

MINUTES OF THE MEETING  
HIGHWAYS AND TRANSPORTATION COMMITTEE  
MONTANA STATE SENATE

January 20, 1981

The second meeting of the Highways and Transportation Committee was called to order by Chairman Mark Etchart on the above date in Room 410 of the State Capitol Building at 1:00 p.m.

ROLL CALL: All members were present, with the exception of Senator Healy, who came in late.

The following witnesses were present to testify on SB 70: Senator Hafferman, Norris Nichols, Department of Revenue, Motor Fuel Tax Division.

CONSIDERATION OF SENATE BILL 70: Senator Hafferman, District 11, Lincoln County, told the committee that SB 70 was an act to provide a special fuel user the option of obtaining a special fuel limited use permit for vehicles with a special fuel tax that is not more than \$10 a year; and deleting recordkeeping and reporting requirements pertaining thereto.

Senator Hafferman told the committee he was asked to carry this bill because it would eliminate the amount of paper work. He then read the "New Section", on Page 3, starting on line 4 and read through line 2 on page 4.

Senator Etchart asked if there were any other proponents to SB 70. There were none.

Senator Etchart asked if there were any other opponents to SB 70. There were none.

Norris Nichols, Chief of the Division of Motor Fuel Tax, told the committee he was not appearing as either a proponent or an opponent, but would like to mention that in the last Legislative session, legislation was passed whereby special fuel users could file quarterly and annually. My only concern is, who establishes the prior use and experience. I am wondering if the person who applies for this permit has been on record in the past. When we went to annual permits, we lost control, and my only concern is we might loose more control over special fuel users.

Senator Etchart asked if there were any questions from the committee.

Senator Graham asked Norris Nichols what an annual permit costs.

Mr. Nichols reported the annual permit costs nothing. He told the committee, if this bill passes, the \$10 permit will be the only charge.

Senator Graham asked Senator Hafferman if the man who requested the bill was aware of the quarterly and annual permits.

Senator Hafferman did not know, and asked the committee if they could hold taking action on this bill until he contacted his person. He asked Senator Etchart if the man could make a statement to him personally. Senator Etchart said that would be fine.

Norris Nichols gave the committee a copy of "Application for Waiver of Bond and Quarterly Filing of Special Fuel Use Tax Returns" for them to look at. See Exhibit "A".

Senator Hafferman gave each member a "Special Fuel Use Tax Return", see Exhibit "B".

Norris Nichols told the committee the Statute that pertains to quarterly and annual permits is 15-70-325.

There being no further testimony or questions the hearing on SB 70 was closed.

CONSIDERATION OF SENATE BILL 79: Senator Dover, District 24, Lewistown, introduced this bill. He told the committee it is an act to require the Division of Motor Vehicles to publicize the special parking permit provisions for handicapped persons and to budget for such advertising.

Senator Dover said this bill calls for the publication of special permits that the state will issue for handicapped persons and the enforcement of special parking areas for the handicapped. Many people do not know that there are special parking permits available and that they may be obtained when they get their drivers license. The problem seems to be that people do not know the permits are available. Even some local authorities were not aware of this permit. This bill addresses that issue. Posters will be put up in the Drivers License areas advertising the permits.

Representative Gould, District 98, Missoula spoke in support of SB 79. He told the committee he introduced the bill that set up the parking permits in 1977. He reported that in order for handicapped individuals to obtain a permit, they need a doctors certificate one time and \$1.00 to pay for the permit. The permit is good for a year. After that, they send in \$1.00 every year and a new permit is issued to them. If they are permanently disabled there is no need for them to get a doctors certificate every year. I am the Chairman of VRAC and we realize the problem of getting the information out to the people. About a year ago we started to advertise the

permits on the radio through Public Service Announcements, that these permits were available. But, I think a lot of the public do not pay attention to Public Service Announcements. It would be a help if people could see a poster that gave the information about the Handicapped Parking permits that are available, so people could know what they were about.

Senator Dover reported that once the public were informed, and the permits were being issued and used, it would be easier for the local authorities to issue tickets and fines for those persons who parked in the handicapped parking spaces without permits.

Senator Elliott asked Senator Dover if he thought that the expenditure of funds would be sufficient.

Senator Dover replied yes.

Senator Elliott read the fiscal note to Representative Gould.

Representative Gould said he thought the cost of \$350 for radio announcements could be deleted, because you can use the Public Service Announcements, which the radio stations are more than willing to broadcast.

