

## **MINUTES**

### **MONTANA SENATE 52nd LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON HIGHWAYS & TRANSPORTATION**

**Call to Order:** By SENATOR CECIL WEEDING, CHAIRMAN, on February 5, 1991, at 3:15 p.m.

#### **ROLL CALL**

##### **Members Present:**

Cecil Weeding, Chairman (D)  
Betty Bruski, Vice Chairman (D)  
John Harp (R)  
Francis Koehnke (D)  
Jerry Noble (R)  
Jack Rea (D)  
Larry Tveit (R)

##### **Members Excused:**

Lawrence Stimatz (D)  
Bill Farrell (R)

**Staff Present:** Paul Verdon (Legislative Council).  
Pat Bennett, Secretary

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

##### **Announcements/Discussion:**

None.

#### **HEARING ON SENATE BILL 178**

##### **Presentation and Opening Statement by Sponsor:**

SENATOR BOB WILLIAMS, District #15, stated that Senate Bill 178 pertains mostly to the traffic on interstate highways. (SEE EXHIBIT 1) The attached amendment is a statement of intent.

##### **Proponents' Testimony:**

DAVE GALT, GVW, Department of Highways expressed support for Senate Bill 178. (SEE EXHIBIT 2)

BEN HAVDAHL, Montana Motor Carriers Association, distributed his testimony in support of SB 178. (SEE EXHIBITS 3 & 4) He also gave each member a copy of suggested amendments. (SEE EXHIBIT 5)

JON LARGIS, representing Mergenthaler Transfer & Storage, testified in support of SB 178. (SEE EXHIBIT 6)

Rudolph Bertolino, representing R & M Trucking, testified in support of SB 178. He stated their units are rocky mountain doubles. They have a problem with their home state of Montana being limited interstate use because of their conventional tractors. He stated they have no problem in Wyoming. In view of the situation now, with the cost of fuel, the more weight you can pull the better.

#### Opponents' Testimony:

BOB STEVENS, Bozeman, stated he was opposed to SB 178. This bill would put an imbalance into the transportation infrastructure, which should be more balanced. The trucking company only considers profit, not the impact on communities. One of the consequences of the turnpike double is going to be further attrition from the railroads. There are also two problems: 1) these vehicles have a hard time going up hills; 2) the passage of one 80,000 LB tractor trailer is equal to 9,000 passages of a passenger car. He stated he would send in written comments.

STEVE BULLOCK, representing C.R.A.S.H. (Citizens for Reliable and Safe Highways), testified against SB 178. (SEE EXHIBIT 7)

#### Questions From Committee Members:

SENATOR HARP asked who funds Crash.

STEVE BULLOCK stated that it is a national organization based in 15 states. The two chairs for the organization are Jerry Wells, who is the head of the Center for Auto Safety in Washington, D.C. and Joan Claibrock who is the former highway safety administrator. The Board of Directors has two individuals from private industry, one representing the American Insurance Association, and one who works for ITEL. The funders are anyone interested in their cause. There are over 1,000 private contributions, the primary funders have been UTU, (United Transportation Union) and ITEL who manufactures the loading storage bases on the railroads. He stated that when CRASH was first being created, the railroads offered to give \$10 million in funds and Mr. Bullock stated they refused because it would immediately take the focus away from the highway safety concerns. He stated that they are a safety organization and they have absolutely nothing to do with the railroad industry.

SENATOR REA asked if there would be problems with the turnpike doubles.

SENATE HIGHWAYS & TRANSPORTATION COMMITTEE

February 5, 1991

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RUDOLPH BERTOLINO stated they use rocky mountain doubles which consist of 48 ft trailer and a 28-1/2 ft pull trailer. He stated they have had no problems.

CHAIRMAN WEEDING asked what the overall length of the trucks they use are.

RUDOLPH BERTOLINO stated that some of their combinations are 98 ft long. He stated they are using a shorter tractor in Montana and then are switching at Laurel before going into Wyoming.

