MINUTES OF MEETING HIGHWAYS & TRANSPORTATION COMMITTEE MONTANA STATE SENATE

January 20, 1987

The meeting of the Highways and Transportation Committee was called to order at 1:00 p.m., on January 20, 1987, by Chairman Larry Tveit, in Room 410 of the State Capitol.

<u>ROLL CALL:</u> All members of the Highways and Transportation Committee were present.

CONSIDERATION ON SENATE BILL NO. 75: Senator Abrams, Senate District No. 12, sponsor of the bill, testified that Senate Bill 75 is a housekeeping measure which would allow one tallamp on motorcycles, motor-driven cycles, and quadricycles. Senate Bill 75 would amend section 61-9-204, which required motorcycles to have two taillights.

PROPONENTS: There were no proponents.

OPPONENTS: There were no opponents.

QUESTIONS FROM THE COMMITTEE: Senator Lybeck noted that the law which was passed in 1956, required motorcycles, motor driven cycles, and quadricycles be equipped with two taillights--that by passing this bill we would be alleviating these vehicles from having two taillights.

There were many questions and a lengthy discussion by the committee members as to vehicles with one or two taillights. Some members of the committee were concerned about truck tractors and trailers which already have one taillights This bill would only be adding motorcycles, motor driven cycles, and quadricycles and is not changing truck tractors.

DISPOSITION OF SENATE BILL NO. 75: A motion was made and seconded that Senate Bill 75 DO PASS. The motion was carried unanimously.

A motion was moved and seconded that the meeting be adjourned.

CONSIDERTATION ON SENATE BILL NO. 76: Senator Abrams, Senate District No. 12, sponsor of the bill, testified that Senate Bill 76 is a housekeeping bill that updates the laws making it easier for the citizens to report traffic accidents. At the present time, the law requires accidents to be reported at \$100.00 for immediate notification to law enforcements of non-investigative accidents. The law that is on the statute now states that if an accident is investigated by a peace officer then the citizen does not have to fill out an accident Page 2 Highways & Transportation Committee January 20, 1987

report. If a law officer does not investigate an accident, then the person involved has to file an accident report. It proposes an increase from 100 to 250 in damages for all non-investigated accidents and \$400 minimum in damages investigated accident. This increase would keep up with inflation.

Mr. Gordon Hayes, Bureau Chief of the Highway Patrol is here to answer any technical guestions about reporting or statistics.

PROPONENTS: There were no proponents.

OPPONENTS: There were no opponents.

QUESTIONS FROM THE COMMITTEE: Senator Farrell questioned the raising of the \$400 on trucks, if this would be under the federal guidelines. Senator Farrell was advised that Senate Bill 76 follows all federal guidelines.

DISPOSITION OF SENATE BILL NO. 76: A motion was made by Senate Farrell and seconded by Senator Meyer that Senate Bill 76 DO PASS. The motion was carried unanimously.

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A motion was made and seconded that the meeting be adjourned.

Senator Tveit, Chairman

ROLL CALL

HIGHWAYS & TRANSPORATION COMMITTEE

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50th LEGISLATIVE SESSI	ON 1987 	Date <u>1-30</u>		
NAME	PRESENT	ABSENT	EXCUSED	
Chairman: Larry Tveit	~			
Vice Chairman: Lawrence Stimatz		<u> </u>		
Senator Hubert J. Abrams				
Senator William Farrell				
Senator Tom Hager				
Senator Sam Hofman				
Senator Ray Lybeck	<u> </u>			
Senator Darryl Meyer	<u> </u>			
Senator Cecil Weeding	-			
Senator Bob Williams				
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Each day attach to minutes.

(g) require production of documents relating to the cargo, driver, routing, maintenance, or ownership of such vehicles.

- 5. Page 3, line 13 following "provided in" Strike: "69-12-108" Insert: "61-9-512"
- 6. Page 3, line 14

Strike: Section 2 in its entirety

Insert: New Section 2 as follows:

Section 2. Section 61-9-512, MCA, is amended to read: "61-9-512. Violations of Rules--Penalty. (1) Any violation of any rules adopted by the department shall be deemed a misdemeanor.

(2) A person convicted of any standard adopted pursuant to 44-1-1005 shall be fined not less than \$25 or more than \$500 for the first offense and not less than \$25 or more than \$1,000 for each subsequent offense.

(3) The penalties provided in subsection (2) apply to any motor carrier that is a corporation subject to the standards adopted to 44-1-1005. The penalties may be imposed against: a director or officer of the corporation; any receiver, trustee, lessee, agent, or person acting for or employed by the corporation; or any broker of property or officer, agent or employee thereof.

7. Page 4, line 21 following "department of justice" Strike: "or the public service commission"

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Proposed Amendment SB 69

1. Title line 7 following "PEACE OFFICERS" Strike: "FOR PURPOSES OF ENFORCING MOTOR CARRIER SAFETY STANDARDS"

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Insert: "WITH LIMITED JURISDICTION"

2. Title line 10

Strike: "69-12-108"

Insert: "61-9-512"

- 3. Page 3, beginning of line 7 Strike: "administration" Insert: "assistance"
- 4. Page 3, line 8 following "officer" Strike: Remainder of line 8 through line 11 Insert: whose jurisdiction is limited to enforcement ofviolations of chapters 5 and 9 of title 61 and any standards adopted pursuant to subsections (1) and (2) of this section. Each employee so designated as a peace officer may:
 - (a) issue citations and make arrests,
 - (b) issue summons,
 - (c) accept bail,
 - (d) serve warrants of arrest,

(e) make reasonable inspections of cargo carried by commercial motor vehicles,

(f) make reasonable safety inspections of commercial motor vehicles,

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Page 2 Highways & Transportation Committee January 20, 1987

There was no executive action taken on Senate Bill 69 at this time.

