

MINUTES OF THE MEETING
HIGHWAYS AND TRANSPORTATION COMMITTEE
MONTANA STATE SENATE

January 29, 1985

The fifth meeting of the Highways and Transportation was called to order at 1:05 p.m. on January 29, 1985, by Chairman Lawrence G. Stimatz in Room 410 of the Capitol Building.

ROLL CALL: All members were present.

There were visitors in attendance. (SEE ATTACHMENT)

CONSIDERATION OF HOUSE BILL 58: Representative Gilbert, House District 22, was the sponsor of this bill. He stated the title of this bill, An Act To Clarify The Exemption From Motor Carrier Regulations For Certain Types of Livestock Hauling. This bill does not restrict farmers and ranchers from hauling their own product to market or anywhere else in the State of Montana. Under the private carrier act, anyone can haul their own product anywhere in the State of Montana. This bill strictly addresses the transportation of livestock for your neighbor on a gratuitous basis, in other words, not allowing you to charge for a profit. There are people in the State of Montana who have taken advantage of their position and have become illegal uncertificating carriers, in other words, they are out competing on a daily basis with certificating carriers in the State of Montana. They have some distinct advantages, one is that they are only paying 16% GVW fees, another is that they are not required to have on copy with the Secretary of State a copy of their liability or cargo insurance. Should That carrier loose a load of cattle, the farmer would be in trouble without insurance to cover his product. So what the farmers and ranchers are doing is running in direct competition with certificated carriers. Representative Gilbert's feeling was that if they want to be certificated carriers, let them go to the Public Service Commission, make an application for the authority in the area they wish to operate, be it one county, five counties, or state wide, as all of us have done in the trucking business through the years. A change that was not noted was on page 2, line 2, changing the length of the cargo bed from 22 feet to 24 feet or less. Representative reserved the right to close until after questions were called for. The general summary of this bill is attached as EXHIBIT 1.

PROPONENTS: Representative Gilbert, House District 22, spoke in support of HB 58.

Ben Havdahl, representing the Montana Motor Carriers Association, spoke in support of HB 58. He pointed out the word gratuitous in the bill, and gave a definition to the word: in essence, gratuitous means you can haul for nothing, or service for which the livestock owner reimburses the transporter in money or in kind for his fuel and expenses associated with the transportation. (Page 2, lines 6-12) Mr. Havdahl read through his written statement.
(SEE EXHIBIT 2)

Michael Riley, representing Riley Trucking Service, Inc., Dillon, Montana, spoke in support of HB 58. He stated that as a member of the trucking industry, he made it clear that they do not oppose the continued use of the exemption as it was originally intended. That is for bona fide farmers and ranchers to be able to transport their product, either on their property or to a market, as long as that act did not put them in direct competition on an unfair basis with those carriers who are in fact regulated by the State of Montana to do the very same thing. It was his experience that since the passage of this exemption, there has been created an industry that is out of control of the PSC. They experienced in southwestern Montana, where they do the bulk of their livestock hauling, a number of accidents. The accidents were fortunately covered by insurance pursuant to PSC regulation. They have been trying to change what they see as unfair competition.

OPPONENTS: Senator Smith, representing himself as a livestock producer and livestock shipper, spoke against HB 58. He is not in the trucking business. He pointed out that they went through this same thing in the 1969 or 1971 session. He worked very closely with the trucking industry, and worked out a very good compromise that seemed like it had worked for all these years.

Walter Morris, representing himself, spoke against HB 58.
(SEE EXHIBIT 3)

Ray P. Myers, representing himself and the Agriculture Preservation of Gallatin County, spoke against HB 58. (SEE EXHIBIT 4)

Wayne Budt, representing the Montana Public Service Commission (PSC), spoke against HB 58. (SEE EXHIBIT 5)

George Dundas, representing himself, spoke against HB 58. He said there are not enough truckers and the MRC truckers do not like to go out on the gravel roads.

Stuart Doggett, representing the Stock Growers Association, stated that he was not speaking as an opponent nor a proponent to this bill. His association wanted to monitor this bill and make sure it would protect the interest of ranchers who haul their own cattle to market or haul their neighbors cattle to market.

Senator John Anderson, Senate District 37, also stated that he was not speaking as an opponent nor a proponent to this bill. He stated there was a lot of confusion and misunderstanding that should be clarified concerning this bill.

Representative Nathe, House District 19, spoke against HB 58. He stated that if this bill passes it will stimulate an influx of out-of-state trucks to come into Montana to haul cattle out. An option he presented would be to grant to all of the unlicensed haulers, that are hauling now, the same thing that was done in 1973, extend to them the MRC permit.

Further testimony opposing HB 58, which was turned in at the hearing or mailed in, are listed as follows:

Dan C. Hill, Dillon, Montana (EXHIBIT 6)
Dan L. Hill, Dillon, Montana (EXHIBIT 7)
Larry Bradley, Glen, Montana (EXHIBIT 8)
Gerald Buck, (EXHIBIT 9)
Lloyd D. Carlson and Fred E. Carlson, Twin Bridges, Montana
(EXHIBIT 10)
Gary W. Hubert, Twin Bridges, Montana (EXHIBIT 11)
Lyn Ballard, (EXHIBIT 12)
Bob Krauth, Wolf Point, Montana (EXHIBIT 13)
Phil Baker, Whitehall, Montana (EXHIBIT 14)
Henry Martin, Saco, Montana (EXHIBIT 15)
Gloria Gilbert, Belgrade, Montana (EXHIBIT 16)
Colleen Smith, representing Bob Smith Trucking, Malta, Montana
(EXHIBIT 17)

Further opponents who called in to be on record as opposing HB 58 are listed as follows:

Nelson's Accounting Firm, Plentywood, Montana
Carol Sibley, Nashua, Montana
Myron Halverson, Daniels County Farm Bureau
Ron Fladager, Peerless, Montana
Leon Cantrell, Scobey, Montana
Orville Odegard, Whitetail, Montana
Glen Kleeman, Peerless, Montana
Roger Kleeman, Peerless, Montana
Michelle Stenglein, Opheim, Montana
Alvin Cantrell, Whitetail, Montana
John Nyquist, Opheim, Montana
Mrs. Robert Westland, Opheim, Montana
Robert Westland, Frazer, Montana
Wayne Waarbik Jr., Glasgow, Montana
Patricia and Willert Frauth, Opheim, Montana

Chairman Stimatz asked Representative Gilbert if he would like to close.

Representative Gilbert, in closing, stated that basically the word gratuitous and the definition thereof, was added to the existing law in hopes to clarify the law and make it a little easier to enforce. The PSC was not able to enforce the law as it was, and they say they can't enforce it as it is written now. Perhaps we will have to change it to some point where they can enforce it. Representative Gilbert felt that the committee better look at the bill, study the statutes and understand what they're faced with and try to make a rational decision that would benefit both the carriers and the haulers.

Questions from the committee were called for.

Senator Williams asked Wayne Budt to clear up the meaning of the words to a point on page 2, line 1 of the bill. He was told that if the words were struck it would tighten up the regulation that PSC had.

Senator Shaw asked Ben Havdahl how many trucks there were available for hauling cattle prior to going under the PSC? Mr. Havdahl replied that he did not know in digits, but prior to the adoption of this law, all of the commercial haulers were brought under the act and given authority to haul.

Senator Shaw then asked if the numbers have increased or decreased since he has been with the PSC? Michael Riley replied by stating that he has been with the PSC since 1977 but it's hard to tell if there has been an increase or decrease in the number of haulers. Mr. Riley said obviously the number of power units have increased in the State, but as far as livestock carriers go, he did not know.

