

## HIGHWAYS AND TRANSPORTATION COMMITTEE

February 22, 1977

The Committee on Highways and Transportation was called to order on February 22, 1977, at 10:00 a.m. with Chairman Baeth presiding and all members present, except that Rep. Hansen was excused.

The following bills were scheduled for discussion today: HB 368, HB 369, HJR 60, HJR 61 and HJR 67.

### HOUSE JOINT RESOLUTION 60

Representative Bradley, chief sponsor of this resolution, said it directs the Department of Highways to make energy efficiency a primary consideration in procuring motor pool vehicles.

Jim Beck, attorney for the Department of Highways, said this resolution would apply only to purchase of motor pool vehicles. It was the sponsor's intention to cover purchase of all state vehicles. The purchasing division of the Department of Administration does the purchasing of all motor vehicles. Therefore, Mr. Beck suggested the Department of Highways be changed to the Department of Administration.

Mr. Beck said the Department of Highways has made energy efficiency a main consideration with their motor pool vehicles over the last few years. At the present time they have 118 compact passenger cars. They have 36 intermediate passenger cars.

There were no opponents. Hearing closed on HJR 60.

### HOUSE JOINT RESOLUTION 67

Representative Lien, chief sponsor of this resolution, said this resolution was introduced to bring attention to the Department of Highways the apparent need for portable weight scales instead of permanent ones.

Representative Lien feels that a permanent weigh station close to a town or city can cause some commercial traffic to by-pass the city in favor of one which does not have a weigh station. It is his contention that portable weigh scales would reduce this problem. The resolution requests the department to investigate the use of these weigh stations so it will be equal to all cities or towns.

There were no opponents. Hearing closed on HJR 67.

HOUSE BILL 369

Representative Ellison, sponsor of this bill, told the committee the present law says anyone who drives a snowmobile on a public roadway, street or highway when allowed under the provisions of HB 369 shall have a driver's license. This would exclude anyone between the ages of 12 and 16. Representative Ellison said there are occasions when loading or unloading snowmobiles that require that they be driven on a public roadway for a short distance. He proposes to change this provision to include 12 to 16 year olds, accompanied by an adult.

Representative Ellison mentioned that SB 177 pertains to the same subject. He asked the committee to look with favor on either HB 369 or SB 177.

There were no opponents. Hearing closed on HB 369.

HOUSE BILL 368

Representative Mular said the chief sponsor, Representative Ellis was out of town. Representative Manuel, another sponsor, was in another committee meeting. Representative Mular said they asked him to open HB 368 so proponents and opponents could speak. This bill makes camping in a state rest area a misdemeanor, with a fine of not less than \$25.

Proponent Elmer Frame, private campground owner and member of Campground Owners Association of Montana, National Campground Owners Association, KOA Kampground Owners Association, said they felt this was a good bill. Rest areas are not designed for over-night use. Also this would help private campgrounds which are owned by Montanans and tax payers. He feels the penalty shown is sufficient to enforce this bill.

Proponent Ellis Faw from Big Timber said he recently became concerned about camping in rest areas. He had a contract to maintain and clean a rest area. He said camping there puts too heavy a burden on the facilities.

Opponent Stewart G. Stewart, Stevensville, said he represents the Good Sam Club, which consists of 1250 trailer, camper and motorhome owning families. They feel rest areas are built with tax money from the public and using them is their right. He said the definition of overnight camping is too vague. He questioned a policeman's ability to tell the difference between someone just resting for a short time and someone who is camping overnight.

He questioned if this included truckers. He said becoming tired and not stopping for a rest could cause an accident. He said it is unbelievable to be guilty of a misdemeanor just because someone becomes tired and stops for a rest. A lot of time private campgrounds are not available or are full or closed.

Opponent Kenneth Clark, private citizen of Montana, said he is in opposition of this bill because it singles out a special group of people denying them the use of public facilities. He requested a bulletin board at rest areas maintained currently with a listing of private campgrounds in each area to help tired campers find a place to stay and not use rest areas unless it is necessary.

Opponent Margaret Anderson, East Helena, said she opposes this bill for many reasons. No specific time limit is designated for stopping in a rest area before it becomes a misdemeanor. Private campgrounds are not available everywhere. She feels the penalty is way too high just for resting. She also requested a current bulletin board to help find another place to rest if possible. She read a few letters from other people stating complaints about this bill.

Opponent Paul Bessler, Montana City, said he opposes this bill. He said this bill is not necessary. Rest areas should be available for use when it is necessary and feels there is not much abuse.

Opponent Don Ingersall, Helena, said this bill would mean if he was on a long trip and got tired, he would be required to continue traveling or he would be breaking the law.

Opponent Cliff Cate, Billings, said this bill would add to the burden of the highway patrol to constantly patrol all rest areas checking how long people remain there. He feels it is a safety factor to allow people to sleep when tired instead of continuing to drive.

Hearing closed on HB 368.

#### HOUSE JOINT RESOLUTION 61

Representative Mular, chief sponsor of this resolution, gave the committee details on the Harrison Avenue interchange in Butte. This resolution requests the Butte Technical Advisory Council and the Montana Highway Commission to take immediate steps to cooperate to correct hazardous conditions at the Harrison Avenue Interchange on Interstate Highway 15-90 in Butte, Montana.

There were no opponents.

