

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 52nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS & TRANSPORTATION

Call to Order: By **CHAIRMAN BARRY STANG**, on March 13, 1991, at 3:00 p.m.

ROLL CALL

Members Present:

Barry "Spook" Stang, Chairman (D)
Floyd "Bob" Gervais, Vice-Chairman (D)
Ernest Bergsagel (R)
Robert Clark (R)
Jane DeBruycker (D)
Alvin Ellis, Jr. (R)
Gary Feland (R)
Mike Foster (R)
Patrick Galvin (D)
Dick Knox (R)
Don Larson (D)
Scott McCulloch (D)
Jim Madison (D)
Linda Nelson (D)
Don Steppler (D)
Howard Toole (D)
Rolph Tunby (R)

Staff Present: Valencia Lane, Legislative Council
Claudia Johnson, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

HEARING ON SB 132

Presentation and Opening Statement by Sponsor:

SEN. LARRY TVEIT, Senate District 11, Fairview, said this bill is an act allowing motor vehicles to draw not more than three vehicles attached in a saddle mount of 75 feet. He said it is basically an adjustment in the federal law to the state law that Montana is operating below what the federal regulations says Montana can or cannot operate at. This bill will conform Montana's current law of 65 feet to the federal government's regulation of 75 feet.

Proponents' Testimony:

Gary Gilmore, Department of Highways, said the department supports SB 132. This bill will allow Montana to conform with federal regulations. The federal government issued a rule that was effective in 1990 that allows this practice. This preemptive federal rule prohibits any state from limiting triple saddle mount vehicles to anything less than 75 feet. Failure to comply with this requirement can leave the state open for a lawsuit, or the federal government can withhold federal funds. Currently, Montana allows these vehicles up to only 65 feet without a permit. He distributed information that shows how the vehicles are measured from tip to tip. Since September 10, 1991, Montana has been allowing these vehicles to operate without a permit up to 75 feet. Passage of SB 132 would place the state in compliance with the federal regulations. EXHIBIT 1

Ben Havdahl, Montana Motor Carrier's Association, wanted to be recorded in favor of SB 132. He said the practice is a method that is used by truck dealers that ship new tractors to dealers.

Opponents' Testimony: None

Closing by Sponsor:

SEN. TVEIT said this bill brings Montana into compliance with federal law by changing the length from 65 feet to 75 feet.

HEARING ON SB 297Presentation and Opening Statement by Sponsor:

SEN. JERRY NOBLE, Senate District 21, Great Falls, said this bill will allow to grandfather in 4 different operations in Montana. The bill is a result of a constituent that received a letter from the GVW that informed him that he cannot operate the tractor-trailer units that he has been operating since 1974. This person had contracts for material to be hauled out of some mines that had been bid according to what his units could haul. It is a trailer-trailer unit. When the triple law was passed, it was worded truck trailer-trailer. Since that time, GVW has been writing special permits for these firms that are using the tractor-trailer configuration. The GVW said they are in support of this bill, the trucks need to be made legal. This bill will grandfather in those 4 firms that were operating with these units prior to 1987, when the triple trailer law was written.

Proponents' Testimony:

Alfred Hokansen, A.M. Welles Inc., Norris, MT, said he is in favor of this bill. In 1990, A.M. Welles employed 87 people with an annual payroll of in excess of \$1 million. He said they have been operating the truck trailer-trailer combination, double unit, since 1974 when they were authorized to do so by the Montana GVW. From 1974 to 1991, they have operated a fleet of 16

units. He said they have put on about 15 million miles without an accident involving these triple units. Approximately 13 million of these miles were on highway U.S. 287, which is one of the oldest highways in the state. If they were forced to discontinue the use of these units, it would cause a severe financial burden. It would cost \$40,000 per unit or \$640,000 to convert to a truck-dolly semi-trailer unit drawing number two. Which would be about 10% less efficient, and in his opinion, would not be as safe. This 10% loss in legal payload would result in a \$125,000 loss in annual revenue. If they don't make the capital investment of buying the trailers, and dropped one trailer, their efficiency would have a decrease of about 25%. This would result in an annual revenue loss of approximately \$330,000. He felt that their units were inadvertently dropped in the passage of the triple's bill. EXHIBIT 2 and EXHIBIT 3

Bill Carrier, Cyprus Industrial Minerals, said they own and operate three mines and one mill in Montana. Cyprus Industries is the world's largest producer of talc ore and finished talc products. Cyprus Industries employs 175 people within the state. A.M. Welles is the sole contractor providing transportation services for talc ore from the mines to the mill in Three Forks. Welles has been able to be a competitively priced service, due to the specific equipment configuration that were purchased and operated. Welles has legally operated this equipment since 1974. If Welles is prohibited from operating this existing fleet of trucks, Welles income would be greatly decreased due to reduced tonnage haul per trip or a major capital expenditure made to purchase the equipment needed to haul the present tonnage. Either situation would require cost recovery in the form of higher freight rates passed on to Cyprus. Cyprus establishes pricing to their customers based on the accumulation of costs throughout all phases of operation and production. Any cost increases to Cyprus for which they have no control, would be passed on to the customers. Higher costs would place Cyprus at a competitive disadvantage to other out-of-state producers. Any loss in business would result in the loss of Montana jobs. The accident frequency of Welles' fleet of equipment, especially the truck trailer-trailer combination, provides further evidence that these units are safe and an economical means for enhancing Montana's competitive position in that national and worldwide market place. EXHIBIT 4

Stuart Doggett, Montana Mining Association, supported SB 297.

Opponents' Testimony: None

Questions From Committee Members:

REP. LARSON asked if this bill only applies for the four firms in Montana. SEN. NOBLE said there are four firms that have these configuration of units. He said in reading further into the bill, if the truck trailer-trailer would have been taken out of the law to allow the four firms to operate, this bill wouldn't be

needed, but it was after the cut-off date and the title would have had to be changed and it was too late. He said it will have to wait until the next time to do it. **REP. LARSON** said if these truck trailer-trailers were taken out of the bill, they can be replaced under the terms of this bill. **SEN. NOBLE** said the equipment can be replaced under the terms of this bill, but the operations are limited to the routes that had been banned previous to 1987.

CHAIRMAN STANG asked if these configurations are the same as the Rocky Mountain doubles. **Mr. Havdahl** said no. The Rocky Mountain double is a tractor trailer-trailer. The configuration in this bill and as he understands, it is a truck-body, when two trailers are hooked together. He said these units are about 95 feet, smaller than the triples that are 110 feet.

REP. GALVIN asked if these units stay on their designated routes or do they run on the interstates. **SEN. NOBLE** said they do run some on the interstate. **REP. GALVIN** asked if these routes will be expanded. **SEN. NOBLE** said no. The units are bound to their designated routes they had prior to 1987.

REP. ELLIS asked if this bill just deals with configuration and not with weight. **SEN. NOBLE** said that is correct.

CHAIRMAN STANG asked how does the weight configuration on these trailers differ from the triple trailers. The argument regarding the triple trailers was the fact that they actually handled less weight per trailer than doubles or longer trailers. How does the GVV division look at the weight configuration and the potential damage to the roads with these trailers. **Mr. Gilmore** said they are all evaluated under the bridge formula. The weight allowed is established that way. These trailers aren't as long as the triples, they are a short box and the triples are allowed to 110 feet, these are a maximum of 95 feet. The tongue length on these are greater than the triples. **CHAIRMAN STANG** asked if the GVV has looked at a different way of doing this without taking truck trailer-trailer out, and without restricting their routes to certain places in case a mine might be developed elsewhere. **Mr. Gilmore** said that currently, there are ways they could haul as much of a load as the trailer-trailer units haul. The problem is, these people have invested money and are into this type of system. It would be a great capital expenditure to change.

Closing by Sponsor:

SEN. NOBLE said that **Dave Galt** from the GVV division testified in the Senate Committee, and he does not have a problem with this bill. He said that **Mr. Galt** helped him in drafting the bill because GVV is tired of writing special permits. He said this is a very expensive situation for these four firms to change over. Their safety record is good and they employ a number of people in Montana. He urged the committee to concur on SB 297.

HEARING ON SB 178Presentation and Opening Statement by Sponsor:

SEN. BOB WILLIAMS, Senate District 15, Hobson, said this bill will enact in Montana certain recommendations for uniformity, promulgated by the Western Association of Highways and Transportation officials. Regulations relating to truck sizes and weight operating under special permits and operating without special permits. SB 178 does not modify any of the weight restrictions now in Montana law. This proposal was adopted by 17 western states and put together by informed, state engineers and permit officials who feel it is appropriate. This bill includes uniform modifications to the Montana law that is not a part of the law now, and amends the law to enact the specific length numbers recommended for uniformity enforcement. This bill will include, adding new and modified definitions to terms into Montana law to include; combination lengths, combination trailer lengths, length, Rocky Mountain double and turn-pike double. The Senate Highway Committee, added an amendment to incorporate a statement of intent on page 1 of the bill that deals with the special rules covering turn-pike doubles, and because the bill grants rule-making authority in section 3. This was recommended by **SEN. FARRELL** who has a lot of experience with the trucking industry. The statement of intent will require the Department of Highways to include; turn-pike doubles under the rules now in effect covering the triple trailers. The rules will require the department to inventory all interstate interchanges and restrict access to the permit to these interchanges capable of handling these combinations. This means the department has to inventory all of the interchanges to make sure there are no obstacles. The statement of intent will require in the rules, when necessary, to transport turn-pike double trailers separately to and from the interchanges. He said the Department of Highways and the Montana Motor Carrier's Association helped put this bill together.

Proponents' Testimony:

Gary Gilmore, Department of Highways, said the department supports SB 178. It promotes uniformity for the truck size regulations in the western United States by the Western Association of State Highway and Transportation Officials (WASHTO) proved to subcommittee on highway transport in 1987. Since that time, Montana has been active in that committee. He said the project is a study of three years of work of truck conformity in the west. This bill amends Montana's existing laws into compliance with the WASHTO standards. He explained the bill. The first change increases the allowable length of a single unit to 45'. On page 3 are the incorporated definitions of length, combination length and combination trailer length. These definitions clarify what is measured. The length, and combination length, are measured from the front bumper to rear most part of the vehicle. Combination trailer length measures from the beginning of the first trailer to the rear of the second

trailer or load. This is the new concept that many of the states are adopting that provides for limits on trailer length, but allows the motor carrier industry to use longer tractors that offer more safety and comfort for drivers, and thus reduce driver fatigue. The idea of measuring the LCBs using trailer length, comes from the method that the federal government has used in setting legal limits. Rather than dictate a certain overall length, they have set maximum standards for trailers. In addition to length definitions, they have also defined the different types of vehicle combinations; Rocky Mountain doubles refers to the kind that Montana has had for years; Turn-pike doubles refer to a truck pulling two equal length trailers. Turn-pike doubles are allowed on Montana's interstate now up to 100 feet in length. On page 5 of the bill, will allow Rocky Mountain doubles to be 81 feet from the beginning of the first trailer to the end of the second trailer or load. This section also puts limits on the size of the lead trailer allowed in that combination. Page 6 increases the size the turn-pike doubles are allowed to operate from 100' to 110', which is the same length of triple trailers. In addition, turn-pike double combinations would be subject to the same restrictions that the triple trailers are now subject too. One part of the bill that is not a part of WASHTO recommendation, is on page 6, line 4, this amendment changes the fees that a log truck has to pay in order to qualify for a log permit. Previously, this section required log truck operators to purchase the log permit to pay schedule 3 fees. Schedule 3 fees are not reducible to the 75% log class, and are not designed for carriers that have a larger trailer fleet and interchange trailers often. Consequently, this section would cost each log truck about \$750 more per truck per year. When the law was passed in 1983, the GVW division felt it was an oversight and continued to assess the appropriate GVW fees. This change would legitimize what has been done in the past and are continuing to do. If this amendment is passed, it will not have any impact on the state or industry, but if the section is left the way it now reads, the GVW will require the schedule fees beginning January 1, 1992. The statement of intent proposed in the amendments will allow the department to place additional restrictions on turn-pike doubles. The GVW can perform an inventory of the interchanges and designate which ones can be used by turn-pike doubles. In some cases, it may be necessary to require that the trailers be pulled separately to a point where they can be coupled and uncoupled before entering and exiting the interstate. The amendment on page 3, line 19, would guarantee that there would not be any vehicles with 81' of trailers, plus an unspecified amount of overhang operating on the highways. The amendment on page 5, line 10, would ensure that unnecessary restrictions would not be placed on Rocky Mountain doubles. The last amendment gives the department the authority to hold strictly to the restrictions on turn-pike doubles as indicated in the statement of intent. He addressed some of the concerns that have come about since the hearing of this bill in the Senate Committee. This bill does promote the WASHTO guidelines which are an attempt to promote western state's uniformity in truck

regulations. Wyoming has introduced legislation to increase their combined trailer lengths from 80 to 81 feet in compliance with WASHTO guidelines. Montana is in compliance with a few minor rule changes with the exception of pilot car signs in this bill. Many of the states allow these limits now. Six of the seventeen WASHTO states meet or exceed the single vehicle recommendation. Five of the states meet or exceed the Rocky Mountain double requirements, and three more states are close to including this. Four of the states meet or exceed the requirements on turn-pike doubles, and three more states have allowed turn-pike doubles at 105 feet. ASHTO has been referred to as the parent organization of WASHTO, which is not true. ASHTO is the American Association of State Transportation Officials, of which all the WASHTO states are members and are comprised of Region 4 in ASHTO. WASHTO is the western association which establishes and deals with transportation issues that effect the west. ASHTO tends to reflect the concerns of the more populous eastern states, the same states that had such restrictive laws on commercial vehicle sizes and weights, the federal government had to dictate to them that no state could restrict doubles-combinations that consisted of two 28½ foot trailers. These combinations have been operating in the west for years. ASHTO does not state that the federal government should not mandate larger truck limits without further study. Western states have allowed vehicles with permits, to exceed the federal 80,000 truck limit for years. The WASHTO guidelines are approved by the chief transportation officials from each of the WASHTO member states except California. This bill with the proposed amendments, will help Montana's motor carriers make productivity gains and support size and weight of uniformity in the western United States.

CHAIRMAN STANG informed the committee the reason they could not follow the amendments that **Mr. Gilmore** alluded to, had been changed in the Senate Committee.

Ben Havdahl, Montana Motor Carrier's Association, stated his support for SB 178. He distributed written testimony and statistical information. **EXHIBIT 5, 6, 7 and 8** He reiterated the information given in the previous testimony.

