

MINUTES OF THE MEETING OF THE HIGHWAYS AND TRANSPORTATION COMMITTEE
FEBRUARY 19, 1981

The House Highways and Transportation Committee convened in Room 437 of the Capitol Building on Thursday, February 19, 1981, at 12:30 p.m. with CHAIRMAN PAUL KROPP presiding and eleven members present (REPS. BRAND, FABREGA, HEMSTAD, OBERG, and WINSLOW were absent).

The hearing opened on SB 304.

SENATE BILL 304 SENATOR FRANK HAZELBAKER, sponsor, presented the bill, which would delete the provisions for truck and trailer demonstration permits and to clarify the exemption for vehicles displaying a licensed dealer's plate. See Exhibit 1.

DON COPLEY, Montana Department of Highways, supported the bill.

There were no OPPONENTS.

The hearing on SB 304 closed and one on SB 346 opened.

SENATE BILL 346 SENATOR GRAHAM, sponsor, presented the bill which is for the purpose of increasing various permit fees, to increase the maximum gross weight without a special permit and to clarify the operation of vehicles without special permits. See Exhibit 2.

BEN HAVDAHL, Montana Motor Carriers, supported the bill. He stated this bill deals with permits only. Montana has a gross vehicle weight of 76,800 pounds while the federal regulation is 80,000 pounds. He said his industry would accept the increase in the permit fees if it will eliminate some of the permits they now need.

There were no OPPONENTS.

During questions from the committee, REP. HARP asked MR. HAVDAHL if this bill eliminates the amount of special overlength and overweight permits. The answer was that anything over 65 feet and up to 85 feet would require a permit.

REP. METCALF asked if the fact that vehicles may not have more than nine axles eliminates triple trailers. The answer was that was not the purpose of the provision.

The hearing on SB 346 closed and one opened on SB 296.

SENATE BILL 296 SENATOR LARRY TVEIT, sponsor, presented the bill which would allow the Department of Highways to allocate state construction money for the construction of a bridge outside of Montana if more economical than within the state. See Exhibit 3.

JACK BECKERT, Department of Highways, stated that the total cost of this project would be about 6 million dollars. After receiving all of the details on the project, the department will consider the benefits to the state and then proceed with construction.

Highways and Transportation
February 19, 1981
Page 2

DALE SAILER, Superintendent of the Bainville Public Schools, spoke in support of this bill. See Exhibit 4.

STEVE SIELO, Holly Sugar Corporation, favored the bill. See Exhibit 5.

LARRY LEWIS, Mon-Kota, Inc., testified in support. See Exhibit 6.

FRED GARDNER stated that the most important reason for the construction of this bridge is the safety factor. School bus traffic is very heavy across this bridge and it presents a danger to the children. MR. GARDNER presented the committee with the Preliminary Study Report of the North Dakota State Highway Department which indicates how the project will be completed. See attached Exhibit 7.

ANDY SIELO supported the bill. Other testimony attached as Exhibit 8.

There were no OPPONENTS.

SENATOR TVEIT closed on the bill. The hearing closed on SB 296.

EXECUTIVE SESSION SENATE BILL 296 REP. ZABROCKI moved DO PASS. The motion carried unanimously. REP. SHONTZ will carry the bill in the House.

SENATE BILL 304 REP. HARP moved DO PASS. The motion PASSED unanimously. REP. WALLIN will carry the bill.

SENATE BILL 346 REP. KANDUCH moved DO PASS and it carried unanimously. REP. ZABROCKI will carry the bill.

HOUSE BILL 749 REP. STOBIE moved DO PASS on a Statement of Intent for HB 749. See Exhibit 9.

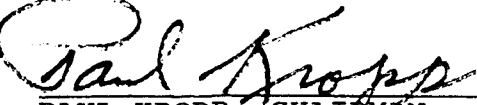
REP. MEYER moved DO PASS on two amendments which described the types of vehicles covered by this bill and definitions of "carriers" and "drivers". The amendments PASSED.

