Rep. Mike Kadas, House District 55, Missoula, sponsored HB 297 which is an act to exempt approved bicycle highway racing events from compliance with traffic safety laws and provides an immediate effective date. This bill allows something that is already taking place. HB 297 would allow whatever local government has jurisdiction over the roads to allow bicycle racing over that road. A scheduled race is arranged by the race people with the jurisdictional government and gets their approval. They let cars know there is a bicycle race on that road and they have sheriffs there to take care of it. There is no place in the law that actually allows them to do that so in essence the sheriff or the highway patrol is breaking the law. This bill will allow whoever has jurisdiction if they approve the race, to go ahead and set it up so it happens in a safe manner for both racers and the motorists, to do so legally. Bicycle racing is becoming a bigger sport in Montana. It is also an economic development sport. A lot of racers come from out-of-state. Missoula is in the competition to have the national roadway championships for either 1988 or 1989, and this would be a signal to them to encourage their efforts to get that championship into Montana. That would include bicyclists from all over the country staying in Montana for 10 days and be of economic benefit.

PROPOSERS:

MARY CHERYL LARANGO, Missoula, thanked Rep. Kadas for bringing this bill to the Legislature. She wants to bring what is happening in the state under regulations so it will be legal. Bicycle races are growing in interest to bikers and to spectators. They are making a bid for the national roadway championships to come to Missoula in 1988. She feels that this law should be passed at this time so they are within the bounds of the law to run the races.

OPPOSERS: - None

QUESTIONS (OR DISCUSSION) FROM THE COMMITTEE:

Rep. Poff asked how a race is set up. Ms. Larango answered there are two different kinds of races - there are criterium races which are usually held in downtown districts where the streets are blocked off to traffic at race time with the cooperation of the police department. Road races actually use part of the county roads and the state highways and parks. The state highways and park roads are not closed completely for a certain period of time.

Rep. O'Connell stated some city or county streets or roads are occasionally closed, but it seems to her that there is some kind of a federal law saying that highways cannot be closed unless it is for an emergency.

Rep. Kadas closed.

EXECUTIVE SESSION:

HOUSE BILL 304:

Rep. Clyde Smith moved HB 297 DO PASS. The motion was adopted with 14 members voting yes, Reps. Thomas and Mercer were absent, and Rep. Fritz not voting.

HOUSE BILL 319:

Rep. Roth remarked that he thought the intentions were good, but it is not necessary.

Rep. Mike Kadas moved HB 391 DO PASS. This language is vague enough so that no one really knows what it means. He suggested that if you are in the road, the car has to take notice of you. It makes the law more clear. Rep. Roth talked about an unmarked crosswalk or intersection. He wanted to take out language referring to unmarked crosswalks or intersections.

Rep. Stang objected to removing unmarked crosswalks because most of the crosswalks in his area are not marked. This bill says that once you step off that curb a car has to stop.

Rep. Glaser thought when two roads come together at an intersection, if someone steps out in front of a truck coming down the road, you would be giving the truck liability that he doesn't have at this time.

FRED RICE, Missoula, thought someone leaping in front of a logging truck would have to be responsible for his actions. This proposed language is to clear up the language that exists in present law and to establish basically that pedestrians have the right to cross state highways. In the University area a major state route goes through the center of it and it also has a lot of pedestrian traffic. Pedestrians are at risk by cutting across the street using this particular law as a guide because they have to get halfway into the street before they can have reasonable expectations that a car would stop. Missoula city ordinance requires that once they step from the curb, they be acknowledged by automobiles. On a nearby street they have the right-of-way, but when they get on the intersection on state routes they do not know what is going on. Both the Missoula city ordinance and state law says you cannot leap in front of a car forcing it to stop. There is a responsibility on the part of the pedestrian as well. The right-of-way in Hamilton is extremely wide, however the Attorney General ruled that Hamilton could not enforce a pedestrian law on State Highway 93 which goes through there. To force confrontation between pedestrians and automobiles is not wise. The places where this is needed, it is really needed, and where it is not needed it would not affect activity. A logging truck has much less maneuverability than an automobile.