John Largis, Mergenthaler Transfer and Storage, Helena, distributed written testimony in favor of SB 178. **EXHIBIT 9**

Opponents' Testimony:

REP. JIM Southworth, House District 86, Billings, said he rises in opposition to SB 178. These trucks do 2 things: 1) cause deterioration of the highways; and 2) the people have to drive on those highways. He read a statement from Sen. Max Baucus, "Not only will there be fewer communities on the federal aid system, the state will have to pay a higher portion of the costs." The state's share for the interstate costs would rise from 10% to 25%, the rural roads would rise from a 25% now to 40% under the

President's plan. The Highway Department estimates that these new match requirements will cost Montana an additional \$30 million, which is more than double the current amount.

Pat Keim, Burlington Norther Railroad, said he opposes SB 178. He distributed written testimony. EXHIBIT 10

Jim Jensen, Director, Montana Environmental Information Center, said it is an honor for him to be able to stand on the same side as the RR, it a rare and unusual circumstance. He said there are two things that have not been mentioned with this bill that is a cost to Montana; 1) increased pollution; and 2) decreased fuel efficiency. Trucks vs rails means one thing; the waste of precious energy. Railroads are more efficient, and per mile driven or ton mile of freight hauled railroads generate significantly less air pollution, trucks are dirty compared to trains. These are indirect, but it is a cost that Montanans have to pay. He said with the clean air act was just passed, this bill is inappropriate and runs counter to that act. He urged the committee to defeat this bill.

Bob Stevens, Retired travel agent, Bozeman, stated his opposition of SB 178 and distributed written testimony. EXHIBITS 11, 12, 13

Charlie Chambers, Montana Rail Link, said he is opposed to SB 178. He said if this bill is passed, there will be more trucks to come on Montana's highways. The trucks have caused ruts on the state's highways that even have the ridges between the dual tires. He said a study was done in June 1989 by the state on motor vehicles and large trucks regarding accident rates on the highways. Their conclusion was that 19% of the traffic on the interstate is large truck traffic. The average daily truck traffic in this period on all interstates in Montana is 691 trucks per day. The traffic that can be diverted with what railroads hauls compared to Interstate 90, is equal to 2,300 trucks per day. These trucks are involved are 1 in 5.3 of all accidents on the interstates, and 1 in 3.6 in all fatal accidents on interstates involving large trucks. 1 in 3 truck accidents involve another vehicle.

Steve Bullock, Citizens for Reliable and Safe Highways (CRASH), said that CRASH is a non-profit, citizens' coalition dedicated to preventing injuries resulting from trucking accidents. He read written testimony. EXHIBIT 14

Darrell Holzer, Montana AFL-CIO, said he is in opposition to SB 178. He reiterated on previous testimony and distributed written testimony. EXHIBIT 15

Matt Pepos, BMW, Rail Labor, spoke in opposition to SB 178. He distributed information. EXHIBIT 16 The exhibit shows the accident that happened out of Great Falls this winter that involved tractor trailer units and resulted in the death of one person.

Dave Ditzel, BN Brother of Locomotive Engineers, said he opposes SB 178. He said this legislation is going on throughout the country and will cost many jobs. He said that BN has a yearly payroll of \$138 million involving 3,600 rail workers.

Ray West, United Transportation Union (UTU), spoke in opposition of SB 178 and distributed written testimony. EXHIBIT 17 He showed a 3 minute film from the American Association of Railroads, it points out the different types of trucks and trailers. EXHIBIT 18

Rick VanAken, Transportation Communication's Union (TCU), said he opposes SB 178. Increased truck traffic and truck lengths constitute a threat to rail jobs.

REP. DON BACHINI, House District 14, Havre, said he is speaking in opposition of SB 178 for himself and in behalf of a number of constituents that have asked him to not allow longer trucks on Montana's highways. This bill shows a need for longer trucks on Montana's highways, and he wanted to make sure that everyone knows this legislation is not needed.

Questions From Committee Members:

REP. ELLIS asked Mr. Keim about the remark that Jim Jensen had commented on about railroads are cleaner and more fuel efficient than the trucks. He wanted to know the comparisons. Mr. Keim said he didn't know the figures, but he has seen studies that demonstrated considerable fuel efficiency for rail vs trucks.

REP. ELLIS asked if this bill will cost the jobs of the rail workers in Montana if there is an increase in truck traffic. Mr. Havdahl said he didn't know why it would. This bill is about a combination that essentially moves north and south. It is the only way it can go, there are no railroads that run north and south. This bill will permit combinations to move from Montana to California.

REP. LARSON said the turn-pike doubles cannot enter the states of Washington, Oregon or California, what happens when a turn-pike double or Rocky Mountain double leaves Montana. Mr. Havdahl said they would have to get to the border of California, than split the two units up and haul them separately into California with two tractors, unload the freight and go back to the border to hook up to the one tractor unit and come back to Montana. Mr. Havdahl said the turn-pike doubles can go through Idaho, Utah and Nevada to get to California.

REP. MCCULLOCH asked if this committee goes with the 110' on the turn-pike doubles, what are the chances of these other states changing their law, than how will these trucks get to California. Mr. Havdahl said this bill is about a maximum amount. The turn-pike doubles can be put together within 105'. If the 110' is permitted and would probably go to 105'.

REP. TOOLE asked about the truckers not paying their fair share of taxes and if it could be explained. Mr. Keim referred to a study that was done by the Minnesota Department of Transportation. In that study, the cost of the highway systems was broke down by assigning different vehicle combinations, e.g., automobiles, busses, motorcycles, trucks, etc., and looked at the revenue obtained by those sources and it was from that figure the trucks with 6 or more axles combinations, paid about 50% of what was figured to be the cost of those vehicles. It also showed that motorcycles were only paying about 50% of their cost. Farm trucks in Minnesota were paying 115% of their cost. REP. TOOLE asked if there had been any studies done on the potential job loss from this bill. Mr. Keim said if this bill passes, the projected figures are not just for Montana, but also the other states if the same thing happens. He said the information in his handout came from a marketing department. His company has marketing people that do projections on traffic levels on various conditions.

REP. TUNBY wanted to know why the triple trailer bill didn't have much opposition. CHAIRMAN STANG said there was opposition for the triple trailer bill when it was before the committee 3 years ago, but with time the controversy died. He informed Mr. Havdahl and Mr. Keim that they could also help answer this. Mr. Havdahl said it is the type of freight hauled. The triples haul less than truck load lot, e.g. general commodities that is stocked in grocery stores. The railroads have not hauled this type of commodity for 75 years. The concern about triple trailers is not as great as turn-pike doubles, because these are trailer load lots of commodities that move in an irregular pattern around the country. Mr. Keim said for once he agreed with Mr. Havdahl's answer. The railroad industry lost its "lost car load (LCL)", that is the type of load that is carried in the 28' triple combinations. The niche of the business the railroad is protecting, is their interest in the 45' to 48' trailers that they haul.

CHAIRMAN STANG said under the proposal that WASHTO has, there are only 4 other states that have the 110' limit. Are there other states that have at this date, passed through their Legislature the proposals that are before this committee today. Mr. Gilmore said not at this date, no. Mr. Havdahl answered. He said the report and recommendation was only finalized in June of 1990, so this is the first time that any legislation has been considered. CHAIRMAN STANG asked Mr. Gilmore if none of the other states have passed this legislation, why is the Montana Highway Department in such a hurry to be the first one. Mr. Gilmore said they are not in a hurry, Legislature will not be here again for another 2 years. He said that the department is addressing the issue at the time it is brought up. CHAIRMAN STANG said the study shows that 63% of Montana's interchanges will accommodate these trailers. Mr. Gilmore said it is 63% in Region 8 of the federal highway administration, that includes; Montana, Idaho, Wyoming, Colorado and etc. Montana was not singled out. CHAIRMAN STANG

asked if the interchange figures are known for Montana. Mr. Gilmore said no.

REP. MCCULLOCH asked if the turn-pike doubles and the Rocky Mountain doubles fall under the same restrictions and guidelines of the triple trailers. Mr. Havdahl said the turn-pike doubles in this law, up to 110' follow the same restrictions as triples, the Rocky Mountain doubles do not, they have a separate set of regulations.

REP. GERVAIS asked if Canada allows these units. Mr. Havdahl said yes and no. Canada has a completely different way of permitting set standards. The trucks that are permitted in Canada now are the Rocky Mountain double combinations and triples. He did not know if they had the turn-pike doubles. They also permit what is called B trains. In Canada, there is no formula to spread out the weight over the axles. The Canadian trend is towards the shorter truck combination with heavier weights. They have done an extensive study there and have concluded that as far as safe operation and all around best ability, that the combination is the best to go with. However, they will permit Rocky Mountain doubles with minimum trailer lengths of 45' and 28½'. Anything shorter than that is not permitted. He said there are some inconsistencies in Canada.

REP. STEPLER asked Mr. Havdahl to address the issue of truckers not paying their fair share of taxes. Mr. Havdahl said in 1982, there was a question about highway allocation cost. Studies were done which resulted in an increase in taxes by about 50% for trucks at the federal level. The studies after that have indicated that trucks are paying their fair share. Many separate states have conducted cost allocation studies; Colorado and other states in the west, and to his knowledge, most of them concluded the same thing, that trucks are paying their fair share.

REP. ELLIS said that long trailers don't track as well as the shorter trailers. Mr. Havdahl admitted that 45' trailers do off-track more. Triple trailers don't off-track as much because they have an extra joint. If two 45' trailers are used, there is a problem. The triples use 48', when followed, they do better on tight turns and narrow roads. He said it can be maintained.

Closing by Sponsor:

SEN. WILLIAMS said they are not asking to re-vamp the trucking industry, all that is being asked is to add an extra 2' to 3' more on each trailer. He reiterated on previous testimony. He wanted to know how adding those couple extra feet is going to cost BN an extra 30% of their gross revenue. He said if the trucking industry were able to pick up that extra 30%, maybe it would cost BN that much. He urged the committee to concur on SB 178.

HEARING ON SB 295

Presentation and Opening Statement by Sponsor:

SEN. STEVE DOHERTY, Senate District, Great Falls, said this bill is an act requiring the Department of Justice to offer driver licensing examinations on Saturdays. EXHIBIT 19

Proponents' Testimony:

Jim Manion, Triple A, said he supports SB 295. He suggested that maybe the driver's licensing offices could stay open later in the evenings.

Opponents' Testimony:

Duane Tooley, Driver's Services Bureau, said he opposed SB 295. If the bureau had to open the offices on Saturday, they would have to be manned. Someone would have to be in the Department of Justice' computer office and the headquarters office. He said the system cannot be fixed by moving something from one end to the other.

Tom Snyder, Montana Public Employees Association, said the employees will now have their lives uprooted by having to work Tuesday through Saturday rather than Monday through Friday as has been the practice up to this point. He said that MPEA is aware of the problem with the public and certainly want to serve the public. By the same token, these people have set their lives this way, and this bill will require them to change everything. He was concerned about the language on additional expenses. Usually, in this type of work if the work standards are to be changed, it is negotiable and in this case it would be negotiable, but by statutory requirement, the department cannot give them anything. He said even with contract negotiations, they cannot address in any way, anything that will cost additional money. He said this bill is asking these employees to change their lives, but they are not going to let the people ask for anything to make up for that fact, because there is no room for additional expense. On that basis, he opposes the bill. These people have established their lives based on Monday through Friday. There would be additional personal expenses for these people if they have to work on Saturday i.e., babysitters, etc.

Questions From Committee Members:

REP. LARSON asked Mr. Tooley if there is a possibility that the Driver's License Bureau could move their hours during the regular work week to come in for evening hours. Mr. Tooley said they have experimented with that and it was somewhat successful in several of the larger stations that are open in Billings and Missoula at 7:00 a.m. They have tried the late hours, but the people do not come in after 5:00 p.m.

REP. STEPPLER asked Mr. Tooley with the way the bill is written, in the rural areas where the people are in the court house doing their testing, would it be Tuesday through Friday. Mr. Tooley said no. In the rural areas, the court house would not be available on Saturday, it would have to be Monday through Friday. REP. STEPPLER said if this bill goes through, would there be a 6 day work week. Mr. Tooley said in some places it would work out that way.

Closing by Sponsor:

SEN. DOHERTY said if the committee could see to amend in renewals, it would be fine. He said it was a drafting oversight. As far for the problem in the headquarter's office and the computers, he said there are probably people that would like to do that. Mr. Snyder's comments concerned him in regards to the negotiation. He said he has a great deal of respect for negotiations and union contracts. However, there should be a way that this bill could work. He thought it is worthwhile for the state to make as a policy statement, to have these offices open on a wider variety of times. He picked Saturdays because the State Liquor stores are open and more people work on Monday through Friday. The original fiscal note showed a \$23,000 cost before the addition of the language "without incurring additional expenses", probably is not correct. He asked for the committee's favorable consideration and to concur in SB 295.

EXECUTIVE ACTION ON HB 568

Motion: REP. MCCULLOCH MOVED TO RECONSIDER ACTION ON HB 568 AND TAKE FROM THE TABLE. Voice vote was taken. Motion CARRIED unanimously.

Discussion: REP. MCCULLOCH offered an amendment to delete lines 23 through 25 on page 3, and line 1 on page 4. CHAIRMAN STANG said the understanding is to delete the driver's license increase, but leave the CDL's in.

CHAIRMAN STANG said there are fee increases for the CDL program. On page 4, part 1 and 2 are necessary for the department in order for them to qualify for federal funding. He asked Dean Roberts to explain this to the committee.

Dean Roberts, Administrator, Motor Vehicle Division, said the CDL part of this bill had been basically funded with federal money for about 3 years. The federal money runs out the end of this fiscal year. If the CDL program is not in place, Montana will lose 5% of federal highway funds the first year and 10% for each following year. He said the increase is at least needed for the CDL program. The program data is entered on a national computer system, and that is what the cost is for. CHAIRMAN STANG asked if it was possible to get this funding from the Appropriation's Committee without raising the fees. Mr. Roberts said probably not.

CHAIRMAN STANG said the increase would be for; interstate CDL's would go from \$3 to \$5, and intrastate would go from \$150 to \$350.

Mr. Tooley was asked how many dollars of the funding would be lost if this bill doesn't pass. He said the loss for federal highway construction funding would be in the \$millions, he could not give an exact figure.

REP. STEPPLER asked if the fee is reduced from \$4 to \$3 will it leave enough money in the fund to do what they want, and if it raises more money than what is needed, can the other two fees be reduced. **CHAIRMAN STANG** said he did not have any objection to this. **Mr. Tooley** said the CDL increase was figured close to the match needed for the program.

The question was called to adopt the amendment. Voice vote was taken. Motion **CARRIED** unanimously.

Motion/Vote: **REP. MCCULLOCH** MADE A SUBSTITUTE MOTION THAT **HB 568 DO PASS AS AMENDED**. **REP. FELAND** called the question. Voice vote was taken.

Vote: **HB 568 DO PASS AS AMENDED**. Motion **CARRIED** 15 to 2 with **REP. FELAND** and **REP. STEPPLER** voting no.