SENATOR HARP asked about using the formula on rocky mountain double, you actually have less constraint on those axles than you do on the standard axles, if this statement would hold true.

TOM BARNARD, Chief Engineer, Department of Highways, stated yes, it would. The significant factor at looking at damage to the highway structure is the axle load. Anytime you decrease the axle load, the amount of damage decreases progressively.

DAVE GALT explained the bridge formula . (SEE EXHIBIT 8) He stated that the rocky mountain double is allowed less weight because it is shorter, the turnpike is allowed more weight because it is longer.

CHAIRMAN WEEDING asked Ben Havdahl about there only being two, North and South Dakota, who go to the 110 ft. He stated that several other states don't even allow it.

BEN HAVDAHL stated that there is no limit in Oklahoma or Colorado. The 110 ft standard derived by WASHTO was for uniformity is a result of assessing all of the current standards in the Western states. This report by WASHTO was put out in April of 1990 and many of the states are into their legislative sessions. He stated that the states are not that far off, but they are attempting to get this standard put together for all the states so a carrier can move freely from one state to another.

Closing by Sponsor:

SENATOR WILLIAMS closed the hearing on SB 178. He stated he appreciated GVW working with the industry in trying to solve some problems. Senator Williams said if we can stay within the safety guidelines and help the industry, that ought to be done. (SEE EXHIBIT 9)

HEARING ON SENATE BILL 44Presentation and Opening Statement by Sponsor:

SENATOR BOB BROWN, District #2 distributed a letter from Matt Himsl, former Senator, who had intended to introduce it this session, however, did not return. (SEE EXHIBIT 10) There is a state park on the west shore of Flathead Lake that is inaccessible. This road is near highway 93, meaning that highway trucks loaded with gravel pass it all the time. The Highway Department has said they are prevented by law from fixing the road. When the bill was first introduced, there was some irritation between Fish, Wildlife and Parks and the Highway Department. They finally reached a compromise solution, which is in the fiscal note. It shows no fiscal impact, if no work is done by the Highway Department. If the Highway Department does do work, there could be a fiscal impact. Therefore, the word "may", the permissive nature of will, reflects you can not put a dollar amount on what may or may not happen. As the law reads now the Highway Department may maintain connecting roads to state parks, but not roads within state parks. This would give them the permissive authority to provide maintenance to roads within state parks.

Proponents' Testimony:

DON HUYPPA, Fish, Wildlife, and Parks, testified in support of SB 44. (SEE EXHIBIT 11)

ED ZAIDLICZ, Chairman, State Parks Futures Committee, testified in support of SB 44. (SEE EXHIBITS 12 & 13)

JANET ELLIS, representing the Montana Audubon Legislative Fund, stated that parks are an important part of quality life in Montana. She stated they feel that park roads are a state resource, as a result they support SB 44.

Opponents' Testimony:

None.

Questions From Committee Members:

SENATOR NOBLE asked Tom Barnard, Chief Engineer, Department of Highways, how they feel about SB 44.

TOM BARNARD stated that at the present time they are not for or against the bill as it is written. It says "may" and does not designate a funding source.

SENATOR TVEIT asked if they took the "may" out and put "shall" in, what that would cost.

TOM BARNARD said they would put those numbers together if they were asked.

Closing by Sponsor:

SENATOR BROWN stressed that he was not proposing to amend the bill with "shall". He stated they worked out a delicate compromise with the Highway Department so that "may" would be in the bill. Senator Brown said that if the parks belong to the people of the state of Montana and the Highway Department belongs to the people of the state of Montana, they both serve the people of Montana and it seems unfortunate that those people don't have access to the state parks.

EXECUTIVE ACTION ON SENATE BILL 109

Discussion:

SENATOR PAUL SVRCEK distributed proposed language for SB 109, a definition for gasohol. (SEE EXHIBIT 14)

PAUL VERDON explained to the Committee that when the gasohol incentive law was passed in 1979. In 1983 the law was amended and the taxing authority was taken out of one section and put into another. Last session that taxing authority was extended, but inadvertently left the part out that had the gasohol definition in it. (SEE EXHIBIT 15)

Amendments, Discussion, and Votes:

SENATOR HARP MOVED to ADOPT THE AMENDMENT to SENATE BILL 109.

