MINUTES OF THE MEETING
HIGHWAY AND TRANSPORTATION COMMITTEE
MONTANA STATE SENATE

March 12, 1981

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

ROLL CALL:

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.

CONSIDERATION OF HOUSE BILL NO. 593:

Representative Bud Gould, Chief Sponsor of HB593, told the committee this is an act to authorize the Governor to negotiate with other states to establish agreements for submitting application to the rail passenger corporation for institution of rail passenger service in the State of Montana. Representative Gould explained how he got involved in the rail passenger service for Montana. He told the committee this bill will allow negotiation with other states and the federal government in a compact on rail passenger service that would not be able to abolish the northern Amtract Train route until after the Legislature would meet. This is a buffer to keep them from doing away with the train on the northern route. The last line of the bill is the most important:

"The Governor may not participate in the submission of an application until the base agreement and any application have been approved by the legislature."

Senator Etchart asked if there were any other proponents to HB593.

James T. Mular, Representing the National Association of Rail Passengers, told the committee that through the various sessions of the Legislature, we have always submitted resolutions of support for rail passenger service in Montana. We were able to get a southern route on an experimental basis. You must maintain an average of 150 passengers per train mile to keep the service. The Administration has intended to take the Amtrak budget and do something with it in relation to our long distance trains. They could pass legislation for discontinuing the Northeastern corrider and we could loose some of our trains. I agree with Representative Gould, the last sentence is the most important part of the bill.

Tom Dowling, representing the Montana Railroad Association told the committee they support this bill.

Tom Ryan, representing the Montana Senior Citizens Association, told the committee the Senior Citizens are just beginning to use these facilities. The rates are favorable and the other modes of transportation are difficult for Seniors and Handicapped.

M. W. Gullickson, United Transportation Union, told the committee they support HB593.

Mary Nielsen, representing W.I.F.E., indicated W.I.F.E. in Montana has drafted a resolution at its' recent State Convention supporting a BASIC TRANSPORTATION SYSTEM, providing at least a minimum passenger and freight service to all states. Therefore, our organization supports HB593.

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 there were any questions from the Committee. There were none.

In closing, Representative Gould, again told the committee the most important part of the bill is the last line. The Governor is not going to be able to bind or spend any money for the Legislature. Historically, this is something that will preserve the trains. I would request that Senator Stephens carry the bill on the floor of the Sênate, if that is alright with the committee.

CONSIDERATION OF HOUSE BILL NO. 320:

Representative Kropp, Chief Sponsor of HB320, told the committee HB320 is an act to authorize the Department of Highways to adopt rules implementing Title 61, Chapter 10, MCA, relating to size, weight, and load provisions." This will enable the department to adopt and enforce rules to implement, interpret, or otherwise execute the provisions of this chapter. There is also a Statement of Intent for the bill. The statement of intent is required for this bill because it grants rulemaking authority to the Department of Highways to implement, interpret, and carry out the provisions relating to motor vehicle size, weight, and load restrictions.

Beate Golda, Department of Highways, told the committee HB320 was introduced at the request of the Department of Highways. The bill is intended to give the Department express rulemaking authority under the gross vehicle weight statutes.

The Department had adopted various GVW rules during past years. Gross vehicle weight, or GVW, rules regulate the issuance of special permits, explain proportional registration of vehicles, and clarify the administration and collection of various GVW fees. The existing rules also regulate the weights, dimensions, and requirements for moving a load pursuant to the applicable statutes and special permits.

There has always been implied authority to promulgate such rules. In June of 1980, the Administrative Code Committee raised the issue that the Department has no express rulemaking authority for GVW related matters. The Committee accepted the Department's contention that it had implied rulemaking authority; however, the Committee recommended that the Department take steps to obtain express authority for rulemaking.

The Department does not intend to change its present rules, nor have other rules been proposed at this time.

Ben Havdahl, Montana Motor Carriers, told the committee they support the bill with the Statement of Intent.

Tom Dowling, representing the Montana Railroad Association, said they support the bill with the Statement of Intent.

James T. Mular, Representing the BRAC, told they committee they support the bill with the Statement of Intent.

Senator Etchart asked if there were any other proponents to HB320. There were none. Senator Etchart asked if there were any opponents to HB320. There were none. Senator Etchart asked if there were questions from the Committee. There were none.

In Closing, Representative Kropp asked the committee for favorable consideration of the bill.

CONSIDERATION OF HOUSE BILL NO. 547:

Representative C. Smith, Chief Sponsor of HB547, told the committee this is an act to allow signs or displays that advertise cultural exhibits or nonprofit historical or arts organizations to be erected in proximity to highways. Representative Smith told the committee the story of how the Range Riders Museum started in the 1930's. About three years ago, they had to move the sign to the present location, because of highway construction. The sign is 30 to 40 years old.

Mons Teigen, Representing the Stockgrowers, Cowbelles, and Woolgrowers Association, told the committee he has followed the Broadus Sign problem and has been involved in it. I attended a hearing that was held by the Department of Highways last summer. It appears to us that HB547 will clarify the problem that exists in trying to keep up with the Lady Bird Johnson Sign and Beautification Act. At the hearing, pictures were presented of far more unsightly areas. We would like to see a favorable report to this bill.

Robert Archibald, representing the Montana Historical Society, said he would like to voice their support for HB547. One of the major factors for tourism in the state are the cultural things that we have to offer. Most of the people who come to Montana don't think of it as a place for this. This is clearly one way to let tourists and other Montanan's know what the area has to offer.

Pat Underwood, Montana Farm Bureau, said they support the concepts adopted in HB547 and does recommend a do pass.

J. D. Home, Montana Institute of the Arts, told the committee they support this bill and the addition of "the Arts" to the bill, which the house added. We have no plans in the arts community to erect a lot of signs, but there may be the need to at some time in the future. I would like to mention, that in the House hearing, the Highway Department mentioned the story about losing the millions and millions of dollars of federal aid if this bill passes. We have not lost money for that reason yet.

Morris W. Gullickson, representing the Park County Historical Association and Livingston Museum, told the committee they support this bill to advertise our historical heritage. Livingston has a large investment in their museum and would like to advertise it.

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

Beate Golda, Department of Highway, said they neither support or oppose the bill, but do have problems with the federal requirements. I have proposed an amendment which would put this act into compliance. We would support the bill, but we would request the committee limit those to the ones that comply with federal standards.

Amendment proposed by the Department of Highways:

1. Page 2, line 16.
Following: "organizations"
Insert: "if the signs or displays conform with the standards provided in title 23, Code of Federal Regulations, section 750, subpart B."

She further stated that House Bill No. 547 would permit the placement of signs or displays advertising cultural exhibits of nonprofit historical or arts organizations along interstate or primary highways. The bill does not provide any standards regulating the placement or size of these signs.