EXECUTIVE ACTION ON SB 44

Motion: **REP. LARSON** MOVED **SB 44 DO PASS**.

Discussion: **REP. LARSON** spoke to his motion. This bill would fund a maintenance schedule for the Parks Department. This would allow funds for the Highway Department to maintain the roads inside the state parks.

CHAIRMAN STANG said in opposition to **REP. LARSON'S** comments, that if the state funds were amended out of this bill, it should be killed. He was informed there are other bills out there that have revenue in them to do this maintenance work without using the highway funds. If it passes, the Parks Department can still contract with the Highway Department to do these jobs. He is totally against using highway funds to do this work with the exception of gas related things. This is a clear use of highway funds, whether the Highway Department says they will or they won't is something else. The other 3 or 4 bills that are out there will make funds of this problem. There are 2 bills in taxation and 1 in Business and Economic Development, if they pass, they will can still do these programs without using highway funds.

REP. MCCULLOCH asked if this isn't just for the highway maintenance crews, and this bill would not give the parks mandate authority to use those funds. **CHAIRMAN STANG** said it gives them permission to. He said he talked with the people from the Parks

Department earlier. He had reluctantly voted for gas taxes increases in the past, but did, because he was informed they would be used strictly for highway maintenance. If the Highway Department has extra money that they do not need gas tax for, then reduce the gas tax, and bring in the bill that is before a committee now to fund the park roads, and be honest with the public to let them know that is what the funds are being used for.

Motion/Vote: REP. CLARK MADE A SUBSTITUTE MOTION THAT SB 44 BE NOT CONCURRED IN. Question was called. Voice vote was taken.

Vote: SB 44 BE NOT CONCURRED IN. Motion CARRIED unanimously.

EXECUTIVE ACTION ON SB 109

Motion: REP. NELSON MOVED SB 109 BE CONCURRED IN.

Discussion: CHAIRMAN STANG said this is SEN. SVRCEK'S bill that will require state governments to use gasohol for their vehicles. He said this bill is about the same as to REP. FOSTER'S bill, HB 144. REP. FOSTER wants comparable price and SEN. SVRCEK wants the same price. The requirement for each operator to take care of their own records was deleted and it will require the agencies to keep the records.

REP. NELSON spoke to her motion and offered an amendment on page 1, line 20. To change the word "same" to "comparable" price. This would allow for a couple of cents up or down.

REP. FOSTER spoke for his bill, HB 144. The reason he chose the word "comparable", because it makes more sense to allow for some flexibility. He said that REP. GALVIN is the one that noticed that the price was cheaper at the station here in Helena. The wording he used is "competitive", not "comparable".

CHAIRMAN STANG said that REP. FOSTER'S bill was not changed for the Highway Patrol in section 1, line 15, except as provided in subsection 6, was not eliminated. REP. FOSTER might want to change that when his bill goes through the Senate Committee.

REP. NELSON moved to adopt amendment. Question was called. Voice vote was taken. Motion CARRIED unanimously

Motion/Vote: REP. LARSON MADE A SUBSTITUTE MOTION THAT SB 109 BE CONCURRED IN AS AMENDED. Question was called. Voice vote was taken.

Vote: SB 109 BE CONCURRED IN AS AMENDED. Motion CARRIED unanimously.

EXECUTIVE ACTION ON SB 132

Motion: REP. STEPPLER MOVED SB 132 BE CONCURRED.

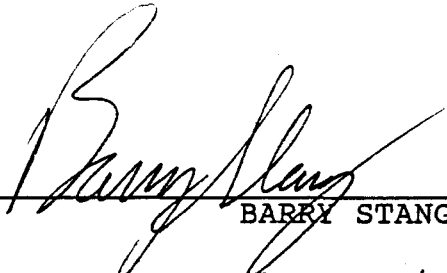
Discussion: CHAIRMAN STANG said this is SEN. TVEIT'S bill for the triple piggy backs. It brings the length into compliance with the federal regulations from 65' to 75'.

Motion/Vote: REP. STEPPLER called the question. Voice vote was taken.


Vote: SB 132 BE CONCURRED IN. Motion CARRIED unanimously.

ADJOURNMENT

Adjournment: 6:30 p.m.



BARRY STANG, Chair



CLAUDIA JOHNSON, Secretary

BS/cj

HOUSE OF REPRESENTATIVES

HIGHWAYS AND TRANSPORTATION COMMITTEE

ROLL CALL

DATE 3-13-91

NAME	PRESENT	ABSENT	EXCUSED
REP. FLOYD "BOB" GERVAIS, V.-CHAIR	✓		
REP. ERNEST BERGSAGEL	✓		
REP. ROBERT CLARK	✓		
REP. JANE DEBRUYCKER	✓		
REP. ALVIN ELLIS, JR.	✓		
REP. GARY FELAND	✓		
REP. MIKE FOSTER	✓		
REP. PATRICK GALVIN	✓		
REP. DICK KNOX	✓		
REP. DON LARSON	✓		
REP. SCOTT MCCULLOCH	✓		
REP. JIM MADISON	✓		
REP. LINDA NELSON	✓		
REP. DON STEPPLER	✓		
REP. HOWARD TOOLE	✓		
REP. ROLPH TUNBY	✓		
REP. BARRY "SPOOK" STANG, CHAIRMAN	✓		

10:15
3-14-91
JDB

HOUSE STANDING COMMITTEE REPORT

March 14, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Highways and Transportation report that House Bill 568 (first reading copy -- white) do pass as amended .

Signed: Barry Stang, Chairman

And, that such amendments read:

1. Title, line 5.

Strike: "REGULAR DRIVER'S LICENSES AND"

2. Page 3, line 23.

Strike: "\$4"

Insert: "\$3"


10:25
3-14-91
JDB

HOUSE STANDING COMMITTEE REPORT

March 14, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Highways and Transportation report that Senate Bill 109 (third reading copy -- blue) be concurred in as amended .

Signed: 
Barry Stang, Chairman

Carried by: Rep. Schye

And, that such amendments read:

1. Page 1, line 20.

Strike: "THE SAME"

Insert: "a"

2. Page 1, line 21.

Strike: "AS"

Insert: "comparable to"

10:25
3.14-91
JDB

HOUSE STANDING COMMITTEE REPORT

March 14, 1991

Page 1 of 1

Mr. Speaker: We, the committee on Highways and Transportation report that Senate Bill 132 (third reading copy -- blue) be concurred in .

Signed: Barry Stang, Chairman

Carried by: Rep. Steppler

EXHIBIT 1

DATE 3-13-91

WB SB 132

THE FOLLOWING ILLUSTRATIONS ARE LEGAL COMBINATIONS FOR USE IN THE DRIVE-AWAY DELIVERY OF VEHICLES:

Legal Width: 102"

Legal Height: 14'

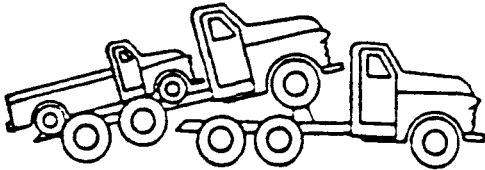
Legal Length: 65'

When licensed with a Transit Plate, one plate must be on the front of the combination and one plate on the rear of the combination.

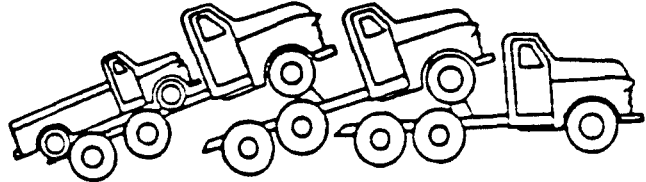
When licensed with a Temporary Trip Permit, a permit must be purchased for each vehicle in contact with the roadway.



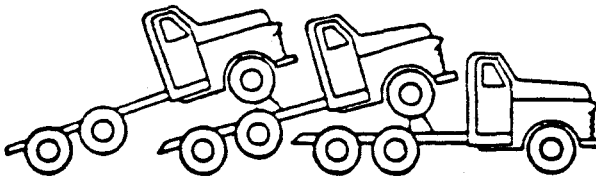
TOW BAR



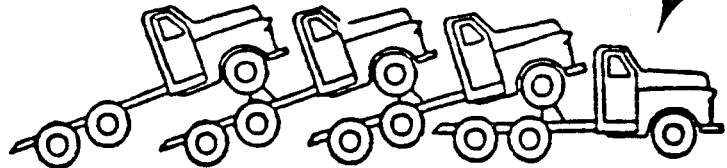
SADDLEMOUNT



DUAL SADDLEMOUNT



DUAL SADDLEMOUNT

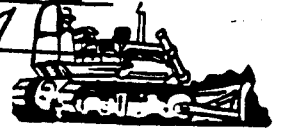


TRIPLE SADDLEMOUNT



A.M. Welles, Inc.

EXHIBIT 2
DATE 3-13-91
HB SB 297



Hauling • Mining • Construction
P.O. Box 8
Norris, Montana 59745

Mr. Chairman, committee members, for the record I am Alfred Hokanson. I own and operate A. M. Welles, Inc. in Norris, Montana. I am here to testify in favor of this bill. During 1990 A. M. Welles, Inc. employed 87 people with an annual payroll in excess of one million dollars.

We have operated the truck, trailer, trailer combination double units (drawing #1) since 1974 when we were first authorized and permitted to do so by the Montana GVW. From 1974 to 1991 we have operated a fleet of up to 16 of these units enabling us to keep hauling costs down. In the last 17 years we put on about 15 million miles without an accident involving these double units. Approximately 13 million of those miles were run on U.S. Highway 287 which is one of the oldest and narrowest roads in the state. I feel this attests to the safety of this type of unit.

If we were forced to discontinue using these double units it would cause a severe financial burden. It would cost \$40,000 per unit or about \$640,000 to convert to a truck, dolly, semitrailer unit (drawing #2) which would be about 10% less efficient and, in my opinion, would not be as safe. Based on tonage hauled in 1990 this 10% loss in legal payload would result in approximately \$125,000 in lost annual revenue.

If we did not make the capital investment of buying different trailers, and instead dropped one trailer our efficiency would decrease about 25%. This would result in an annual revenue loss of approximately \$330,000.

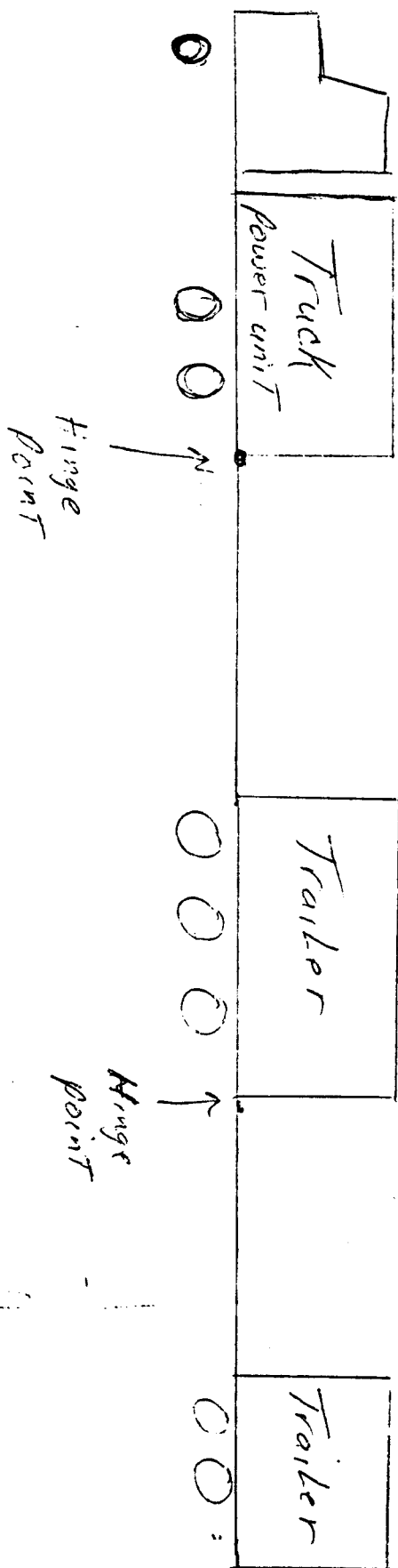
I feel as though our combination units were possibly included in last session's triples bill inadvertently and passage of this bill would allow us to continue operating as we have for the last 17 years.

#1

Truck, Trailer, Trailer

2 Hinge points, 1 Truck, 2 Trailers

EXHIBIT 3
DATE 3-13-91
HB SB 297





Cyprus Industrial Minerals Company
An Affiliate of Cyprus Minerals Company

EXHIBIT 4
DATE 3-13-91
HB SB 297
2150 Bench Road
Three Forks, MT 59752
406 285-3201

March 13, 1991

House Committee

Ref: Bill No. 297

Cyprus Industrial Minerals owns and operates 3 mines and 1 mill in Montana. It is one of the world's largest producers of talc ore and finished talc products. Cyprus employs approximately 175 people within the state.

A.M. Welles is the sole contractor providing transportation services for talc ore from our mines to the mill in Three Forks. Welles has been able to provide competitively priced services due to the specific equipment configuration that were purchased and operated. Welles has legally operated this equipment since 1974.

If Welles is prohibited from operating the existing fleet of trucks, present income would be decreased due to reduced tonnage hauled per trip or a major capital expenditure made to purchase new equipment to haul the present tonnage. Either situation would require cost recovery in the form higher freight rates passed on to Cyprus.

Cyprus establishes pricing to our customers based on the accumulation of costs throughout all phases of operation and production. Any cost increases to Cyprus for which we have no control would be passed along to our customers. Higher costs would place Cyprus at a competitive disadvantage to other out of state producers. Any loss of business would result in the loss of Montana jobs.

The accident frequency of the Welles' fleet of equipment, especially the truck-trailer-trailer combination provides further evidence that these units are a safe and economical means for enhancing Montana's competitive position in the national and world wide market place.

William S. Carrier
Distribution Coordinator

CYPRUS

EXHIBIT 5
DATE 3-13-91
HB SB 178

March 13, 1991
SB 178
Ben Havdahl, MMCA

Mr. Chairman, members of the committee, for the record I am Ben Havdahl, representing the Montana Motor Carriers Association. MMCA is very supportive of SB 178. SB 178 passed the Senate with a very strong 45 to 4 vote in spite opposition from Burlington Northern Railroad and from the railroad supported citizens group, "CRASH." The provisions of the bill will be beneficial to motor carriers, the degree of benefit depends on the operation.

A file folder has been prepared containing information on the bill for the benefit of the committee including a copy of the approved WASHTO Policy Committee "Guide".

As the sketch on green paper shows federal minimum length standards for tractor trailer combinations were established using only trailer lengths of 28 1/2 and 48 feet. The tractor length was excluded.

