

MINUTES OF THE MEETING
HIGHWAYS AND TRANSPORTATION COMMITTEE
MONTANA STATE SENATE

February 5, 1981

The sixth 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: Present: Senator Etchart, Hager, Hazelbaker, Elliott, Tveit, Manning, Graham, Healy. Excused: Senator Stimatz.

CONSIDERATION OF HOUSE BILL 253:

Representative Kropp, District 5, told the committee HB 253 is an act to allow the operators of police and authorized emergency vehicles discretion in the use of audible or visual signals and to eliminate duplication in the law regarding display of a red light, amending section 61-8-107, MCA.

He further stated this bill amends the section to give the operator of an emergency vehicle a choice of warning signals. The current language makes it mandatory for all emergency vehicles to use the siren. This has proved to be a difficulty for the operators of ambulances as the use of the siren in some cases can adversely affect a patient. The victim of a heart attack should not be further excited and worried by the sound of the siren blaring all the way to the hospital. The amendment simply allows that the operator may choose to operate either the siren or the lights as the conditions require.

He introduced Captain Walt Miller, Montana Highway Patrol, to the committee.

Captain Miller told the committee the Highway Patrol supports the bill for the same reasons that Representative Kropp gave them. As the law is now written they must have siren in operation. We do feel it is advisable to have the option to use either the siren or the lights.

Senator Etchart asked if there were any other proponents to HB253.

Art Korn, Montana State Volunteer Fireman's Association, told the committee they support HB253.

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Senator Etchart asked if there were any more proponents to HB253.

R. A. Ellis, Montana State Volunteer Fireman's Association told the committee he supports the bill.

Senator Etchart asked if there were any more proponents to HB253. There were none.

Senator Etchart asked if there were any opponents to HB 253. There were none.

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

Senator Manning asked Captain Miller if other states have this law, and what the history on the law is.

Captain Miller said that he is not sure if other states have this. He further stated he is not sure about the history and what policies other states have had.

Senator Manning told him he thought the bill makes a lot of sense, but was wondering if Montana would be the first State to have this law.

Captain Miller made the comment that the Highway Patrol is not always sure what the reaction of the public will be to the siren. The red light is a visible means of warning. Now, to meet the requirements of the law, we must be giving both visual and audio in pursuit. We use the siren as a warning and to get attention.

Senator Etchart asked if there were any further questions. There were none. Senator Etchart asked Representative Kropp if he would like to close.

Representative Kropp told the committee he is a member of the Phillips County Ambulance Board and at different times we have had problems with the doctors because of the blaring sirens coming into the hospital at all hours of the night. I urge you pass this bill.

The hearing on HB253 was closed.

CONSIDERATION OF HOUSE BILL NO. 255:

Representative Kropp, District 5, told the committee this is an act to provide for an increased turn signaling distance outside business, residential, or urban districts. This amendment of section 61-8-336 simply increases the distance which drivers are required to signal to 300 feet in rural areas. The need

for this increase should be apparent as a vehicle traveling at 55 MPH covers 82½ feet per second. Under the existing requirement of signaling for 100 feet the oncoming driver would, if he was lucky, see perhaps one blink of the signal. The highway patrol indicates that this is a large factor in rural accidents which involve turns into driveways or cross-roads.

I researched the turn signal laws of the other states, and most states require a signal to be given for a minimum of 100 feet; the exceptions are:

Alaska - 100 feet under 35 mph, 300 feet over 35 mph
California - 100 feet (driver's manual recommends
 signal for 5 second at highway speeds)
Colorado - Urban and metropolitan areas 100 feet,
 elsewhere over 40 mph 200 feet
Illinois - 100 feet urban, 200 feet rural
Indiana - 200 feet under 50 mph, 300 feet over 50 mph
Iowa - 100 feet under 45 mph, 300 feet over 45 mph
Nebraska - 500 feet on Interstate highways, elsewhere
 50 feet.
North Carolina - 100 feet under 45 mph, 200 feet over
 45 mph.

He introduced Captain Miller from the Highway Patrol.

Captain Miller, Highway Patrol told the committee that the Highway Patrol supports this bill. We feel that the 100 feet signaling distance is not sufficient on highway speeds. We feel that the extended distance of signaling would give a little more protection and more warning.

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

Senator Etchart asked if there were any opponents. There were none.

Senator Etchart asked if the committee had any questions.

Senator Graham asked why the distance was changed from 500 feet to 300 feet.

Captain Miller told the committee the House cut the distance down to 300, they felt 500 was too much.

Senator Graham asked what the distance is according to the law, today.

Captain Miller said 100 feet.

Senator Tveit asked Representative Kropp why it was amended down.

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Representative Kropp told the committee the House Highway and Transportation Committee felt 500 feet was a little to far. So, it was amended to 300 feet.

Senator Tveit replied, at least it would be three times as far.

Senator Hazelbaker asked if this applied to lane changes?

Captain Miller replied yes, turn signal is required in lane changes.

Senator Hager asked if this applied to rural roads?

Captain Miller said yes. In town, it would be 100 feet.

Senator Healy asked Captain Miller how they were going to inform the public about this change in the law.