If enacted without amendment, the bill could have a significant impact on the Department of Highways. In 1965 the United States Congress passed a law for the Control of Outdoor Advertising. The law provides that the Secretary of Transportation shall reduce by 10% the federal-aid highway funds apportioned to any state which has not made provision for effective control of the erection and maintenance of outdoor advertising signs. A copy of the law, 23 U.S.C. 131, is attached. Subsection (c) (1) allows signs pertaining to historical attractions but requires that such signs must conform to national standards promulgated by the Secretary of Transportation.

Standards for directional signs, including those containing directional information about historic and cultural sites, have been in effect since 1973. A copy of those standards is attached. A state may have more restrictive standards, but if a state does not provide any standards or has less restrictive standards, the Secretary of Transportation has a legal duty to enforce the law and reduce the state's apportioned funds by 10%.

In fiscal year 1981, Montana was apportioned $82,851,161.00 A reduction of 10% would result in an $8,285,116.10 loss in highway funds for the State of Montana.

In the hearing before the House Highway and Transportation Committee, the argument was made that President Reagan is opposed to Beautification Act and that therefore it would not be enforced against the state. The Outdoor Advertising Act, however, was passed by Congress and is law. The Secretary of Transportation has no choice by to enforce the law as it exists. A copy of a letter from Volmer K. Jensen, Division Administrator of the Federal Highway Administration, to Gary J. Wicks, Director of Highways, has been attached.

The issue is not whether Montana has one sign advertising an historical display such as the Range Rider Museum, but whether Montana law permits directional signs without standards at least as restrictive as the federal standards. The Department is proposing an amendment which would permit signs advertising cultural exhibits but only if they complied with the federal standards. The amendment would allow the placement of such signs along primary and interstate highways but would not jeopardize federal funding.

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

Senator Elliott asked Beate Golda if we adopt this amendment, would the Broadus sign qualify.

Beate said no. The Museum would have to move the sign. The sign is not close enough to the museum.

Senator Tveit asked if there was a difference between commercial and historical sign standards?

Beate said yes. There are less restrictions for arts and historical signs.

Senator Hager asked Beate if she had any knowledge of any other signs that are in violation.

Beate said yes, there are other signs in violation, that do not comply and some that we have taken action against. Most of the signs that are in poor shape are grandfathered signs. As far as we know, there has been enforcement of this law.

The hearing was closed on HB547.

ACTION ON HOUSE BILL NO. 547:

Senator Tveit made the motion that HB547 be concurred in. With all Senators present voting aye, the motion carried. Senator Tveit will carry the bill on the floor of the Senate.

ACTION ON HOUSE BILL NO. 320:

Discussion on why the Department of Highways needed rulemaking authority. The Committee researched the law and decided they did not need it.

Senator Tveit made the motion that HB320 be not concurred in. With all Senators present voting aye, the motion carried.

ACTION ON HOUSE BILL NO. 593:

Senator Hager made the motion that HB593 be concurred in. With all Senators present voting aye, the motion carried. Senator Stephens will carry the bill on the Senate floor.

ACTION ON HOUSE BILL NO. 522:

Senator Graham made the motion that HB522 be concurred in. With all Senators present voting aye, the motion carried. Senator Graham will carry the bill on the Senate Floor.

ACTION ON HOUSE BILL NO. 299:

Senator Tveit made the motion to amend HB299 as follows:

1. Page 4, line 14.
Following: "axle"
Insert: "but the maximum load per inch of tire width may exceed 670 pounds"

Motion carried with all Senators present voting aye.

Senator Tveit made the motion that HB299 be further amended as follows:

1. Title, line 7.
Following: "MCA"
Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 4, following line 20.
Insert: "Section 3. Effective date. [This act] is effective on July 1, 1981."

Motion carried with all Senators present voting aye.

Senator Tveit made the motion that HB299, as amended, be concurred in. With all Senators voting aye, the motion carried. Senator Tveit will carry the bill on the floor of the Senate.

ADJOURNMENT:

There being no further business of the Highway and Transportation Committee, the meeting ajourned.

Mark Etchart
Senator Mark Etchart
Chairman

cdf

ROLL CALL

SENATE HIGHWAYS & TRANSPORTATION COMMITTEE

47th LEGISLATIVE SESSION - - 1981 Date 3/12/81

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 3/12/81

COMMITTEE ON Highway & Transportation

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check One Support	Oppose
Tom Ryan	Mont [illegible] citizens	593	✓	
[illegible]	Dept of Highways	HB 320	—	
" "	" " "	HB 547	amend	
M. W. Gullickson	United Transportation Union	HB 320	✓	
"	"	HB593	Support	
Tom Dowling	Mont RR Assn	HB320	Amend	
"	"	593	Support	
[illegible]	National [illegible] Rail [illegible]	593	✓	
— —	BRAC	320	Amend	
[illegible]	Mt Hist Soc	547	✓	
Ben H[illegible]	Mont Motor Carriers	HB320	✓	
[illegible] Mons Teigen	Mont Stockgrowers, Cowbelles & Woolgrowers Assn	547	X	
M. W. Gullickson	Park Co Historical Ass	HB547	Y	

NAME: Tom Ryan DATE: 3-12-81

ADDRESS: Box #2#13 - Helena

PHONE: 442-8999

REPRESENTING WHOM? Montana Senior Citizens Assn

APPEARING ON WHICH PROPOSAL: HB 593

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

COMMENTS:

Senior Citizens are just Beginning to use these facilities

The Rates are favorable and the other modes of Transportation are difficult for Senior & Handicapped

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: Mary Nelson DATE: Mar. 12th

ADDRESS: Medicine Lake

PHONE: 286-5593

REPRESENTING WHOM? N.I.F.E.

APPEARING ON WHICH PROPOSAL: HB. 503

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

COMMENTS: NIFE in Montana drafted a resolution at its recent State Convention supporting a BASIC TRANSPORTATION SYSTEM providing at least a minimum passenger and truck service to all States.

Therefore our organization supports HB. 503.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

NAME: [illegible] DATE: [illegible]

ADDRESS: [illegible]

PHONE: [illegible]

REPRESENTING WHOM? [illegible]

APPEARING ON WHICH PROPOSAL: [illegible]

DO YOU: SUPPORT? ______ AMEND? ______ OPPOSE? ______

COMMENTS: ____________________

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Kropp

House Bill No. 320 was introduced at the request of the Department of Highways. The bill is intended to give the Department express rulemaking authority under the gross vehicle weight statutes.

The Department has adopted various GVW rules during past years. Gross vehicle weight, or GVW, rules regulate the issuance of special permits, explain proportional registration of vehicles, and clarify the administration and collection of various GVW fees. The existing rules also regulate the weights, dimensions, and requirements for moving a load pursuant to the applicable statutes and special permits.