Senator Lybeck asked Michael Riley if he had people that came to him that wanted to lease from him? Mr. Riley replied that from time to time he had people asking to lease from him, but it was not a regular occurrence.

Senator Lybeck then asked Mr. Riley what he received in compensation? Mr. Riley replied that they usually got 15% of the gross amount of dollars generated by that persons activity.

Senator Stimatz asked Michael Riley if there was a set rate that could be charged for hauling? Mr. Riley replied that it is under a tariff set by the PSC. (SEE EXHIBIT 18)

Senator Shaw asked Ben Havdahl if there was a different tariff for traveling on gravel roads? Mr. Havdahl replied that there was a different tariff for that.

Senator Shaw then asked what the tariff was? Mr. Havdahl replied that it was set per milage and per weight basis and it does not vary for the same distance for the same load.

Senator Shaw followed up by asking why truckers have to pay 3-4 dollars per mile when pulling on gravel roads? Ben Havdahl replied by stating that if the tariff is prescribed and not being charged, the regulated carrier is violating the law.

Wayne Budt commented by stating that some tariff's include an off the road additional charge, and if this tariff does, that's where the 3-4 dollar charge comes from, if it doesn't, they can't add anything to that rate.

Senator Smith commented on this by stating that he paid \$186 for one load and \$282 for another load that was only 3 miles different, and this was an MRC hauler. He was told by the secretary of the trucking agency that this was the rate set out by the PSC, and he wondered if the rates were really fair.

Senator Williams stated that he talked with a farmer that pays 75% of the GVW fee on his tractor and his trailer, he then talked with an MRC man who claimed he paid 100% on his tractor because he hauled other commodities, and 75% on his trailer. Senator Williams then asked Ben Havdahl if the MRC man was beating the PSC out of 25% or could the farmer hauler get by on the 16% listed in EXHIBIT 2? Mr. Havdahl replied that the 16% was the GVW percentage for a piece of equipment registered as a farm vehicle. Many of the bogus carriers are operating equipment registered as farm vehicles. If it is registered as a farm vehicle, under the statute it is 16% of the total GVW fee.

Senator Williams asked Ben Havdahl if the GVW people have any control over the people hauling on this 16% permit when they pull across the scale? Mr. Havdahl replied that when they do pull across the scale, the registration in the truck shows it as a 16% GVW fee and identifies it as a farm vehicle. At that point, the enforcement officer, be it a GVW officer or otherwise, may take issue whether the driver is legally operating a piece of equipment or hauling a legal load or under legal weight.

Senator Williams stated that some truckers he talked to were paying the 75% GVW fee and he did not see that fee listed in the material Ben Havdahl gave out (EXHIBIT 2), and he wanted to find out why they were paying the 75% fee.

Mr. Morris commented on Senator Williams' confusion by stating that the 75% fee is listed for hauling livestock and logs. Someone who is hauling strictly livestock will fall under the 75% GVW fee. The reason why the MRC haulers pay that 75% rather than the 100% fee is because that is the rate for livestock and that is all they haul in that trailer. The 100% fee covers everything, flatbeds, produce trailers, etc. The 16% fee is for farmers hauling their own products, etc.

Senator Stimatz asked Wayne Budt if there was any quota on certificate B licenses? Mr. Budt replied that it was based strictly on public need, and that is demonstrated at a hearing. If it's protested, they have to prove two points, that they're fair, willing, and able to provide the service if they have the financial backing, and if there is a public need for it. To prove the public need portion, they bring in witnesses to show that the present carriers can't provide the service, and the commission should put another authority into that area. Those are appealable in District Court or Supreme Court.

Senator Stimatz then asked what was meant by witnesses? Mr. Budt replied that they are potential shippers and customers who actually pay freight.

Senator Farrell asked Wayne Budt to explain the protest and what the people have to go through to combat the protest that can be objected to when a person applies, and the process they have to go through to prove that those protests are not valid at a District Court hearing or a PSC hearing. Mr. Budt addressed Senator Farrell by going through the process. First you make an application, and applications are noticed once a month. Then they are reviewed by the MRC carriers and

and it is up to them to protest the ones they feel affect them. If protested, they are set for hearing with both sides being represented by council if wished. It is a recorded hearing, and the applicant must have proof to prove that there is a need for another authority out there.

Senator Farrell asked how they proved that? Mr. Budt replied that they have to bring in people to show that they can't get the service from the regulated carriers. Basically they have to show deficiencies in service and that the present carrier can't provide the service they need.

Senator Tveit asked Wayne Budt what the cost was to apply for a certificate? Mr. Budt replied that the average state wide certificate is \$300.

Senator Williams asked Wayne Budt if he could legally buy a permit from someone for \$5000 and operate just as though he went through the PSC? Mr. Budt replied that he, or anyone, could go and buy a permit as such.

Senator Bengston asked Wayne Budt if she were a bogus hauler, and he a regulated hauler, would there be any limitation to what he could charge her for coming under his authority? Mr. Budt replied that there was no maximum charge.

Senator Shaw asked if the rates had gone up in the last 4 years? Ben Havdahl replied that they have gone up by 10%.

Senator Lybeck asked what the rationale was behind changing the length of the bed from 22 feet to 24 feet? Ben Havdahl replied by stating that most trucks have 24 foot beds now, and when this bill was written, 10 or 12 years ago, 22 foot was the standard length.

Senator Bengston asked who actually pays insurance and who actually carries this insurance? Ben Havdahl replied by stating that the rates prescribed, at which a regulated carrier operates, include all charges. If there are regulated carriers who are charging a rate and then adding on additional insurance costs, it is illegal. The cost of the entire operation is calculated in the rates prescribed.

Senator Farrell added that this is just for the trucks in Montana.

Senator Shaw asked what the penalty was for truckers cheating? Ben Havdahl replied that there is a fine of up to \$5000 and loss of their authority.

Senator Smith commented on insurance by stating that the insurance is not on the trailer, it is on the livestock that goes into the trailer. If the person is hauling out-of-state, he can charge an additional fee for the insurance on those livestock.

Senator Bengston asked Wayne Budt if all other commodities are regulated and if they exempted livestock what sort of predicament would they be getting into? Mr. Budt replied that basically transportation for hire is regulated except for raw agricultural products, which is livestock.

Wayne Budt read from Section 69-12-102, MCA, Scope of the Chapter Exemptions, which stated all commodities that are not regulated. As far as raw agricultural commodities are concerned, livestock is the only one that is regulated.

The hearing was closed on HB 58.


ANNOUNCEMENTS:

The committee will meet on Thursday, January 31, 1985, and have an executive session on SB 74, SB 101, SB 113, HB 21, and HB 58.

The committee will not meet on Saturday, February 2, 1985.

ADJOURNMENT:

The meeting was adjourned at 2:40 p.m.



LAWRENCE G. STIMATZ
CHAIRMAN

ROLL CALL

HIGHWAY AND TRANSPORT. COMMITTEE

48th LEGISLATIVE SESSION -- 1985

Date 1-29-85

SENATE
SEAT
#

NAME	PRESENT	ABSENT	EXCUSED
#7 SENATOR STIMATZ	X		
#25 SENATOR XMANXKX			
#27 SENATOR BENGTON	X		
#8 SENATOR DANIELS	X		
#32 SENATOR FARRELL	X		
#42 SENATOR HAGER	X		
#48 SENATOR LYBECK	X		
#23 SENATOR SHAW	X		
#3 SENATOR TVEIT	X		
#39 SENATOR WILLIAMS	X		

Each day attach to minutes.