Rep. Glasser commented this bill deals with state roadway system and not city streets. They would have to look at what it deals with.

Rep. Harp said the definition of highways in this bill is the same as we know them today.

Rep. Kadas suggested to leave the state requirement in for a marked crosswalk, so that if the crosswalk is marked a car has to stop. Leave intersection jurisdiction up to the local governing body so a city could make that kind of a requirement at an intersection if it wished to do so.

Rep. Glaser reminded there is a need for consistency of laws as traffic moves across the state. He would like to give the author of this bill the opportunity to understand our concerns and go back and determine if she can make it work. The bill

has some merit, but what is proposed here isn't working.

Rep. Jones has a problem with the definition of an unmarked crosswalk.

Rep. Roth moved an amendment to strike 'unmarked crosswalks' in several places on the bill. Rep. Smith thought that crosswalk is already covered under existing law. Removing that would defeat the purpose of the bill. Rep. Roth thought it would clear up the ambiguity in the part that was already stricken. Rep. Roth withdrew his motion.

Rep. Harp asked Rep. Kadas to work with Rep. Hansen to come up with amendments to make this bill more clear.

HOUSE BILL 304:

Rep. Roth moved DO PASS.

Rep. Thomas doesn't think this bill will do any good. He made a substitute motion that HB 304 DO NOT PASS. It is a bad inconvenience to impose on people. Rep. Stang supports this motion.

Rep. Glaser has a fleet policy and when he buys a vehicle he buys plates, calls the insurance company, and about 45 days later his insurance card comes. Is this typical timing of these cards? Rep. Thomas advised there is a delay in the time of reporting your vehicle change until you get a card. His office types up a card right away and the person either stops by that day or it is mailed. If you were pulled over and you could show you had insurance, you probably wouldn't get a ticket. There is a problem, however.

Rep. Roth didn't think legislation should be made due to convenience.

Question was called on the DO NOT PASS motion. Reps. Fritz, Harper, Roth, O'Connell and Kadas voted no; Rep. Mercer was absent and 11 voted yes.

HOUSE BILL 261:

Rep. Swysgood moved amendments be handed out. Exhibit No. 7. This extends the veterans memorial highway from Butte, MT to

Highways & Transportation Committee  
February 3, 1987  
Page 9.

the Montana-Idaho border at Monida Pass. Motion to amend was adopted unanimously. Rep. Swysgood moved that HB 261 DO PASS AS AMENDED. Motion CARRIED unanimously. Rep. Mercer was absent.

ADJOURNMENT:

There being no further business to come before this committee, the hearing was adjourned at 2:10 p.m.

  
\_\_\_\_\_  
REPRESENTATIVE JOHN HARP, Chairman



# STANDING COMMITTEE REPORT

February 3 19 87

Mr. Speaker: We, the committee on HIGHWAYS & TRANSPORTATION  
report HOUSE BILL 304

- |   |  |   |
|---|--|---|
| <input type="checkbox"/> do pass                | <input type="checkbox"/> be concurred in     | <input type="checkbox"/> as amended                   |
| <input checked="" type="checkbox"/> do not pass | <input type="checkbox"/> be not concurred in | <input type="checkbox"/> statement of intent attached |

REP. JOHN HARR

Chairman

1st

White

reading copy ( )

color

# STANDING COMMITTEE REPORT

February 3 19 37

Mr. Speaker: We, the committee on HIGHWAYS & TRANSPORTATION

report HOUSE BILL 297

do pass  
 do not pass

be concurred in  
 be not concurred in

as amended  
 statement of intent attached

REP. JOHN HARP

Chairman

**1st**

**White**

reading copy ( )  
color

# STANDING COMMITTEE REPORT

February 3 19 37

Mr. Speaker: We, the committee on HIGHWAYS & TRANSPORTATION

report HOUSE BILL 261

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> do pass | <input type="checkbox"/> be concurred in     | <input checked="" type="checkbox"/> as amended        |
| <input type="checkbox"/> do not pass        | <input type="checkbox"/> be not concurred in | <input type="checkbox"/> statement of intent attached |