REP. MEYER then moved DO PASS AS AMENDED. It PASSED unanimously.

HOUSE BILL 748 REP. MEYER moved DO PASS. The motion carried unanimously.

The meeting adjourned at 2:00 p.m.

Respectfully submitted,


PAUL KROPP, CHAIRMAN

Ellen Engstedt, Secretary

VISITORS' REGISTER

HOUSE

HiWAYS

COMMITTEE

BILL

SB 296

Date 2/19/81

SPONSOR

True/T

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

HOUSE

Hiways

COMMITTEE

BILL

SB 304

Date

2/19/81

SPONSOR

HAZEL BAKER

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

VISITORS' REGISTER

HOUSE

H/WAYS

COMMITTEE

BILL

SB 346

Date

2/19/81

SPONSOR

GRAHAM

[illegible]

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

INTRODUCTION FOR SENATE BILL NO. 304

Senate Bill No. 304 was introduced at the request of the Department of Highways and ^{its} ~~the~~ purpose is to repeal the provisions for truck and trailer demonstration permits and to clarify the exemption for vehicles displaying dealers plates. The bill also repeals the portion of Section 61-12-206 which authorized arrest power for violations of the permit.

~~The permit, used by Dealers, is in lieu of a G.V.W. license while trucks and trailers are being demonstrated to prospective purchasers for a period of up to seven days.~~ *Not over*

~~The 1973 Legislature amended the present law to exempt vehicles with a gross weight of less than 24,000 pounds from the requirement to have the permit or a G.V.W. license. At present, there are now relatively few permits issued and the income is minimal.~~

Income from this permit prior to the change in 1973 ranged from \$3,000 to \$4,000 per year. Since 1973 the income has declined to a low of \$712 ~~compared to an estimated loss of revenue will be about \$1,000~~ each year.

In view of the minimal income, the cost of administration and few *if any* enforcement problems as a result of the 1973 amendment, the Department is requesting that the provisions for this permit be repealed. The request has been discussed by the Department of Highways with the

Introduction Senate Bill No. 304

Page 2

Department of Justice, Motor Vehicle Division, and they have no problem with this change.

Representatives of the Department are here for additional testimony or questions from the Committee.

DRC/dj/10E

SUGGESTED INTRODUCTION FOR SENATE BILL NO.

Senate Bill No 346 was introduced at the request of the Department of Highways for the purpose of increasing various permit fees, to increase the maximum gross weight without a special permit and to clarify the operation of vehicles without special permits.

The permit fee increases are to update fees to a more realistic amount since the most recent change in any of the fees involved was in 1969. Several of the fees have not been changed since 1955. The proposed increases will generate an estimated ~~\$2,400,000~~ ^{2,000,000} of additional revenue annually.

Section 1 provides for an increase from \$20 to \$30 for temporary special fuel user's permits. The present fee has been in effect since 1961. Raising the fee to \$30 will produce an estimated \$300,000 each year.

Section 2 proposes to remove a permit requirement for vehicles or combinations up to a maximum gross weight of 80,000 pounds when operating within axle limits and the formula specified in Section 61-10-107.

The current law was enacted in 1967 and the purpose of the permit was to allow weights on the Interstate system which exceeded our statutory limits of July 1, 1956. This change would be consistent with a federal law change in 1974 which relaxed weight restrictions on the Interstate system. In addition, it would eliminate the issuance of at least 40,000 permits a year.

For vehicle combinations operating above 80,000 pounds the permit would still be required and the bill proposes a fee of \$20 for a trip permit and \$100 for a term permit. The present fee of \$10 has not been changed since 1967. A revenue loss of about \$50,000 is anticipated from this change.

Section 3 of the bill is to restore Section 61-10-109 to its form prior to recodification and to clarify operation without special permits.

Section 4 proposes to increase the fee for an over dimensional permit to \$10 for a trip permit and \$75 for a term permit. The present \$6 fee for both trip and term permits has been in effect since 1969.