Montana's Legislature adopted the federal trailer lengths in 1985. Montana has, for many years, permitted Rocky Mountain Doubles to operate on all primary highways at an overall length maximum of 95 feet.

MMCA supports the combined trailer length measurement standard or "tip to tail" measurement of 81 feet proposed in SB 178 for Rocky Mountain Doubles. The standard is consistent with Federal law. It establishes the maximum longer trailer length of the combination to be 48 feet and excludes the tractor from the length measurement. The combined trailer length of 81' effectively limits the shorter trailer to 28 1/2 feet.

Although WASHTO provides for length standards for triple trailer combinations, SB 178 does not address these. The Montana legislature has established triple trailer longer combination standards.

Montana currently authorizes permitting for operation in the State, of Turnpike Doubles up to 100 feet in over-all length, on the Interstate. If you will note on the blue sheet, the present length standards allowed by WASHTO states varies from state to state.

Montana's current length restriction of 100 feet for turnpike doubles precludes using 45 foot trailers in the combination. (45'+45'+4' draw bar=94', leaving only 6' for a tractor) Yet Idaho, Utah, Nevada, and Arizona allow 105 feet for Turnpike Doubles which will permit two 45 foot trailers pulled by a cab-over tractor. (45'+45'+4' draw bar=94' leaving 11' for a tractor) In Montana, the 100 foot limitation is too restrictive for even a cab-over tractor.

Page 2

SB 178 would permit Turnpike Doubles up to 110 feet in over-all-length with a maximum length per trailer of 45 feet operating only on the Interstate.

As the blue chart shows, under the bill, Montana carriers would be able to operate in and through Idaho, Utah, Nevada and Arizona. This would be beneficial for carriers hauling two 45' trailers in combination to any of these states or to the California border, disassembling the units and entering California with two single units. The reverse could be used back to Montana.

North and South Dakota allow 110 feet for Turnpike Doubles and Colorado and Oklahoma have no length restrictions, all in compliance with the WASHTO standards. These combinations, with WASHTO length standards, are shown in the sketch on yellow paper.

There are documented advantages of Turnpike Doubles. Research through Western Highway Institute has shown that stability of a set of doubles improves with increases in trailer length.

LCVs have an excellent safety record. I would refer you to your packets and the Memo on "Safety Statistical Information."

Also with weights controlled by uncapped Formula B, as Montana now does, there will be less pavement wear per ton of cargo and, generally, less cumulative stress on bridges. As the yellow chart shows, the average tandem axle weight allowed for a Turnpike Double under the formula, is 28,625 pounds or over 5,000 pounds less than the statutory tandem axle weight limit of 34,000 pounds. A similar weight distribution is shown for RM Doubles.

Productivity increases of up to 100% and attendant fuel savings are additional benefits of Turnpike Doubles.

The principle disadvantage of Turnpike Doubles is its relatively poor off-tracking compared to other LCVs and standard combinations. As can be seen in the attached tables to this statement, in a standard 90 degree turn, this combination "off-tracks" 4.3 feet more than a 48/28 Rocky Mountain Double combination and 2.4 feet more than Double 40s.

The answer to this is "management" and is addressed in the statement of intent to SB 178 requiring the department of highways to adopt rules to permit Turnpike Doubles to operate only on ramps, which can accommodate an acceptable degree of off tracking. Also, where necessary, to require that trailers travelling to and from terminals be individually be moved and coupled at interchange approach areas.



EXHIBIT 5
 DATE 3-13-91
 HB SB 178

B.G. HAVDAHL, EXECUTIVE VICE PRESIDENT
 501 NORTH SANDERS
 P.O. BOX 1714, HELENA, MONTANA 59624
 TELEPHONE: AREA CODE 406 442-6600

TO: MONTANA HOUSE HIGHWAYS AND TRANSPORTATION COMMITTEE
 SUBJECT: SAFETY STATISTICAL INFORMATION

MONTANA TRUCK / TRUCK TRACTOR ACCIDENTS
 Annual Reports Montana Highway Patrol

	<u>1989</u>	<u>1988</u>	<u>1987</u>	<u>1986</u>	<u>1985</u>	<u>1984</u>
*Triple Trailer Accidents	2	3	3	-	-	-
Total Accidents	1,194	1,059	973	1,202	1,343	1,656
Total Drivers Involved	1,860	1,630	1,495	1,858	2,076	2,505
No. of Persons Injured	568	461	456	535	591	755
Accid. Involving Fatal.	22	17	23	33	35	32
No. of Persons Killed	25	18	28	37	36	46

*MMCA industry accident information not part of the MHP Reports, with 3 reported accidents in 1990.

The 1990 Annual Report of Accidents published by the Montana Highway Patrol reported that 1,194 accidents occurred in 1989 involving a truck/truck tractor. Compared to the high of 1,656 in 1984, that is a reduction of 28%. The number of persons injured also declined from a high of 755 in 1984 to 568 in 1989 representing a 33% reduction.

The number of accidents have been steadily declining from a high of 1,656 in 1984 to a low of 973 in 1987 representing a reduction in total truck/truck tractor accidents in Montana over that four year period, 1984 through 1987, of 41.24%. Persons injured during that period decreased by 65%.

Page 2

The reduction in accidents from 1984 through 1987 was dramatic and according to the statistics from the MHP annual reports, showed a steady average decline of 228 per year. The number of persons injured in these accidents also decreased dramatically during that period. There were 299, or 39.6% fewer persons injured.

There is no reason given for the increases in total accidents from 1987 through 1989. Speculation has it that the increase may be attributed to increases in the speed limit from 55MPH to 65MPH on the Interstate. The reports show an increase in accidents on the Interstate from 240 in 1988 to 362 in 1989.

The report on fatalities involving truck/truck tractor accidents has decreased from a high of 35 in 1985 to a low of 17 in 1988, a reduction of 51%. The accidents involving fatalities increased to 22 in 1989 from the low of 17 in 1988. The reports gave no explanation for this increase. However, the 1989 figure of 22 is a reduction of 13 accidents involving fatalities from the 1985 high figure of 35.

A similar downward trend is shown for the number of persons killed. This fact is good news as well, although, it would even be better news if the numbers were all reduced to zero.

These reductions in accidents and fatalities are impressive and although the reasons for the reductions are not easily identified, speculation has it that the reductions can be attributed in a very large part to the stepped up, improved safety inspections or both equipment and drivers throughout the state by Montana Highway Patrol enforcement officers and GVW officers under the Motor Carrier Safety Assistance Program.

LONGER COMBINATION VEHICLES SAFETY INFORMATION

The Bureau of Motor Carrier Safety of the U. S. department of Transportation reports that for 1987 the accident frequency for the entire trucking industry, covering all truck configurations, totalled 1.3 accidents per million miles of driving.

In 1988, the four leading carriers reported an average accident rate of .13 per million miles for triples and .32 for their entire fleets (Yellow Freight, United Parcel Service, Roadway, and Consolidated Freightways).

Longer combination vehicles have an exemplary safety record. In 1988, only four people died in accidents involving LCVs; only one person died in an accident involving a triple trailer. Only nine persons have died in triple trailer accidents in the last 10 years.

LCVs have been operating the the U. S. for more than 30 years. They currently operate in 13 states and on 5 turnpikes. It must be noted that none of these states are seeking their repeal.

LCVS - TRIPLES AND ACCIDENTS OTHER JURISDICTIONS - 1988

1. Utah, in twenty years of operation no fatalities involving triples have been reported in Utah.

2. Wyoming, in testimony favoring the inclusion of triples to their highways noted the safety records of 11 major trucking companies using triple trailers since 1970 reflect a remarkably good experience. Those companies operated triples more than 88 million miles with only 59 accidents, a record better than conventional truck traffic. Five companies had no accidents at all.

3. In South Dakota, as of March 31, 1987, a total of 4,575 triple trailer trips (888,000 vehicle miles) had only one property damage accident recorded.

4. Colorado, during their experimental study of thirty companies (1984-85) did not have a single reportable accident involving triples.

5. Idaho has experienced a reduction in the accident rate each year that triples have been authorized. The actual number of accidents has stayed fairly constant although the number of triples has steadily been increasing. (1983, 9 triples, 518 tractor semis; 1984, 5 triples, 551 tractor semis; 1985, 10 triples, 344 tractor semis; 1986, 10 triples, 649 tractor semis; and 1987, 7 triples, 656 tractor semis.)

6. Nevada comparison of accidents for triples to tractor/trailer combinations for three year period revealed the following: 1985, 9 triples, .14 per million miles, 888 tractor semis, 1.93 per million miles; 1986, 8 triples, .12 per million miles, 812 tractor semis, 1.95 per million miles; 1987, 19 triples, .76 per million miles, 796 tractor semis, 1.85 per million miles. It should be pointed out that in 1987 Nevada opened up over 800 miles of two lane highways for triples.

7. Kansas, where triples are restricted to driving on the Kansas Turnpike, only nine accidents have been recorded for triples in five years of operation. Six were recorded in 1985 and in 1983 and 1986 no accidents were reported.

Page 4

8. Oregon, for the years 1980-86, accidents involving triples accounted for less than one percent (.55%) of the total number of Oregon truck accidents.

9. Consolidated Freightways, operating in most of the western states, has traveled over 22 million miles with only 1.30 accidents per million miles as compared to 2.49 accidents for the rest of their fleet.

10. Yellow Freight System has operated triples 6.4 million miles since 1984 with only two minor accidents, for an accident frequency 40% lower than their entire fleet.

11. United Parcel Service, operating in every authorizing state was accident-free with triples in 1985 and 1986. The UPS ratio of triples is one accident for 11.3 million miles traveled in 1989.

12. Province of Alberta report of triples operation,

"The validity of using large companies' safety record as a gauge of long combination trucking industry's track record is questionable. They operate under stringent regulations, have better drivers and equipment, and are usually restricted to certain routes. It is likely that the good collision experience the overlength trucks are enjoying will continue for as long as the operating circumstances remain intact."

13. In Minnesota between 1982-87, 143 twin trailer units were involved in crashes as compared to 17,830 semi-trailer units. Only two people were killed in these double accidents and only 61 people were injured as compared to 6,112 in semi accidents. Larger truck combinations (western doubles) in Minnesota have already established an enviable safety record in comparison to all other forms of traffic types.

14. Regarding Federal Accident Reporting System, U. S. DOT, statistics on doubles, FARS does not have a separate fatality rate category for "multitrailers"; FARS combines all combination configurations into the general category of "combination vehicles." Current FARS fatality rates using the base of (/100 million miles) is as follows:

Combinations	Light Trucks	Passenger Cars
5.10	3.65	2.42

The combination vehicle fatality rate has been on a steady decline since 1981 dropping from 6.56 in 1981 to 5.1 in 1988.

Page 5

According to FHWA, interchange statistics for region 8 which includes Montana, show that 60% to 63% of the interchanges can accommodate LCVs. This percentage must be considered on the low side because an interchange is rated inadequate if any part of it is unable to safely accommodate LCVs. In reality, many cloverleaf interchanges will safely accommodate right turns, although left turn loops may have insufficient radius.

MMCA supports the application of all the rules and regulations now required for Triples to be applied to Turnpike Doubles. Gross weights, routings, breakdown sites, terminal access and other restrictions should be spelled out on the permit application and should be written into the permit and be revoked should any violations occur.

On a final note, Turnpike Doubles are a combination that will be run infrequently in Montana by permittees. Generally, carriers tend to use this LCV for truck-load lot shipments with a sufficient amount of freight over an economic distance and can net additional revenue by doing so. In any case, it will not be seen as the every day combination on Interstate Highway Systems.

MMCA would oppose any proposed amendment to eliminate permitting Turnpike Doubles from SB 178.

I do understand the Burlington Northern Railroad will oppose the permitting of Turnpike Doubles in Montana under SB 178. The reason for their opposition is, as I see it, summarized in a statement by the Association of American Railroads. I quote;

"America's roads and highways are hopelessly crowded and underfunded and these ills are caused by trucks that compete with railroads. Railroads are in many ways, inherently superior to trucks as a form of freight transportation, but trucks have been able to steal rail business because trucks do not pay enough in road taxes. To remedy this, truck taxes should be made higher so that railroads may recover the freight stolen from them. Until truck taxes do go up, preferably with the institution of weight-distance taxes, truck size and weight restrictions should remain as they are," end of quote.

The real reason is the superior efficiency and service that motor carriers give their customers.

For everyone but the railroads, the shift in freight distribution from rail to highway has been, in economic terms, an unmitigated blessing. Apparently the rails want someone to legislate freedom from competitive activity from someone else. We urge the committee's concurrence with SB 178. Thank you.