There has always been implied authority to promulgate such rules. In June of 1980, the Administrative Code Committee raised the issue that the Department has no express rulemaking authority for GVW related matters. The Committee accepted the Department's contention that it had implied rulemaking authority; however the Committee recommended that the Department take steps to obtain express authority for rulemaking.

The Department does not intend to change its present rules, nor have other rules been proposed at this time.

BG:snk:6E

WITNESS STATEMENT

NAME Morris W. Gullickson BILL No. HB 320

ADDRESS 323 So 6th Livingston MT DATE 3/12/81

WHOM DO YOU REPRESENT United Transportation Union

SUPPORT ✓ OPPOSE AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

WE SUPPORT THIS BILL WITH THE LETTER OF INTENT.

FORM CS-34
1-81

NAME: Rep. Ropp DATE: 3-12-81

ADDRESS: Malta

PHONE: 442-1458

REPRESENTING WHOM? ______

APPEARING ON WHICH PROPOSAL: HB 320

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

COMMENTS: ______

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

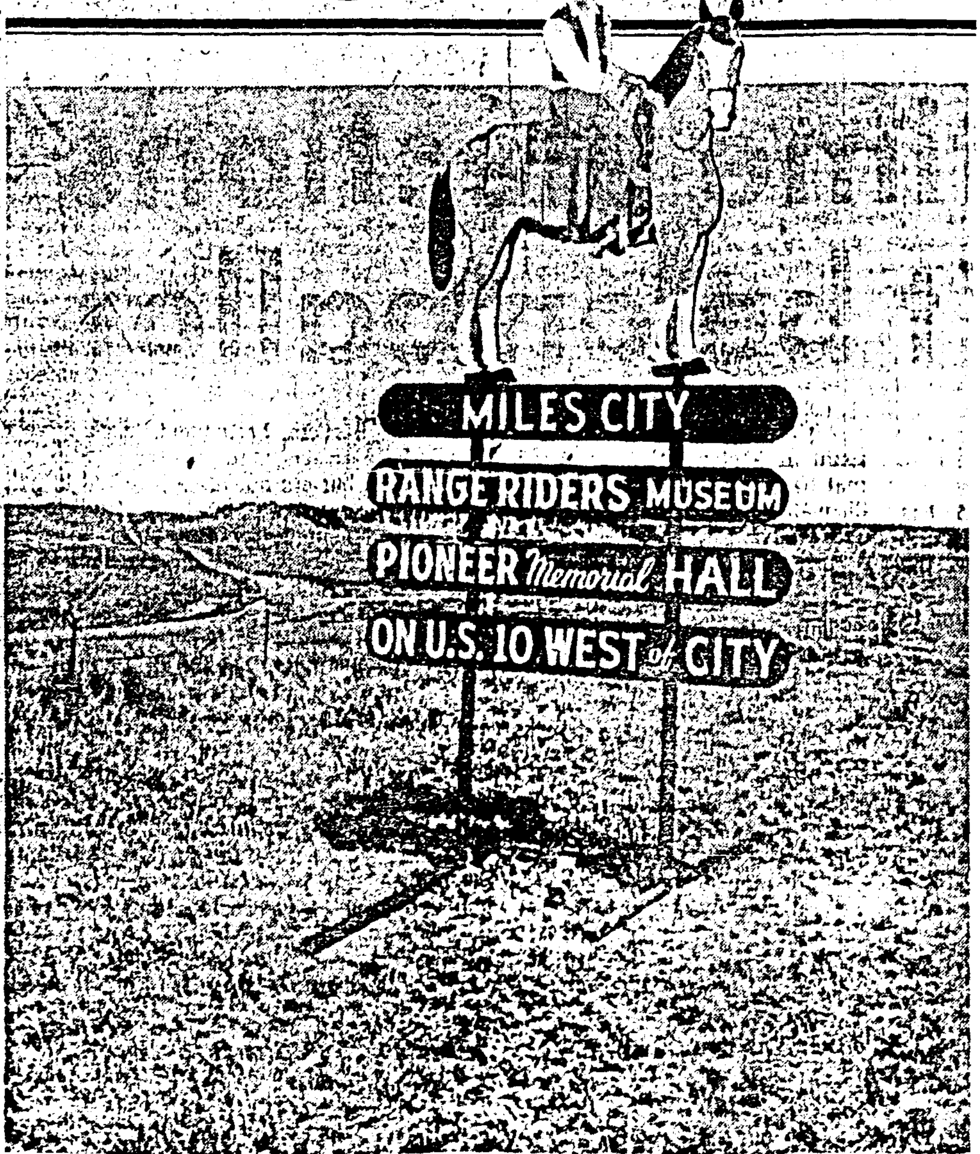
Range Riders

MUSEUM

AND

MEMORIAL HALL

The Billings Gazette



WITNESS STATEMENT

NAME Pat Underwood BILL No. HB 547

ADDRESS P.O. Box 1207 Bozeman DATE MAR 12, 1981

WHOM DO YOU REPRESENT Mont. Farm Bureau

SUPPORT ✓ OPPOSE AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Montana Farm Bureau supports the concepts adopted in HB 547 and does recommend a "do pass".

FORM CS-34
1-81

WITNESS STATEMENT

NAME Morris W. Gullickson BILL No. HB 547

ADDRESS 323 So 6th Livingston MT. DATE 3/12/81

WHOM DO YOU REPRESENT Park Co Historical Asso & Livingston Museum

SUPPORT ✓ OPPOSE AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

WE SUPPORT THIS BILL TO ADVERTISE OUR HISTORICAL HERITAGE - LIVINGSTON HAS A LARGE ~~[illegible]~~ INVESTMENT IN THEIR MUSEUM AND WOULD LIKE TO ADVERTISE IT.

FORM CS-34
1-81

NAME: [illegible] DATE: [illegible]

ADDRESS: [illegible]

PHONE: [illegible]

REPRESENTING WHOM? [illegible]

APPEARING ON WHICH PROPOSAL: [illegible]

DO YOU: SUPPORT? ______ AMEND? ______ OPPOSE? ______

COMMENTS: ______

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

House Bill No. 547

Amendment proposed by the Department of Highways.

P. 2, line 16
Following: "organizations"
Insert: "if the signs or displays conform with the standards provided in title 23, Code of Federal Regulations, section 750, subpart B."

HOUSE BILL NO. 547

House Bill No. 547 would permit the placement of signs or displays advertising cultural exhibits of nonprofit historical or arts organizations along interstate or primary highways. The bill does not provide any standards regulating the placement or size of these signs.

If enacted without amendment, the bill could have a significant impact on the Department of Highways. In 1965 the United States Congress passed a law for the Control of Outdoor Advertising. The law provides that the Secretary of Transportation shall reduce by 10% the federal-aid highway funds apportioned to any state which has not made provision for effective control of the erection and maintenance of outdoor advertising signs. A copy of the law, 23 U.S.C. §131, is attached. Subsection (c)(1) allows signs pertaining to historical attractions but requires that such signs must conform to national standards promulgated by the Secretary of Transportation.