DATE: JANUARY 29, 1985

COMMITTEE ON Highways and Transportation

VISITORS' REGISTER

[illegible]

(Please leave prepared statement with Secretary)

SUMMARY OF BILL TO BE HEARD BY
SENATE COMMITTEE ON HIGHWAYS AND TRANSPORTATION

TUESDAY, JANUARY 29, 1985

HB 58, Introduced by Representative Gilbert. This bill provides that movement of livestock by an agricultural operator in a truck with a bed shorter than 24 feet without compensation is exempt from regulation under the Motor Carriers law.

MMCA STATEMENT ON HB 58

Present Montana law prohibits the commercial hauling of livestock for hire without a certificate of public convenience and necessity from the Public Service Commission. It does so in three different sections of the statute, 69-12-401, says it's unlawful to operate a motor vehicle for transportation of persons and/or property for hire on any public highway in this state except in accordance with the provisions of this chapter....69-12-405 specifically says one may not operate a motor vehicle in the commercial transportation of livestock for hire without having first obtained a Class B Certificate of Public Convenience and Necessity from the PSC....and 69-12-312 says no Class B carrier shall operate for transportation of property for hire on any public highway without first having obtained a certificate of public convenience and necessity requiring such operation....It seems to me the law is crystal clear....

The law does, however, under 69-12-405 provide for an exception by exempting from regulation bona fide farmers, ranchers, and livestock raisers, who haul, on a non-commercial basis his own and/or a neighbor's livestock. In fact the law exempts the "commercial transportation" of livestock in a vehicle with a cargo bed of 22 feet in length. HB 58 PROVIDES FOR THE CONTINUATION OF THIS EXEMPTION....and, in fact, increases the cargo bed length from 22 feet to 24 feet.

The hauling of livestock under the exemption for farmers and ranchers hauling their own livestock, or a neighbor's, is on the same basis as any other private carrier of commodities under the law. 69-12-107 clearly states, "Nothing in this chapter shall be construed as converting or attempting to convert a private carrier into a common carrier....".

HB 58 attempts to clarify the type of hauling under the exemption for a neighbor in a tractor-trailer combination, for example, to be on a "gratuitous" basis and provides for the reimbursement of expenses such as fuel and other costs associated with the haul. Present law does not intend for such hauls to be for a profit...and on a commercial "for hire" basis. If so, the state would have two distinct groups of "commercial" livestock carriers operating "for hire":....one, a group composed of unregulated truckers, operating without PSC authority and the other a group of regulated carriers operating under PSC authority.

The exemption provision did not, in our opinion, intend such a system. The exemption for bona fide farmers, ranchers, and livestock raisers, is in the law to supplement the transportation by commercial carriers during the peak of the demand for livestock transportation. The industry supports the continuation of this exemption for the bona fide farmer, rancher, and livestock raiser.

The regulated carriers of livestock are, however, concerned with the growing proliferation of livestock trucking companies who operate under the "guise" of being a bona fide farmer, rancher, or raiser of livestock and, in fact, are in the "commercial - for hire" livestock hauling business outside of the law without approved authority; in other words, operating as bogus haulers.

Regulated livestock carriers must meet the common carrier obligation of the law by making substantial investments in equipment ready to meet, on demand, the requirements of shippers they serve. "Bogus haulers" do not!

Regulated livestock carriers must provide insurance on all shipments to cover any loss, paying thousands of dollars annually for premiums. "Bogus haulers" do not!

Regulated livestock carriers must meet safety requirements for all equipment they operate and make expenditures to maintain safe equipment. "Bogus haulers" do not!

Regulated livestock carriers pay 100% of required GVW fees and property taxes on equipment. "Bogus haulers" do not....they register their equipment as a farm vehicle and pay only 16% of the required GVW fees. A regulated carrier operating an 80,000 pound 5-axle tractor-semitrailer pays Montana GVW fees of \$1,784.00; 16% of that fee is only \$285.44.

Regulated livestock carriers operate under a tariff approved by PSC that is fair and non-discriminating to shippers. "Bogus haulers" do not! "Bogus haulers" are taking unfair advantage of the loopholes in the law, cutting prices and not operating under approved rates.

The advantage to the "bogus haulers", operating outside of the requirements of the law, is obvious and detrimental to the regulated intrastate livestock carrier who must, by law, meet all the requirements of a common carrier.

Where the need for additional livestock hauling service exists, the law provides for any qualified person to apply for a certificate of public convenience and necessity to meet the demand and provide the service. The key is "necessity for the service" required by shippers and the public; Section 69-12-312 provides for the step by step procedure to be followed in filing an application for authority, including a written application for each locality to be served; name and kind of transportation, and character of the operation; a schedule of rates to be charged; description of the property to be devoted to public service; financial information and such other information as may be required. Section 69-12-321 provides for a hearing on the application within 60 days; 69-12-322 sets out the hearing notice and 69-12-323 requires a decision on the application by PSC within 180 days after completed filing.

There is no quota for certificates issued to haul livestock under authority. From figures submitted to the PSC in annual reports of regulated livestock carriers, the economics of the regulated livestock hauling industry leave a great deal to be desired. The Montana Livestock Tariff Bureau has 137 total regulated livestock carriers as members. In 1983, 56 of the 137 carriers, 41%, reported combined revenues to PSC from livestock hauling of \$3,151,536 with expenses of \$3,194,781. 25 of the carriers submitted no report at all, so it cannot be determined whether they had any revenue or not. 13 carriers simply indicated on their reports, "No Activity". 43 carriers with livestock authority reported revenue from other regulated commodities they hauled but none from livestock. So, if one adds up the carriers who (1) filed no report (2) filed no activity in the reported filed and (3) carriers with no revenue from livestock hauling, they total 81 of the 137 or 60%. If additional authority is being denied on the basis of the existing 137 certificates of public convenience and necessity already issued, it seems that PSC does not have a clear picture of what the needs are of shippers.

The present regulated system is designed to insure adequate transportation for shippers in the state. HB 58 IS DESIGNED TO INSURE THE CONTINUATION OF A BADLY NEEDED TRANSPORTATION SYSTEM FOR LIVESTOCK CARRIAGE IN MONTANA.

HB 58 was supported in the House Highways and Transportation Committee by the Montana Stockgrowers Association, the Montana Woolgrowers Association, and the Montana Motor Carriers Association and the Montana Public Service Commission.

HB 58 received a strong vote 84 to 14 on final passage in the House. We urge your support of this legislation.

Jan 21-85
Billings, Mont

Gentlemen

the way I see it if you dont have
MRC you dont haul, because if they
dont, it will be the same as always
they haul my customers for less so I
sit and watch as I abide by the rates
now I have counted around Billings
here came up with 40 truckers with
no MRC Hauling cattle for hire. These
are not farmers or Ranchers they
are truckers that just want trucking
they are never bothered at the
scales or by the PSC Cause there
man can never be out checking these
Trucks out. I say enforce MRC or
throw it out Cost me 90.00 Per year for what?

MRC 3587 A Gene
lover

bring this up whenever, about these
40 trucks I can produce the names
if needed, they just buy trucks and
go hauling cattle & never bothered
make scale men check them out & patrol.

yours truly
Harold Gerred

3110 Old Hardin Rd
Billings, Mont, 59101

new
address

RECEIVED
JAN 28 1985
MONTANA MOTOR
CARRIERS ASSN., INC.

(This sheet to be used by those testifying on a bill.)