(2)

EXHIBIT 5
DATE 3-13-91
HB 56178

Table III-3

Maximum Offtracking and Maximum Swept Path for Combinations
Negotiating a 200-Foot Radius Curve

<u>Vehicle</u>	<u>Offtracking, Feet</u>	<u>Maximum Swept Path, Feet</u>
Double-28	3.0	11.5
Triple-28	4.4	12.9
Tractor Semi-48	4.8	13.3
Rocky Mountain Double-45/28	5.1	13.6
Rocky Mountain Double-48/28	5.7	14.2
Turnpike Double-45/45	7.4	15.9
Turnpike Double-48/48	8.5	17.0

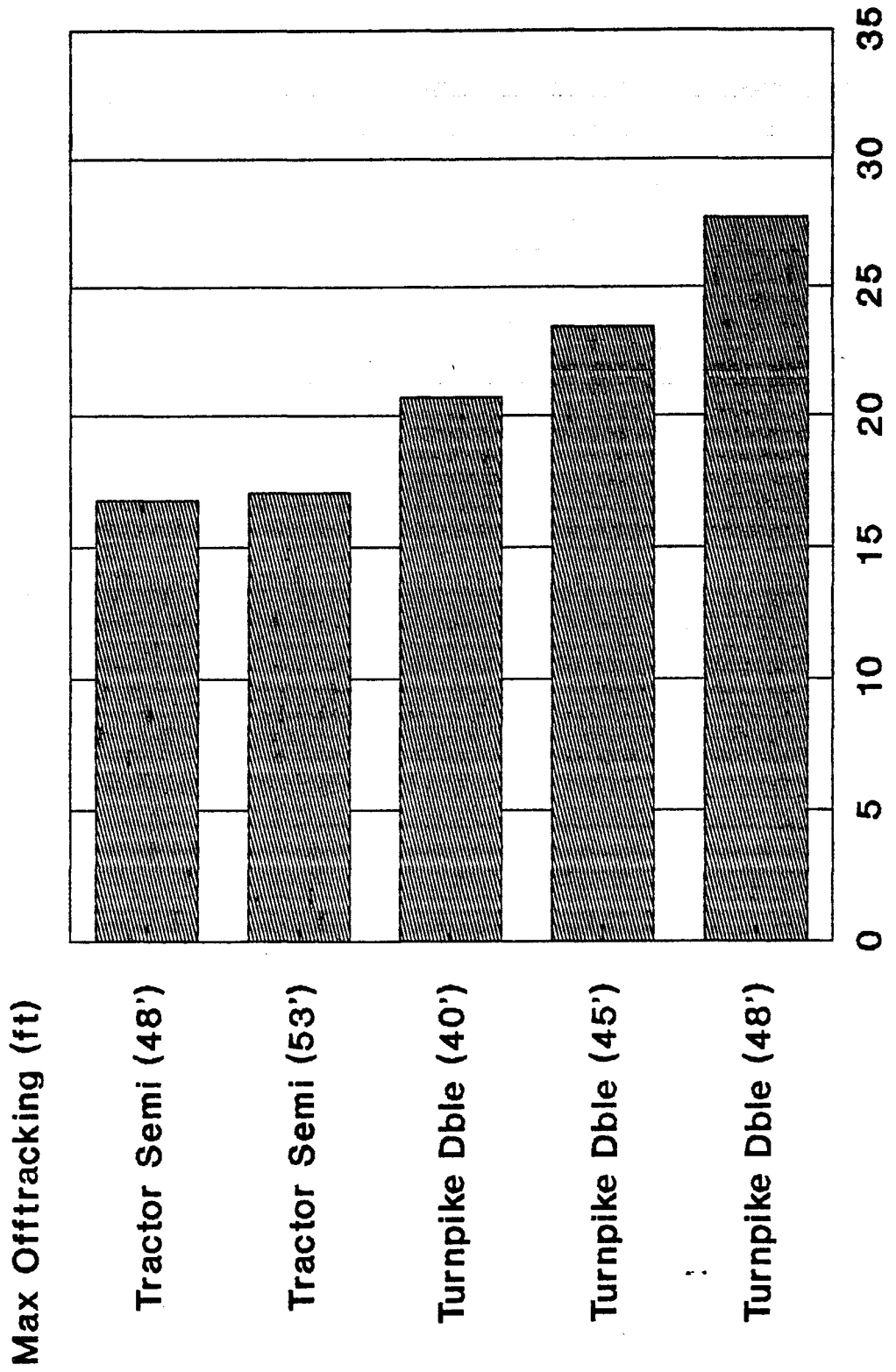
Table III-4

Maximum Offtracking and Maximum Swept Path for Combinations
Negotiating a 90-Degree Intersection Turn
For a 45-Foot Radius Curve

<u>Vehicle</u>	<u>Offtracking Feet</u>	<u>Maximum Swept Path, Feet</u>
Double-28	12.5	21.0
Triple-28	16.9	25.4
Tractor Semi-48	17.5	26.0
Rocky Mountain Double-45/28	18.5	27.0
Rocky Mountain Double-48/28	20.1	28.6
Turnpike Double-45/45	24.4	32.9
Turnpike Double-48/48	27.1	35.6

Source: Ervin, R. D., 1984, page 41

Offtracking 45 Ft Radius, 90 degree Turn



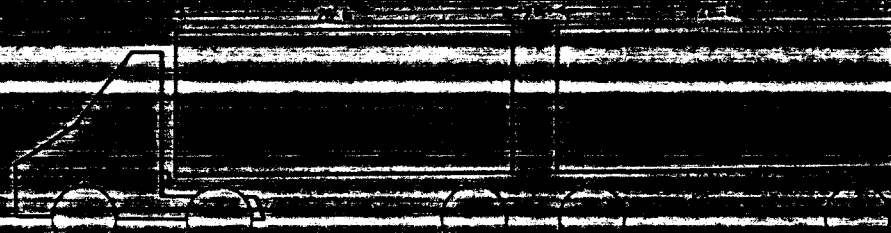
Effect of Federal Highway Improvement Act, 1982 STATE RESTRICTION TRUCK LENGTH

- Not Less Than 48 feet For Semitrailer In A
Truck Tractor Semitrailer Combination

- Not Less Than 28½ feet For A Semitrailer In A
Truck Tractor Semitrailer Semitrailer Combination



Truck Tractor Semitrailer Combination



Truck Tractor Semitrailer Semitrailer Combination

* VEHICLES IN EXCESS OF 75 FEET OVERALL LENGTH
OPERATE UNDER A SPECIAL PERMIT

PRESENT STATE LENGTH REGULATIONS FOR LONGER COMBINATION VEHICLES

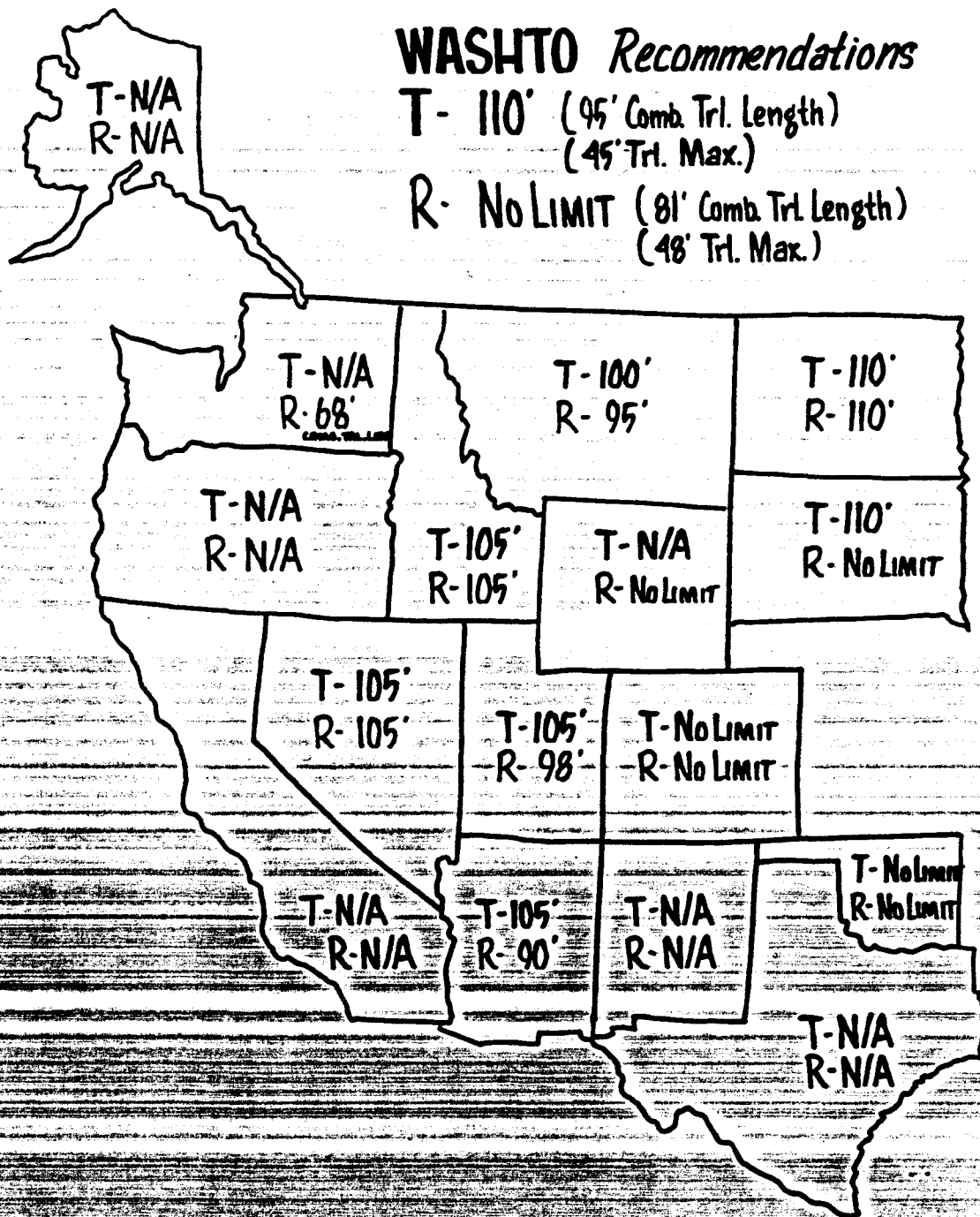
WESTERN ASSOCIATION OF HIGHWAY AND TRANSPORTATION OFFICIALS

EXHIBIT 7
DATE 3-13-91
HB SB 178

WASHTO Recommendations

T- 110' (95' Comb. Trl. Length)
(45' Trl. Max.)

R- No Limit (81' Comb. Trl. Length)
(48' Trl. Max.)



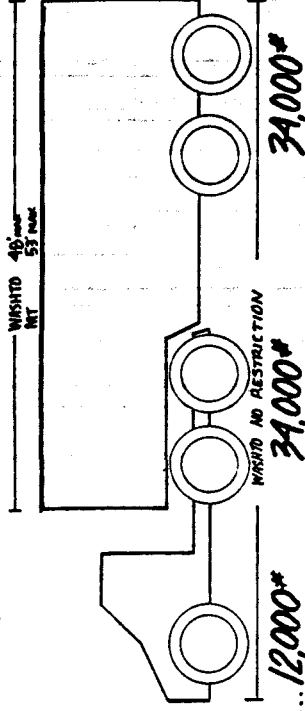
ALASKA
ARIZONA
CALIFORNIA
COLORADO
HAWAII
IDAHO
MONTANA
NEVADA
NEW MEXICO
NORTH DAKOTA
OKLAHOMA
OREGON
SOUTH DAKOTA
TEXAS
UTAH
WASHINGTON
WYOMING

T- TURNPIKE DOUBLES

R- ROCKY MOUNTAIN DOUBLES

N/A- NOT AUTHORIZED

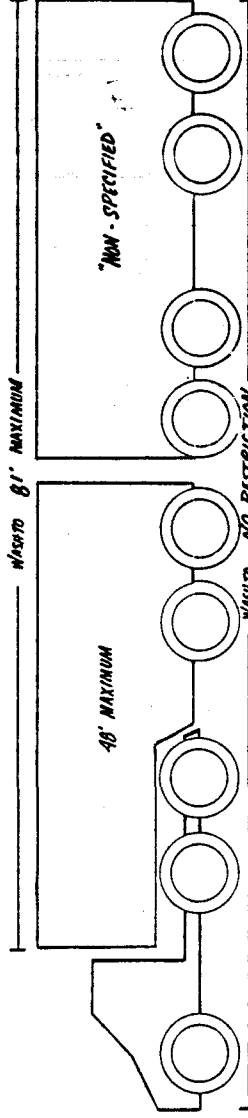
WASHTO TRUCK LENGTH WEIGHT STANDARD 5-AXLE SEMI TRAILER STANDARDS



AXLE MAXIMUM.....

12,000* 34,000* 34,000*

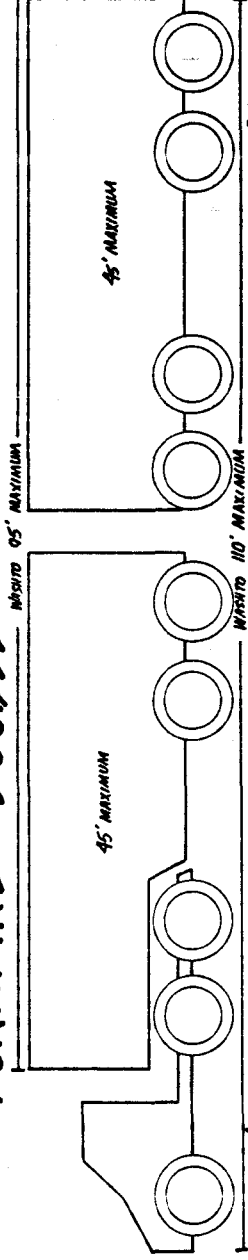
ROCKY MOUNTAIN DOUBLE



AXLE MAXIMUM.....12,000*
 FORMULA B ALLOWED.....14,870*
 PRACTICAL WEIGHT AVERAGE.....12,000*

34,000* 34,000* 34,000*
 27,500* 27,500* 27,500*
 27,500* 27,500* 27,500*

TURNPIKE DOUBLE



AXLE MAXIMUM.....12,000*
 FORMULA B ALLOWED.....16,560*
 PRACTICAL WEIGHT AVERAGE.....12,000*

34,000* 34,000* 34,000*
 28,625* 28,625* 28,625*
 28,625* 28,625* 28,625*

TOTAL
GROSS
WEIGHT

80,000*

148,000*
 124,870*
 122,000*

EXHIBIT
 DATE 3-13-91
 58 178

148,000*
 131,060*
 126,500*

EXHIBIT

9

DATE

3-13-91

HB

SB 178

MR. CHAIRMAN, MEMBERS OF THE COMMITTEE, FOR THE RECORD I AM JON LARGIS, REPRESENTING MERGENTHALER TRANSFER AND STORAGE BASED IN HELENA, MT. MERGENTHALER OPERATES IN THE WESTERN REGION OF THE UNITED STATES AND OPERATES 30 POWER UNITS AND 60 TRAILERS. I AM HERE TO TESTIFY IN FAVOR OF SB178 AND I APPRECIATE THE OPPORTUNITY TO OFFER COMMENTS AS A PROPONENT OF THE BILL.

AS THE SOLE PURPOSE OF BEING IN BUSINESS IS TO GENERATE PROFIT, WE AT MERGENTHALERS FEEL THAT THE ONLY WAY WE CAN REMAIN PROFITABLE IS TO FULLY UTILIZE LCV'S (LONGER COMBINATION VEHICLES) AS SET FORTH IN THE WASHO RECOMMENDATIONS FOR UNIFORMITY. THIS INCLUDES THE ADAPTION OF TURN PIKE DOUBLES. WITH TURNPIKE DOUBLES, THE INCREASED FUEL SAVINGS AND OPERATIONAL EFFECIENCY, BECAUSE OF INCREASED VOLUME WOULD EQUATE TO REDUCED OPERATIONAL COSTS.

BECAUSE OF ROUTING RESTRICTIONS AND THE INCREASED AMOUNT OF PAYLOAD, TURNPIKE DOUBLES WOULD BE USED ONLY IN CASES WHERE HIGH CUBE LOW DENSITY FREIGHT IS HANDLED. THIS BILL WOULD ALSO ALLOW MERGENTHALERS TO MAINTAIN A BALANCE OF PROPER TRAILERS AT SPECIFIC LOCATIONS. THE TURNPIKE DOUBLE FEATURE WOULD MAKE U A S MORE FLEXIBLE, VERSATILE CARRIER ENABLING US TO HAUL ANY TYPE FREIGHT ON ANY GIVEN DAY AT A COMPETITIVE PRICE.