The suggested \$75 for a term permit is consistent with the \$75 term permit that was provided for implement dealers in the last session and the \$10 for a trip permit is to update this fee.

The Department estimates an increase in revenue of ^{1,075,000}~~\$1,475,000~~ each year from this change.

Section 5 proposes to update the present fees of \$5, \$15 and \$25 to \$10, \$30 and \$50 for over weight permits. The present fees were enacted in 1955 and this change would produce an estimated \$175,000 each year.

Section 6 proposes to update the present fees of \$5, \$7.50 and \$10 to \$10, \$15 and \$20 for temporary trip permits issued to non-resident motor carriers in lieu of a Montana registration. The present fees were enacted in 1955 and this change would generate an estimated \$500,000 each year.

In summary this bill would do the following:

1. Generate an estimated ^{\$2,000,000}~~\$2,400,000~~ of additional revenue per year for the Department of Highways.
2. Eliminate the issuance of at least 40,000 permits a year which would be of significant benefit to both the trucking industry and the Department.
3. Clarify the status of vehicles beyond legal limits without permits.
4. Update fees on several permits which has not been done in some cases for 26 years.

to reconstruction and to clarify operation without special permits.

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE:

I am Larry Tveit, Senate District 27, serving Richland and Dawson Counties.

~~I would like to remove myself from the committee for the purpose of sponsoring this~~ Bill 296 entitled (an act to permit the department of Highways to allocate state construction money for construction of bridge outside of Montana if more economical than within the state, amending section 60-3-214 MCA).

This is a request of Department of Highways and both the department people and other individuals will testify as proponents on the reasons and why the bridge is so desperately needed.

The existing structure known locally as the Snowden Bridge was built in 1913 by the Great Northern Railroad now Burlington Northern and is owned by Burlington Northern. So it's a private bridge. *and trains use it regularly every day.*

It is the only crossing of the Missouri River between Culbertson, Montana and Williston, North Dakota, a distance of 40 miles.

The clear roadway of the bridge is less than 15 feet wide which permits only one-way traffic. The plank deck has to be replaced at adjoining counties expense. The guard rail is sub-standard and would not prevent a vehicle from plunging to river in case of accident.

The approaches to both ends of bridge are extremely poor and rutted. Because of lack of binder in gravel surface the road deteriorates rapidly.

Due to the increase in oil activity in the area and the problems of transporting sugar beets and small grains and the possibility of BN shutting off all traffic shows the importance of a new bridge facility.

CLOSING

The needs for the new highway bridge at Noly are urgent and need be completed as quickly as possible. This bill addresses the authorization by the state to permit bridge construction funds outside of state if more economical.

I urge do pass on SB 296.

Thank you!

The Community's Pride
BAINVILLE PUBLIC SCHOOLS

CXHBIT 4

Box 188

BAINVILLE, MONTANA 59212

(406) 769-2321

BRYCE ROMO
Chairman

TRUSTEES:
JANICE KNUDSEN
RICHARD L. HANSEN

DALE D. SAILER
Superintendent

OPAL DETIENNE
Secretary

JUDY NELSON
Clerk

17
February 8, 1981

Mr. Chairman, members of the committee, and guests and visitors. My name is Dale Sailer, I'm the Supt. of Bainville Public School and a member on the Board of Directors, Mon-Dak Bridge Association.

I'm not here today to humor this committee with idle rhetoric on the human needs of mankind. I wish simply to state my case and provide background information to substantiate its validity. The Mon-Dak Bridge Association requests your firm and positive consideration of Senate Bill Number 296. The essence of which will allow appropriate funding for Montana's share toward construction of a new bridge across the Missouri river at or near the confluence of the Yellowstone and Missouri rivers located in North Eastern Montana and North Western North Dakota. Further consideration should also be given to the reconstruction of arterial roads leading from the new bridge to Trenton, North Dakota, Fairview, Montana, and Bainville, Montana. The rationale used to justify such a construction (reconstruction) project is simply complex. The railroad would rather not allow the use of the Snowdan bridge for vehicle traffic as it is now deteriorating at a faster rate. The fact of the matter is that modern technological advances in design of equipment such as beet pickers, combines, four wheel drive tractors, oil rigs, scrapers have made the Snowdan bridge obsolete and its like trying to jam a square peg into round whole. This round whole snowdan bridge concept has and is costing this modern technological society millions of dollars in lost business to the area, additional cost for transportation, excessive wear and tear on equipment and vehicles, greater risk on human life do to safety hazards, as well as high road and bridge maintenance costs.