NAME: WALTER MORRIS DATE: 1-29-85

ADDRESS: RURAL ROUTE TWIN BRIDGES, MT. 59754

PHONE: 684-5413

REPRESENTING WHOM? WALTER MORRIS RANCH

APPEARING ON WHICH PROPOSAL: H.B. 58

DO YOU: SUPPORT? AMEND? OPPOSE? X

COMMENT: THANK YOU FOR YOUR TIME

& CONSIDERATION

Walter Morris

PLEASE SEE PREPARED STATEMENT

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

Ladies and Gentlemen of the Committee

My name is Walter Morris. Thank you for allowing me to express my opposition to N. B. 58.

I am a small family farmer, running a hay, grain and livestock ranch in conjunction with my father's ranch. I also own my own truck with which I haul my hay and grain and do some cow hauling for other people along with mine. Together we run approximately 400 cattle which are mostly cows and calves sold at weaning time. This is the type of operation that is characteristic of Madison County.

We run on a grazing association that runs approximately 4500 pairs of cattle. We are each allotted a day to go on the association. Prior to my purchasing my own truck, we had difficulty in booking trucks and often relied on 2 ranchers to haul our cattle. Each day that we were delayed, we had to feed approximately 6 tons of hay. Using \$75 as a price, that comes to \$450 per day. As you can see, a wait of 7 days would cost us

- approximately \$3000. When one of the men that had hauled our cattle retired, we decided that with the hay hauling we hired done and the need for a way to get our cattle to range, we purchased a used truck. In order to get our cattle to range as quickly & easily as possible, we trade hauling with a couple more ranchers and help each other haul. This has worked out well.

- We have in the past run into several situations when we have helped out other ranchers, who were told by truckers, that they contacted, that there would be an extended wait. Over the period of years that we have had our truck, we have acquired some of these local ranchers who we haul for. We don't advertise, hang around the sales barns, or in any way solicit livestock hauling.

- I carry livestock transit insurance, which insures all livestock I haul against injury or death. As a rancher I know that the loss of one or two animals is a concern and the cargo insurance carried by most truckers only pays on collision or upset of the truck.

- If this bill passes it will put a heavy burden on the enforcement agencies but more

serious, and alarming to me; it will put a serious financial burden on an already faltering livestock industry in the state.

Please, if you feel you must further control livestock hauling, don't punish us who are struggling to make a living in the livestock industry by making it difficult to get our livestock moved.

(This sheet to be used by those testifying on a bill.)

NAME: R. P. Myers Jr. DATE: Jan 29 1985

ADDRESS: 5480 Sourdough Rd

PHONE: 387 8513

REPRESENTING WHOM? self & APA

APPEARING ON WHICH PROPOSAL: HB 58

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

COMMENT:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.



TRIPLE TREE RANCH

5480 SOURDOUGH ROAD

BOZEMAN, MONTANA 59715

TELEPHONE 587-8513
587-4821

We oppose HB.58 for the following reasons:

1. We feel it is discriminatory in that livestock is the only farm commodity regulated in State. Grain and hay are not.
2. Most agriculture people today have either trucks or goose-neck trailers 24-30 feet or longer. Many have hay and or grain semis and transport livestock on the side to supplement their income. Times are tough in the agriculture community and any cash flow especially in winter months can make the difference between survival and foreclosure.
3. Most of us with larger trucks do carry cargo insurance. We could not afford to be without.
4. Agricultural people are responsible citizens, and not only pay substantial property taxes, we also pay taxes on these very same vehicles, plus Montana fuel taxes, and Federal highway use taxes. (Six month taxes last year on ours was \$309.64 county tax and in excess of \$130 in GVW taxes) These are monies that would not be available if we could not "make money" with a semi, whether it be hay, grain or livestock.
5. Who is going to enforce such a law? Who is going to pay for enforcing such a law? How can you be sure I'm not charging my next overhaul or set of tires. I see any law such as this a law enforcement nightmare. This legislation is going to make "coyotes" out of alot of bona fide ranchers and farmers that need a cash flow in these tough enough times.

Thank you

Box
Original IN 125+ unit of \$30-40,000 - A
truck has to make money for us
today - Not short term hay & grain, but
anywhere we can use it -
R.P. Meyer

(This sheet to be used by those testifying on a bill.)

NAME: Wayne Budd DATE: 1/29/85

ADDRESS: 2701 Prospect Ave

PHONE: 444-6195

REPRESENTING WHOM? Montana Public Service Comm

APPEARING ON WHICH PROPOSAL: HB 50

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

COMMENT: _____

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

HOUSE BILL 58

The Montana Public Service Commission is opposed to HB 58.

Our opposition to the bill is limited to the enforcement problems it presents. Part b of Section 3 on Page 2, beginning on line 10, allows for the reimbursement of the transporter for his fuel and expenses. Reimbursement for fuel is a simple calculation. However, expenses can include repair and maintenance, depreciation, labor and other factors. Each of these expenses would be different for each farmer or rancher and the only way to determine if a farmer or rancher is hauling gratuitously is to audit his books and records.

It is conceivable that if someone wants to get around this law he would only have to take the rate he is presently charging and break it down for various costs and then lump the remainder into labor and still charge the same rate while calling it gratuitous.

The livestock regulation law as it presently stands is very difficult to enforce, in that an enforcement officer must determine if the transporter is a bona fide farmer or rancher, which is almost impossible to do on the road. However, after reviewing the proposed changes, it is the Commission opinion that applying a gratuitous transportation test, as set out in this bill, will not help strengthen this law for enforcement purposes by the Commission.

Senate Highway Committee
To Whom it may Concern

I oppose House Bill 58
for the following reasons.

- (1) There are not enough trucks in this area with M.R.C. authority to haul cattle to and from summer pasture or to market in the fall. As for going onto associations they set the days everybody has to come on or go off and you can't find enough trucks to do the job as this is also the time a lot of others are going to pasture. Most times when you are trying to go to market it is for a special feeder sale or a lot of other people are going so you can't get trucks there.
- (2) We bought our trucks to haul

our own cattle to pasture 64 miles one place and 60 miles to an association. But without some outside hauling it would be impossible to own our own trucks. therefore put a financial burden on the ranch.

Thank you
Dan C. Hill

Senate Highway Committee
To whom it may concern:
I would like to comply with the State
by obtaining an M.R.C. permit.
But we get the same answers that
if you apply for one the people with
M.R.C.s would buck it. So this
to me is a monopoly, what happened
to free Enterprise.
Some of the people we heard for are
in Grazing Associations. When they go
to grass or come off in the fall it
is a set date. So if House Bill
58 were to pass there wouldn't be
enough trucks to take care of
the hauling to get cows to and
from grass on time. For
these reasons I am opposed
to House Bill 58.

Thank you

Don L. Lott

Senate Highway Committee
To Whom it may concern

I oppose house bill 58 for the following reasons.

- ① Not enough trucks available to move cattle when they must be moved.
- ② Would be impossible to maintain and finance truck without some local hauling.
- ③ Would create a financial burden on my ranch operation not to have use of truck in my operation

Thank You
Garry Bradley
Box 117
Glen, Montana

Senate Highway Committee

To Whom it may concern

In regard To House Bill 58
I oppose this bill for the following
reasons, I haul cattle of my own
140 miles to pasture in a grazing
association and there is certain days
to go in and come off, during the
busy time of moving cattle which is
these times, ~~and~~ there is not enough
trucks with MRC permits in this
area to haul them during these times
of year.