Standards for directional signs, including those containing directional information about historic and cultural sites, have been in effect since 1973. A copy of those standards is attached. A state may have more restrictive standards, but if a state does not provide any standards or has less restrictive standards, the Secretary of Transportation has a legal duty to enforce the law and reduce the state's apportioned funds by 10%.

In fiscal year 1981, Montana was apportioned $82,851,161.00. A reduction of 10% would result in an $8,285,116.10 loss in highway funds for the State of Montana.

In the hearing before the House Highways and Transportation Committee, the argument was made that President Reagan is opposed to Beautification Act and that therefore it would not be enforced against the state. The Outdoor Advertising Act, however, was passed by Congress and is law. The Secretary of Transportation has no choice but to enforce the law as it exists. A copy of a letter from Volmer K. Jensen, Division Administrator of the Federal Highway Administration, to Gary J. Wicks, Director of Highways, has been attached.

The issue is not whether Montana has one sign advertising an historical display such as the Range Rider Museum, but whether Montana law permits directional signs without standards at least as restrictive as the federal standards. The Department is proposing an amendment which would permit signs advertising cultural exhibits but only if they complied with the federal standards. The amendment would allow the placement of such signs along primary and interstate highways but would not jeopardize federal funding.

(Testimony submitted by Beate Galda, Department of Highways)

BG:snk:10D

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION
REGION EIGHT
Montana Division
Federal Office Building
301 S. Park, Drawer 10056
Helena, Montana 59626

February 10, 1981

IN REPLY REFER TO
HRW-MT
411.141

Mr. Gary J. Wicks
Director of Highways
Montana Department of Highways
Helena, Montana 10:GJW-70:JRB

Gentlemen:

Subject - Proposed House Bill 547
Outdoor Advertising Control

In response to your request, we have examined House Bill 547 which proposes to amend Montana's Outdoor Advertising Act. We are concerned over the impact the amendment could have on Montana's highway beautification program and Federal-aid highway funding.

The bill seeks to allow the erection of signs or displays that advertise cultural exhibits of non-profit historical organizations within control areas of Federal-aid highways. Federal statutes do not provide for such signs to be exempt from control and we conclude that such a provision in State statutes could violate Federal control standards. Accordingly, passage of this bill would jeopardize highway funds apportioned to Montana by an amount equal to ten percent as provided in Title 23, U.S.C. Section 131.

Without knowing specifically what types of signs the legislature is seeking to allow, we cannot offer assistance on whether such advertising may be permissible within the meaning of the Federal law. However, many types of directional and official signs pertaining to natural wonders and scenic and historical attractions may be permissible when erected in accordance with State and Federal standards and criteria. Your attention is called to 23 U.S.C. 131(c)(1) and 23 CFR 750 Subpart B.

To assure maximum availability of Federal-aid highway funds, we believe the proposed amendment should not be adopted.

Sincerely yours,

Volmer K. Jensen

Volmer K. Jensen
Division Administrator

TITLE 23, U.S.C.

such project. If any such railroad fails to discharge such liability within a six-month period after completion of the project, it shall be liable to the United States for its share of the cost, and the Secretary shall request the Attorney General to institute proceedings against such railroad for the recovery of the amount for which it is liable under this subsection. The Attorney General is authorized to bring such proceedings on behalf of the United States, in the appropriate district court of the United States, and the United States shall be entitled in such proceedings to recover such sums as it is considered and adjudged by the court that such railroad is liable for in the premises. Any amounts recovered by the United States under this subsection shall be credited to miscellaneous receipts.

§ 131. Control of outdoor advertising.

(a) The Congress hereby finds and declares that the erection and maintenance of outdoor advertising signs, displays, and devices in areas adjacent to the Interstate System and the primary system should be controlled in order to protect the public investment in such highways, to promote the safety and recreational value of public travel, and to preserve natural beauty.

(b) Federal-aid highway funds apportioned on or after January 1, 1968, to any State which the Secretary determines has not made provision for effective control of the erection and maintenance along the Interstate System and the primary system of outdoor advertising signs, displays, and devices which are within six hundred and sixty feet of the nearest edge of the right-of-way and visible from the main traveled way of the system, and Federal-aid highway funds apportioned on or after January 1, 1975, or after the expiration of the next regular session of the State legislature, whichever is later, to any State which the Secretary determines has not made provision for effective control of the erection and maintenance along the Interstate System and the primary system of those additional outdoor advertising signs, displays, and devices which are more than six hundred and sixty feet off the nearest edge of the right-of-way, located outside of urban areas, visible from the main traveled way of the system, and erected with the purpose of their message being read from such main traveled way, shall be reduced by amounts equal to 10 per centum of the amounts which would otherwise be apportioned to such State under section 104 of this title, until such time as such State shall provide for such effective control. Any amount which is withheld from apportionment to any State hereunder shall be reapportioned to the other States. Whenever he determines it to be in the public interest, the Secretary may suspend, for such periods as he deems necessary, the application of this subsection to a State.

(c) Effective control means that such signs, displays, or devices after January 1, 1968, if located within six hundred and sixty feet of the right-of-way and, on or after July 1, 1975, or after the expiration of the next regular session of the State legislature, whichever is later, if located beyond six hundred and sixty feet of the right-of-way, located outside of urban areas, visible from the main traveled way of the system, and erected with the purpose of their message being read from such main traveled way, shall, pursuant to this section, be limited to (1) directional and official signs and notices, which signs and notices shall include, but not be limited to, signs and notices pertaining to natural wonders, scenic and historical attractions, which are required or authorized by law, which shall conform to national standards hereby authorized to be promulgated by the Secretary hereunder, which standards shall contain provisions concerning lighting, size, number, and spacing of signs, and such other requirements as may be appropriate to implement this section, (2) signs, displays, and devices advertising the sale or lease of property upon which they are located, (3) signs, displays, and devices, including those which may be changed at reasonable intervals by electronic process or by remote control, advertising activities conducted on the property on which they are located, (4) signs lawfully in existence on October 22, 1965, determined by the State, subject to the approval of the Secretary, to be landmark signs, including signs on farm structures or natural surfaces, of historic or artistic significance the preservation of which would be consistent with the purposes of this section, and (5) signs, displays, and devices advertising the distribution by nonprofit organizations of free coffee to individuals traveling on the Interstate System or the primary system. For the purposes of this subsection, the term "free coffee" shall include coffee for which a donation may be made, but is not required.

