

MINUTES OF THE MEETING  
HIGHWAYS AND TRANSPORTATION COMMITTEE  
MONTANA STATE SENATE

March 10, 1977

The eighteenth meeting of the Highways and Transportation Committee was called to order by Chairman Manning on the above date in Room 404 of the State Capitol Building at 9:30 a.m.

ROLL CALL: Senator Hager arrived at 9:45 and Senator Graham was absent. All other members were present.

Those present to testify included the following:

Mike Meldahl	Department of Justice
Larry Majerus	Department of Justice
Don Copley	Department of Highways

DISCUSSION OF HOUSE JOINT RESOLUTION 10: Representative Carl Seifert returned to report to the committee on the additional information that the committee had requested. He presented a map of the road that indicated that the traffic split almost equally at the intersection between Highway 93 and Highway 35. (Attached #1) Representative Seifert asked that the committee please leave the bill as it is, for the House had already stripped the bill beyond what he had desired. Representative Seifert added that Colonel Sol supported this resolution.

Senator Smith asked how much of the road from Polson to Kalispell was completed. Representative Seifert answered that 22 miles of that road were under progress, while nothing was in progress from Missoula to Polson. Senator Smith suggested that if the entire distance of 57 miles from Polson to Kalispell were completed instead of just the half that is in progress, more traffic would probably go through Polson and take the west shore route.

CONSIDERATION OF HOUSE JOINT RESOLUTION 67: Representative Ed Lein, chief sponsor of the resolution, testified that there was a chronic problem in his area in that the permanent weigh scales were causing the traffic to bypass the scales and take another route to get the produce to market. This resolution asks that more emphasis be put on mobile scales in the area, allowing the weigh master from the permanent scale to use the portable scale during the busy time of the year especially so that the traffic would no longer have an incentive to bypass the town.

Representative Lein stated that during the busy time of the year the farmers view the scales as an inconvenience, so the scales are avoided and the town is bypassed. If equity is emphasized in weighing trucks, then the traffic might move through the town instead of bypassing it to avoid the permanent scales.

Senator Lockrem asked why the trucks were going around the scales, were they overweight? Representative Lein answered that some of the trucks were overweight, but that for the most part, the problem

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was really one of time and inconvenience. The produce is therefore diverted from Circle. The resolution does not ask that the scales be closed down, just that there be an equalization of the impact on the communities in the area by the use of portable scales.

Senator Aber asked if it was possible to give the farmers a weigh tag so that they wouldn't have to stop at the scales. Representative Lein answered that this was not allowed. The trucks are allowed to go to the first scale, but no further until they are weighed. The trucks should then become legal at the scale, but are often allowed to go to the elevator. Presently there is a bottle necking at the scales, thus causing it to be a better option to avoid the scales even if that diverts the traffic and produce from Circle.

Chairman Manning commented that the scale masters often look the other way in order to keep commerce moving on through. Senator Lockrem commented that some of the scale masters tend to get a little overzealous. Chairman Manning stated that discretion must be used on the part of the weigh masters.

Senator Smith commented that a lot of the grain haulers like to use the state scales to check their load and the elevator scales.

Senator Aber added that the only solution to the problem would be for the state to use the portable scales during the hauling season. Representative Lein stated that the state has done so and the intent of this bill is to get them to do so more often. Mr. Anderson thinks that this resolution will help him in making justifications for his decisions to use the portable scales.

DISPOSITION OF HOUSE JOINT RESOLUTION 67: Senator Aber moved that HJR 67 be concurred in. Senator Etchart seconded the motion. The motion carried unanimously with Senator Graham absent.

CONSIDERATION OF HOUSE BILL 656: Representative Gene Wood, chief sponsor of the bill, testified that one of the problems with the new staggered registration of vehicles was that not all of the counties allowed multiple registrations. The Motor Vehicle Division set regulations that allowed the multiple registration, but the anniversary date remained the same. In order to license all of your vehicles with the January due trucks, a person had to prepay for the number of months until the anniversary date on the vehicle. If a car was traded, it was extremely inconvenient to pay that far in advance. This bill would allow the registration period to be changed to coincide with other vehicles. The farmer is the one most inconvenienced by the present system because of the number of vehicles that he usually owns and the number of miles to the county court house.

Representative Mular stated that this problem had been hashed out in the House committee and that this bill would be especially advantageous for those who owned fleets of vehicles.

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Vice Chairman Aber assumed the chair as Chairman Manning had to testify on a bill in a House committee.

Vice Chairman Aber asked if this bill prorated the fees until the new anniversary date. Representative Wood answered that the bill did provide for prorating the fees, but it would not allow a person to pay for less than a complete year at registration. The bill does allow a person to pay for only the remainder of the year if he is changing to a new anniversary date, but will prevent the paying of only a portion of the years' registration fee chronically.

Senator Smith asked what effect this bill would have on the staggered registration system. Representative Wood answered that it will most probably have some impact on January as there are some 60,000 trucks registered in January now, but that will be felt more in the rural counties than it will be in the urban counties.

Vice Chairman Aber asked if this bill worked like the present multiple registration in that you had to register vehicles on the anniversary date of at least one of the vehicles. Representative Wood stated that under this bill a person would be able to change to any month that he desired, even if he had no vehicles with anniversary dates then.