It would be impossible to be
able to own a truck without being
able to do some outside hauling to help
pay expenses, therefore this bill would
make a financial burden on me and
make it almost impossible for me to
get cattle moved on time

Thank You

— Gerald A. Burk

Twin Bridges, Montana
January 29, 1985

Attn. Senate Highway Committee

We strongly oppose House Bill 58 regulating livestock trucking.

This bill would create a hardship for ourselves and fellow ranchers we haul for. In our area it is necessary to haul livestock to and from pastures on set days and the demand for trucks exceeds the number of trucks with M.R.C. permits. There is also a definite need for trucks to haul market cattle to Eastern states in the Fall, more than M.R.C. permitted truckers can handle and therefore ranchers like ourselves haul to lessen the demand.

It would also place a financial burden on us as we need to do custom hauling to pay for and maintain our truck so we can haul when the demand is greatest.

Due to the difficulty or impossibility of obtaining an M.R.C. permit we are forced to haul under the present regulation allowing us to make not more than 49% of our income from the truck.

We currently license our truck class A or 100% G.V.W. and carry commercial insurance and transit insurance as we haul to markets out of state and these are requirements to obtain permits to do this.

Therefore, except for an M.R.C. permit we have the same expenses as commercial truckers, so we do not have a financial advantage over these truckers.

In summary, this bill would create unlimited hardships on our business.

Lloyd D. Carlson

Lloyd D. Carlson

Fred E. Carlson

Fred E. Carlson

Rural Route

Twin Bridges, Mt. 59754

Attn: Senate Highway Committee

In regards to, "House Bill No. 58" I am opposed to it for these reasons.

- (1) My truck is a necessity for getting my own cattle to and from pasture and to market in the fall. Local permit holders do not want to run out of state so unless you have your own truck you have to get out of state trucks.
- (2) I need to do some outside hauling to help pay expenses on the truck as the ranch is big enough to handle all of it. Area Permit Holders are in the ranching, farming & cattle business so I don't feel that is any different than me in the trucking business.
- (3) Also there are not enough trucks with permits to get the cattle to the summer pastures on there allotted days. Some ranchers would have had to wait 2 to 3 wks to get cattle hauled to pasture if hadn't been for rancher owned trucks. That means more hay for the cattle, more cost in them, and I have seen the time when there wasn't no hay around to buy.

I believe if the rancher owned trucks are licensed the 75% or 100% and packing adequate insurance they should be allowed to haul. Providing they charge the same as the permit holders are required to charge, and no rate cutting. Then who ever gives the man the best service will be the one to continue getting his hauling.

Harry W. Hubert
Dismal
T. P. I. M. +

To Whom It May Concern:

January 29, 1985

I oppose Bill 58.

We need the additional money to help pay bills on our ranch. None of the money we get goes in our own pocket - it pays bills.

If the price of cattle was up where it should be, we would not have to spend time trucking cattle to help support the ranch.

If we could get a MRC permit we would, but the other truckers who do have one make that impossible.

During the peak time of year in this area, the M.R.C. holders could in no way haul all the livestock that is needed to be hauled. About half of the cattle has to be off pasture at a certain time.

If you people put us out of business, you will put ranchers out of business because we would be unable to move our cattle to pasture or market when we need to. We would not be able to find trucks to haul our livestock.

I would appreciate your vote against this bill.

Sincerely,
Lyn Caldwell

Box 6084
Wolf Point, Mont.
59201
January 27, 1985

Highways and Transportation Committee
Sen. Larry Stimatz, chairman
Room 410
Capital Station
Helena, Mt. 59620

Dear Sen. Stimatz;

In regard to H.B. 58. This is a very poor bill as far as I'm concerned. I believe a rancher should have the privilege of being able to hire who ever he wants to haul his cattle. This H.B. 58 takes away more of our free enterprise.

MRC permit holders are not as reliable as they would like you to believe. I hired one to haul a load of calves, the morning of the sale, to go 110 miles to the sales yard. A ways down the road he pulled over and went to sleep for an hour or so. Would my calves have gotten to the sale that day, had I not come along? I do not call this a reliable trucker.

I have been told by a so called non-regulated hauler that a MRC hauler told him, if this bill went through, he could haul under his permit for a percentage. If he is not good enough to haul cattle without a permit, how can giving a permit holder a percent of your income make you a reliable hauler?


I believe the trucking rates in Eastern Montana are set by the Iowa truckers who apparently are not under the jurisdiction of the Public Service Comm.

I also know of a MRC permit holder to cross county lines, going to a sales ring without getting a brand permit, is this reliable? When the weather is a little bad and the roads are tough, the sales yards are calling non-regulated truckers to haul cattle, as the regulated ones do not care to leave town.

The Agri-News stated, a quote by Rep. Bob Gilbert, R. - Sidney, (The "coyotes" only pay 16 percent GVW, compared with 100 percent paid by regulated truckers.) This is not true, we pay 100 percent on the tractor and 75 percent on the stock trailer. This is required for commercial cattle hauling.

I am not in favor of H.B. 58 because it looks to me like it will be creating a monopoly for a chosen few. We have enough bureaucracy ^{on the} federal level, without having it on the state level.

Sincerely,


Bob Kranth

January 24, 1985
P. O. Box 42
Whitetail, MT 59276

Senator Larry Stimatz, Chairman
Senate Highway and Transportation Committee
Capitol Station
Helena, MT 59620

Dear Senator:

The recent passage of H.B.-58, The Exempt Gratuitous Transportation of Livestock Bill, is a cause of great concern for cattlemen in Montana. The House of Representatives acted irresponsibly by passing this bill, and now the place to kill this bill is in your committee.

If passed, this bill would benefit the select few M.R.C. licensees and severely hurt the legitimate commercial licensees. Passage of this bill will not guarantee a higher degree of reliability in the livestock transportation business, but rather insure tremendous logistics problems.

We must move our cattle to market during a relatively short period of time, and people quite often have trouble securing a truck; M.R.C. or commercial. Commercial licensees are not going to haul cattle at actual cost which, as I understand it, is a part of this bill. The profit motive is the only reason a business exists. Remove the profit, exit the business.

In Daniels and Sheridan counties I believe there are four M.R.C. licenses. One of them does not haul livestock, two are not involved in raising cattle, and the other I'm not sure of the nature of their business. I don't want any of them to haul my cattle if they don't raise them. My neighbor raises cattle, has a commercial license, and hauls my cattle. He cared for them as if they were his own when they were on his truck.

I urge you to work for the defeat of this bill.

Sincerely,



Phil Baker

cc: Senator E. Smith

Saco, Montana
January 25, 1985

Mr. Chairman and Members of the Transportation Committee

My name is Henry Martin from Saco. I am a rancher and have one of the first MRC permits issued under the Grandfather Act.

First of all, I would like to say that I am not opposed to ranchers hauling ~~hauling~~ their own cattle. What I am opposed to however, are ranchers that are abusing the system. In my county we have non-regulated carriers with no insurance, paying 16% GVW fees, that have been cutting the MRC rate which we as regulated carriers must charge.

This fall, Al Mireugh who operates a non-regulated carrier and pays farm fees did not have cargo insurance when he lost yearlings belonging to Francis Bardowick.

Four days later, calves belonging to Senator Hammond were killed when another non-regulated carrier wrecked near Havre. (Senator Hammond's son is married to Roger Simonson's daughter, the owner of the truck.) Simonson's run two livestock semis and operate on farm GVW fees. They haul for all the members of the Cottonwood Grazing Association which has had to transport their cattle out of the county because of lack of moisture.

I feel that anyone in the business should be required to pay 100% GVW fees. This should include all tandem trucks that carry grain or livestock. The highways in our area are rapidly deteriorating.