The Mon-Dak Bridge Association has prepared the research to back up its rationale and will be glad to review it with this committee. It should also be known that this same research has been presented to both the North Dakota and Montana Highway Departments for their evaluation.

I suppose there are probably 50 other bridge reconstruction proposals in the state of Montana, however, I do believe the Snowdan Bridge Project should be set as a high priority item as it is an impacted area. Along with the advanced technology impact there is natural gas and oil as well. The Bainville School District two years ago had 8 oil wells in operation, at the present time 18 wells are in operation with 6 drilling rigs punching in more holes. For fiscal year 1979 the taxable value of this district was \$1,692,961; for fiscal year 1980 the taxable value of this district was \$2,229,985; for fiscal year 1981 the taxable value of this district is \$4,435,847; and projections for 1982 exceed \$7,000,000. Surely these

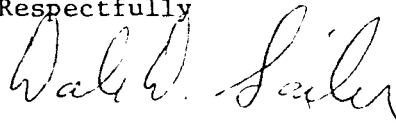
figures lend credence to justify the impact. It should be further noted that the Bainville School District student enrollment for 1978-79 was 98; in 1979-80 it increased to 107; and at the present time we have 122 students. Attached to this letter you will find some other statistical data reflecting the general direction the Bainville community is moving toward.

I feel it is also important to know that the road from Bainville to Snowden which is approximately 14 miles is a bus route. The bus crosses the railroad tracks 26 times a day on this route. This school and all schools that transport students north and south to and from Bainville use the Snowden Bridge and save 30 miles per trip on mileage, however, the safety hazards are conversely increased. The bridge was not designed to accomodate 48 or 72 passenger buses. It is narrow, one lane, slippery when wet, has poor visibility, steep grade to get on and off, and the stop and go traffic signal lights very seldom are operational. Amounts quoted from the Roosevelt County Highway Department suggest the cost of \$600 per month jointly between Roosevelt and Richland Counties to operate the signal lights.

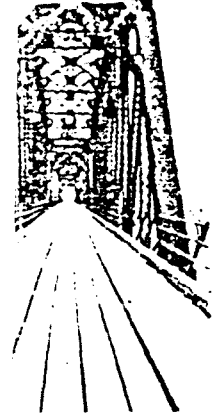
During the autumn of 1979 a community survey was taken to determine the economic cost of the Snowden Bridge and the lost income it produced to the Bainville community. Attached is a copy of the results of that survey. The meat of the survey shows that the Snowden Bridge and roads to it cost the community of Bainville \$83,036 per year based on 35% return on survey. This includes extra mileage via Culbertson, having to travel another direction or to another town to get supplies and goods, loss of income locally, and maintenance costs to use the Snowden Bridge route.

I have spoken basically concerning the Bainville area, however, the Fairview, Sidney, Trenton, and Williston communities feel even greater losses to their economic lively hood. I submit to you, therefore, that there is a sense of urgency and we must react expeditiously to the solution of this problem. That being; provide funding for a replacement bridge at snowdan and properly maintained roads to it. I urge your support of Senate Bill Number 296 and request your assistance in getting it passed through the legislature. Thank you.