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The meeting was adjourned.

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Senator Larry Tveit, Chairman

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STANDING COMMITTEE REPORT

		January 20	19
MR. PRESIDE	ENT		
We, your d	committee on	RTATION	
having had ur	nder considerationSenate Bill		75
"AN ACT	REQUIRING ONLY ONE TAILLAMP C AND QUADRICYCLES; AND AMENDIS		
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Respectfully	report as follows: That		No

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DO PASS

DO NOT PASS

DATE 1-30-86

COMMITTEE ON_____

(VISITORS' REGISTER		<u>)</u>
NAME	REPRESENTING	BILL #	Check One Support Oppose
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(Plose leave propared statement with Comments)

ROLL CALL

HIGHWAYS & TRANSPORATION COMMITTEE

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50th LEGISLATIVE SESSION 1987			Date <u>1-20-8</u>	
Heghways & Sterry	5-76		•	
NAME	PRESENT	ABSENT	EXCUSED	
Chairman: Larry Tveit	/			
Vice Chairman: Lawrence Stimat	z			
Senator Hubert J. Abrams				
Senator William Farrell				
Senator Tom Hager	سن			
Senator Sam Hofman	~			
Senator Ray Lybeck	\checkmark			
Senator Darryl Meyer				
Senator Cecil Weeding	. ~			
enator Bob Williams				
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CLERICAL (1)。南京公司、新闻 $\frac{10}{10} = \frac{5}{10} = \frac{5}{69}$ Time: $\frac{1}{69} = \frac{10}{69}$ In accordance with Joint Rule 3-7(b) the following clerical errors may be corrected: 42. ∰1 Sen. H+T Comm Rep of 2/5 # 4 insert Sach employee so designated and # 6 insert (3). adopted pursuant to 44-1-1005. <u>Sponsor</u> Sen. Treit Secretary of Senate

Chief Clerk

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February 5, 19.87

(c) accept bail;
(d) serve warrants of arrest;
(e) make reasonable inspections of cargo carried by commercial motor vehicles;
(f) make reasonable safety inspections of commercial motor vehicles; and
(g) require production of documents relating to the cargo, driver, routing, maintenance, or ownership of such vehicles."

5. Page 3, line 13. Pollowing: "in" Strike: "63-12-108" Insert: "61-9-512"

 Page 3, line 14, through page 4, line 19 Strike: Section 2 in its entirety Insert: "Section 2. Section 61-9-512, MCA, is amended to read:

*61-9-512. Violation of rules--penalty. (1) Any violation of any rules adopted by the department shall-be-deemed is a misdemeanor.

(2) A person convicted of any standard adopted pursuant to 44-1-1005 shall be fined not less than \$25 or more than \$500 for the first offense and not less than \$25 or more than \$1,000 for each subsequent offense.

(3) The penalties provided in subsection (2) apply to any motor carrier that is a corporation subject to the standards adopted to 44-1-1005. The penalties may be imposed against:

(a) a director or officer of the corporation;

(b) any receiver, trustee, lessee, agent, or person acting for or employed by the corporation; or

(c) any broker of property or officer, agent, or employee thereof."*

7. Page 4, lines 21 and 22. Following: "justice" on line 21, Strike: the remainder of line 21 and line 22 through "commission"

SENATOR LARRY TVEIT

STANDING COMMITTEE REPORT

MR. PRESIDENT			SB 69
We, your committee on "Highways & Transportation having had under consideration Senate Bill 69 first reading copy (white color ENFORCEMENT OF MOTOR CARRIER SAFETY BY CIVILIAN JUSTICE EMPLOYEES Mespectfully report as follows: That Cenato Bill 80 Respectfully report as follows: That Cenato Bi			Pebruary 5
<pre>awing had under consideration. Senate Bill</pre>			
first	We, your commit	tee on Highways & Transport	ation
<pre>firstreading copy(</pre>	naving had under co	nsiderationSenate Bill	69
 Respectfully report as follows: That. Senato Bill No. 69 Be amended as follows: 1. Titla, lines 7 and 8. Following: "OFFICERS" on line 7 Strike: the romainder of line 7, and line 8 through "STANDARDS" Insert: "WITH LINITED JURISDICTION" 2. Title, line 10. Strike: "69-12-108" Insert: "G1-9-512" 3. Page 3, line 7. Following: line 6 Strike: "administration" Insert: "acsistance" 4. Page 3, line 8, Following: "officer" Strike: Remainder of line 8, lines 9 and 10 in their entirety and line 11 through "section" Insert: "whose jurisdiction is limited to enforcement of violations of chapters 5 and 9 of Title 61 and any standards adopted pursuant to subsections (1) and (2) of this section. Each employee so designated and as a peace officer may: (a) issue citations and make arrests; (b) issue summons; 		reading copy ()	
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STANDING COMMITT & REPORT

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MR. PHESIDENT

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having had under consideration.		Secure 2211	N. 24

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