Why not require the MRC permits to be painted on the tractor door?

How about, if H.B. 58 would completely leave out subsection 2? If subsection 2 is left out there would be no argument from ranchers as to what gratuitous means. The Public Service Commission should have no problem with enforcement either. A law is not any good unless it can be enforced. H.B. 58 would read "69-12-405. Transportation of livestock.

1) A person, corporation, co-operative, association or its officers, agents, employees, or servants may not operate any motor vehicle or combination of vehicles in the commercial transportation of livestock for hire and profit without having first obtained a Class B certificate of public convenience and necessity from the commission.

2) Any commercial transportation movement of livestock in any motor vehicle having a cargo bed of 24 feet in length or less shall be deemed exempt from the provisions of this section.

I would like to ask for your careful consideration of H.B. 58. If the MRC permit can't be enforced there are going to be many regulated carriers out of business simply because the illegal carriers have such great economic advantages. Most non-regulated truckers in my area have not even heard of a form 2290 (Federal Use Tax Return on Highway Motor Vehicles). Just estimating the revenue that is lost from one non-regulated carrier running 10,000 miles, Montana is losing approximately \$8,000.⁰⁰ (This does not include any money for insurance.)

Regulated carriers are needed as during the fall, farmer carriers can't stop in the middle of harvest to haul for their neighbors and the rest of the community.

I have included two newspaper articles of accidents involving non-regulated carriers from my county. Ranchers have been lucky and not lost a whole load because of an accident involving a carrier with no insurance.

Thank you so very much for your time.

Sincerely,
Henry H. Martin
MTE-3515
Saw, Mont.
59261

Cattle killed by train

Seventeen head of cattle were killed last Tuesday afternoon when a Burlington Northern freight train crashed into the rear of a semi-truck double-decker trailer two miles east of Harlem.

Driver Alfred Minugh of Dodson escaped injury. He was transporting 53 head of cattle owned by Francis Bardonouye to stockyards located adjacent to the crossing where the accident occurred.

The train was traveling at 60 miles per hour when it tried to make

the emergency stop. It eventually came to a stop about a half-mile down the track.

A Montana Highway Patrolman from Havre reported that the train was eastbound at the same time Minugh was eastbound on a gravel road parallel to the tracks. The driver did not see the train as he pulled across the tracks, making a left turn. The cab and the front half of the trailer cleared the tracks, but the four-engine 100 car freight train tore into the rear half.

Cattle killed

Twelve head of cattle were killed at the junction of U.S. 2 and U.S. 87, near the Big Bud factory last Saturday evening, Nov. 10.

The Montana Highway Patrol office in Havre reported that a semi-trailer truck, belonging to Roger Simonson of Whitewater and driven by James Verhoef of Saco, hit the median at the intersection and rolled on its side.

Of the 55 head of cattle on the truck, 12 died immediately or had to be killed. Verhoef and his passenger, Mark Latson of Whitewater, were not seriously injured. Verhoef was cited for careless driving.

The majority of the cattle killed belonged to Howard J. Hargrond of Malta. Cattle belonging to Alvin Olsen of Whitewater were also killed.

ROB GILBERT LIVESTOCK
TRANSPORTATION
P. O. Box 455
Belgrade, Montana 59714

January 24, 1985

1985 MONTANA LEGISLATURE
Capitol Station
Helena, Montana 59620

Dear Senator:

I am writing urging your support for passage of House Bill 58.

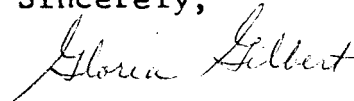
My husband and I operate a regulated livestock transportation business. We are at a tremendous competitive disadvantage to the person who hauls commercially but who claims he is a farmer or rancher and, therefore, is non-regulated.

The rates of regulated carriers are set by the Montana Tariff Bureau and we follow those rates. These non-regulated haulers can naturally haul for much less. We feel that this is unfair competition.

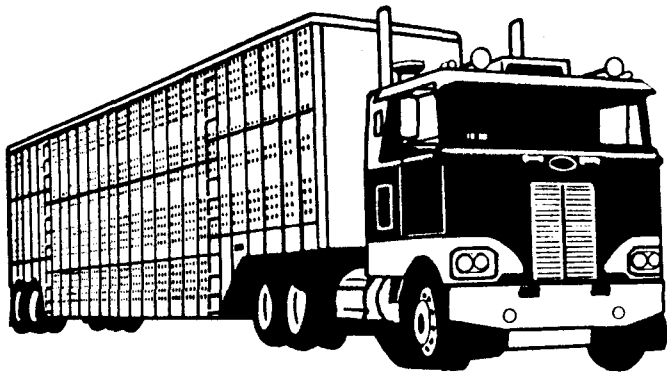
The legitimate farmer and rancher will still be able to haul his own cattle or help his neighbor. What this bill does is protect the regulated carrier and enable the Public Service Commission to effectively enforce the law.

Please give the passage of House Bill 58 your full consideration.

Sincerely,

A handwritten signature in cursive script that reads "Gloria Gilbert".

Gloria Gilbert



Malta, Montana
January 29, 1985

1-31-85

EXHIBIT 17

Dear Senator,

I would like to ask for your support of H.B. 58. Please be careful of the wording of the bill so the Public Service Commission will enforce it.

My husband and I were both raised on farms and ranches in Montana and now own a commercial grain and livestock transportation business.

In 1984, if we wouldn't have paid our taxes on the fuel we used we would have saved \$4,423.⁶⁴ in state taxes and \$3903.²¹ in federal taxes. We also paid our Consumer Council Tax, our fees to the Livestock Tariff Bureau, our fees to the Public Service Commission, and sent in money with other government forms amounting to \$247.⁷¹ We paid \$1895.³⁵ in GVW fees which if we would have been licensed at 16% we could have saved \$1592.¹⁰. Just adding up the above figures - if we wouldn't have been paying our share we would have saved \$10,146.⁶⁶.

We have an MRC permit so we can haul legally that cost \$2500.⁰⁰. Our MRC permit isn't worth the paper it is printed on as the PSC can't stop non-regulated haulers. Because we do have a permit we must not only pay taxes, file reports, charge off the rate sheet put out by the Livestock Tariff Bureau (which costs 60.⁰⁰/year) and meet safety standards, but are required to purchase insurance. Our 1985 insurance premium will be over \$8,000.⁰⁰.

From this it is easy to see why a non-regulated trucker not paying his share can charge less than the MRC rate.

We are not against farmers hauling their own livestock or that of their neighbors but, Montana has commercial truckers hauling with farm GVW, farm fuel, and farm insurance or no insurance that don't even own livestock or more than a few acres to park their trucks on.

If this bill doesn't go through with enough teeth in it so the PSC will enforce it, then lets abolish the system so we are all on equal terms!! Please have the PSC refund our \$2500.⁰⁰.

Thank You!!