Respectfully



Dale D. Sailer



Mon-Dak Bridge Association

Buford Route
Williston, North Dakota 58801

Phone 701-572-3067

SNOWDEN BRIDGE REPLACEMENT $\frac{56}{160} = 35\%$ return
PRELIMINARY QUESTIONNAIRE

1. How much do you avoid the use of the Snowden Bridge Route?
Trips per year? 1437 trips per year
 $26,620 \div 1437 = 18.5 \text{ mi} \times 2 = 37 \text{ mi extra}$
on round trip via Culbertson
2. How much does this avoidance cost you in extra mileage
per year? 26,620 miles and \$4,329
 $\frac{53,240}{x2} \text{ miles or } \frac{8,658}{x2}$ $8658 \div 53240 = 16.2\text{¢ per mile driven.}$
3. Is this avoidance an economic factor to you in other ways? or total of \$8,658.00

How many dollars per year?

Less efficient market for agricultural products?

Less business in an area?

Less service available?

\$54,278.00 per year
Lost income

4. How much additional cost for maintenance do you incur
from using the Snowden Route now? Dollars per year?
\$20,100.00 per year
additional maintenance cost.
5. What safety factor is there to you or your employees?

Do you consider the Snowden Bridge safe or do you cross
with caution?

Total Bainville community economic cost and/or loss
based on 35% questionnaire return. \$83,036 per year.
Theoretical 100% return cost is \$237,245.71 per year.

Other comments:

Name: David Sailer

Address: Box 104

Bainville, MT 59212

PLEASE RETURN BY NOVEMBER 10, 1979.

ROOSEVELT COUNTY, MONTANA

School Districts No. 64 and No. 64D

CITY GROWTH INDICES

U.S. CENSUS FIGURES

| <u>Year</u> | <u>City</u> | <u>County</u> |
|-------------|-------------|---------------|
| 1980 | 243 | 9,084 |
| 1970 | 217 | 10,365 |
| 1960 | 285 | 11,731 |
| 1950 | 356 | 9,580 |
| 1940 | 403 | 9,806 |
| 1930 | 471 | 10,672 |

ELECTRIC CONNECTIONS

| <u>Year</u> | <u>Resident</u> | <u>Commercial</u> |
|-------------|-----------------|-------------------|
| 1980 | 107 | 27 |
| 1979 | 102 | 25 |
| 1978 | 93 | 26 |
| 1977 | 97 | 26 |
| 1976 | 89 | 27 |
| 1975 | 79 | 27 |

REGISTRATION OF MOTOR VEHICLES ROOSEVELT COUNTY

| <u>Year</u> | <u>Total Value</u> |
|-------------|--------------------|
| 1979 | \$504,367.51 |
| 1978 | 441,363.32 |
| 1977 | 446,244.17 |
| 1976 | 544,383.83 |
| 1975 | 348,121.92 |
| 1974 | 288,382.01 |
| 1973 | 227,787.88 |
| 1972 | 212,865.69 |
| 1971 | 200,058.50 |
| 1970 | 183,649.15 |

POST OFFICE RECEIPTS

| <u>Year</u> | <u>Boxes Rented</u> | <u>Revenue</u> |
|-------------|---------------------|----------------|
| 1980 | 102 | \$8,848.39 |
| 1979 | No Record | 8,785.27 |
| 1978 | 91 | 8,378.87 |
| 1977 | No Record | 7,144.46 |
| 1976 | 82 | 7,719.28 |
| 1975 | 81 | Not Avail. |
| 1974 | 85 | " " |
| 1973 | No Record | " " |
| 1972 | " " | " " |
| 1971 | " " | " " |

TELEPHONES

| <u>Year</u> | <u>Amount</u> |
|-------------|---------------|
| 1979 | 158 |
| 1978 | 148 |
| 1977 | 151 |
| 1976 | 147 |
| 1975 | 140 |
| 1974 | 138 |
| 1973 | 137 |
| 1972 | 124 |
| 1971 | 122 |
| 1970 | 119 |

WATER CONNECTIONS

| <u>Year</u> | <u>Amount</u> |
|-------------|---------------|
| 1980 | 103 |
| 1979 | 93 |
| 1978 | 91 |
| 1977 | 89 |
| 1976 | 88 |
| 1975 | 84 |
| 1974 | 74 |
| 1973 | 74 |
| 1972 | 75 |
| 1971 | 76 |
| 1970 | 76 |



