

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.

ROLL CALL: 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 motor-cycles to have two taillights.

PROPOSERS: There were no proponents.

OPPOSERS: 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

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 questions about reporting or statistics.

PROPOSERS: There were no proponents.

OPPOSERS: 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 Senator Farrell and seconded by Senator Meyer that Senate Bill 76 DO PASS. The motion was carried unanimously.

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

Senator Tveit
Senator Tveit, Chairman

ROLL CALL

HIGHWAYS & TRANSPORTATION COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date 1-20-87

NAME	PRESENT	ABSENT	EXCUSED
Chairman: Larry Tveit	✓		
Vice Chairman: Lawrence Stimatz		✓	
Senator Hubert J. Abrams	✓		
Senator William Farrell	✓		
Senator Tom Hager		✓	
Senator Sam Hofman	✓		
Senator Ray Lybeck	✓		
Senator Darryl Meyer	✓		
Senator Cecil Weeding			✓
Senator Bob Williams	✓		

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"

Committee on Standards for Peace Officers

Proposed Amendment SB 69

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

Page 2
Highways & Transportation Committee
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There was no executive action taken on Senate Bill 69 at this time.

The meeting was adjourned.

Sen. Tveit
Senator Larry Tveit, Chairman

NAME: Bob Harding DATE: 1-20-67

ADDRESS: 2328 Chidson Park, Missouri, 65503

PHONE: 251-2821

REPRESENTING WHOM? Mt. Motor Carriers Assoc.

APPEARING ON WHICH PROPOSAL: SR 69

DO YOU: SUPPORT? AMEND? OPPOSE?

COMMENTS: Help promote safety enforcement on our Highways.

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY.

STANDING COMMITTEE REPORT

January 20

87

19.....

MR. PRESIDENT

We, your committee on..... **HIGHWAYS & TRANSPORTATION**.....

having had under consideration..... **Senate Bill**..... No..... **75**.....

first reading copy (**white**)

"AN ACT REQUIRING ONLY ONE TAILLAMP ON MOTORCYCLES, MOTOR-DRIVEN CYCLES, AND QUADRICYCLES; AND AMENDING SECTION 61-9-204, MCA"

Respectfully report as follows: That..... No.....

DO PASS

~~XXXXXXXX~~
DO NOT PASS

.....
Chairman.

ROLL CALL

HIGHWAYS & TRANSPORTATION COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date 1-20-87

*Highways & Transportation
Senate Bill 75-76*

NAME	PRESENT	ABSENT	EXCUSED
Chairman: Larry Tveit	/		
Vice Chairman: Lawrence Stimatz	/		
Senator Hubert J. Abrams	✓		
Senator William Farrell	✓		
Senator Tom Hager	✓		
Senator Sam Hofman	✓	,	
Senator Ray Lybeck	✓		
Senator Darryl Meyer	✓		
Senator Cecil Weeding	✓		
Senator Bob Williams	/		

Each day attach to minutes.

CLERICAL

Date: 2/10

S Bill 69

Time: 6:14 P

In accordance with Joint Rule 3-7(b) the following clerical errors may be corrected:

Sen. H + T Comm Rep of 2/5

4 insert "Each employee so designated and"

6 insert "(3)...adopted pursuant to 44 - 1005."

(change)

Sen. Tveit
Sponsor Sen. Tveit

Secretary of Senate
or
Chief Clerk

Sen. Tveit
Legislative Council

February 5, 1987

(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.
 Following: "in"
 Strike: "69-12-108"
 Insert: "61-9-512"

6. 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"

STANDING COMMITTEE REPORT

SB 69

February 5 19 67

MR. PRESIDENT

We, your committee on Highways & Transportation

having had under consideration Senate Bill No. 69

first reading copy (white)
color

ENFORCEMENT OF MOTOR CARRIER SAFETY BY CIVILIAN JUSTICE EMPLOYEES

Respectfully report as follows: That Senate Bill No. 69

Be amended as follows:

1. Title, lines 7 and 8.
Following: "OFFICERS" on line 7
Strike: the remainder of line 7, and line 8 through "STANDARDS"
Insert: "WITH LIMITED JURISDICTION"
2. Title, line 10.
Strike: "69-12-108"
Insert: "61-9-512"
3. Page 3, line 7.
Following: line 6
Strike: "administration"
Insert: "assistance"
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;

DO PASS

DO NOT PASS

continued

Chairman.

STANDING COMMITTEE REPORT

Jan 25 1957

10

1957

MR. PRESIDENT

We, your committee on **ARMY, AIR FORCE AND NAVAL AFFAIRS**

having had under consideration **Senate Bill** No. **70**

1155 reading copy (**white**)
color

AN ACT RAISING THE AMOUNTS OF PROPERTY DAMAGE RESULTING FROM A MOTOR VEHICLE ACCIDENT THAT TRIGGER NOTIFICATION TO AND REPORTING BY LAW ENFORCEMENT OFFICERS; AND AMENDING SECTIONS 61-7-108 AND 61-7-109, MCA.

Respectfully report as follows: That

DO PASS

~~XXXXXXXXXX~~

Chairman

ROLL CALL

HIGHWAYS & TRANSPORTATION COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date 1-26-87

*Hopbryge - 5-30-86
Senate Bill 15-76*

NAME	PRESENT	ABSENT	EXCUSED
Chairman: Larry Tveit	✓		
Vice Chairman: Lawrence Stimatz	✓		
Senator Hubert J. Abrams	✓		
Senator William Farrell	✓		
Senator Tom Hager	✓		
Senator Sam Hofman	✓		
Senator Ray Lybeck	✓		
Senator Darryl Meyer	✓		
Senator Cecil Weeding	✓		
Senator Bob Williams	✓		

Each day attach to minutes.

VISITORS' REGISTER

NAME	REPRESENTING	BILL #	Check Out	
			Support	Oppose
Col. Peter London	mt. Highway Patrol	69	✓	
"	"	75	✓	
"	"	76	✓	
Opt. W. L. Bridger	"	69	✓	
GORDON HIGGINS	mt Highway Patrol	76	✓	
W. L. K.	MT Highway Patrol	69		
Ex. J. J. J.	Dept of Justice	61		
Bob H. H.	Mr. W. W. C.	69	✓	
John H. H.	Western Telephone Co	69	✓	

(Please leave prepared statement with Secretary)