

**MINUTES**

**MONTANA HOUSE OF REPRESENTATIVES  
55th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON TRANSPORTATION**

**Call to Order:** By Chairman Shiell Anderson, on February 7, 1997,  
at 3:05 P.M., in Room 420

**ROLL CALL**

**Members Present:**

Rep. Shiell W. Anderson, Chairman (R)  
Rep. Rick Jore, Vice Chairman (Majority) (R)  
Rep. Patrick G. Galvin, Vice Chairman (Minority) (D)  
Rep. Joe Barnett (R)  
Rep. Sylvia Bookout-Reinicke (R)  
Rep. Matt Brainard (R)  
Rep. Bob Clark (R)  
Rep. Charles R. Devaney (R)  
Rep. David Ewer (D)  
Rep. H.S. "Sonny" Hanson (R)  
Rep. Marian W. Hanson (R)  
Rep. Rod Marshall (R)  
Rep. Gerald Pease (D)  
Rep. William M. "Bill" Ryan (D)  
Rep. Dorothy C. Simpson (D)  
Rep. Bill Whitehead (D)

**Members Excused:** Rep. Rod Bitney  
Rep. Jack Wells

**Staff Present:** Leanne Kurtz, Legislative Services Division  
Mary Lou Schmitz, Committee Secretary

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB 326 - 2-5-97  
HB 336 - 2-5-97  
HB 353 - 2-5-97  
HB 385 - 2-5-97

**HEARING ON HB 336**

"AN ACT ALLOWING THE DEPARTMENT OF TRANSPORTATION TO NEGOTIATE AGREEMENTS WITH SOFT DRINK BOTTLERS TO INSTALL VENDING MACHINES AT ESTABLISHED REST AREAS; AND PROVIDING FOR THE DISPOSITION OF PROCEEDS."

**Sponsor:** Rep. John Bohlinger, HD 14

{Tape: 1; Side: A; Approx. Time Count: 1.2 - 27.3 }

Opening Statement by Sponsor: Rep. Bohlinger said the proceeds that are not retained by the bottlers, would go to the State of Montana, one-third would go to the Big Sky State Games and one-third would go to the Olympics committee.

Proponents: Karen Sanford Gall, Big Sky State Games, Billings, Montana. **EXHIBIT 1.**

Tom Osborne, United States Olympic Games, **EXHIBIT 2.**

Dan Walker, Self.

John Delano, Montana Soft Drink Association.

Roger Hagan, Self.

{Tape: 1; Side: A; Approx. Time Count: 27.4; }

Opponents: None

{Tape: 1; Side: A; Approx. Time Count: 27.6; }

Informational Testimony: Gary Gilmore, Administrator, Engineering Division, Department of Transportation.

{Tape: 1; Side: A; Approx. Time Count: 29.9; }

Questions From Committee Members and Responses: Reps. Marshall, Galvin, Clark, Barnett, Bookout, Ewer.

Responses by Rep. Bohlinger; Gary Gilmore; Karen Sanford Gall.

{Tape: 1; Side: A; Approx. Time Count: 51.8; }

Closing by Sponsor: Rep. Bohlinger closed the Hearing on HB 336.

#### HEARING ON HB 353

"AN ACT REQUIRING DRIVERS OF VEHICLES OUTSIDE CITIES OR TOWNS TO DRIVE WITH LIGHTED HEADLAMPS AT ALL TIMES;"

Sponsor: Rep. John Bohlinger, HD 14.

{Tape: 1; Side: A; Approx. Time Count: 57.7; }

Opening Statement by Sponsor: Rep. Bohlinger said the Bill would reduce injury and property damage by requiring headlights to be on at all times.

{Tape: 1; Side: A; Approx. Time Count: 65.1; }

Proponents: Col. Craig T. Reap, Montana Highway Patrol. **EXHIBIT 3.**

Roger Hagan, Self.