MOTION TO ADOPT THE AMENDMENT TO SB 109 PASSED 7-0, with Senator Stimatz and Senator Farrell absent.

Motion:

SENATOR HARP MOVED that SENATE BILL 109 DO PASS AS AMENDED.

MOTION PASSED 6-1 that SENATE BILL 109 DO PASS AS AMENDED, with Senator Noble opposing and Senator Stimatz and Senator Farrell absent

ADJOURNMENT

Adjournment At: 5:10 p.m.



SENATOR CECIL WEEDING, Chairman



PAT BENNETT, Secretary

CW/pb

178

MEMO ON SB\_\_\_ BY SENATOR WILLIAMS RE WASHTO UNIFORMITY LAWS.

SB\_\_\_ is a bill to enact in Montana certain recommendations for uniformity promulgated by Western Association of Highways and Transportation Officials relating to truck sizes and weights operating under special permits and operating without special permits among WASHTO States.

SB\_\_\_ **does not** modify any of the weight restrictions now in Montana law.

The proposal, adopted by 17 western states, represents a consensus of what informed state engineers and permit officials feel is appropriate. SB\_\_\_ includes such uniform modifications to the Montana law that are not now part of the law and amends the law to enact the specific "length numbers" recommended for uniformity enforcement.

SB\_\_\_ includes new and modified definitions of terms including, "combination length", "combined trailer length", "length", "Rocky Mountain Double", and "Turnpike Double".

The bill amends a single truck "length" not to exceed 45 feet in length from the existing length of 40 feet, operating without a permit.

The bill establishes "combined trailer length" standards, as defined, for operating under a special permit. The standard established for Rocky Mountain Doubles, is not to exceed 81 feet in length (with cargo units not to exceed 48 feet and 28 1/2 feet) and for Turnpike Doubles is not to exceed 95 feet (with cargo units not exceeding 45 feet each).

Under the bill, Turnpike Doubles have a "length" restriction of 110 feet, the same as that established by the Montana Legislature for triple trailer combinations, and is limited to operation only on the Interstate Highways under the same rules and regulations governing triples.

The bill's statement of intent requests the departments' rules to inventory all interchanges and access routes to be taken on and off the Interstate and be required to restrict Turnpike double trailers to move as singles to and from the Interstate when necessary.

Current Montana law limits Turnpike Doubles to an over-all-length limit of 100 feet operating under a special permit on the Interstate System and 95 feet operating on all other systems.

Currently ten other WASHTO states plus Montana issue permits for Rocky Mountain Doubles. Eight other WASHTO states plus Montana currently issue special permits for Turnpike Doubles, including: Colorado and Oklahoma with no length restrictions; North Dakota and South Dakota restrict to 110 feet; and Arizona, Idaho, Nevada, and Utah restrict to 105 feet.

AMENDMENTS TO SENATE BILL 178

On page 1, line ten of the introduced bill, add the following statement of intent,

"A statement of intent is required for this bill because (Section 3) grants rulemaking authority to the department of highways. It is the intent of the legislature that the rules adopted for turnpike doubles include all the rules adopted for the operation of triple trailers. In addition it is intended that the department of highways audit all interchanges and shall restrict access routes on and off the interstate system by turnpike doubles as a result of the department's assessment of interchanges and routes to the interchanges to be followed and require, when necessary, to transport the trailers in a turnpike double configuration separately to a point near the interchange of the interstate for coupling prior to ingress and egress."

On page 3, line 19 of the introduced bill following the word "tongues.",  
add, "and load."

ALTERNATIVE AMENDMENT TO SENATE BILL \_\_\_\_\_

On page 3, line 19 of the introduced bill following the word "tongues.".

Add, "and load."

Page 9, Line 8, following the word, "safety."