IN CLOSING-----THE TRUCKING INDUSTRY IN MONTANA NEEDS THE WASHO RECOMMENDATIONS FOR UNIFORMITY. THE STATE OF MONTANA NEEDS TO ADAPT THE WASHO RECOMMENDATIONS FOR UNIFORMITY AND TO ENHANCE THE ENFORCEMENT AND ADMINISTRATIVE DUTIES OF THE STATE. WITH THE PASSAGE OF SB178 OUR INDUSRTY COULD THEN HELP THE STATE OF MONTANA MAINTAIN A COMPETITIVE ENVIRONMENT FOR BUSINESS. I URGE YOU TO PASS SB178 TO HELP THE EVER DECREASING VIABLE MONTANA BUSINESSES. THANK YOU

EXHIBIT 10
DATE 3-13-91
HB SB 178

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE. FOR THE RECORD, I AM PAT KEIM, DIRECTOR OF GOVERNMENT AFFAIRS FOR BURLINGTON NORTHERN RAILROAD. I LIVE IN HELENA, MONTANA. I AM HERE TODAY TO SPEAK AS AN OPPONENT TO SENATE BILL 178.

WE IN THE RAILROAD INDUSTRY, BOTH MANAGEMENT AND EMPLOYEES, ARE CONCERNED ABOUT THIS BILL WHICH WE VIEW AS ANOTHER STEP, IN AN ONGOING PROCESS BY THE TRUCKING INDUSTRY, TO OPERATE BIGGER AND LONGER TRAILER COMBINATIONS OVER OUR HIGHWAYS. WE VIEW THE ISSUE HERE AS ONE OF COMPETITION WHICH IS AIMED, ON A NATIONAL BASIS, AT TAKING BUSINESS AWAY FROM THE RAILROAD AND PUTTING IT ON THE HIGHWAYS.

THE PROPONENTS WILL TELL YOU THE BILL IS AIMED AT "STANDARDIZING" TRUCK LENGTHS THROUGHOUT THE AREAS REPRESENTED BY WASHTO, HOWEVER THEIR BASIS FOR ACHIEVING STANDARDIZATION IS TO INCREASE TRUCK SIZES TO MATCH THOSE ISOLATED STATES THAT ALLOW RIGS UP TO 110' IN TOTAL LENGTH, NOT TO DECREASE THEM TO MATCH THOSE STATES THAT AUTHORIZE LESSER LENGTHS. CURRENTLY IN THIS AREA, AS YOU CAN SEE FROM THE MAP THE PROPONENTS HAVE PUT UP, VERY FEW STATES, NAMELY NORTH DAKOTA AND , AUTHORIZE THE 110' OVERALL LENGTH. THE TRUCKERS PLAN IS TO MATCH NORTH DAKOTA'S ALLOWED LENGTH, STATE BY STATE, TO EVENTUALLY HAVE UNIFORM AUTHORIZATION FOR LONGER TRUCKS. THOSE OF US WHO EARN OUR LIVING IN THE RAIL INDUSTRY ARE DEEPLY CONCERNED ABOUT THIS TREND. IT HAS MAJOR IMPLICATIONS FOR THE RAILROAD EMPLOYEES OF THE STATE OF MONTANA.

IN 1989, THE LAST YEAR FOR WHICH THERE ARE FULL STATISTICS AVAILABLE, 3,621 MONTANAN'S EARNED THEIR LIVING WORKING FOR THE RAILROAD. THEY BROUGHT HOME A TOTAL PAYROLL OF \$138,260,197.30. OUR MARKETING PEOPLE TELL US THAT ONCE THE TRUCKING INDUSTRY ACHIEVES THIS UNIFORM GOAL FOR THESE LONGER TRUCK COMBINATIONS, WE STAND TO LOOSE THE MAJOR PORTION OF OUR PRESENT INTERMODAL TRAFFIC, REPRESENTING UP TO 30% OF OUR REVENUE BASE. IF THIS IS LOST, IT MEANS THAT WE MUST MAKE CORRESPONDING JOB REDUCTIONS IN ORDER TO STAY COMPETITIVE. IF YOU PROJECT THAT 30% FIGURE ACROSS THE WAGES PAID, IT COULD WELL MEAN THE LOSS OF 1,000 RAILROAD JOBS IN MONTANA. THAT COULD MEAN A LOSS OF \$41,400,000.00 IN WAGES PAID IN THIS STATE. THESE ARE GOOD PAYING JOBS, OF WHICH THIS STATE HAS PRECIOUS FEW LEFT. EVEN SHOULD THE IMPACT BE LESS IT IS STILL SIGNIFICANT.

ON THE OTHER SIDE OF THE COIN, THESE JOBS WOULD NOT BE OFFSET BY MONTANA JOB INCREASES IN THE TRUCKING INDUSTRY. ANY SUCH INCREASES THAT WOULD BE SEEN FROM TRAFFIC TAKEN FROM THE RAILS WOULD GO TO THE LONG-HAUL TRUCKER LIVING IN WASHINGTON OR OREGON OR SOMEWHERE BACK EAST, NOT IN MONTANA.

NOW, HOW MUCH TRAFFIC ARE WE TALKING ABOUT? LAST YEAR, BN AND MRL HANDLED APPROXIMATELY 386,246 TRAILERS AND CONTAINERS ON OUR INTERMODAL TRAINS TO AND FROM THE WEST COAST AND INTO MONTANA. THIS IS THE BUSINESS THAT THE TRUCKERS ARE AFTER. IF WE LOSE THAT BUSINESS, NOT ONLY DO THE DOLLARS AND EMPLOYEES GO FROM MONTANA, BUT A SUBSTANTIAL PORTION OF THOSE 386,000 RIGS WILL FIND THEIR WAY ONTO MONTANA'S HIGHWAYS.

SINCE MOST OF THIS TRAFFIC MOVES BETWEEN THE WEST COAST AND MIDWEST AND EASTERN MARKETS, MANY OF THESE TRUCKS WILL BE GOING RIGHT DOWN INTERSTATE 94 AND INTERSTATE 90. DURING THE TRANSMITAL BREAK, I HAD THE OPPORTUNITY TO TRAVEL INTERSTATE 94 FROM BUTTE TO BILLINGS. THOSE WHO HAVE TRAVELED THIS HIGHWAY RECENTLY CAN RELATE TO WHAT I AM ABOUT TO

EXHIBIT 10
DATE 3-13-91
HB SB 178

SAY. THE RIGHT HAND LANE FOR MUCH OF THE DISTANCE IS SO BADLY RUTTED THAT AT TIMES IT WAS ALMOST UNNECESSARY FOR ME TO STEER THE CAR. I HAVE TRAVELED THAT ROAD IN RAINSTORMS AND FOUND IT TO BE DANGEROUS BECAUSE OF THE RIVERS OF WATER RUNNING IN THOSE RUTS. DURING THE LAST DRIVE, I DECIDED TO TRY TO USE THE LEFT HAND LAND, BECAUSE IT WAS SMOOTHER, NOT HAVING BEEN WORN OUT BY THE TRUCKS. BUT WHEN I WENT OVER TO THE LEFT LANE, I FOUND IT FULL OF TRUCKS. IT SEEMS THAT THEY, TOO, HAVE FOUND THE LEFT LANE SMOOTHER AND WERE USING IT FOR TRAVEL. ADD ANOTHER 380,000 TRUCKS A YEAR AND SEE HOW LONG THAT LANE LASTS.

IN 1990, THE MINNESOTA DEPARTMENT OF TRANSPORTATION DID AN EXTENSIVE STUDY OF COSTS ALLOCATED FOR HIGHWAY MAINTENANCE, ASCRIBING COSTS TO VARIOUS TYPES OF VEHICLES AND THEN COMPARING THOSE COSTS TO REVENUES RECEIVED BY THE STATE FROM THOSE SAME TYPES OF VEHICLES. THE STUDY SHOWED THAT TRUCKS WITH SIX AXLES OR MORE ONLY PAID APPROXIMATELY 50% OF THE COST THAT THEY CREATED IN HIGHWAY DETERIORATION. I HAVE SEEN NO SIMILAR STUDY FOR MONTANA, BUT THE STATISTICS WOULD PROBABLY BE COMPARABLE.

IN SUMMATION, IF THE TRUCKING INDUSTRY IS SUCCESSFUL IN ITS STATE BY STATE TACTIC OF INCREASING TRUCK LENGTHS, THE COST TO STATES LIKE MONTANA WILL BE SIGNIFICANT IN TERMS OF JOBS, INFRASTRUCTURE DETERIORATION, AND STATE MAINTENANCE COSTS. SB 178 IS A BILL THAT IS PART OF A NATIONAL CAMPAIGN TO ALLOW FOR INCREASED TRUCK SIZES. I URGE YOU TO KILL THIS BILL.

Hope B. Stevens
Conservation Planning

Robert T. Stevens, Jr.
Transportation Planning

Postal Address: P.O. Box 459, Bozeman, Montana 59771
UPS/Fed X: 603 S. 10th Ave., Bozeman, Montana 59715
Phone (Voice and Fax): 406-586-1182 (Press * for Fax)

February 6, 1991

Montana Senate Committee on Highways
% Senator Weeding
P.O. Box 154, Capitol Station
Helena Mt. 59620

EXHIBIT 11
DATE 3-13-91
HB SB 178

Re: SB 178, Opponent

Recently retired from 25 years in travel and transportation work at Bozeman, I have become disturbed by the increasing politicalization of highways to the point where one well heeled industry is able to direct the course of events, effectively disenfranchising everyone else. Nowhere is this better illustrated than by the soothing assurances of a trucking industry which, having achieved many new footholds on weight and size over the years, forever pursues further enhancements from whatever point its most recent gain happens to be.

A very sinister consequence of these empire building tactics by the trucking industry is the adverse impact on railroads. Unfortunately for Montana's transportation infrastructure, railroads don't seem to be well liked or perceived as integral to our state's wellbeing. They are, however, essential to the economical transport of our heaviest commodities, but that business alone cannot sustain their expensive rights-of-way. Fortunately some 30 to 40% of railroad business is presently the movement of trailers and containers, which is enough diversification to make the systems economically viable. But unfortunately for all of us, each permitted increase in size and weight of trucks generally translates into some future retrenchment of the railroad physical plant.

As this committee makes its decisions it should realize that far more is at stake than a few inches of additional length - or even the considerable extra weight per combination. At stake is basic transportation infrastructure; in other words, both our already stressed highways and our railroads deserve your thoughtful consideration, even though one is not specifically a party to SB 178. Not to view the larger picture is a sign to me that our state legislature (not any specific legislator) is in the same deteriorating trend as our federal Congress, unable to focus except in diminished scale, with awesome fallout gathering to plague us later.

EXHIBIT 11
DATE 3-13-91
HB SB 178

In conclusion, I owe allegiance to no transportation entity of any kind. Supporting railroads and opposing SB 178 at this time, does not mean I like everything railroads do any more than your committee can be completely happy with the trucking industry. The larger picture is that we need both modes in good health, more now than ever before because of excess dependence on foreign oil.

Thank you for allowing me to present these remarks, which are not exactly as made extemporaneously before you on February 5, but are of the same substance.


Robert T. Stevens Jr.



EXHIBIT 12
DATE 3-13-91
WB SB 178

March 11, 1991

Honorable Bob Gervais
Vice-Chairperson
House Highways and Transportation
Committee
State of Montana
Capitol Station
Helena, Montana 59620

Dear Vice-Chairman Gervais:

We understand that the Montana legislature will consider legislation that would expand truck size and weight limitations on Montana's highways.

Amtrak, the nation's rail passenger carrier, is concerned that the efforts at both the state and federal level to authorize double 48 foot and triple trailer rigs may have negative consequences beyond the obvious safety implications.

Mr. W. Graham Claytor, President of Amtrak, expressed his concerns over increased truck size before the Senate Appropriations Subcommittee on Transportation and Related Agencies as follows:

Someone suggested to me that we ought to support larger trucks, because if you had twin 48's and triple trailer rigs, after someone had driven a couple of times, he would leave his car in the garage and take the train, so it would be great for us.

However, if you look at the longer term, the fact is that every train we run outside the Northeast Corridor is operated over the lines of the freight railroads and their ability to operate at all depends upon the maintenance of their track for high speeds.

But if they lost most of their business other than coal due to bigger trucks, those tracks would inevitably deteriorate. I think there would be significant abandonments over lines on which we run.

And so, while we might have more people wanting to ride the trains, we would not be able to take them because we have no place to run them outside the (Northeast) corridor. I think it will have a very adverse effect over the long run on the operation of our national passenger service.

EXHIBIT 12
DATE 3-13-91
HB SB 178

- 2 -

Mr. Chairman, Montana already has lost much of its passenger service due to downgrading of freight rail lines. Further deterioration of these lines could mean the end of the energy efficient rail passenger alternative. We urge you to maintain truck size and weight limits at their present levels and allow the nation's rail system, both freight and passenger, to continue offering its unique energy, environmental and safety advantages to the transportation needs of the country and the state of Montana.

Sincerely,

15
John L. Jacobsen
Director
Government and Public Affairs

cc: Ernest Bergsagel
Robert Clark
Jane DeBruycker
Alvin Ellis, Jr.
Gary Feland
Mike Foster
Patrick Galvin
Dick Knox
Don Larson
Jim Madison
Scott McCulloch
Linda Nelson
Don Steppler
Howard Toole
Rolph Tumby

EXHIBIT 13
DATE 3-13-91
HB SB178

Wherever you fly in Europe, make Zurich your changing point. After all, Zurich airport is so efficient, even trains stop there. So when you deplane, you just walk downstairs and you'll be greeted by a gleaming, ultra-modern train, ready to whisk you away to your European destination. On time. Another reason why more and more seasoned travellers take Swissair from New York, Chicago, Boston, Los Angeles or Atlanta, then change in Zurich to Europe or more than 100 of our destinations worldwide.

So the next time you go to Europe, take Swissair to Zurich, get off the plane and hop the train. It's the fastest way to fly on the ground.

The civilized way to the world. swissair 

Testimony on SB 178
House Highways & Transportation Committee
Steve Bullock,
State Coordinator for Citizens for Reliable & Safe Highways
13 March 1991

Chair, members of the Committee:

Good Afternoon. My name is Steve Bullock. I am a Montana native, and the State Coordinator for Citizens for Reliable and Safe Highways, or CRASH. CRASH is a non-profit, citizens' coalition dedicated to preventing injuries resulting from trucking accidents. We are a nationwide organization led by Joan Claybrook, President of the Public Citizen and former Administrator of the National Highway Traffic Safety Administration under Jimmy Carter, and Dr. Gerald Donaldson of the Advocates for Highway and Auto Safety. Enclosed within the testimony packet please find a copy of our Board of Directors.

Let me make clear, we are not trying to eliminate trucks from our nation's highways, rather to ensure that trucks are maintained and ran at the safest possible levels for both driver and motorist.