(d) In order to promote the reasonable, orderly and effective display of outdoor advertising while remaining consistent with the purposes of this section, signs, displays, and devices whose size, lighting and spacing, consistent with customary use is to be determined by agreement between the several States and the Secretary, may be erected and maintained within six hundred and sixty feet of the nearest edge of the right-of-way within areas adjacent to the Interstate and primary systems which are zoned industrial or commercial under authority of State law, or in unzoned commercial or industrial areas as may be determined by agreement between the several States and the Secretary. The States shall have full authority under their own zoning laws to zone areas for commercial or industrial purposes, and the actions of the States in this regard will be accepted for the purposes of this Act. Whenever a bona fide State, county, or local zoning authority has made a determination of customary use, such determination will be accepted in lieu of controls by agreement in the zoned commercial and industrial areas within the geographical jurisdiction of such authority. Nothing in this subsection shall apply to signs, displays, and devices referred to in clauses (2) and (3) of subsection (c) of this section.

(e) Any sign, display, or device lawfully in existence along the Interstate System or the Federal-aid primary system on September 1, 1965, which does not conform to this section shall not be required to be removed until July 1, 1970. Any other sign, display, or device lawfully erected which does not conform to this section shall not be required to be removed until the end of the fifth year after it becomes nonconforming.

(f) The Secretary shall, in consultation with the States, provide within the rights-of-way for areas at appropriate distances from interchanges on the Interstate System, on which signs, displays, and devices giving specific information in the interest of the traveling public may be erected and maintained. The Secretary may also, in consultation with the States, provide within the rights-of-way of the primary system for areas in which signs, displays, and devices giving specific information in the interest of the traveling public may be erected and maintained. Such signs shall conform to national standards to be promulgated by the Secretary.

(g) Just compensation shall be paid upon the removal of any outdoor advertising sign, display, or device lawfully erected under State law and not permitted under subsection (c) of this section, whether or not removed pursuant to or because of this section. The Federal share of such compensation shall be 75 per centum. Such compensation shall be paid for the following:

(A) The taking from the owner of such sign, display, or device of all right, title, leasehold, and interest in such sign, display, or device; and

(B) The taking from the owner of the real property on which the sign, display, or device is located, of the right to erect and maintain such signs, displays, and devices thereon.

(h) All public lands or reservations of the United States which are adjacent to any portion of the Interstate System and the primary system shall be controlled in accordance with the provisions of this section and the national standards promulgated by the Secretary.

(i) In order to provide information in the specific interest of the traveling public, the State highway departments are authorized to maintain maps and to permit information directories and advertising pamphlets to be made available at safety rest areas. Subject to the approval of the Secretary, a State may also establish information centers at safety rest areas and other travel information systems within the rights-of-way for the purpose of informing the public of places of interest within the State and providing such other information as a State may consider desirable. The Federal share of the cost of establishing such an information center or travel information system shall be that which is provided in section 120 for a highway project on that Federal-aid system to be served by such center or system.

(j) Any State highway department which has, under this section as in effect on June 30, 1965, entered into an agreement with the Secretary to control the erection and maintenance of outdoor advertising signs, displays, and devices in areas adjacent to the Interstate System shall be entitled to receive the bonus payments as set forth in the agreement, but no such State highway department shall be entitled to such payments unless the State maintains the control required under such agreement: *Provided*, That permission by a State to erect and maintain information displays which may be changed at reasonable intervals by electronic process or remote control and which provide public service information or advertise activities conducted on the property on which they are located shall not be considered a breach of such agreement or the control required thereunder. Such payments shall be paid only from appropriations made to carry out this section. The provisions of this subsection shall not be construed to exempt any State from controlling outdoor advertising as otherwise provided in this section.

(k) Subject to compliance with subsection (g) of this section for the payment of just compensation, nothing in this section shall prohibit a State from establishing standards imposing stricter limitations with respect to signs, displays, and devices on the Federal-aid highway systems than those established under this section.

(l) Not less than sixty days before making a final determination to withhold funds from a State under subsection (b) of this section, or to do so under subsection (b) of section 136, or with respect to failing to agree as to the size, lighting, and spacing of signs, displays, and devices or as to unzoned commercial or industrial areas in which signs, displays, and devices may be erected and maintained under subsection (d) of this section, or with respect to failure to approve under subsection (g) of section 136, the Secretary shall give written notice to the State of his proposed determination and a statement of the reasons therefor, and during such period shall give the State an opportunity for a hearing on such determination. Following such hearing the Secretary shall issue a written order setting forth his final determination and shall furnish a copy of such order to the State. Within forty-five days of receipt of such order, the State may appeal such order to any United States district court for such State, and upon the filing of such appeal such order shall be stayed until final judgment has been entered on such appeal. Summons may be served at any place in the United States. The court shall have jurisdiction to affirm the determination of the Secretary or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the United States court of appeals for the circuit in which the State is located and to the Supreme Court of the United States upon certiorari or certification as provided in title 28, United States Code, section 1254. If any part of an apportionment to a State is withheld by the Secretary under subsection (b) of this section or subsection (b) of section 136, the amount so withheld shall not be reapportioned to the other States as long as a suit brought by such State under this subsection is pending. Such amount shall remain available for apportionment in accordance with the final judgment and this subsection. Funds withheld from apportionment and subsequently apportioned or reapportioned under this section shall be available for expenditure for three full fiscal years after the date of such apportionment or reapportionment as the case may be.

(m) There is authorized to be appropriated to carry out the provisions of this section, out of any money in the Treasury not otherwise appropriated, not to exceed $20,000,000 for the fiscal year ending June 30, 1966, not to exceed $20,000,000 for the fiscal year ending June 30, 1967, not to exceed $2,000,000 for the fiscal year ending June 30, 1970, not to exceed $27,000,000 for the fiscal year ending June 30, 1971, not to exceed $20,500,000 for the fiscal year ending June 30, 1972, and not to exceed $50,000,000 for the fiscal year ending June 30, 1973. The provisions of this chapter relating to the obligation, period of availability and expenditure of Federal-aid primary highway funds shall apply to the funds authorized to be appropriated to carry out this section after June 30, 1967.

(n) No sign, display, or device shall be required to be removed under this section if the Federal share of the just compensation to be paid upon removal of such sign, display, or device is not available to make such payment.

(o) The Secretary may approve the request of a State to permit retention in specific areas defined by such State of directional signs, displays, and devices lawfully erected under State law in force at the time of their erection which do not conform to the requirements of subsection (c), where such signs, displays, and devices are in existence on the date of enactment of this subsection and where the State demonstrates that such signs, displays, and devices (1) provide directional information about goods and services in the interest of the traveling public, and (2) are such that removal would work a substantial economic hardship in such defined area.

(p) In the case of any sign, display, or device required to be removed under this section prior to the date of enactment of the Federal-Aid Highway Act of 1974, which sign, display, or device was after its removal lawfully relocated and which as a result of the amendments made to this section by such Act is required to be removed, the United States shall pay 100 per centum of the just compensation for such removal (including all relocation costs).