Senator Etchart commented that he thought that this was a good bill because the farmer has problems with making several trips to the county seat to register his vehicles. Even though the law allowed multiple registration, some of the county treasurers did not allow this, causing some of the farmers to become quite irrate.

Senator Healy stated that if that was the case, the county treasurers were not living up to the law and people should have contacted the Attorney General.

Senator Etchart responded that he agreed that the whole situation was a mess and that this bill would help to straighten it out. Most of the people in towns will probably not bother to have their anniversary dates changed, but the person who has to drive 50 miles to town will take advantage of this law.

DISPOSITION OF HOUSE BILL 656: Senator Etchart moved that HB 656 be concurred in. Senator Bergren seconded the motion. The motion carried unanimously with Senators Graham, Lockrem, Manning and Hager absent.

DISCUSSION OF HOUSE JOINT RESOLUTION 10: Senator Smith moved to amend the title in line 10 following: "INTERSECTION WITH", strike: "STATE HIGHWAY 35 SOUTH", insert: "FLATHEAD COUNTY LINE NORTH". Senator Smith suggested that page 2, line 10 gave the reason for this amendment in its citation of the high fatality rate on this road. Senator Smith said that there was less than 20 miles of this added stretch that needs to be completed, but that it needed priority too. Senator Smith suggested that lots of the highway south of Polson was already completed. Senator Hazelbaker seconded the motion. The

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motion carried unanimously with Senators Graham, Lockrem, Manning, and Hager absent.

Senator Bergren said that he opposed the whole bill. It is not the place of the legislature to legislate certain sections of road anywhere. If this resolution passes, then it is encouragement for all of the legislators to bring in like legislation for their own areas.

Vice Chairman Aber stated that he agreed that there would be no end to the amount of legislation if everyone did this.

Senator Smith stated that LaSalle Road between Kalispell and Columbia Falls has the highest rate of travel for any secondary road in the state, but the fatality rate was not nearly so great as it is on Highway 93. The reason for this resolution is the high fatality rate. If any of the other people in this room had such a high fatality rate on any road in their districts, they would also want to be able to take action of some kind. The highway between Kalispell and Missoula takes lives one after another and the road is only half completed.

Senator Bergren said that he agreed, but the same highway from Florence south to the Idaho border has had 960 accidents with 61 fatalities and over 850 of those accidents and 31 of the fatalities occurred on a stretch of road 40 miles long. The problem here is equally as great, but if we start now to legislate highways then everyone will use this method.

Senator Healy called Senator Smith's attention to a further amendment that would be needed to correspond to the title amendment on page 2, line 20. Senator Smith moved to amend that section to correspond with the title. Vice Chairman Aber asked if there was any objection. There being no objection, the motion carried.

Senator Hazelbaker stated that he wished the bill could be amended to include the completion of Highway 93 in its entirety as soon as possible. He said that he hated to see the funding scheme for the next few years upset, but there was a problem on this highway. Senator Hazelbaker said that he was not sure resolutions were really considered much anyway. He said that he had mixed feelings on the bill.

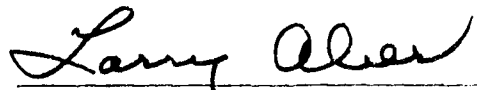
Senator Smith stated that he had not carried his amendment into Flathead County at all, but that he did agree that all of Highway 93 needs much work.

Senator Bergren moved that the resolution be not concurred in. Senator Hazelbaker suggested that consideration be passed for the day. Senator Bergren withdrew his motion in favor of Senator Hazelbaker's motion. Senator Hazelbaker formally moved that consideration be passed for the day. Senator Smith seconded the motion. The motion carried unanimously with Senators Lockrem, Graham and Manning absent.

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ADJOURNMENT: There being no further business, the meeting was adjourned at 10:17 a.m.

A handwritten signature in cursive script, reading "Larry Aber". The signature is written in dark ink and is positioned above a horizontal line.

LARRY ABER, VICE CHAIRMAN

## ROLL CALL

HIGHWAYS AND TRANSPORTATION COMMITTEE

45th LEGISLATIVE SESSION - - 1977

Date \_\_\_\_\_

[illegible]

Highways & Transit

VISITORS' REGISTER

with W.R. 7, 116, 650

NAME	REPRESENTING	BILL #	(check for) SUPPORT
Patty Hertz	Hinsdale		
Rosalie Lewis	Hinsdale		
Wade Nelson	Hinsdale		
Mike McDall	Dep't of Justice		
Don Copley	DOH		
Larry St. Maxime	Dept. of Justice		
Rep. Allen	Sponsor	HJR67	✓
Rep. L.E. Wood		HB656	
Rep. J.T. Mular	Dist 85 Butte	HB656	✓

DECLASS. LEAD. IMPROVED STATEMENT WITH SECRETARY

# STANDING COMMITTEE REPORT

March 10

1977

MR. President

We, your committee on HIGHWAYS AND TRANSPORTATION

having had under consideration HOUSE JOINT RESOLUTION Bill No. 67

Respectfully report as follows: That HOUSE JOINT RESOLUTION Bill No. 67

BE CONCURRED IN  
EXCESS



# STANDING COMMITTEE REPORT

March 10

77

MR. President

We, your committee on HIGHWAYS AND TRANSPORTATION

having had under consideration HOUSE Bill No. 656

Respectfully report as follows: That HOUSE Bill No. 656

BE CONCURRED IN  
DOCKAGE