REP. JOHN HARR

Chairman

## ESTABLISHING A MEMORIAL HIGHWAY

### Be Amended As Follows:

1. Page 1, line 10.  
Following: "from"  
Strike: "Butte"  
Insert: "the Montana-Idaho border at Monida Pass"

271  
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color

WITNESS STATEMENT

#  
2000-000000  
317-123456789

NAME Dana Field BILL NO. 317  
ADDRESS 619 3rd St DATE \_\_\_\_\_  
WHOM DO YOU REPRESENT? self  
SUPPORT \_\_\_\_\_ OPPOSE 317 AMEND \_\_\_\_\_

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

I agree with Rep. Hynes' comments regarding bike lanes, especially on highways. As a bike tourist I am quite aware of the lack of decent shoulders for bike traffic. I would like to call attention to this problem in the review of environmental statements by new roads or road reconstruction, for example by the EIS for the Toronto Ok stretch -- Hwy 12 west of Toronto. The only apparent research done on this issue is the "road user" opinion of current bicycle traffic. Anyone who works with this section for recreation must have a death wish. This was a bad opinion, inadequate even.

In several states (Oregon, at least) road reconstruction requires provision for bicycle traffic. Thank you.



EX-117 # 2  
Feb 3, 1987  
317-12 p. 2

E-87-0109

February 2, 1987

Highways Committee  
Montana State Legislature

RE: HB #317

Dear Committee Members:

I urge you to vote no on HB #317, which would require bicyclists to use slow-moving vehicle triangles. From my 20 years of experience in bicycle safety, I assure you that it will do little good.

First, the safety benefits would be negligible. Less than 10% of all car/bike crashes involve cyclists being hit from behind. The vast majority involve turning and crossing maneuvers.

Further, most "hit-from-behind" accidents happen at night on rural two lane highways; many involve drivers who have been drinking. There is a serious question whether forcing all Montana cyclists to wear slow moving vehicle triangles would solve even those problems.

Second, there are currently laws on the books that, if enforced, would solve most accident problems -- including overtaking accidents. These laws include drunk driving statutes, bike lighting laws and obedience to traffic control devices.

Third, the enforcement of this law would place one more burden on our already overworked police departments, and a difficult one at that. Educating the public and getting them to cooperate would be a significant task.

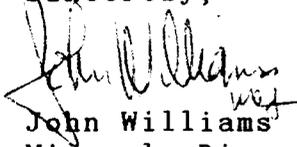
I cannot imagine the law being enforced widely. I suspect we would only see it enforced in certain areas and against certain types of cyclists -- long distance tourists or racers, for example. Could the Legislature really expect local police departments to stop all cyclists, kids included, for disobeying this law?

Highways Committee  
Montana State Legislature  
February 2, 1987  
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Fourth, there are many situations where bicyclists move at or near the speed of traffic and, therefore, are not slow moving vehicles by definition. In busy city traffic, such as is found in Great Falls, Bozeman, Butte, Missoula and Billings, adult cyclists routinely keep up with the cars.

In closing, HB #317 is a poorly conceived attempt to solve a poorly understood problem involving the unsafe habits of both motorists and bicyclists. Enforcing existing traffic laws coupled with education and training for both motorists and cyclists is the solution. Please vote no.

Sincerely,

A handwritten signature in cursive script, appearing to read "John Williams". The signature is written in dark ink and is positioned above the printed name.