Sincerely,
Colleen Smith
Bob Smith Trucking

MONTANA LIVESTOCK TARIFF BUREAU, AGENT
LIVESTOCK TARIFF NO. 1-8

SECTION 3

DISTANCE OR MILEAGE COMMODITY RATES

REFER TO ITEM 200 FOR METHOD OF DETERMINING DISTANCES

ITEM

LIVESTOCK, AS DESCRIBED IN ITEM 160 AND 170

COLUMN	MINIMUM WEIGHT	VEHICLE LENGTH
1	14,000 LBS.	23-24 FEET
2	24,000 LBS.	40 FEET
3	31,000 LBS.	50 FEET
4	39,000 LBS.	60 FEET
5	42,000 LBS.	70 FEET
6	44,000 LBS.	80 FEET
7	46,000 LBS.	90 FEET

DISTANCE IN MILES
(See Item 200)DISTANCE OR MILEAGE COMMODITY RATES
IN CENTS PER 100 POUNDS

500

OVER	NOT OVER	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6	COLUMN 7
0	15	21	18	16	16	16	16	16
15	20	25	25	23	18	18	18	18
20	25	29	28	24	23	23	23	23
25	30	33	33	28	26	26	26	26
30	35	38	36	33	28	28	28	28
35	40	41	39	36	33	33	33	33
40	45	45	41	39	36	36	36	36
45	50	48	45	43	38	38	38	38
50	55	50	49	45	41	41	41	41
55	60	54	50	49	43	43	43	43
60	65	55	54	50	45	45	45	45
65	70	60	55	54	48	48	48	48
70	75	61	59	55	49	49	49	49
75	80	64	61	59	50	50	50	50
80	85	66	65	60	53	53	53	53
85	90	71	71	64	54	54	54	54
90	95	75	75	65	55	55	55	55
95	100	76	78	66	59	59	59	59
100	105	80	83	71	60	60	60	60
105	110	83	85	74	61	61	61	61
110	115	86	88	75	64	64	64	64
115	120	90	91	76	65	65	65	65
120	125	91	93	78	66	66	66	66
125	130	96	96	80	70	70	70	70
130	135	98	98	83	71	71	71	71

(Item continued on following page)

1 - Effective on one day's notice, authority of M.P.S.C. Order No. MC-2446, dated July 27, 1981.

(See Last Page of Tariff for explanation of abbreviations and symbols not explained on this page.)

ISSUED: August 11, 1981

Ø EFFECTIVE: August 21, 1981

ISSUED BY:

B. G. Havdahl - General Manager
1727 Eleventh Ave., Helena, Montana 59601

MONTANA LIVESTOCK TARIFF BUREAU, AGENT
LIVESTOCK TARIFF NO. 1-8

SECTION 3
DISTANCE OR MILEAGE COMMODITY RATES

REFER TO ITEM 200 FOR METHOD OF DETERMINING DISTANCES

LIVESTOCK, AS DESCRIBED IN ITEM 160 and 170

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DISTANCE IN MILES
(See Item 200)

DISTANCE OR MILEAGE COMMODITY RATES
IN CENTS PER 100 POUNDS

OVER	NOT OVER	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6	COLUMN 7
135	140	99	99	85	74	74	74	74
140	145	103	101	86	75	75	75	75
145	150	104	103	88	76	76	76	76
150	160	113	108	91	78	78	78	78
160	170	118	110	98	80	80	80	80
170	180	124	114	103	86	86	86	86
180	190	129	118	108	90	90	90	90
190	200	135	123	113	93	93	93	93
200	210	141	126	118	99	99	99	99
210	220	148	134	124	103	103	103	103
220	230	153	139	129	108	108	108	108
230	240	158	145	134	110	110	110	110
240	250	163	148	139	115	115	115	115
250	260	168	150	145	120	120	120	120
260	270	174	158	148	124	124	124	124
270	280	179	164	153	126	126	126	126
280	290	184	171	159	130	130	130	130
290	300	189	175	163	135	135	135	135
300	310	191	183	168	139	139	139	139
310	320	199	188	173	145	145	145	145
320	330	201	191	178	148	148	148	148
330	340	208	199	183	151	151	151	151
340	350	211	201	188	155	155	155	155
350	360	215	205	190	159	159	159	159
360	370	220	210	196	163	163	163	163

500
(Continued)

(Item concluded on following page.)

1 - Issued on one day's notice, authority MC-2446 issued by the Public Service Commission of Montana, dated July 27, 1981.

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B. G. Havdahl - General Manager
1727 Eleventh Ave., Helena, Montana 59601

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LIVESTOCK TARIFF NO. 1-8

SECTION 3

DISTANCE OR MILEAGE COMMODITY RATES

REFER TO ITEM 200 FOR METHOD OF DETERMINING DISTANCES

LIVESTOCK, AS DESCRIBED IN ITEM 160 AND 170

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DISTANCE IN MILES
(See Item 200)

DISTANCE OR MILEAGE COMMODITY RATES
IN CENTS PER 100 POUNDS

OVER	NOT OVER	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6	COLUMN 7
370	380	224	215	200	166	166	166	166
380	390	228	220	205	168	168	168	168
390	400	233	223	210	173	173	173	173
400	410	236	226	213	175	175	175	175
410	420	239	229	220	179	179	179	179
420	430	240	231	223	184	184	184	184
430	440	245	236	226	188	188	188	188
440	450	249	239	229	190	190	190	190
450	460	254	245	236	195	195	195	195
460	470	260	250	240	199	199	199	199
470	480	264	256	248	201	201	201	201
480	490	270	261	250	208	208	208	208
490	500	275	266	256	211	211	211	211
500	510	280	273	260	215	215	215	215
510	520	286	278	266	220	220	220	220
520	530	291	285	271	224	224	224	224
530	540	298	289	276	228	228	228	228
540	550	303	296	283	231	231	231	231
550	560	309	301	288	236	236	236	236
560	570	314	308	291	240	240	240	240
570	580	320	313	298	245	245	245	245
580	590	325	318	303	249	249	249	249
590	600	331	324	309	253	253	253	253

500
(Con-
tinued)

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B. G. Havdahl - General Manager
1727 Eleventh Ave., Helena, Montana 59601

Provisions published herein will, if effective, not result in any significant effect on the
Correction No. 11 (IMT) ie quality of the human environment.

MONTANA LIVESTOCK TARIFF BUREAU, AGENT
LIVESTOCK TARIFF NO. 1-8

SECTION 3

DISTANCE OR MILEAGE COMMODITY RATES

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7	46,000 lbs.	90 feet

DISTANCE IN MILES (See Item 200) * DISTANCE OR MILEAGE COMMODITY RATES IN DOLLARS AND CENTS PER SHIPMENT BY WEIGHT AND LENGTH OF VEHICLE

OVER	NOT OVER	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6	COLUMN 7
0	15	29.40	43.20	49.60	62.40	67.20	70.40	73.60
15	20	35.00	60.00	71.30	70.20	75.60	79.20	82.80
20	25	40.60	67.20	74.40	89.70	96.60	101.20	105.80
25	30	46.20	79.20	86.80	101.40	109.20	114.40	119.60
30	35	53.20	86.40	102.30	109.20	117.60	123.20	128.80
35	40	57.40	93.60	111.60	128.70	138.60	145.20	151.80
40	45	63.00	98.40	120.90	140.40	151.20	158.40	165.60
45	50	67.20	108.00	133.30	148.20	159.60	167.20	174.80
50	55	70.00	117.60	139.50	159.90	172.20	180.40	188.60
55	60	75.60	120.00	151.90	167.70	180.60	189.20	197.80
60	65	77.00	129.60	155.00	175.50	189.00	198.00	207.00
65	70	84.00	132.00	167.40	187.20	201.60	211.20	220.80
70	75	85.40	141.60	170.50	191.10	205.80	215.60	225.40
75	80	89.60	146.40	182.90	195.00	210.00	220.00	230.00
80	85	92.40	156.00	186.00	206.70	222.60	233.20	243.80
85	90	99.40	170.40	198.40	210.60	226.80	237.60	248.40
90	95	105.00	180.00	201.50	214.50	231.00	242.00	253.00
95	100	106.40	187.20	204.60	230.10	247.80	259.60	271.40
100	105	112.00	199.20	220.10	234.00	252.00	264.00	276.00
105	110	116.20	204.00	229.40	237.90	256.20	268.40	280.60
110	115	120.40	211.20	232.50	249.60	268.80	291.60	294.40
115	120	126.00	218.40	235.60	253.50	273.00	296.00	299.00
120	125	127.40	223.20	241.80	257.40	277.20	290.40	303.60
125	130	134.40	230.40	248.00	273.00	294.00	308.00	322.00
130	135	137.20	235.20	257.30	276.00	298.20	312.40	326.60

