

**MINUTES**

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

**COMMITTEE ON TRANSPORTATION**

**Call to Order:** By Chairman Shiell Anderson, on February 12, 1997, at 3:05, 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. Marian W. Hanson (R)  
Rep. Rod Marshall (R)  
Rep. Gerald Pease (D)  
Rep. William M. "Bill" Ryan (D)  
Rep. Dorothy C. Simpson (D)  
Rep. Jack Wells (R)

**Members Excused:** Rep. Rod Bitney  
Rep. Dave Ewer  
Rep. Sonny Hanson  
Rep. Bill Whitehead

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

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: SB 29 - 2-10-97  
HB 418- 2-10-97  
HB 423- 2-10-97  
HB 444- 2-10-97

**HEARING ON SB 29**

"AN ACT GENERALLY REVISING THE MOTOR CARRIER LAWS; ELIMINATING THE SPECIAL PERMIT FOR A VEHICLE EXCEEDING A GROSS WEIGHT OF 80,000 POUNDS; ELIMINATING THE SPECIAL PERMIT FOR A CRANE; INCREASING THE WEIGHT FEES FOR VEHICLES WEIGHING IN EXCESS OF 80,000 POUNDS; INCREASING THE ALTERNATIVE GROSS WEIGHT FEES FOR CERTAIN VEHICLES WEIGHING IN EXCESS OF 78,001 POUNDS; INCREASING THE FEES ON CERTAIN VEHICLES LICENSED IN OTHER STATES;

ELIMINATING THE TEMPORARY CASH COMPLIANCE BOND FOR SPECIAL FUEL USERS;"

**Sponsor:** Senator Charles Swysgood, SD 17.

*{Tape: 1; Side: A; Approx. Time Count: 0.9; }*

**Opening Statement by Sponsor:** Senator Swysgood said SB 29 revises the motor carrier laws and eliminates special permits.

*{Tape: 1; Side: A; Approx. Time Count: 2.5 - 11.2 }*

**Proponents:** Dave Galt, Administrator, Motor Carrier Services, Department of Transportation.

Ben Havdahl, Montana Motor Carriers Association.

Bob Gilbert, Montana Tow Truck Association.

**Opponents:** None

*{Tape: 1; Side: A; Approx. Time Count: 11.4; }*

**Questions From Committee Members and Responses:** Rep. Galvin,

Responses by Dave Galt.

*{Tape: 1; Side: A; Approx. Time Count: 13.4; }*

**Closing by Sponsor:** Senator Swysgood closed the Hearing on SB 29.

#### HEARING ON HB 423

"AN ACT CREATING THE OFFENSE OF RECKLESS ENDANGERMENT OF HIGHWAY WORKERS; DOUBLING THE FINES FOR TRAFFIC VIOLATIONS IN A HIGHWAY WORK ZONE; DEFINING "HIGHWAY WORK ZONE" AND "HIGHWAY WORKER."

**Sponsor:** Rep. Billie Krenzler, HD 17.

*{Tape: 1; Side: A; Approx. Time Count: 14.2 }*

**Opening Statement by Sponsor:** Rep. Krenzler said this Bill was drafted from a Bill in the State of Oregon that is currently in operation. This Bill is an Act creating the offense of reckless endangerment of highway workers, doubling the fines for traffic violations in a highway work zone; defining "highway work zone" and "highway worker". Rep. Krenzler also explained an amendment to the Bill.

*{Tape: 1; Side: A; Approx. Time Count: 18.6 }*

**Proponents:** Tom Schneider, Montana Public Employees' Association.

Jerry Driscoll, Montana Building and Trades

Russ Ritter, Westran, Morrison-Knudson

Gary Gilmore, Administrator, Engineering Division,  
Montana Department of Transportation.

John Blacker, Administrator, Maintenance Division,  
Department of Transportation.