John Williams  
Missoula Bicycle Safety Program

JW:MCL:cjk



OFFICE OF THE CITY ATTORNEY

201 W. SPRUCE • MISSOULA, MT 59802-4297 • (406) 721-4700

#1  
1/23/87  
312-111st  
Hansen

January 27, 1987

87-060

Representative Stella Jean Hansen  
State House of Representatives  
Montana State Capitol  
Helena, Montana 59620

Representative John Harp  
House Highways & Transportation  
Committee Chairman  
Montana State Capitol  
Helena, Montana 59620

Re: Support for House Bill-319

Dear Representatives Hansen and Harp:

I would like to urge the State Legislature's support for House Bill-319, pertaining to pedestrians' right-of-way within crosswalks at intersections.

The purpose of this legislative proposal pertaining to pedestrians' right-of-way in crosswalks is to require the driver of a motor vehicle to yield to pedestrians crossing the roadway within marked or unmarked crosswalks at an intersection while the pedestrian is crossing the roadway. It is my understanding that this proposal is similar to what the state law has been in California for many years. Some cities in Montana have enacted pedestrian crossing ordinances based on California state law in order to aid safer pedestrian crossings at intersections.

However, Montana Attorney General Mike Greely, in Attorney General Opinion No. 10, Volume 41, issued April 22, 1985, to the City of Hamilton, held that pursuant to current Montana state law, a city council may not enact an ordinance requiring a driver of a motor vehicle upon a federal-aid or state highway to stop for a pedestrian within a crosswalk in a manner in conflict with Montana state law; which in this case would be current Section 61-8-502, M.C.A.

The result of this Montana Attorney General Opinion is that, pursuant to Montana state law, pedestrians in Montana cities and towns crossing federal-aid or state highway roadways within a city have less of a right-of-way than some Montana cities would like to provide. Further, it appears that city ordinances designed to enhance pedestrian safety which conflict with state law may only be applicable to city streets that are not federal-aid or state highway roadways within a city limits, which creates a lot of confusion for pedestrians and motorists within a city if the pedestrian right-of-way law applicable to city streets is different than the pedestrian right-of-way law applicable to federal-aid or state highway roadways within a city's limits.

There are numerous federal-aid or state highway roadways within a community such as the City of Missoula. For example, the following portions of streets within the Missoula city limits are designated either as federal-aid or state highway routes:

Representative Stella Jean Hansen  
Representative John Harp  
January 27, 1987  
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1. Broadway from the Montana Department of Highways entrance to the entrance to Ben Hughes Subdivision;
2. Russell Street from Broadway to the south end of the Clark Fork River Bridge;
3. Russell Street from South Second to 39th Street;
4. Orange Street from I-90 to Stephens Avenue;
5. Stephens Avenue from Orange Street to Brooks Street;
6. Van Buren Street from the northeast city limits to Broadway;
7. Madison Street from Broadway to South Fifth Street;
8. Arthur Avenue from South Fifth Street to South Sixth Street;
9. Maurice Avenue from South Fifth Street to South Sixth Street;
10. South Fifth Street from Maurice Avenue to Higgins Avenue;
11. South Sixth Street from Maurice Avenue to Higgins Avenue;
12. Higgins Avenue from Broadway to Pattee Canyon Drive;
13. S.W. Higgins Avenue from Pattee Canyon Drive to 39th Street;
14. 39th Street from S.W. Higgins Avenue to Russell Street;
15. Brooks Street from Higgins Avenue to Buckhouse Bridge;
16. South Avenue from west city limits to Higgins Avenue;
17. Pattee Canyon Drive from Higgins Avenue to southeast city limits;
18. Third Street from west city limits to Russell Street;
19. Reserve Street from I-90 to West Broadway including ramps on West Broadway overpass; and
20. Reserve Street from Old Highway 93 to 39th Street.