Senator Dover said he thought the \$350 was for preparing the public service announcements.

Senator Etchart asked if there were any further questions. There were none.

There being no further questions, proponents or opponents, the hearing on SB 79 was closed.

ACTION ON SENATE BILL 66:

Senator Etchart turned the committee over to Mr. Paul Verdon, Legislative Council, for the following amendments and explanation.

Mr. Verdon told the committee the amendment was to clarify the authorized agent. Amendment as follows:

1. Page 1, line 15.  
Following: "bond"  
Insert: "on each vehicle"
2. Page 1, line 15.  
Following: "station"  
Strike: "."  
Insert: ", "

January 20, 1981

3. Page 1, line 15 and 16.

Following: "station,"

Strike: "No more than one permit may be obtained during a calendar year."

Insert: "or with any person authorized by the department of highways to issue a cash compliance bond."

Senator Etchart asked if there was any further discussion on the bill. There was none.

Senator Hager made the motion that the amendments do pass. The motion carried unanimously.

Senator Hager moved that the bill pass as amended.

Senator Etchart said, You have before you the motion of Senator Hager, is there any discussion on the motion. There was none. The motion carried unanimously.

ACTION ON SENATE BILL NO. 79:

Senator Etchart asked if the committee would like to take action on this bill at this time.

Senator Tweit made the motion that SB 79 do pass.

Senator Etchart asked if there was any discussion. There was none. The motion carried unanimously.

FURTHER BUSINESS AND ADJOURNMENT: There being no further business, the meeting adjourned at 1:22 p.m.

The next meeting of the Highways and Transportation Committee will be on Thursday, January 22, 1981, to hear SB 168, SB 169, SB 157, and HB 47 and to take action on SB 70.

  
\_\_\_\_\_  
Senator Mark Etchart, Chairman

Exhibit A

STATE OF MONTANA  
DEPARTMENT OF REVENUE

MOTOR FUELS DIVISION  
P.O. BOX 5895  
HELENA, MONTANA 59601

RESIDENT

Application For Waiver of Bond and  
Quarterly Filing of Special Fuel Use Tax Returns

Name of Applicant \_\_\_\_\_

Address \_\_\_\_\_

Special fuel user license number \_\_\_\_\_

In accordance with Chapter 70, Title 15, MCA, Section 302, application has been made for a special fuel user's vehicle permit. Applicant requests waiver of bond and quarterly filing of special fuel use tax returns in accordance with Chapter 70, Title 15, MCA, Sections 304 and 325, and certifies that special fuel tax liability accrued through the use of special fuel upon the public roads of the State of Montana is or will be less than one-hundred dollars (\$100.00) a year. Applicant agrees to file a special fuel tax return within the time prescribed herein.

- ( ) An annual tax return must be filed not later than January 31st for the preceding calendar year. Failure to submit returns within the time prescribed will result in cancellation of this waiver, whereby, quarterly returns and surety bond will be required. The authority granted by this waiver will be cancelled upon cancellation of special fuel user permit.

I declare under the penalties of perjury, that I have read the foregoing statement and know the contents thereof, and that the statement, and all thereof, contained therein are true.

By: \_\_\_\_\_

Title: \_\_\_\_\_

Telephone No. \_\_\_\_\_

Approved by: \_\_\_\_\_

Date: \_\_\_\_\_

72 Michigan Loader

Social Security or  
Federal I.D. NumberSTATE OF MONTANA  
DEPARTMENT OF REVENUE  
MOTOR FUELS TAX DIVISION

HELENA, MONTANA 59601

ANTICRAFT PRINTING

ADDITIONAL FORMS NEEDED ☐

## SPECIAL FUEL USE TAX RETURN JAN. thru Dec. 1978

SPECIAL FUEL LICENSE NO. 18039 FOR THE MONTH OF

NAME Bob Dennis

STREET OR BOX NO. Rte 2 Box 717

CITY &amp; STATE Libby, Mont.

ZIP CODE 59923

SCHEDULE 1.