SUGAR CORPORATION P.O. BOX 553 SIDNEY MONTANA 59270 • (406) 482-3309

Steve Sieko EXHIBIT 5

February 2, 1981

The Marley district produces between fifty and sixty thousand tons of sugarbeets annually. Every ton of sugarbeets grown in the Marley district is shipped to the Sidney factory by rail as the old Snowden bridge and its connecting roads are inadequate for shipment by trucks. Rail freight rates and rail car supply have reached the point that future sugarbeet production in this area is in jeopardy.

The current Marley rail freight rate is \$5.52 per ton. This times 55,000 tons of sugarbeets is \$303,600. per year. A freight rate for a station about the same distance away that is being shipped by truck is \$1.82. This times the 55,000 tons is equal to \$100,100. or a difference of \$203,500.

Should the new bridge not be built, it will be economically impossible to continue growing sugarbeets in the Buford-Trenton area. The value of this crop based on a seven year average is \$2,100,000. a year. Take this amount times the five to seven dollar turn over increase and it becomes ten million to fifteen million dollars per year lost.

The loss of this district would also restrict the base acreage in the Lower Yellowstone Valley because of crop rotation, disease, etc. This would have a serious, adverse effect on the valley's sugarbeet industry due to acreage reduction.

Mon-Kota, Inc.

Dealers in Fertilizer, Chemicals, Anhydrous Ammonia

OFFICERS & DIRECTORS

ANDY CAYKO
Fairview, Montana

DON HELI
Fairview, Montana

Larry Lewis - Manager

Co. Phone 701 - 744-5300

Bus. Ph. 744-5300

Fairview, Montana 59221

Home Ph. 744-5689

We feel a new bridge is definitely needed by our company.

We sell and apply dry and liquid fertilizer and chemicals which includes custom application of anhydrous ammonia.

In order to service our customers in the Bufford-Trenton area, we have to cross the existing bridge with all types of fertilizer spreaders and nursing equipment, including five tractors with mounted anhydrous applicators. The added danger of handling anhydrous ammonia makes crossing the narrow and poorly repaired existing bridge a hazard. Before crossing the bridge with the above mentioned equipment, we have to send extra help to check for broken or loose planks and large spikes sticking up. We have found holes large enough to allow front wheels on our tractors to drop through.

We have recently added a large liquid fertilizer applicator. The tires on this machine are the large floatation type costing \$1,800.00 per tire. This unit is driven to the application site, and is then nursed by trucks running from our plant. This existing bridge is too narrow for the machine to cross. Therefore, we lose by not being able to service this area. The growers lose by not getting the benefit of this new fertilizer and chemical applicator.

Mon-Kota, Inc.

Dealers in Fertilizer, Chemicals. Anhydrous Ammonia

Larry Lewis - Manager

Co. Phone 701 - 744-5300

Bus. Ph. 744-5300

Fairview, Montana 59221

Home Ph. 744-5689

OFFICERS & DIRECTORS

ANDY CAYKO
Fairview, Montana

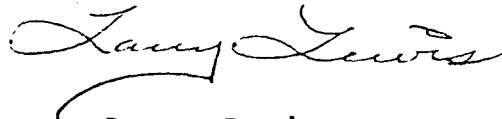
DON HELM
Fairview, Montana

KEN SCHLOTHAUER
Fairview, Montana

The economic and safety factors affect our customers as well as our company. If fertilizer is not applied in a timely fashion, optimum yield is lost, creating a financial loss for the farmer and if equipment is damaged crossing the hazzardous existing bridge this creates an unsafe condition to anyone working in the area. The economic loss that Mon-Kota suffers from added labor, loss of time, sales, and damage to equipment amounts to thousands of dollars per year.

A new bridge at any of the proposed locations would benefit our company immensely. We prefer the No. 1 location as this would be the shortest route to most of our customers.