Although these portions of streets are identified either as federal-aid or state highway routes, law enforcement responsibility for enforcing all state and City motor vehicle regulations and investigations of accidents involving motor vehicles and pedestrians is nearly always performed by City law enforcement personnel. Pedestrian safety, especially near schools, is always a matter

Representative Stella Jean Hansen  
Representative John Harp  
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of great concern to City law enforcement personnel, whether the roadway within the city limits is a City street or either a federal-aid or state highway route.

Thank you for considering this matter.

Yours truly,

  
Jim Nugent  
City Attorney

JN:mbs

cc: Missoula County Representatives Ralph Eudaily, Harry Fritz, R. Budd Gould, Mike Kadas, Earl C. Lory, Janet Moore, Bob Ream, Caroly Squires; Bob Lovegrove, Mayor; City Council Members; Joe Aldegarie, Public Works Director; Marvin "Red" Hamilton, Police Chief; and Alec Hansen, Executive Director Montana League of Cities and Towns



CITY COUNCIL

201 W. SPRUCE • MISSOULA, MT 59802 • (406) 721-4700

#2  
7/13/17  
9/19 - Stella  
Stella Jean

Dear Stella Jean

Thank you for introducing HB319 amending Section 61-8-502 M.C.A. While prior amendments prevent me from testifying before the committee today, I would appreciate it if you would enter the following comments into the record. In addition, should there be any questions or comments regarding my testimony, please feel free to call me at 721-4700 or 728-8077.

Fred Rice  
City Council  
201 West Spruce  
Missoula, MT 59802



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CITY COUNCIL

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201 W SPRUCE • MISSOULA MT 59802 • (406) 721-4700

TO: Honorable Members of the House Highways & Transportation  
Committee

The bill before you seeks to clarify an issue that has important public safety ramifications for all Montanans. First, it addresses two technical issues, by removing the formal requirements imposed on all parties to determine the halfway point in a roadway and the hypothetical point at which endangerment to pedestrians occurs. Second, after removing these requirements, the proposed amendment inserts a straightforward, easily ascertainable standard that is both understandable and enforceable. With this amendment, pedestrians would have a reasonable assurance that their presence in a crosswalk or intersection would result in motorists yielding the right of way without forcing a confrontation at the half-way point of the roadway.

Clearly, this amendment has its broadest impact and implication for those state highways that run through unincorporated areas and heavily developed county areas. In the former, this provides local law enforcement officials with a tool to protect pedestrians and allows pedestrians to proceed without a road map outlining which roads are or are not "safe" to cross. In the City of Missoula, for example, there are many residential areas which are bisected by state routes. Pedestrians in these areas cross streets governed by two sets of rules - the city ordinance, which gives them the right of way, and the current state law, which is at best ambiguous and at worst encourages car-pedestrian

challenges. In heavily populated unincorporated areas (such as Seeley Lake, Florence and Frenchtown in Missoula County) this amendment declares the pedestrian's right of way clearly and unambiguously.

This amendment, or language similar to it, is in place in states throughout the country. It is an acknowledgement that pedestrians have rights and that they, too, may use the roadway for prescribed purposes. The amendment also requires that motorists recognize these rights and respond in a prescribed fashion. I urge you to support this amendment and to pass HB319.

Fred Rice  
City Council  
201 West Spruce  
Missoula, MT 59802

764  
2/3/77  
3/9 Rep. Sec.  
Jan 1977

Amendments to HB 319 Introduced (white) copy

1. Title, line 6.  
Strike: "OR UNMARKED"
  
2. Title, line 7.  
Following: "INTERSECTION;"  
Insert: "TO ALLOW A LOCAL AUTHORITY TO REGULATE A  
PEDESTRIAN CROSSING AT AN UNMARKED INTERSECTION;"
  
3. Page 1, lines 19 and 20.  
Strike: "or within an unmarked crosswalk"
  
4. Page 1, following line 24.  
Insert: "(2) A local authority in its jurisdiction may by ordinance regulate a pedestrian's right-of-way when the pedestrian is crossing the roadway within an unmarked crosswalk at an intersection."