{Tape: 1; Side: A; Approx. Time Count: 24.1; }

Opponents: None

{Tape: 1; Side: A; Approx. Time Count: 24.5 - 28.2 ;}

Questions From Committee Members and Responses: Reps. Marshall,  
Anderson, Brainard, Bookout.

Responses by Rep. Krenzler.

{Tape: 1; Side: A; Approx. Time Count: 29.0 : }

Closing by Sponsor: Rep. Krenzler closed the Hearing on HB 423.

#### HEARING ON HB 418

"AN ACT GENERALLY REVISING THE SLOW-MOVING VEHICLE LAWS; APPLYING THE SLOW-MOVING VEHICLE LAWS ON ALL HIGHWAYS; REQUIRING THE DEPARTMENT OF TRANSPORTATION TO POST NOTICES REGARDING THE REGULATION OF SLOW-MOVING VEHICLES; REQUIRING THE DEPARTMENT OF TRANSPORTATION TO CONSTRUCT TURNOUTS FOR SLOW-MOVING VEHICLES; REQUIRING THE DEPARTMENT OF TRANSPORTATION OR A LOCAL AUTHORITY TO SET A MINIMUM SPEED LIMIT UNDER CERTAIN CONDITIONS."

Sponsor: Rep. Jon Ellingson, HD 65.

{Tape: 1; Side: A; Approx. Time Count: 30.5; }

Opening Statement by Sponsor: Rep. Ellingson said this Bill may have a considerable positive impact on highway safety.

{Tape: 1; Side: A; Approx. Time Count: 38.1; }

Proponents: None

Opponents: Gary Gilmore, Administrator, Engineering Division,  
Department of Transportation.

John Blacker, Administrator, Maintenance Division,  
Department of Transportation.

{Tape: 1; Side: A; Approx. Time Count: 45.6; }

Questions From Committee Members and Responses: Reps. Brainard,  
Clark, Marshall, Anderson.

Responses by Gary Gilmore.

{Tape: 1; Side: A; Approx. Time Count: 53.4; }

Closing by Sponsor: Rep. Ellingson closed the Hearing on HB 418.

HEARING ON HB 444

"AN ACT MAKING THE DESIGNATED MODEL YEAR OF A MOTOR HOME, TRAVEL TRAILER, CAMPER, OR MOTORCYCLE CORRESPOND WITH THE PURCHASE YEAR FOR THE PURPOSES OF IMPOSING FEES IN LIEU OF TAX IF THE PURCHASE YEAR PRECEDES THE MODEL YEAR;"

Sponsor: Rep. Jack Wells, HD 27.

{Tape: 1; Side: A; Approx. Time Count: 58.0; }

Opening Statement by Sponsor: Rep. Wells said the Bill is an attempt to correct an unfair situation in the law of imposing fees in lieu of tax if the purchase year precedes the model year.

{Tape: 1; Side: A; Approx. Time Count: 69.2; }

Proponents: Ken Hoovestal, Walleyes Unlimited, Montana Boating Association and Montana Snowmobile Association.

Bob Gilbert, Montana Aviation Trades Association.

{Tape: 1; Side: A; Approx. Time Count: 74.3; }

Opponents: None

{Tape: 1; Side: A; Approx. Time Count: 74.5; Comments: .}

Informational Testimony: Bud Schoen, Motor Vehicle Division, Deer Lodge, Montana.

{Tape: 1; Side: A; Approx. Time Count: 77.6; }

Questions From Committee Members and Responses: Reps. Anderson, Simpson, Marshall.

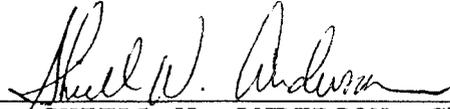
Responses by Bud Schoen.

{Tape: 1; Side: A; Approx. Time Count: 82.3; }

Closing by Sponsor: Rep. Wells closed the Hearing on HB 444.

ADJOURNMENT

Adjournment: 4:30 p.m.



REP. SHIEHL W. ANDERSON, Chairman



MARY LOU SCHMITZ, Secretary

SWA/MLS