{Tape: 1; Side: A; Approx. Time Count: 70.6; }

Opponents: None

{Tape: 1; Side: A; Approx. Time Count: 70.6; }

Questions From Committee Members and Responses: Reps. Barnett, Jore, Marian Hanson, Clark, Brainard, Anderson.

Responses by Rep. Bohlinger; Col. Reap;

{Tape: 1; Side: A; Approx. Time Count: 85.4; }

Closing by Sponsor: Rep. Bohlinger closed the Hearing on HB 353.

#### HEARING ON HB 326

"AN ACT ALLOWING A BOARD OF COUNTY COMMISSIONERS TO ESTABLISH URBAN TRANSIT ZONES THAT PROVIDE SPEED LIMITS SUITABLE FOR HIGH DENSITY COMMUTER TRAFFIC ON PUBLIC ROADS IN THE COUNTY; PROVIDING FOR ENFORCEMENT OF SPEED LIMITS IN URBAN TRANSIT ZONES; ESTABLISHING A FINE SCHEDULE FOR VIOLATION OF A SPEED LIMIT IN AN URBAN TRANSIT ZONE; DIRECTING THE MONEY COLLECTED FROM FINES TO THE COUNTY GENERAL FUND;"

Sponsor: Rep. Matt Brainard, HD 62.

{Tape: 1; Side: A and B; Approx. Time Count: 86.6 - 4.3; }

Opening Statement by Sponsor: Rep. Brainard said the Bill would provide speed limits suitable for high density commuter traffic on public roads.

{Tape: 1; Side: B; Approx. Time Count: 4.3; }

Proponents: None

{Tape: 1; Side: B; Approx. Time Count: 4.5; }

Opponents: Gary Gilmore, Director, Engineering Division, Montana Department of Transportation.

Tim Reardon, Chief Counsel, Department of Transportation.

{Tape: 1; Side: B; Approx. Time Count: 13.0; }

Questions From Committee Members and Responses: Reps. Ewer, Bookout, Simpson, Galvin, Clark, Marshall, Anderson, Jore.

Responses by Tim Reardon, Gary Gilmore, Rep. Brainard.

{Tape: 1; Side: B; Approx. Time Count: 38.8; }

Closing by Sponsor: Rep. Brainard closed the Hearing on HB 326.

#### HEARING ON HB 385

"AN ACT CLARIFYING WHEN A DRIVER BEING OVERTAKEN BY A VEHICLE ON THE LEFT SHALL GIVE WAY TO THE RIGHT; ALLOWING FOR A LEFT TURN INTO A PUBLIC OR PRIVATE PARKING LOT OR A ROADWAY ACROSS DOUBLE YELLOW LINES UNDER CERTAIN CONDITIONS;"

{Tape: 1; Side: B; Approx. Time Count: 39.5; }

Sponsor: Rep. Linda McCulloch, HD 70.

**Opening Statement by Sponsor:** Rep. McCulloch opened the Hearing on HB 385.

*{Tape: 1; Side: B; Approx. Time Count: 47.5; }*

**Proponents:** Col. Craig Reap, Montana Highway Patrol. **EXHIBIT 4.**

*{Tape: 1; Side: B; Approx. Time Count: 50.9; }*

**Opponents:** None

*{Tape: 1; Side: B; Approx. Time Count: 51.2; }*

**Questions From Committee Members and Responses:** Rep. Sonny Hanson.

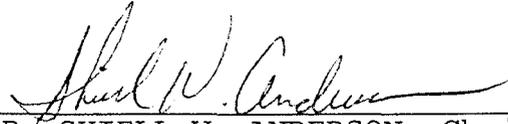
Responses by Col. Craig Reap.

*{Tape: 1; Side: B; Approx. Time Count: 52.7; }*

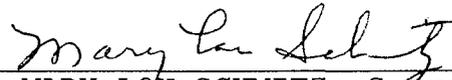
**Closing by Sponsor:** Rep. McCulloch closed the Hearing on HB 385.

ADJOURNMENT

Adjournment: 5:30



REP. SHIELL W. ANDERSON, Chairman



MARY LOU SCHMITZ, Secretary

SWA/MLS