Citizens for Reliable & Safe Highway's injury prevention efforts are focused in four areas:

1. Preventing crashes caused by driver fatigue;
2. Preventing crashes caused by poor truck maintenance;
3. Preventing crashes caused by drug and alcohol abuse; and
4. Preventing crashes by opposing any increase of the size and weight of truck's on America's highways.

EXHIBIT 14
DATE 3-13-91
WB SB 178

It is interesting that you are currently considering adopting recommendations of the Western Association of State Highway and Transportation officials. Recently, the American Association of State Highway & Transportation Officials, which is the parent organization of the Western Association of State Highway and Transportation Officials, unanimously passed a statement urging Congress not to allow the US Department of Transportation or any state to increase the allowable size and weight limits for trucks on the interstates.

From that statement, a copy of which is enclosed in your packet, I quote:

AASHTO does not believe mandating these changes, or granting states authority to make these changes, is justified based on what is now known; considerable further study of the ramifications of these changes is needed. For example, there are long-term safety, financial and environmental implications to changes in truck sizes and weights which warrant thorough examination, beyond any analysis which has occurred to date.

AASHTO's concerns are based on studies that they have performed. An AASHTO survey of states conducted in 1983 reported that a majority of Interstate ramps cannot accommodate the off-tracking of many larger combination vehicles¹

- . 57% of the interstate ramps cannot accommodate Triples
- . 66% cannot accommodate Rocky Mountain Doubles; and
- . 75% of the ramps cannot accommodate Turnpike Doubles

If only one out of every four interchanges could accommodate

¹AASHTO, A Policy on the Geometric Design of Highways and Streets, Washington, D.C., 1984.

turnpike doubles in 1983, I am hard-pressed to believe that our federal highway system has been improved that dramatically in the past seven years.

And it is a fallacy to think that we are conforming to the practices of Western states when Washington, Oregon, Wyoming, California, New Mexico, and Texas, do not even allow doubles on their interstates of the size we currently allow on ours.

AASHTO is by no means the only voice that has come out in opposition to allowing larger trucks on our interstate systems.

A study released in May of 1988 by the Insurance Institute for Highway Safety reported that double trailer trucks are 2 to 3 times more likely than other configurations of big trucks to be involved in accidents. This comparison of interstate highway crash rates holds true regardless of driver age, truck weight, hours of driving, size of fleet, or involvement of other vehicles. Double trailer trucks are also more likely than singles to jackknife in a crash.²

In California -- a state that will not even allow trailers the size that you are now considering -- yet where smaller doubles have been widely used for decades, double trailer trucks are involved in 83%

²H. Stein & I. Jones, American Journal of Public Health, May 1988, vol. 78 no.5, p.491. Study conducted in Washington state. No national studies have yet been conducted.

EXHIBIT 14
DATE 3-13-91
HB SB 178

more fatalities per mile than are single trailer trucks.³

And the latest analysis of national data from the Fatal Accident Reporting System (a US DOT Database), when verified by the Bureau of Census Truck Inventory & Use Survey, confirms almost the same national fatality rate and the same discrepancy between 18-wheelers and Multi-Unit Combination Vehicles, as noted above.⁴

Another study was recently conducted by the AAA. In December of 1990, the AAA Foundation for Traffic Safety released a report entitled A Study of the Operating Practices of Extra-Long Vehicles.

Among the reports findings were the following:

"Truck Driver Attitudes toward Extra-Long Vehicles (ELV's): Four out of five transport drivers' queried said they don't want to drive ELV's. Two-thirds of the transport drivers think ELV's are much less safe than the 5-axle semi-trailer."

"Other motorist attitude to ELV's:...Splash and spray from long doubles confronts other motorists with more precipitation thrown onto the windshield than the immediate capacity of the wipers can accommodate, and for short periods of time, automobile drivers can be totally blinded."

I understand that legislative committees are often more concerned about the direct impact to Montana, rather than the scores of national studies addressing the safety problems of the trucks that

³Fatal Accident Reporting System (US DOT), 1988. Note: All FARS data concerning to Double configurations are double-28's. That is the only double configuration that CA allows.

⁴FARS, 1989; verified by Trucks in Fatal Accidents and Truck Inventory & Use Survey, 1987. FARS Data captures multi-unit configurations on the state reporting sheets. FARS Data does not always delineate between length of doubles & triples. That is why TIFA and TISUS are used to verify.

you are considering today. But ascertaining statistics for the amount of safety problems directly related to Montana is a difficult task, as few studies have been conducted and substantive information is hard to come by. And as of the current date, accident statistics for 1990 have not even been fully tabulated, let alone released.

I can tell you with certainty that in 1989 there were 100 accidents involving double trailers and 2 fatalities; of those approximately 50% of the accidents occurred on our interstate system.⁵

Concerning trucking accidents and interstate travel, there were 362 total accidents, and eight fatalities. Nationwide, doubles only account for 6/100's of a percent of the total trucks on our roads.⁶ But in Montana, double trailers accounted for 13% of the total trucking accidents on our interstates, and 12.5 % of the fatalities involving trucks on our interstates. Clearly, accidents involving double trailers are over-represented.

Citizens for Reliable and Safe Highways is not out to rid the nation's highways of double 28-foot trailers, as the trucking industry successfully pushed through legislation that federally mandated double-28's in 1982. But I would emphasize that the vast majority of the studies that have been performed thus far were conducted on twin 28-foot doubles weighing only 80,000 pounds. The

⁵Montana Highway Patrol Annual Report, Records Bureau, Helena, Montana

⁶Transmode Consultants, November 1990.

EXHIBIT 14
DATE 3-13-91
HB SB 178

proposal that you are considering this afternoon will allow trucks with two 45-foot trailers, stretching over one-third the size of a football field.

And as there are already significant safety considerations related to 28-foot and 40-foot double trailers, do we really want to further increase the size of the trucks on our highways? I would submit that we do not.

CRASH is by no means the only organization that is expressing concern about the Longer Combination Vehicles. Some of the many groups that have come out opposing LCV's are: the Advocates for Highway Safety, the American Automobile Association (AAA), the American Insurance Association, the American Association of State Highway and Transportation Officials, the Consumer Federation of America, the Friends of the Earth, the National Association of Governors' Highway Safety Representatives, the National Conference of State Legislatures, National League of Cities, the National Taxpayers Union, and the Sierra Club.

In conclusion, I would submit to the Committee that you are deciding more this afternoon than just whether to conform regulations to a western standard. There are grave safety considerations in further lengthening the size of trucks allowed on Montana's interstates, and double 45-foot trailers are not necessarily a "western" standard. I would urge you to oppose this measure.



EXHIBIT 15
DATE 3-13-91
HB SB 178

DONALD R. JUDGE
EXECUTIVE SECRETARY

110 WEST 13TH STREET
P.O. BOX 1176
HELENA, MONTANA 59624

(406) 442-1708

TESTIMONY OF DARRELL HOLZER ON SENATE BILL 178 BEFORE THE HOUSE
HIGHWAYS COMMITTEE, MARCH 13, 1991.

Mr. Chairman, members of the Committee, for the record my name is Darrell Holzer representing the Montana State AFL-CIO, and we are here today to echo the concerns of the railroad industry in terms of lost job opportunities, no real benefit to in-state trucking firms, and probable endangerment to public safety if Senate Bill 178 were to become law.

In all honesty, the very thought of a motorized piece of equipment in excess of 100 feet in length, traveling at speeds of sixty-five miles per hour, possibly leading to a disastrous catastrophe on our interstate highways paints a horrifying picture.

In addition to safety concerns, this proposal would be of little, if any benefit to job creation in local trucking firms currently based in the state. The reason is quite simply, that 80% of the area traveled by these firms is on secondary highways where vehicles of excessive length are already prohibited. In fact this could cut jobs in the railroad industry by transferring those jobs out of state based trucking firms.

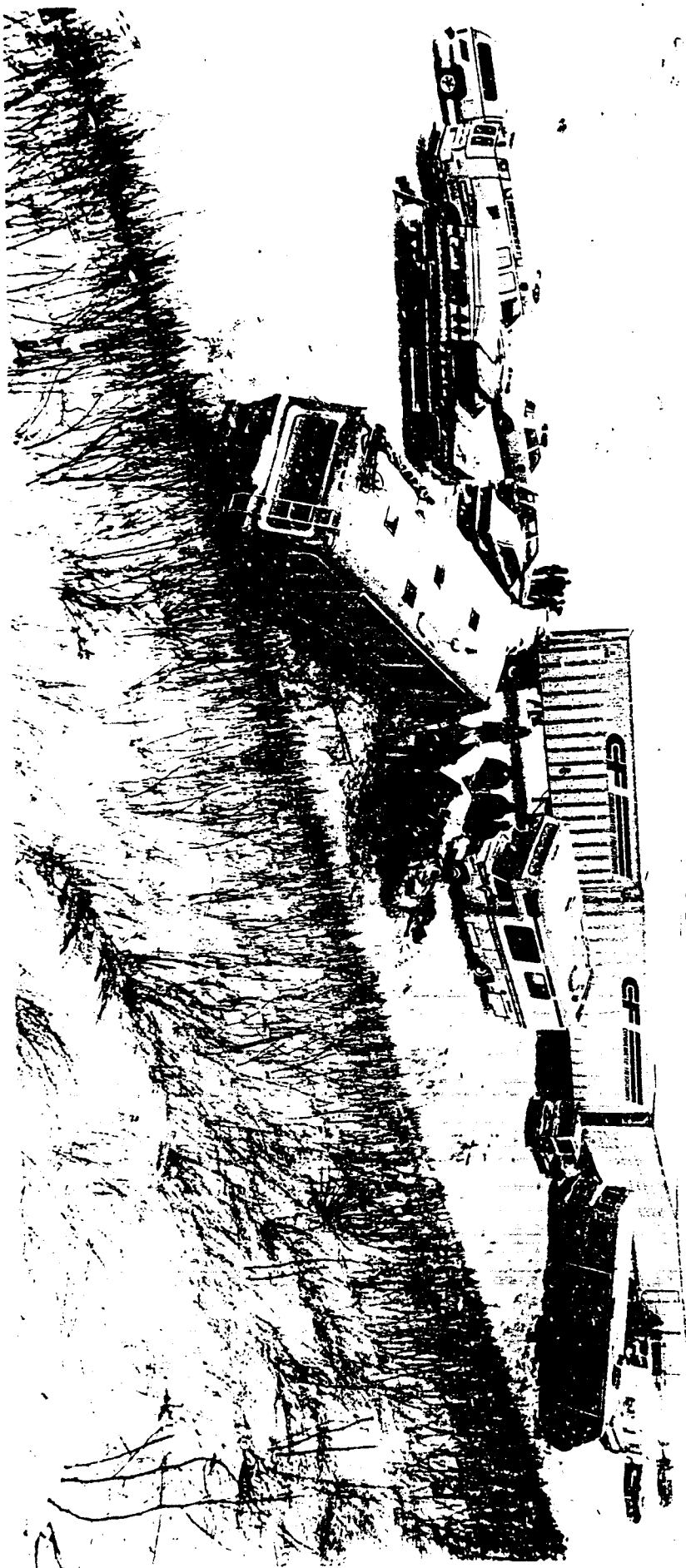
Senate Bill 178 shows no indication of benefit to the State of Montana while conversely subjecting our citizens to possible highway hazards and potential job loss. We would therefore encourage this Committee to reject SB 178.

Thank you.

EXHIBIT 14
DATE 3-13-91
MR SB 178

95 FOOT TURNPIKE DOUBLE

TWIN 28'S

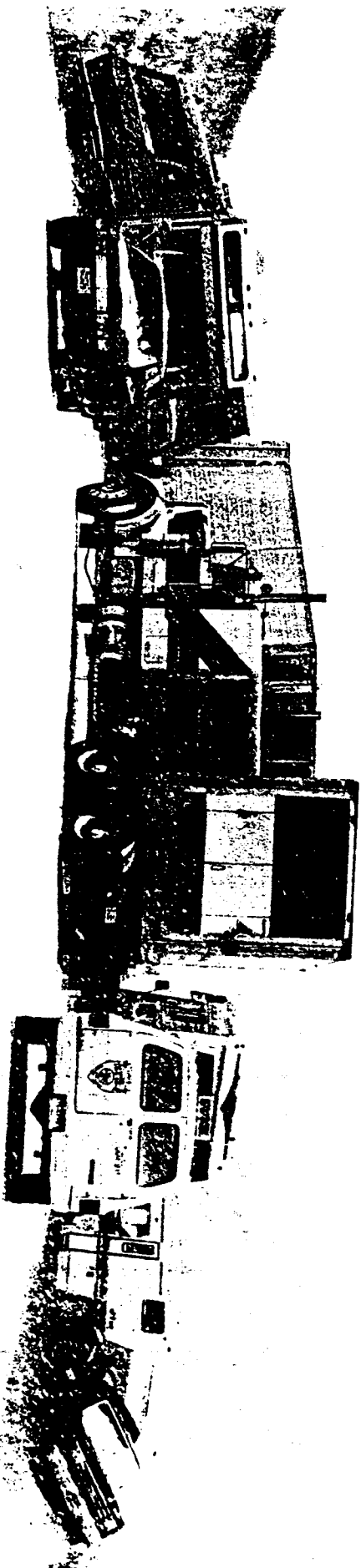


I-15 CASCADE, MONTANA MARCH 1, 1991

21 VEHICLES, 1 DEAD, 4 INJURED

EXHIBIT 16
DATE 3-13-91
HB SB 178

95 FOOT TURNPIKE DOUBLE



I-15 CASCADE, MONTANA MARCH 1, 1991

21 VEHICLES, 1 DEAD, 4 INJURED

EXHIBIT 17
DATE 3-13-91
~~HE~~ SB 178

TESTIMONY
SENATE BILL 178

Raymond West
UTU Leg. Director

Mr. Chairman and members of the committee I rise in opposition to Senate Bill 178. There would be some railroad jobs lost due to the shift in business from railroads to the trucking industry. There is nothing wrong with competition as long as each competitor receives equal treatment. America's freight railroads believe that sound public policy requires all forms of transportation to compete on the basis of costs rather than subsidy.

The increased highway traffic would aggravate already stressed roadways, at the same time rail profit margins are falling, and can contribute to additional and unnecessary environmental degradation. Rail shippers would face slower, poorer quality and less frequent service. Shippers remaining with the railroad (rail dependent coal shippers, for example) would face higher rates as they were forced to shoulder more of the railroads' remaining overhead cost.

If the trucking company want to run train-like trucks, then they should build their own roadway like the railroads do. Railroads buy their own right-of-way pluss build and maintain their track. This bill would give the trucking companys an advantage over railroads. Railroads have served Montana for over 100 years and is still the most efficient way of shipping Montana grain, coal and lumber to market.