Captain Miller said they planned to advertise and educate the public over a length of time. At first they would not be giving tickets, just warning's.

Senator Etchart asked if there were any further questions. There were none. He asked Representative Kropp if he would like to close.

Representative Kropp said he thought this was a good bill. There have been a lot of bad accidents in my area, especially left hand turns off the road. I think signaling at a longer distance would sure be a big help.

There being no further testimony or questions, the hearing on SB 255 was closed.

CONSIDERATION OF SENATE BILL NO. 304:

Senator Hazelbaker, District 41, chief sponsor of SB304 told the committee this is an act to delete the provisions for truck and trailer demonstration permits and to clarify the exemption for vehicles displaying a licensed dealer's plate.

He told the committee Senate Bill No. 304 was introduced at the request of the Department of Highways and its 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.

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. As a result, there are now relatively few permits issued and 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 (89 permits) in 1980. Estimated loss of revenue will be about \$1,000 each year.

In view of the minimal income, the cost of administration and few 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 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.

Senator Etchart asked if there were any other proponents to SB304.

Don Copley, Dept. of Highways, concurred in what Senator Hazelbaker had to say and said the department feels the permit is no longer necessary.

Senator Etchart asked if there were any opponents to SB304. There were none.

Senator Etchart asked if there were any questions from the committee. There were none.

The hearing on SB 304 was closed.

ACTION ON HOUSE BILL NO. 253:

Senator Tveit made the motion that HB253 Be Concurred In. All Senators present voting aye. The motion carried.

ACTION ON HOUSE BILL NO. 255:

Senator Healy made the motion that we cut the distance from 300 feet to 200 feet.

Senator Elliott made a substitute motion, that on line 22, after left, insert "other than when passing", and the same insert on Page 2, line 2.

Paul Verdon worked up the following amendment to HB 255:

Page 1, line 22.

Following: "left"

Insert: ",other than when passing,"

Page 2, line 2.

Following: "left"

Insert: ",other than when passing,"

The motion on the substitute motion carried with all Senators voting aye.

Senator Elliott made the motion that HB255 as amended be concurred in. All Senators present voting aye, the motion carried.

Senator Elliott will carry this bill on the Senate floor.

ACTION ON SENATE BILL NO. 304:

Senator Hazelbaker made the motion that Senate Bill No. 304 do pass. All Senators present voting aye, the motion carried.

ACTION ON SENATE BILL NO. 293:

Senator Elliott made the motion that Senate Bill No. 293 Do Not Pass.

All Senators present voting; Aye: Senator Etchart, Senator Hager, Senator Hazelbaker, Senator Elliott, Senator Tveit, Senator Manning; No: Senator Graham, Senator Healy. The motion carried.

ADJOURNMENT:

There being no further business the meeting adjourned at 2:30 p.m.



Senator Mark Etchart, Chairman

ROLL CALL

SENATE HIGHWAYS & TRANSPORTATION COMMITTEE

47th LEGISLATIVE SESSION - - 1981

Date 2-5-81

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.

DATE 2-5-81

COMMITTEE ON

Highways & Transportation

VISITORS' REGISTER

[illegible]

(Please leave prepared statement with Secretary)

THIS BILL AMENDS SECTION 61-8-107 TO GIVE THE OPERATOR OF AN EMERGENCY VEHICLE A CHOICE OF WARNING SIGNALS. THE CURRENT LANGUAGE MAKES IT MANDATORY FOR ALL EMERGENCY VEHICLES TO USE THE SIREN. THIS HAS PROVED TO BE A DIFFICULTY FOR THE OPERATORS OF AMBULANCES AS THE USE OF THE SIREN IN SOME CASES CAN ADVERSELY AFFECT A PATIENT. THE VICTIM OF A HEART ATTACK SHOULD NOT BE FURTHER EXCITED AND WORRIED BY THE SOUND OF THE SIREN BLARING ALL THE WAY TO THE HOSPITAL. THE AMENDMENT SIMPLY ALLOWS THAT THE OPERATOR MAY CHOOSE TO OPERATE EITHER THE SIREN OR THE LIGHTS AS THE CONDITIONS REQUIRE.

CAPTAIN WALTER MILLER WILL TESTIFY

NAME: Walt Minkler, Capt. DATE: 2-5-81

ADDRESS: Holona

PHONE: 449-3000

REPRESENTING WHOM? MR. P

APPEARING ON WHICH PROPOSAL: 253 & ~~254~~ 255

DO YOU: SUPPORT? ✓ AMEND? _____ OPPOSE? _____

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: ART KORM DATE: 2-9-81

ADDRESS: 1904 So 10th AVE DAVTE

PHONE: 723 4691

REPRESENTING WHOM? Mr. Gary W. Fireman, AGSO

APPEARING ON WHICH PROPOSAL: H B 353

DO YOU: SUPPORT? 1 AMEND? OPPOSE?

COMMENTS: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

NAME: T. H. Ellis DATE: 1 8 51

ADDRESS: 1144 Sycamore St

PHONE: 458 4586

REPRESENTING WHOM? Mont State Police Officer 12554

APPEARING ON WHICH PROPOSAL: 458 4586

DO YOU: SUPPORT? 1 AMEND? OPPOSE?