Renumber: subsequent subsections

FOR - HB. 304 - (1987)

3/1/87  
H.B. 304 - Paul  
Historia

~~HB. 304~~  
HB. 661  
Sat - Feb. 2, 1985

Now, by law a vehicle owner must carry the insurance receipt (pd up) in the glove compartment of the vehicle.

Therefore, why we use it along with the OATH CARD from the Registrar of Motor Vehicles, when paying for your license.

Also, Harry Meyers Registrar of Motor Vehicles has agreed with me to STAMP ON BACK OF OATH CARD TO BE SURE TO TAKE ALONG THE INSURANCE RECEIPT. He will soon start this process.

Paul S. Historia

**MONTANA OWNERS CERTIFICATE OF REGISTRATION AND TAX RECEIPT**

Current Plate: \_\_\_\_\_ Type: Veh. Yr. \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_ Style \_\_\_\_\_ Color \_\_\_\_\_ G.W.W.T. \_\_\_\_\_

**EXPIRATION DATE** \_\_\_\_\_ Vehicle Ident. / Motor No. \_\_\_\_\_ Title Number \_\_\_\_\_

Tab No. \_\_\_\_\_ Gas (1) \_\_\_\_\_ Vehicle Type \_\_\_\_\_ Equipment No. \_\_\_\_\_ Ton \_\_\_\_\_

Gas (2) \_\_\_\_\_

Gas (3) \_\_\_\_\_

Registered Owner's Name and Address \_\_\_\_\_

Lienholder's Name and Address \_\_\_\_\_ Lien Amount \_\_\_\_\_ F.O.B. Price \_\_\_\_\_

Valid By \_\_\_\_\_ Market Value \_\_\_\_\_ Taxable Val. \_\_\_\_\_ School Dist. No. \_\_\_\_\_ Mill Levy \_\_\_\_\_ Co. \_\_\_\_\_

Treas. or Dep. \_\_\_\_\_ I CERTIFY UNDER PENALTY OF LAW THAT THIS VEHICLE IS INSURED AS PRESCRIBED BY MONTANA STATUTE 46-10-101 MCA.  Signature of Registered Owner \_\_\_\_\_

Date Issued \_\_\_\_\_ **IN-STATE ONLY - OUT OF STATE REGISTRATION INFORMATION** Title No. \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Legal Domicile \_\_\_\_\_

REGISTRAR'S COPY 0785813

Vehicle owner must insure at least DISPK44 insurance and or Reg. by HB. 210. by Historian - Jan. 12, 1983, are not telling the truth under oath. History doing this & lie.

DETACH GRASP FIRMLY AND PULL FROM RIGHT SIDE.

2/1/87  
311-100-100  
John H. ...

Amendments to HB 319 Introduced (white) copy

1. Title, line 6.  
Strike: "OR UNMARKED"
  
2. Title, line 7.  
Following: "INTERSECTION; *the municipal*  
Insert: "TO ALLOW A LOCAL AUTHORITY TO REGULATE A  
PEDESTRIAN CROSSING AT AN UNMARKED INTERSECTION;"
  
3. Page 1, lines 19 and 20.  
Strike: "or within an unmarked crosswalk"
  
4. Page 1, following line 24.  
Insert: "(2) A local authority in its jurisdiction may by ordinance regulate a pedestrian's right-of-way when the pedestrian is crossing the roadway within an unmarked crosswalk at an intersection."

Renumber: subsequent subsections

EXHIBIT # 7  
DATE 2/3/87  
HB 261 - Rep. Rathe

Amendments to HB 261            Introduced (white) copy

1. Page 1, line 10.

Strike: "Butte"

Insert: "the Montana-Idaho border"

2. Page 1, line 10.

Strike: "Butte"

Insert: "from the point it enters Montana at the Idaho border"