(q)(1) During the implementation of State laws enacted to comply with this section, the Secretary shall encourage and assist the States to develop sign controls and programs which will assure that necessary directional information about facilities providing goods and services in the interest of the traveling public will continue to be available to motorists. To this end the Secretary shall restudy and revise as appropriate existing standards for directional signs authorized under subsections 131(c)(1) and 131(f) to develop signs which are functional and esthetically compatible with their surroundings. He shall employ the resources of other Federal departments and agencies, including the National Endowment for the Arts, and employ maximum participation of private industry in the development of standards and systems of signs developed for those purposes.

(2) Among other things the Secretary shall encourage States to adopt programs to assure that removal of signs providing necessary directional information, which also were providing directional information on June 1, 1972, about facilities in the interest of the traveling public, be deferred until all other nonconforming signs are removed.

§ 132. Payments on Federal-aid projects undertaken by a Federal agency.

Where a proposed Federal-aid project is to be undertaken by a Federal agency pursuant to an agreement between a State and such Federal agency and the State makes a deposit with or payment to such Federal agency as may be required in fulfillment of the State's obligation under such agreement for the work undertaken or to be undertaken by such Federal agency, the Secretary, upon execution of a project agreement with such State for the proposed Federal-aid project, may reimburse the State out of the appropriate appropriations the estimated Federal share under the provisions of this title of the State's obligation so deposited or paid by such State. Upon completion of such project and its acceptance by the Secretary, an adjustment shall be made in such Federal share payable on account of such project based on the final cost thereof. Any sums reimbursed to the State under this section which may be in excess of the Federal pro rata share under the provisions of this title of the State's share of the cost as set forth in the approved final voucher submitted by the State shall be recovered and credited to the same class of funds from which the Federal payment under this section was made.

§ 133. [Repealed P.L. 90–495].

§ 134. Transportation planning in certain urban areas.

(a) It is declared to be in the national interest to encourage and promote the development of transportation systems embracing various modes of transportation in a manner that will serve the States and local communities efficiently and effectively. To accomplish this objective, the Secretary shall cooperate with the State and local officials in the development of transportation plans and programs which are formulated on the basis of transportation needs with due consideration to comprehensive long-range land use plans, development objectives, and overall social, economic, environmental, system performance, and energy conservation goals and objectives, and with due consideration to their probable effect on the future development of urban areas of more than fifty thousand population. The planning process shall include an analysis of alternative transportation system management and investment strategies to make more efficient use of existing transportation facilities. The process shall consider all modes of transportation and shall be continuing, cooperative, and comprehensive to the degree appropriate based on the complexity of the transportation problems. After July 1, 1965, the Secretary shall not approve under section 105 of this title any program for projects in any urban area of more than fifty thousand population unless he finds that such projects are based on a continuing comprehensive transportation planning process carried on cooperatively by States and local communities in conformance with the objectives stated in this section. No highway project may be constructed in any urban area of fifty thousand population or more unless the responsible public officials of such urban area in which the project is located have been consulted and their views considered with respect to the corridor, the location, and design of the project.

(b)(1) Within one year after enactment of this subsection, in the absence of State law to the contrary, units of general purpose local government within an urbanized area or contiguous urbanized areas for which a metropolitan planning organization has been designated prior to enactment of this subsection, may by agreement of at least 75 per centum of the units of general purpose local government representing at least 90 per centum of the population of such urbanized area or areas, and in cooperation with the Governor, redesignate as the metropolitan planning organization any representative organization.

(2) Except as provided in paragraph (1), after the date of enactment of this subsection designations of metropolitan planning organizations shall be by agreement among the units of general purpose local government and the Governor.

(c) The Secretary may define those contiguous interstate areas of the Nation in which the movement of persons and goods between principal metropolitan areas, cities, and industrial centers has reached, or is expected to reach, a critical volume in relation to the capacity of existing and planned transportation systems to efficiently accommodate present transportation demands and future growth. After consultation with the Governors and responsible local officials of affected States the Secretary may b[illegible] height, or 150 square feet in area, including border and trim but excluding supports, except Class 2 signs not more than 50 feet from, and advertising activities being conducted upon, the real property where the sign is located.

§ 750.109 Exclusions.

The standards in this part shall not apply to markers, signs and plaques in appreciation of sites of historical significance for the erection of which provisions are made in an agreement between a State and the Secretary of Transportation, as provided in the Act, unless such agreement expressly makes all or any part of the standards applicable.

§ 750.110 State regulations.

A State may elect to prohibit signs permissible under the standards in this part without forfeiting its rights to any benefits provided for in the act.

Subpart B—National Standards for Directional and Official Signs

AUTHORITY: 23 U.S.C. 131, 315, 49 U.S.C. 1651; delegation of authority in 49 CFR 1.48(b).

§ 750.151 Purpose.

(a) In section 131 of title 23, United States Code, Congress has declared that:

(1) The erection and maintenance of outdoor advertising signs, displays, and devices in areas adjacent to the Interstate System and the primary system should be controlled in order to protect the public investment in such highways, to promote safety and recreational value of public travel, and to preserve natural beauty.

(2) Directional and official signs and notices, which signs and notices shall include, but not be limited to, signs and notices pertaining to natural wonders, scenic and historical attractions, which are required or authorized by law, shall conform to national standards authorized to be promulgated by the Secretary, which standards shall contain provisions concerning the lighting, size, number and spacing of signs, and such other requirements as may be appropriate to implement the section.

(b) The standards in this part are issued as provided in section 131 of title 23, United States Code.

[38 FR 16044, June 30, 1973, as amended at 40 FR 21934, May 20, 1975]

§ 750.152 Application.

The following standards apply to directional and official signs and notices located within six hundred and sixty (660) feet of the right-of-way of the Interstate and Federal-aid primary systems and to those located beyond six hundred and sixty (660) feet of the right-of-way of such systems, outside of urban areas, visible from the main traveled way of such systems and erected with the purpose of their message being read from such main traveled way. These standards do not apply to directional and official signs erected on the highway right-of-way.

[40 FR 21934, May 20, 1975]

§ 750.153 Definitions.

For the purpose of this part—

(a) Sign means an outdoor sign, light, display, device, figure, painting, drawing, message, placard, poster, billboard, or other thing which is designed, intended, or used to advertise or inform, any part of the advertising or informative contents of which is visible from any place on the main traveled way of the Interstate or Federal-aid primary highway.

(b) Main traveled way means the through traffic lanes of the highway, exclusive of frontage roads, auxiliary lanes, and ramps.

(c) Interstate System means the National System of Interstate and Defence Highways described in section 103(d) of title 23, United States Code.

(d) Primary system means the Federal-aid highway system described in section 103(b) of title 23, United States Code.