Increassing volume of truck traffic have had a negative effect on highway safety. According to the National Safety Council, trucks were involved in 28 percent of all fatal highway accidents during 1988 and were involved in almost 14 percent more accidents in 1988.

EXHIBIT 17
DATE 3-13-91
HB SB 178

Page 2
testimony

According to the American Automobile Association (AAA) Motorists are 32 times more likely than truckers to die in an accident with a large truck. Longer trucks are more difficult to operate and lead to driver fatigue, another major cause of heavy truck accidents. During 1989, almost 5,000 people died and 100,000 were injured in accidents involving "big-rig" trucks, with 84 percent of those killed being in automobiles. We should not make Montana highways a death trap by passing laws to permit longer and heavy trucks on our Interstate highways.

RAILROADS: The answer, U.S. railroad facilities-- unlike the congested highways have substantial excess capacity and are in the best condition in their modern history, in terms of the environment and safety, railroads are a preferred mode of transportation.

I strongly urge you to oppose Senate Bill 178.

Thank you

TRUCK-TRAINS: A BAD DEAL FOR AMERICA

The railroad industry has a suggestion for the trucking industry:

If you want to operate trains, build yourself some tracks — don't put your trains out on the highways.

Clearly, the trucking industry believes that the way to success is to become more like railroads. That is the reason behind the truck lobby's attempts to gain federal approval for what many in the trucking industry refer to as Long Combination Vehicles — twin- and triple-trailer trucks that could reach total weights exceeding 135,000 pounds and measuring more than 120 feet in length. Except for a relatively few restricted exceptions, today's biggest trucks average about 65 feet in length, and cannot weigh more than 80,000 pounds.

But, while some big trucking companies might want to operate vehicles that look like trains, they don't want the responsibility and expense of building and maintaining their own rights-of-way — the highway system — and paying taxes on them, as railroads do.

For decades, truckers have had the benefit of a highway system built and maintained by the government.

Sure, they pay a "user charge." But, the U.S. government itself says they don't pay enough to come close to covering the costs of the damage they impose on the highway system. In fact, the total paid by the biggest trucks only adds up to about half of what they should pay for just the pavement damage they cause. What about societal costs, like safety, pollution or congestion? They don't pay those. They never have. It seems doubtful that they ever will.

Raising The Stakes

Now, the truckers want heavier and longer trucks — twin trailers rigs more than 120 feet long, and/or triple trailer rigs 110 feet long — and weight limits of nearly 70 tons.

Sound like a welcome sight in your rear-view mirror? If you don't think so, you're not alone. Public opinion surveys have shown — not surprisingly — that some 90 percent of motorists do not wish to share the highways with these double- and triple-trailer trucks. Their principal concern is safety.

That is also the concern of a number of public interest organizations dedicated to highway safety — including the American Automobile Association (AAA) — who oppose these mammoth trucks. As the AAA puts it: "... Motorists are 32 times more likely than truckers to die in an accident with a large truck. Longer trucks are more difficult to operate and lead to driver fatigue, another major cause of heavy truck accidents."

Stacking The Deck

The railroad interest in this is competitive.

With the benefit of a publicly maintained right-of-way and the added productivity conferred by these longer, heavier vehicles, trucking companies can begin to siphon off railroad traffic — especially intermodal traffic, where truck trailers and containers ride on specially designed rail flatcars. Intermodal benefits many truckers by

providing an economical means of transporting trailers and containers long distances. More importantly, it benefits the public because it reduces congestion on our highways. For the rail industry, it has become the fastest growing segment of business, with railroads hauling about 6 million trailers and/or containers in 1989 alone.

However, as railroaders continue to cut rates to the bone, they may find themselves unable to compete with subsidized truckers and such benefits as intermodalism may be lost.

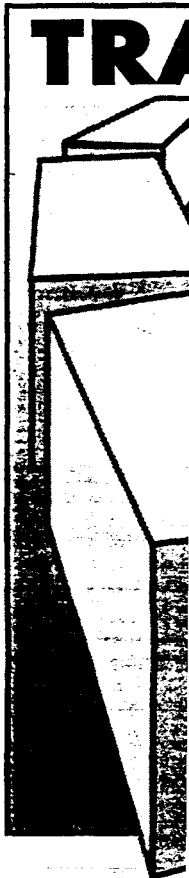
It is estimated that the nationwide operation of these truck-trains could result in diversion of from 15 to 20 percent of current rail traffic — and a 50 percent drop in rail net earnings.

Well, you say, too bad about the railroads — but doesn't that mean lower prices, and isn't that good for consumers?

On the contrary, it is bad for consumers.

Railroads Could Fold

The fact that truckers don't pay a full share of pavement damage costs — and none of the societal costs they impose — doesn't mean that those costs go away. The highway system is already worn out and congested. The cost of rebuilding it — and expanding it to just eliminate



congestion — will be enormous. However, approval of these vehicles could result in the need for some highways to be built to the specifications required for proper and safe operation of these bigger trucks.

You — as a driver of an automobile — will end up paying more than your share of those costs every time you pull up to the gas pump. Why? Because more and more huge trucks, taking more and more traffic from the railroads, will create a new level of congestion and a new level of air pollution and further degrade highway

traffic levels will cost, according to the American Association of State Highway and Transportation Officials, about \$100 billion a year for the next 32 years.

However, if more traffic moves over the railroads instead of the highways, less will have to be spent on highways. They won't have to be built to the specifications AASHTO now envisions — and they certainly would not have to be built to the specifications implied by these longer combination trucks.

SAFETY — Railroads have

an outstanding safety record that has improved greatly over the past 10 years. They are involved in at least one-third as many fatal accidents, per ton-mile, as big trucks. It isn't difficult to understand: Railroads operate on private tracks used by no one else; trucks operate on crowded, public highways.

FUEL USE — Railroads use

diesel fuel — the same as trucks. But, on a per-ton-mile basis, railroads use about one-third as much fuel as big trucks. Put those truck trailers up on flat cars, and less than half as much fuel will be burned to provide the same service as would be provided by trucks. Double-stack train service — which, as the name implies, stacks containers two-high on each rail flat car — does even better.

EXHIBIT 18

DATE 3-13-91

~~HE 5B 178~~ **AIR POLLUTION** — Pick your least favorite pollutant, from hydrocarbons to particulates, you'll find that railroads emit only a small fraction as much as big trucks.

CONGESTION — The rail-

ways are not congested. On the contrary, they have substantial excess capacity. They can carry much more freight than now moves by rail — with no need for new track. If more freight moves by rail, fewer trucks will clog the highways.

The logic of the situation makes the decision inevitable. Railroads are clearly the socially preferable mode of transportation.

In the United States, of course, such decisions are left to the marketplace. Few would argue against this. In fact, the market system, if left alone, would produce the same result — railroads would be the preferred mode of transportation.

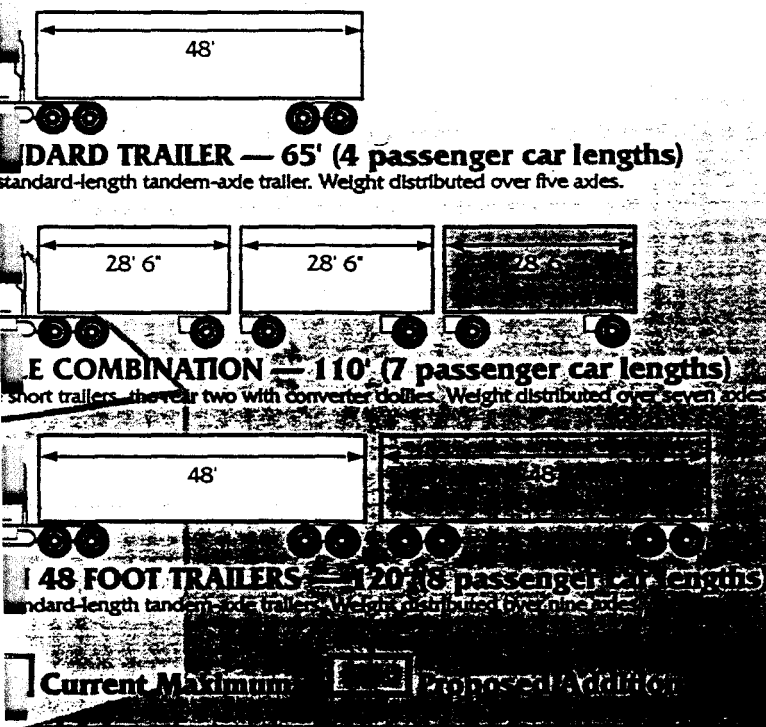
However, it is not the market system, but a violation of it, that subsidizes big trucks. It is not the market system, but a violation of it, that confers productivity without cost responsibility. It is not the market system, but a violation of it, that makes lobbying Congress a profitable business strategy.

If you would rather see trillions of tons of freight moving by rail instead of on your highways, you should lobby Congress, too. You should tell your representatives in Congress that truck-trains are a bad deal.



Write a letter, send a telegram, use the telephone — it doesn't matter how. But tell Congress that trains ought to be kept on tracks — not brought to the highways.

N-LIKE TRUCKS



safety — all while wearing out the new highways.

There is an easy way to put this matter in perspective.

Imagine that you have the power to decide how most freight will be moved — by truck or by rail.

To make a rational decision, you should consider:

COST — To rebuild the system of highways and bridges to the specifications implied by projected

KEYSTONE MOTORIST

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Volume 63, Number 1

Page 2 January/February 1991 Motorist

in our opinion...

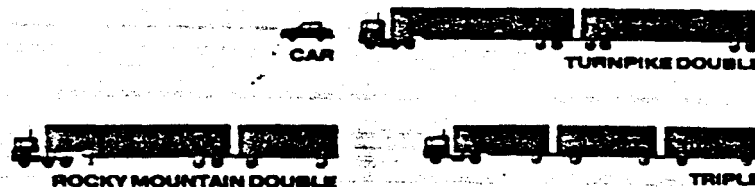
Say no to bigger trucks

The trucking industry is changing tactics. It has been reported that the American Trucking Association will no longer be asking Congress to allow double-and triple-trailer combination trucks nationwide. Instead, they plan to ask Congress to allow individual states to establish special permits that would let trucks exceed federal weight and length restrictions.

As we pointed out in this column in the September/October 1990 Motorist, bigger trucks mean greater risks. "Turnpike doubles are so unwieldy that on many roads it is virtually impossible to keep them within legal traveling lanes," we wrote. "Triple-combination trucks are more than three times likely to roll over than a standard five-axle tractor-semitrailer. Bigger and heavier trucks roaming unrestricted on the nation's highways would almost certainly increase the number of accidents involving big trucks."

If you agree that Congress should not allow greater use of such vehicles, write or call your Congressman and Senators to let them know. The important thing is to let those who represent you in Washington, D.C. know that you support safer highways, not bigger trucks.

Your car compared to these longer trucks



Motor Fund v. mass transit?

A few of our members have called or written in response to the story "Hands off the Motor Vehicle Fund!" which appeared in the November/December 1990 Keystone Motorist. It seems that our stand against any diversion of monies from the state's Motor Vehicle Fund was misconstrued as a stand against mass transit.

This was certainly not our intention.

Keystone AAA believes Pennsylvania mass transit agencies need and deserve a dedicated source of funding. How could any Philadelphian believe otherwise? The case for funding public transit has been made convincingly over and over again.

We also believe that mass transit funding should come from a source other than the Motor Vehicle Fund. Desperately needed repair and maintenance of Pennsylvania's highways and bridges should not be exchanged for improvements to mass transit.

Pennsylvanians deserve safe highways and improved mass transit — and, we believe, separate funding for both.

EXHIBIT 19
DATE 3-13-91
WB SB 295

8A

Great Falls Tribune
Sunday, February 24, 1991

Doherty SB 295 **Approve Saturday exams**

One of the more sensible bills of the 1991 legislative session is bottled up in the Senate State Administration Committee. Its sponsor, Sen. Steve Doherty, D-Great Falls, is uncertain if it can be shaken loose.

Senate Bill 295 would open urban driver examination stations on Saturdays to serve the public.

Presently, all exam offices in the state are open Monday through Friday. Doherty says that means many people have to take an hour or two off from work, or school, in order to take the exam.

He admits it wouldn't be possible to have Saturday service in smaller counties where the driver exam offices are located in courthouses or other public buildings. But most of the urban cities have exam stations in malls or business complexes that are open on Saturdays.

We think the proposal is one that would provide good service to the people. And we think the people would appreciate it.

Maguire

HOUSE OF REPRESENTATIVES
VISITOR REGISTER

Harvey COMMITTEE BILL NO. SB297
DATE 3-13-91 SPONSOR(S) Sen. Noble

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PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
William S. Carrier	CYPRUS IND MIN.	X	
Agnes Holman	A M Welles Inc	X	
Stuart Duggell	MT Mining Assoc.	X	

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1062

HOUSE OF REPRESENTATIVES
VISITOR REGISTER

Highways COMMITTEE BILL NO. 3B178
DATE 3-13-91 SPONSOR(S) Williams

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
CHARLEY CHAMBERS 101 INTERNATIONAL WAY MISSOULA	MONTANA RAIL LIWK		X
Ben Hadden	MT MOTORCYCLISTS ASSN	X	
Jon Lergis	Mergenthaler Transfer	✓	
Bob Stevens	Self		X
D. B. DITZEL	Bro. of Locomotive Engrs		X
m.w. Pappas	BMW E. Rail Labor		X
Steve Rycek			X
Pat Zeim	BN		X
GARY GILMORE	MDOH	✓	
Raymond WEST	UTU		X
DARRELL HOLZER	MT. STATE AFL-CIO		X
Rick VanAken	TRANSPN Comm. Union		X
Jim Jensen	MEIC		X
KEN DUNHAM	MT CONTRACTORS' ASSOC.	X	

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VISITOR REGISTER

Highways COMMITTEE BILL NO. SB 178
DATE 3-13-91 SPONSOR(S) Williams

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Rep Bob Roehner HP 14	Self		X

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HOUSE OF REPRESENTATIVES
VISITOR REGISTER

Huway COMMITTEE Woherty BILL NO. SB295
DATE 3-13-91 SPONSOR(S) Woherty

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Diane Toole	Driver Services Bureau		X
X			
Jim Maxwell	SAR MONTANA	X	
Jim Southworth Rep	HD 86		X
Rep Bob Brundage	MPBA		
Tom Schneider	MPBA		X

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HOUSE OF REPRESENTATIVES
VISITOR REGISTER

Always COMMITTEE BILL NO. SB 135
DATE 3-13-91 SPONSOR(S) Went

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NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Ben Haddad	MT Motor Carriers Assoc	X	
GARY GILMORE	MT D.O. Hugo	X	

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ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.