Hearing closed on HJR 61.

EXECUTIVE SESSION

HOUSE JOINT RESOLUTION 61

Representative Mular made a motion of DO PASS. The vote was unanimous. Motion carried. (Representative Hansen excused.)

HOUSE JOINT RESOLUTION 60

Representative O'Keefe made a motion on the following amendments:

Line 6, title, strike "Highways" and add "Administration", and strike "primary". Line 7, title, strike "motor". Line 8, title, strike "pool". Line 17, page 1, strike the word "Highways" and add "Administration". Line 23, page 1, strike "Highways" and add "Administration". Line 24, page 1, strike "primary" and add "a".

The motion on the amendments carried unanimously. (Representative Hansen excused.)

O'Keefe made a motion of AS AMENDED DO NOT PASS. Representative Mular made a substitute motion of AS AMENDED DO PASS. The vote was 9 yes with Kropp, O'Keefe and Kanduch voting no. (Rep. Hansen excused.) The motion of AS AMENDED DO PASS carried 9 to 3.

HOUSE JOINT RESOLUTION 67

Rep. Keyser made a motion of DO NOT PASS. Rep. Mular made a substitute motion of DO PASS. The vote was 7 yes with Rep. Baeth, Tropila, Wood, Keyser and Kanduch no. (Rep. Hansen excused.) The motion of DO PASS carried 7 to 5.

HOUSE BILL 368

Rep. Kropp made a motion of DO NOT PASS. The vote was 10 yes, with Wood and Mular no. (Rep. Hansen excused.) The motion of DO NOT PASS carried 10 to 2.

HOUSE BILL 369

Representative Tropila made a motion of DO NOT PASS. It was carried unanimously. (Rep. Hansen excused)

HOUSE JOINT RESOLUTION 10

Representative Baeth made a motion on amendments:

Amend title, line 6, strike "GIVE PRIORITY TO", and insert "RECOGNIZE THE IMPORTANCE OF". Amend page 2, lines 15 and 16, strike: "give priority to" and insert "recognize the importance of". Amend page 2, lines 16 and 17. Strike "with divided driving lanes". Amend page 2, following line 19, insert: "BE IT FURTHER RESOLVED, that the legislature desires to call attention to the problem that exists in this area in order that the problem may be appropriately addressed and prioritized, but the over-all program in the financial district should not be unduly interrupted."

The amendments were approved unanimously. (Rep. Hansen excused.)

Representative Mular made a motion of AS AMENDED DO PASS. The motion carried unanimously. (Rep. Hansen excused.)

HOUSE BILL 656

Representative Wood made a motion on amendment:

Amend page 2, section 2, line 17, following "1975." Insert "Upon a change of a vehicle's registration period, taxes and fees must be paid for a minimum period of 1 year. When the change is to a later registration period, taxes and fees shall be prorated and paid based on the same tax year as the original registration period. When the change is to an earlier registration period, the taxes and fees shall be paid for 1 year and the vehicle shall then be registered with taxes and fees paid for a full year in the new registration period in the following year."

This amendment was approved unanimously.

Representative Wood moved AS AMENDED DO PASS. Rep. Keyser made a substitute motion of AS AMENDED DO NOT PASS. The vote was 6 yes with Rep. Kropp, Tropila, Mular, Frates, Ernest and Wood voting no. (Rep. Hansen excused.) The vote was 6 to 6, so it leaves this committee AS AMENDED WITHOUT RECOMMENDATION.

HOUSE BILL 373

This committee had sent HB 373 to the Rules Committee and it is now returned with the suggested amendments approved by the Rules Committee. Rep. Keyser moved to adopt the amendments. This motion was approved unanimously. (Rep. Hansen excused.)

Rep. Keyser made a motion of AS AMENDED DO PASS. This motion carried unanimously. (Rep. Hansen excused)

HOUSE JOINT RESOLUTION 76

Representative Mular made a motion of DO PASS. The vote was 11 yes, with Rep. Tropila no. (Rep. Hansen excused)

HOUSE BILL 650

Representative Mular made a motion on adopting the following amendment:

Add new subsection (1)(d) on page 5, line 6: "(d) The provisions of subsection (1)(c) above, do not apply to an applicant who is licensed as a motor vehicle wrecking facility under the provisions of Title 69, chapter 68, R.C.M. 1947."

This amendment was approved unanimously. (Rep. Hansen excused)

Representative Mular made a motion to adopt 12 other amendments worked out by the subcommittee. (See attached sheet). This was approved unanimously. (Rep. Hansen excused) Representative Tropila moved AS AMENDED DO PASS. This was unanimously approved. (Rep. Hansen excused).

HOUSE BILL 640

Representative Tropila made a motion of DO NOT PASS. Rep. Mular made a substitute motion of DO PASS. The vote was 11 no with Rep. Mular yes. (Rep. Hansen excused) This substitute motion failed.

Rep. Tropila made a motion of DO NOT PASS. The vote was 11 yes with Rep. Mular no. (Rep. Hansen excused) Motion carried.

Executive Session ended at 12:45 p.m.

William R. Baeth  
William R. Baeth, Chairman

# Highways

COMMITTEE

H B 368

Date 2-2-77

Ellis

Several thousand  
frames frame  
great distances  
on diagonal  
off date  
Big frame  
and small

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.