(e) Erect means to construct, build, raise, assemble, place, affix, attach, create, paint, draw, or in any other way bring into being or establish.

(f) Maintain means to allow to exist.

(g) Scenic area means any area of particular scenic beauty or historical significance as determined by the Federal, State, or local officials having jurisdiction thereof, and includes interests in land which have been acquired for the restoration, preservation, and enhancement of scenic beauty.

(h) Parkland means any publicly owned land which is designated or used as a public park, recreation area, wildlife or waterfowl refuge or historic site.

(i) Federal or State law means a Federal or State constitutional provision or statute, or an ordinance, rule, or regulation enacted or adopted by a State or Federal agency or a political subdivision of a State pursuant to a Federal or State constitution or statute.

(j) Visible means capable of being seen (whether or not legible) without visual aid by a person of normal visual acuity.

(k) Freeway means a divided arterial highway for through traffic with full control of access.

(l) Rest area means an area or site established and maintained within or adjacent to the highway right-of-way by or under public supervision or control for the convenience of the traveling public.

(m) Directional and official signs and notices includes only official signs and notices, public utility signs, service club and religious notices, public service signs, and directional signs.

(n) Official signs and notices means signs and notices erected and maintained by public officers or public agencies within their territorial or zoning jurisdiction and pursuant to and in accordance with direction or authorization contained in Federal, State, or local law for the purposes of carrying out an official duty or responsibility. Historical markers authorized by State law and erected by State or local government agencies or nonprofit historical societies may be considered official signs.

(o) Public utility signs means warning signs, informational signs, notices, or markers which are customarily erected and maintained by publicly or privately owned public utilities, as essential to their operations.

(p) Service club and religious notices means signs and notices, whose erection is authorized by law, relating to meetings of nonprofit service clubs or charitable associations, or religious services, which signs do not exceed square feet in area.

(q) Public service signs means signs located on school bus stop shelters which signs—

(1) Identify the donor, sponsor, or contributor of said shelters;

(2) Contain public service messages which shall occupy not less than 5 percent of the area of the sign;

(3) Contain no other message;

(4) Are located on schoolbus shelters which are authorized or approved by city, county, or State law, regulation or ordinance, and at places approved by the city, county, or State agency controlling the highway involved; and

(5) May not exceed 32 square feet in area. Not more than one sign on each shelter shall face in any one direction.

(r) Directional signs means signs containing directional information about public places owned or operated by Federal, State, or local governments or their agencies; publicly or privately owned natural phenomena, historic, cultural, scientific, educational, and religious sites; and areas of natural scenic beauty or naturally suited for outdoor recreation, deemed to be in the interest of the traveling public.

(s) State means any one of the 50 States, the District of Columbia, or Puerto Rico.

(t) Urban area means an urbanized area or, in the case of an urbanized area encompassing more than one State, that part of the urbanized area in each such State, or an urban place as designated by the Bureau of the Census having a population of five thousand or more and not within any urbanized area, within boundaries to be fixed by responsible State and local officials in cooperation with each other, subject to approval by the Secretary. Such boundaries shall, as a minimum, encompass the entire urban place designated by the Bureau of the Census.

[38 FR 16044, June 30, 1973, as amended at 40 FR 21934, May 20, 1975]

§ 750.154 Standards for directional signs.

The following apply only to directional signs:

(a) *General.* The following signs are prohibited:

(1) Signs advertising activities that are illegal under Federal or State laws or regulations in effect at the location of those signs or at the location of those activities.

(2) Signs located in such a manner as to obscure or otherwise interfere with the effectiveness of an official traffic sign, signal, or device, or obstruct or interfere with the driver's view of approaching, merging, or intersecting traffic.

(3) Signs which are erected or maintained upon trees or painted or drawn upon rocks or other natural features.

(4) Obsolete signs.

(5) Signs which are structurally unsafe or in disrepair.

(6) Signs which move or have any animated or moving parts.

(7) Signs located in rest areas, parklands or scenic areas.

(b) *Size.* (1) No sign shall exceed the following limits:

(i) Maximum area—150 square feet.
(ii) Maximum height—20 feet.
(iii) Maximum length—20 feet.

(2) All dimensions include border and trim, but exclude supports.

(c) *Lighting.* Signs may be illuminated, subject to the following:

(1) Signs which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights are prohibited.

(2) Signs which are not effectively shielded so as to prevent beams or rays of light from being directed at any portion of the traveled way of an Interstate or primary highway or which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle, or which otherwise interfere with any driver's operation of a motor vehicle are prohibited.

(3) No sign may be so illuminated as to interfere with the effectiveness of or obscure an official traffic sign, device, or signal.

(d) *Spacing.* (1) Each location of a directional sign must be approved by the State highway department.

(2) No directional sign may be located within 2,000 feet of an interchange, or intersection at grade along the Interstate System or other freeways (measured along the Interstate or freeway from the nearest point of the beginning or ending of pavement widening at the exit from or entrance to the main traveled way).

(3) No directional sign may be located within 2,000 feet of a rest area, parkland, or scenic area.

(4)(i) No two directional signs facing the same direction of travel shall be spaced less than 1 mile apart;

(ii) Not more than three directional signs pertaining to the same activity and facing the same direction of travel may be erected along a single route approaching the activity;

(iii) Signs located adjacent to the Interstate System shall be within 75 air miles of the activity; and

(iv) Signs located adjacent to the primary system shall be within 50 air miles of the activity.

(e) *Message content.* The message on directional signs shall be limited to the identification of the attraction or activity and directional information useful to the traveler in locating the attraction, such as mileage, route numbers, or exit numbers. Descriptive words or phrases, and pictorial or photographic representations of the activity or its environs are prohibited.

(f) *Selection method and criteria.* (1) Privately owned activities or attractions eligible for directional signing are limited to the following: natural phenomena; scenic attractions; historic, educational, cultural, scientific, and religious sites; and outdoor recreational areas.

(2) To be eligible, privately owned attractions or activities must be nationally or regionally known, and of outstanding interest to the traveling public.

(3) Each State shall develop specific selection methods and criteria to be used in determining whether or not an activity qualifies for this type of signing. A statement as to selection methods and criteria shall be furnished to the Secretary of Transportation before the State permits the erection of any such signs under section 131(c) of title 23, United States Code, and this part.

§ 750.155 State standards.

This part does not prohibit a State from establishing and maintaining standards which are more restrictive with respect to directional and official signs and notices along the Federal-aid highway systems than these national standards.

[38 FR 16044, June 20, 1973, as amended at 40 FR 21934, May 20, 1975]

Subpart C—[Reserved]

Subpart D—Outdoor Advertising (Acquisition of Rights of Sign and Sign Site Owners)

AUTHORITY: 23 U.S.C. 131 and 315; 23 CFR 1.32 and 1.48(b).