## VEHICLE OPERATING INFORMATION

1

2

3

4

5

6

7

Vehicle Permit Number	Hrs. <del>MILES</del> TRAVELED		List of Other States		GALLONS FUEL CONSUMED		
	Total all States includ- ing Montana	Montana Taxable Only	Name Only		Average Miles per Gallon	Total	MONT
1880	Months						
"	JAN.	1/2 hrs.			12	1/2	
"	Feb.	1 hr.			1	1	
"	MARCH	2 hr.			2	2	
"	April	No operation					
"	MAY	2 hr.			2	2	
"	June	1 hr.			1	1	
"	July	1/2 hr.			1/2	1/2	
"	Aug.	No operation					
"	Sept.	No op					
"	Oct.	No op					
"	Nov.	No op					
"	Dec.	No op					
TOTAL							

## SCHEDULE 1, INSTRUCTIONS

- List all vehicle permits for Montana.
- List total miles traveled in all states, including Montana.
- List the miles traveled in Montana only. If no operation in Montana, write "NONE".
- List the names of the states traveled.
- Compute the average miles per gallon of each unit by dividing the total fuel consumed in all states into total miles in all states for each unit.
- List the total gallons consumed in all states for each unit from total of column 7 and 8, Schedule 1.
- List the amount of fuel consumed in Montana by dividing the average miles per gallon into the Montana miles traveled for each unit.

## SCHEDULE 2

- Total gallons of fuel used in Montana (column 7 of Schedule 1)
- Less Montana tax paid gallons (column 8, Schedule 3)
- Net gallons on which tax is due
- Net gallons on which credit is due (If line 2 is greater than line 1)
- Tax or credit due at 10¢ per gallon
- Penalty and interest (note penalty and general instructions)

SENATE COMMITTEE HIGHWAYS AND TRANSPORTATION

Date 1-20-81 Senate Bill No. 79 Time \_\_\_\_\_

NAME	YES	NO
Senator Mart Etchart	✓	
Senator Tom Hager	✓	
Senator Frank Hazelbaker	✓	
Senator Elliott	✓	
Senator Tveit	✓	
Senator Manning	✓	
Senator Graham	✓	
Senator Healy	✓	
Senator Stimatz	✓	

CAROL DOYLE FRASIER  
Secretary

SENATOR MARK ETCHART  
Chairman

Motion: Passed Unanimously

\_\_\_\_\_

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\_\_\_\_\_

(include enough information on motion--put with yellow copy of committee report.)

SENATE COMMITTEE HIGHWAYS AND TRANSPORTATION

Date 1-20-81 Senate Bill No. 66 Time           

NAME	YES	NO
Senator Mart Etchart	✓	
Senator Tom Hager	✓	
Senator Frank Hazelbaker	✓	
Senator Elliott	✓	
Senator Tveit	✓	
Senator Manning	✓	
Senator Graham	✓	
Senator Healy	✓	
Senator Stimatz	✓	

CAROL DOYLE FRASIER  
Secretary

SENATOR MARK ETCHART  
Chairman

Motion: See attached memorandum

(include enough information on motion--put with yellow copy of committee report.)



# STANDING COMMITTEE REPORT

January 20 19 81

MR. President:

We, your committee on Highways and Transportation

having had under consideration Senate Bill No. 66

Respectfully report as follows: That Senate Bill No. 66

introduced bill no. 66 be amended as follows:

1. Page 1, line 15.

Following: "bond"

Insert: "on each vehicle"

2. Page 1, line 15.

Following: "station"

Strike: ".,"

Insert: ".,"

3. Page 1, line 15 and 16.

Following: "station,"

Strike: "No more than one permit may be obtained during a calendar year."

Insert: "or with any person authorized by the Department of highways to issue a cash compliance bond."

And, as so amended,

DO PASS

ROLL CALL

SENATE HIGHWAYS & TRANSPORTATION COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date 1-26-81

NAME	PRESENT	ABSENT	EXCUSED
SENATOR MARK ETCHART	✓		
SENATOR TOM HAGER	✓		
SENATOR FRANK W. HAZELBAKER	✓		
SENATOR ROGER H. ELLIOTT	✓		
SENATOR LARRY J. TVEIT	✓		
SENATOR DAVE MANNING	✓		
SENATOR CARROLL GRAHAM	✓		
SENATOR JACK HEALY	✓		
SENATOR LAWRENCE G. STIMATZ	✓		
VERDON - Legislative Council	✓		

Each day attach to minutes.

# STANDING COMMITTEE REPORT

.....January 21..... 19 81.....

MR. ....President:.....

We, your committee on.....Highways and Transportation.....

having had under consideration.....Senate.....Bill No. 79.....

Respectfully report as follows: That.....Senate.....Bill No. 79.....

DO PASS

*g/c.*

1-22-81

## Highways & Transportation

BILL NO.

# VISITOR'S REGISTER

[illegible]

(Please leave prepared statement with Secretary)