Yours truly,



Larry Lewis
Manager
Mon-Kota Inc.



EXHIBIT 8

Lower Yellowstone Rural Electric Association Inc.

TELEPHONE 482-1602

P. O. BOX 951

SIDNEY, MONTANA 59270

February 3, 1981

My name is Gene Iverson, secretary-treasurer of the Lower Yellowstone Rural Electric Association, Inc., with headquarters in Sidney, Montana.

Lower Yellowstone Rural Electric is a rural distribution cooperative serving 3600 consumers in Richland, Dawson, Roosevelt counties in Montana, Williams and McKenzie counties in North Dakota. Even though the majority of consumers are south of the Missouri River, we still have a large service area north of the Missouri river, stretching from south of Bainville, Montana, to east of Trenton, North Dakota.

We do not have enough consumers to warrant a full time crew and equipment stationed in that area, therefore the crews and equipment are dispatched from the headquarters at Sidney, with the only practical access being the Snowden bridge. This necessitates many trips a year over the existing railroad bridge. The trips per year vary because of weather and growth. During the last three years, with added growth from oil activity and the increased building in the town of Trenton, North Dakota, many more trips were needed. Because of the nature of our business the time element is very important especially in emergency situations. We, therefore, have no choice but to use these roads and the bridge as we have consumers all along the road on each side of the river.

The existing roads providing access to the bridge actually pose a liability to our vehicles and also present a safety hazard. Our vehicle maintenance cost is definitely much higher, totaling several thousand dollars per year, as a result of the poor quality of the road. The type of equipment involved, used for construction and maintenance, consists of pickup trucks, digger trucks, aerial man lifts and flatbed trailers. This equipment is very expensive and hard to replace. Added activity in oil exploration, a new gas processing plant plus other growth will add to the number of trips across the bridge in the future.

It requires many man hours per year because of the road conditions and the necessity of having to use the railroad bridge to cross the river. The approaches to the bridge are located in such a manner that they cause very

poor visibility. With the size and type of equipment used in our business a structure with two-way traffic would enhance the safety of all users.

The alternative to using the railroad bridge, should it be closed to vehicular traffic by Burlington Northern railroad, would be using the bridge at Culbertson, Montana or Williston, North Dakota. This would add approximately one hour of time getting to consumers in the area.

I thank this committee for the opportunity to present this testimony on behalf of Lower Yellowstone Rural Electric and its member consumers. This bridge and access roads are so vital to the well being of this area. We respectfully request that you will give the highest priority to this project in cooperation with the State of North Dakota.

STATEMENT OF INTENT HB 749

A statement of intent is required for this bill because it grants the Public Service Commission the authority to provide safety standards for motor vehicles used in commerce.

All interstate motor carriers, interstate private carriers, and carriers hauling unregulated commodities in interstate commerce must now meet equipment safety requirements and inspections as established by the Federal Motor Carrier Safety Regulations of the Department of Transportation. In addition, regulated intrastate motor carriers must also meet the same safety standards.

The Legislature intends to include large over-the-road trucks, in excess of 26,000 pounds GVW, used in commerce operating on Montana's highways to adhere to safety equipment standards. It is the intent of the Legislature to establish by regulation uniform safety standards and a safety inspection program that will focus on mechanical factors most often blamed for accidents involving trucks, passenger carriers, and hazardous material transporters. Included would be detailed inspections of brakes, steering components, tires, and driver logs where required.

It is intended that rules promulgated by PSC incorporate the "Critical Item Truck Inspection" program and that the rules include a procedure for conducting the inspection program as well as providing for a vehicle identification program acknowledging the inspection. The rules shall provide that safety infractions posing no imminent threat to public safety shall not result in an "out of service" order. Such a vehicle shall be allowed to proceed to obtain repairs before final inspection and issuance of inspection acknowledgment. It is recognized that repairing or parking large over-the-road trucks on the roadway is extremely dangerous.