SOURCE: 39 FR 27436, July 29, 1974, unless otherwise noted.

§ 750.301 Purpose.

To prescribe the Federal Highway Administration (FHWA) policies relating to Federal participation in the costs of acquiring the property interests necessary for removal of nonconforming advertising signs, displays and devices on the Federal-aid Primary and Interstate Systems, including toll sections on such systems, regardless of whether Federal funds participated in the construction thereof. This regulation should not be construed to authorize any additional rights in eminent domain not already existing under State law or under 23 U.S.C. 131(g).

§ 750.302 Policy.

(a) Just compensation shall be paid for the rights and interests of the sign and site owner in those outdoor advertising signs, displays, or devices which are lawfully existing under State law, in conformance with the terms of 23 U.S.C. 131.

(b)(1) Federal reimbursement will be made on the basis of 75 percent of the acquisition, removal and incidental costs legally incurred or obligated by the State.

(2) Federal funds will participate in 100 percent of the costs of removal of those signs which were removed prior to January 4, 1975, by relocation, pursuant to the provisions of 23 CFR § 750.305(a)(2), and which are require[d] to be removed as a result of th[e] amendments made to 23 U.S.C. § 13[1] by the Federal-Aid Highway Amend[-]ments of 1974, P.L. 93-643, § 109, Janu[-]ary 4, 1975. Such signs must have bee[n] relocated to a legal site, must hav[e] been legally maintained since the relo[-]cation, and must not have been sub[-]stantially changed, as defined by th[e] State maintenance standards, issue[d] pursuant to 23 CFR § 750.707(b).

(c) Title III of the Uniform Reloca[-]tion Assistance and Real Property Ac[-]quisition Policies Act of 1970 (4[2] U.S.C. 4651, et seq.) applies excep[t] where complete conformity woul[d] defeat the purposes set forth in 4[2] U.S.C. 4651, would impede the exped[i-]tious implementation of the sign r[e-]moval program or would increase a[d-]ministrative costs out of proportion [to] the cost of the interests being a[c-]quired or extinguished.

(d) Projects for the removal of ou[t-]door advertising signs including har[d-]ship acquisitions should be program[ed] and authorized in accordance wi[th] normal program procedures for righ[t-]of-way projects.

[39 FR 27436, July 29, 1974; 39 FR 303[..] Aug. 22, 1974, as amended at 41 FR 311[..] July 27, 1976]

§ 750.303 Definitions.

(a) *Sign.* An outdoor sign, light, d[is-]play, device, figure, painting, drawi[ng,] message, placard, poster, billboard [or] other thing which is designed, inte[nd-]ed of the advertising or informat[ive] contents of which is visible from a[ny] place on the main-traveled way of t[he] Interstate or Primary Systems, whe[th-]er the same be permanent or porta[ble] installation.

(b) *Lease* (license, permit, agr[ee-]ment, contract or easement). An agr[ee-]ment, oral or in writing, by which p[os-]session or use of land or inter[est] therein is given by the owner or ot[her] person to another person for a sp[eci-]fied purpose.

(c) *Leasehold value.* The leaseh[old] value is the present worth of the [dif-]ference between the contractual [rent] and the current market rent at [the] time of the appraisal.

WITNESS STATEMENT

NAME Nina Teigen H BILL No. 547

ADDRESS Helena DATE 3/12/81

WHOM DO YOU REPRESENT Mont. Stockgrowers, Woolgrowers + Cowbelles

SUPPORT X OPPOSE AMEND

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

While the incident which precipitated this bill arose in the Browning area it brought up the need for special arrangements with respect to signs promoting local nonprofit cultural or historical facilities. All three of our groups strongly support HB 547 and hope you can give it the DoPass recommendation.

SENATE COMMITTEE HIGHWAYS AND TRANSPORTATION

Date 3/12/81 House Bill Bill No. 547 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 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.)

SENATE COMMITTEE HIGHWAYS AND TRANSPORTATION

Date 3/12/81 House Bill No. 320 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 Not Concurred In

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

SENATE COMMITTEE HIGHWAYS AND TRANSPORTATION

Date 3/12/81 House Bill No. 593 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.)

SENATE COMMITTEE HIGHWAYS AND TRANSPORTATION

Date 3/12/81 House Bill No. 522 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 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.)

SENATE COMMITTEE HIGHWAYS AND TRANSPORTATION

Date 3/12/81 House Bill No. 299 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 Amended & as so amended Be Concurred in

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

STANDING COMMITTEE REPORT

March 12 1981

MR. kPresident:

We, your committee on Highways and Transportation

having had under consideration House Bill No. 522

STOBIE
(GRAHAM)

Respectfully report as follows: That House Bill No. 522

J.C.

~~DO PASS~~

BE CONCURRED IN

Senator Mark Etchart Chairman.

STATE PUB. CO.
Helena, Mont.

STANDING COMMITTEE REPORT

March 12 19 81

MR. President:

We, your committee on Highways and Transportation

having had under consideration House Bill No. 593

GOULD (Stephens)

Respectfully report as follows: That House Bill No. 593

H.C.

~~DO PASS~~
BE CONCURRED IN

STATE PUB. CO.
Helena, Mont.

Senator Mark Etchart Chairman.

STANDING COMMITTEE REPORT

March 12 1981

MR. President:

We, your committee on Highways and Transportation

having had under consideration House Bill No. 320

KROPP (Etchart)

Respectfully report as follows: That House Bill No. 320

P.C.

~~XXXPASSX~~
BE NOT CONCURRED IN

Senator Mark Etchart Chairman.

STATE PUB. CO.
Helena, Mont.

STANDING COMMITTEE REPORT

March 12 19 81

MR. President:

We, your committee on Highways and Transportation

having had under consideration House Bill No. 547

C. SMITH (Tveit)

Respectfully report as follows: That House Bill No. 547

G.C.

~~XXXXXXX~~

BE CONCURRED IN

STATE PUB. CO.
Helena, Mont.

Senator Mark Etchart Chairman.

STANDING COMMITTEE REPORT

March 12 19 81

MR. President:

We, your committee on Highways and Transportation

having had under consideration House Bill No. 299

SHONTZ (Tveit)

Respectfully report as follows: That House Bill No. 299

third reading bill be amended as follows:

1. Title, line 7.
Following: "MCA"
Insert: "; AND PROVIDING AN EFFECTIVE DATE"

2. Page 4, following line 20.
Insert: "Section 3. Effective date. [This act] is effective on July 1, 1981."

3. Page 4, line 14.
Following: "axle"
Insert: "but the maximum load per inch of tire width may not exceed 670 pounds"

XDO PASSX
And, as so amended,
BE CONCURRED IN

Senator Mark Etchart Chairman.

STATE PUB. CO.
Helena, Mont.