COMMENTS:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

*Don
L. Miller
Chairman*

THIS AMENDMENT OF SECTION 61-8-336 SIMPLY INCREASES THE DISTANCE WHICH DRIVERS ARE REQUIRED TO SIGNAL TO ~~100~~³⁰⁰ FEET IN RURAL AREAS. THE NEED FOR THIS INCREASE SHOULD BE APPARENT AS A VEHICLE TRAVELING AT 55 MPH COVERS 82½ FEET PER SECOND. UNDER THE EXISTING REQUIREMENT OF SIGNALLING FOR 100 FEET THE ONCOMING DRIVER WOULD, IF HE WAS LUCKY, SEE PERHAPS ONE BLINK OF THE SIGNAL. THE HIGHWAY PATROL INDICATES THAT THIS IS A LARGE FACTOR IN RURAL ACCIDENTS WHICH INVOLVE TURNS INTO DRIVEWAYS OR CROSSROADS.

CAPTAIN WALTER MILLER WILL TESTIFY



Department of Justice

MONTANA HIGHWAY PATROL

303 N. Roberts, Helena, Montana 59601 (406) 449-3000



23
January
1981

The Honorable Paul K. Kropp
House of Representatives Chambers
State Capitol
Helena, MT 59620

Dear Representative Kropp:

As requested at the committee hearing on House Bill 255, I researched the turn signal laws of the other states. Most states require a signal to be given for a minimum of 100 feet; the exceptions are:

Alaska	- 100 feet under 35 mph, 300 feet over 35 mph
California	- 100 feet (driver's manual recommends signal for 5 seconds at highway speeds)
Colorado	- Urban and metropolitan areas 100 feet, elsewhere over 40 mph 200 feet
Illinois	- 100 feet urban, 200 feet rural
Indiana	- 200 feet under 50 mph, 300 feet over 50 mph
Iowa	- 100 feet under 45 mph, 300 feet over 45 mph
Nebraska	- 500 feet on Interstate highways, elsewhere 50 feet
North Carolina	- 100 feet under 45 mph, 200 feet over 45 mph

Respectfully,

Walter D. Miller, Captain
Administrative Services Officer
Highway Patrol Bureau

WDM:cco

INTRODUCTION FOR SENATE BILL NO. 304

Senate Bill No. 304 was introduced at the request of the Department of Highways and ^{its} ~~its~~ 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. As a result, there are now relatively few permits issued and 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 (89 permits) in 1980. Estimated loss of revenue will be about \$1,000 each year.

In view of the minimal income, the cost of administration and few 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

SENATE COMMITTEE HIGHWAYS AND TRANSPORTATION

Date 2-1-81 Vote Bill No. 295 Time 2:00 pm

NAME	YES	NO
Senator Mart Etchart	/	
Senator Tom Hager	/	
Senator Frank Hazelbaker	/	
Senator Elliott	/	
Senator Tveit	/	
Senator Manning	/	
Senator Graham		/
Senator Healy		/
Senator Stimatz	<i>Extends</i>	

Carol Doyle Frasier
CAROL DOYLE FRASIER
 Secretary

Mark Etchart
SENATOR MARK ETCHART
 Chairman

Motion: _____

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

SENATE COMMITTEE HIGHWAYS AND TRANSPORTATION

Date 2-5-81 1/11/81 Bill No. 304 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
CAROL DOYLE FRASIER
Secretary

Mark Etchart
SENATOR MARK ETCHART
Chairman

Motion: All Pass

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

SENATE COMMITTEE HIGHWAYS AND TRANSPORTATION

Date 2-5-81 10:00 Bill No. 255 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	<i>present</i>	

Carol Doyle Frasier
CAROL DOYLE FRASIER
 Secretary

Mark Etchart
SENATOR MARK ETCHART
 Chairman

Motion: B. Concurrence in Amendment

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

SENATE COMMITTEE HIGHWAYS AND TRANSPORTATION

Date 2-5-81 HR Bill No. 253 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
CAROL DOYLE FRASIER
 Secretary

Mark Etchart
SENATOR MARK ETCHART
 Chairman

Motion: Be Concurred In

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

February 5

1931

MR. President:

We, your committee on Highways and Transportation

having had under consideration Senate Bill No. 304

Respectfully report as follows: That Senate Bill No. 304

DO PASS

M.C.

February 5 19 81

MR. President:

We, your committee on Highways and Transportation

having had under consideration House Bill No. 255

Kropp (Elliott)

Respectfully report as follows: That House Bill No. 255

introduced bill no. 255 be amended as follows:

Page 1, line 22.

Following: "left"

Insert: ",other than when passing,"

Page 2, line 2.

Following: "left"

Insert: ",other than when passing,"

And, as so amended,

DUPASSY

BE CONCURRED IN

4/2

.....February 5..... 19 81.....

MR. President:

We, your committee on Highways and Transportation

having had under consideration House Bill No. 253

Kropp (Tveit)

Respectfully report as follows: That House Bill No. 253

N.B.
BE CONCURRED IN
~~DOXPASSX~~