550

(Item continued on following page)

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B. G. Havdani - General Manager
1727 Eleventh Ave., Helena, Montana 59601

MONTANA LIVESTOCK TARIFF BUREAU, AGENT
LIVESTOCK TARIFF NO. 1-8

SECTION 3
DISTANCE OR MILEAGE COMMODITY RATES

REFER TO ITEM 200 FOR METHOD OF DETERMINING DISTANCES

ITEM

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COLUMN	MINIMUM WEIGHT	VEHICLE LENGTH
1	14,000 lbs.	23-24 feet
2	24,000 lbs.	40 feet
3	31,000 lbs.	50 feet
4	39,000 lbs.	60 feet
5	42,000 lbs.	70 feet
6	44,000 lbs.	80 feet
7	46,000 lbs.	90 feet

DISTANCE
IN
MILES
(See Item 200)

▲ DISTANCE OR MILEAGE COMMODITY RATES
IN DOLLARS AND CENTS PER SHIPMENT
BY WEIGHT AND LENGTH OF VEHICLE

OVER	NOT OVER	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6	COLUMN 7
135	140	138.60	237.60	263.50	288.60	310.80	325.60	340.40
140	145	144.20	242.40	266.60	292.50	315.00	330.00	345.00
145	150	145.60	247.20	272.80	296.40	319.20	334.40	349.60
150	160	158.20	259.20	282.10	304.20	327.60	343.20	358.80
160	170	165.20	264.00	303.80	312.00	336.00	352.00	368.00
170	180	173.60	273.60	319.30	335.40	361.20	378.40	395.60
180	190	180.60	283.20	334.80	351.00	378.00	396.00	414.00
190	200	189.00	295.20	350.30	362.70	390.60	409.20	427.80
200	210	197.40	302.40	365.80	386.10	415.80	435.60	455.40
210	220	207.20	321.60	384.40	401.70	432.60	453.20	473.80
220	230	214.20	333.60	399.90	421.20	453.60	475.20	496.80
230	240	221.20	348.00	415.40	429.00	462.00	484.00	506.00
240	250	228.20	355.20	430.90	448.50	483.00	506.00	529.00
250	260	235.20	360.00	449.50	460.00	504.00	528.00	552.00
260	270	243.60	379.20	458.90	483.60	520.80	545.60	570.40
270	280	250.60	393.60	474.30	491.40	529.20	554.40	579.60
280	290	257.60	410.40	492.90	507.00	546.00	572.00	598.00
290	300	264.60	420.00	505.30	526.50	567.00	594.00	621.00
300	310	267.40	439.20	520.80	542.10	583.80	611.60	639.40
310	320	278.60	451.20	536.30	565.50	609.00	638.00	667.00
320	330	281.40	458.40	551.80	577.20	621.60	651.20	680.80
330	340	291.20	477.60	567.30	588.90	634.20	664.40	694.50
340	350	295.40	482.40	582.80	604.50	651.00	682.00	713.00
350	360	301.00	492.00	589.00	620.10	667.80	699.60	731.40
360	370	308.00	504.00	607.60	635.70	684.60	717.20	749.80

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(Con-
tinued)

(Item concluded on following page)

Ø - Issued on one day's notice, authority MC-2446 issued by the Public Service Commission of Montana, dated July 27, 1981.

(See Last Page of Tariff for explanation of abbreviations and symbols not explained on this page.)

ISSUED: August 11, 1981

Ø EFFECTIVE: August 21, 1981

ISSUED BY:

B. G. Havdahl - General Manager
1727 Eleventh Ave., Helena, Montana 59601

The provisions published herein will, if effective, not result in any significant effect on the
Correction No. 13 (INT) kja quality of the human environment

**MONTANA LIVESTOCK TARIFF BUREAU, AGENT
LIVESTOCK TARIFF NO. 1-8**

SECTION 3**DISTANCE OR MILEAGE COMMODITY RATES****REFER TO ITEM 200 FOR METHOD OF DETERMINING DISTANCES****LIVESTOCK, AS DESCRIBED IN ITEM 160 AND 170****ITEM**

COLUMN	MINIMUM WEIGHT	VEHICLE LENGTH
1	16,000 lbs.	23-24 feet
2	24,000 lbs.	40 feet
3	31,000 lbs.	50 feet
4	39,000 lbs.	60 feet
5	42,000 lbs.	70 feet
6	44,000 lbs.	80 feet
7	46,000 lbs.	90 feet

DISTANCE**IN****MILES****(See Item 200)***** DISTANCE OR MILEAGE COMMODITY RATES****IN DOLLARS AND CENTS PER SHIPMENT****BY WEIGHT AND LENGTH OF VEHICLE**

OVER	NOT OVER	COLUMN 1	COLUMN 2	COLUMN 3	COLUMN 4	COLUMN 5	COLUMN 6	COLUMN 7
370	380	313.60	516.00	620.00	647.40	697.20	730.40	763.60
380	390	319.20	528.00	635.50	655.20	705.50	739.20	772.80
390	400	326.20	535.20	651.00	674.70	726.80	761.20	795.80
400	410	330.40	542.40	660.30	682.50	735.00	770.00	805.00
410	420	334.60	549.60	682.00	698.10	751.80	787.50	823.40
420	430	336.00	554.40	691.30	717.50	772.80	809.60	846.40
430	440	343.00	566.40	700.60	733.20	789.60	827.20	864.80
440	450	348.60	573.60	709.90	741.00	798.00	836.00	874.00
450	460	355.60	588.00	731.60	760.50	819.00	858.00	897.00
460	470	364.00	600.00	744.00	776.10	835.80	875.60	915.40
470	480	369.60	614.40	768.80	783.90	844.20	884.40	924.60
480	490	378.00	626.40	775.00	811.20	873.50	915.20	956.80
490	500	385.00	638.40	793.60	822.90	886.20	928.40	970.60
500	510	392.00	655.20	806.00	838.50	903.00	946.00	989.00
510	520	400.40	667.20	824.60	858.00	924.00	968.00	1012.00
520	530	407.40	684.00	840.10	873.60	940.30	985.50	1030.40
530	540	417.20	693.60	855.60	889.20	957.60	1003.20	1048.80
540	550	424.20	710.40	877.30	900.90	970.20	1016.40	1062.60
550	560	432.60	722.40	892.80	920.40	991.20	1038.40	1085.60
560	570	439.60	739.20	902.10	936.00	1008.00	1056.00	1104.00
570	580	448.00	751.20	923.90	955.50	1029.00	1078.00	1127.00
580	590	455.00	763.20	939.30	971.10	1045.30	1095.60	1145.40
590	600	463.40	777.60	957.90	986.70	1062.50	1113.20	1163.80

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cluded)

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ISSUED: August 11, 1981

Ø EFFECTIVE: August 21, 1981

ISSUED BY:

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The provisions published herein will, if effective, not result in any significant effect on the
Correction No. 14 (IMT) kja quality of the human environment.