

January 18, 1979

The House Highways and Transportation Committee convened in Room 20 of the Capital Annex, on January 18, 1979, at 1:34 p.m. with Chairman Baeth presiding and all members present. Chairman Baeth opened the meeting to a hearing on House Bill 74.

HOUSE BILL 74 REPRESENTATIVE R. BUDD GOULD, the chief sponsor, said this was a good bill to sponsor as it was a very simple one. He said it was at the request of the Attorney General and he would now turn it over to the Highway Patrolman present.

BUD GARRICK, Montana Highway Patrol, said all this bill does is bring Montana law into line with federal standards and allows the smaller vehicle to meet the requirements on taillight distance. It changes the law for the minimum height requirement from 20 inches to 16 inches.

During questions from the committee, Rep. Wood asked Mr. Garrick if he could foresee any problems with lowering this distance and Mr. Garrick said no.

Chairman Baeth closed the hearing on HB 74 and opened it to HB 69.

HOUSE BILL 69 REPRESENTATIVE EDWARD LIEN, the chief sponsor, said this bill is at the request of the Public Service Commission and is basically a bill to eliminate unnecessary notification.

WAYNE BUDT, Public Service Commission, said this bill would remove the requirement of notifying railroad companies and the Department of Highways on every authority application. He said this would reduce costs and the railroad is not interested in cab companies, bus lines, etc. He said they would continue to notify the Highway Department on certain things like heavy hauling, coal and others as they request.

Chairman Baeth closed the hearing on HB 69 and opened it to HB 70.

HOUSE BILL 70 REPRESENTATIVE EDWARD LIEN, the chief sponsor, said this bill is also at the request of the Public Service Commission. He said this bill could eliminate a hearing and attendant costs if there are no protestors.

WAYNE BUDT, Public Service Commission, said this bill would allow the Public Service Commission just to grant a rate increase if all protests are withdrawn and the PSC determines the rates are justified. He said this would eliminate the cost and time of a hearing and save money and speed up the regulatory process.

Chairman Baeth closed the hearing on HB 70 and opened the meeting to HB 28.

HOUSE BILL 28      REPRESENTATIVE JOE F. KANDUCH, the chief sponsor, said this bill was at the request of the Department of Highways, and was to limit the application of standards for permitted outdoor advertising to certain types of signs. He said Montana law is not in compliance with federal laws and these amendments would result in such compliance. There is a 10% penalty for being in noncompliance.

BEATE GALDA, Department of Highways, spoke in support of the bill.

Questions were asked by the committee. James R. Beck of the Highway Department assisted in answering these questions.

Chairman Baeth closed the hearing on this bill and turned the chair over to the Vice-Chairman. Vice-Chairman Kanduch opened the hearing on HB 27.

HOUSE BILL 27      REPRESENTATIVE WILLIAM R. BAETH, the chief sponsor, called on James R. Beck of the Highway Department to introduce this bill.

JAMES R. BECK, Highway Department, said this bill is to clarify the laws relating to controlled access highways. He said the Highway Department would like to have the right to approve or disapprove approaches made onto these controlled access highways. He said when it comes to subdividing, each lot could demand an approach to the road and it then becomes an obvious safety problem.

Chairman Baeth resumed the chair and opened the meeting to an executive session.

#### EXECUTIVE SESSION

HOUSE BILL 27      Rep. Cooney moved do pass. The motion carried unanimously. Rep. Cooney moved that HB 27 be placed on the consent calendar. Rep. Keyser voted no so the motion failed.

HOUSE BILL 28      Rep. Tropila moved do pass and the motion carried unanimously. Rep. Tropila moved that HB 28 be placed on the consent calendar. The motion carried unanimously.

HOUSE BILL 69      Rep. Tropila moved do pass. Motion carried unanimously. Rep. Tropila moved that HB 69 be placed on the consent calendar. Motion carried unanimously.

HOUSE BILL 70      Rep. Uhde moved do pass. Motion carried unanimously. Rep. Uhde moved that it be placed on the consent calendar. Reps. Kropp and Keyser voted no so the motion failed.

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HOUSE BILL 74      Rep. Kanduch voted do pass. Motion carried unanimously. Rep. Kanduch moved that HB 74 be placed on the consent calendar. Motion carried unanimously.

HOUSE BILL 66      Rep. Lien moved the Montana Motor Carrier's amendments which are attached to the minutes and exhibit 1. He said he liked the wording of the amendments as it doesn't give the PSC an open end and does set a date. He felt they were well thought out and complimented the author. Chairman Baeth called for a vote and the amendments were adopted unanimously with those present (Rep. Keyser had left). Rep. Kropp moved the bill as amended do pass. The motion carried unanimously with those present (Keyser absent).

HOUSE BILL 67      Rep. Cooney moved a suggested amendment on page 2, line 13, following "vehicles." to insert "The scope of the inspections is limited to the enforcement of the provisions of Title 69, chapter 12." He said this was a concern of Rep. Tropila's when the bill was heard that the PSC might get into some of the duties of the Highway Patrol. Chairman Baeth called for a vote and the motion passed unanimously. Rep. Tropila then suggested an amendment on page 2, line 5, to strike "making arrests" and to insert "issuing citations." Rep. Kanduch moved this amendment and it was adopted unanimously. Rep. Magone moved the bill as amended do pass. The motion passed unanimously (Rep. Keyser absent).

Meeting adjourned at 1:35 p.m.

Respectfully submitted,

William R. Baeth  
WILLIAM R. BAETH, Chairman

Emelia Satre, Secretary