Add, "The department may include restrictions on access routes on and off the interstate system by turnpike doubles as a result of an assessment of interchanges and routes to and from the interchanges to be followed and require, when necessary, to transport the trailers in a turnpike double configuration separately to a point near the interchange of the interstate for coupling prior to ingress and egress."

## SENATE BILL 178

Prepared by: David Galt, Department of Highways

The department of highways supports SB178 because it promotes uniformity for truck size regulations in the western United States. The Western Association of State Highway Transportation Officials (WASHTO) approved a subcommittee on highway transport in 1987. Since that time, Montana has been active in the committee. The handbook that you have is the product of three years work and the key to truck uniformity in the west. SB178 amends Montana's existing laws into compliance with the WASHTO standards.

Going through the bill, the first change is to increase the allowable length of a single unit to 45 feet. Then, on page 3 we have incorporated definitions of length, combination length and combined trailer length. These definitions just clarify what is measured. Length and combination length are measure from the front bumper to the rear most part of the vehicle, which is the way we do it now. Combination trailer length measures from the beginning of the first trailer to the rear of the second trailer, or load. This is a new concept that many states are adopting that provides for limits on trailer length but allows the motor carrier industry to use longer tractors that offer more comfort for drivers and better resale value. The idea of measuring trailers 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, we have also defined different types of vehicle combinations. Rocky mountain doubles refers to the kind we have had for years. Turnpike doubles, refers to a truck pulling two equal length trailers. Although turnpike doubles are not specifically mentioned in the law, we do allow them on the interstate now as long as they stay under 100 feet.

Page 5 allows a rocky mountain double 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 trailers that are allowed in the combination. Page six increases the size that turnpike doubles are allowed to operate from 100 feet to 110 feet, which is that same length that triple trailers are allowed to operate. In addition, turnpike double combinations would be subject to the same restrictions that triple trailers are subject to.

One other change in this bill that is not a part of WASHTO guidelines is on page six, 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 operator who purchases a log permit to pay schedule three fees. Schedule three fees not reducible to the 75 percent log class and are designed for carriers that have 4 trailers for every truck.



Consequently this section would cost each log truck about 750 dollars more per truck per year. When this law was passed in 1983 the GVW division failed to make loggers pay schedule three fees. This change would legitimize what we have been doing the last 8 years. If this amendment is passed it will have no impact on the state or the industry. If this section is left the way it now reads, we will require schedule 3 fees beginning Jan 1 1992. The statement of intent, in the proposed amendments, will allow the department to place additional restrictions on turnpike doubles. We can perform an inventory of the interchanges and designate which one could be used by turnpike doubles. In some instances it may be necessary to require that the trailers be pulled separately to a point where they can be combined safely. The amendment on page 3, line 19, would guarantee that we would not have vehicles with 81 feet 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.

Finally, the last amendment give the department the authority to impose stricter restrictions upon turnpike doubles, as indicated in the statement of intent.

This bill, with the proposed amendments, would help Montana's motor carriers make productivity gains and move toward size and weight uniformity in the western United States. If you will notice the chart that indicates what each state now allows you can see the importance of these gains. You should also be aware that Montana is one of the first states to make an attempt to bring uniformity to the west and adopt the WASHTO guidelines. For this purpose the department urges your support for this bill.

February 5, 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 and appreciates this opportunity to offer comments as a proponent of this bill.

As has been discussed the WASHTO recommendations for uniformity in dealing with size and weights, permitting and operating standards for statutory vehicles and longer combination vehicles is the product of a three year study by the 17 involved western states. MMCA participated in that study.

Since 1982, when federal truck length standards were established using only trailer length minimums of 28 1/2 and 48 feet without including the length of the tractor, western states on a state by state basis, using these trailer lengths, have sought similar uniformity in their respective laws and standards for both statutory and permitted longer combination vehicles.

The Montana Legislature adopted the federal trailer lengths in 1985. The State has, for many years, permitted Rocky Mountain Doubles to operate on all primary highways at an overall length maximum of 95 feet. Both the industry and the state has had excellent experience with this combination.

The Montana legislature, in 1987 and 1989, permitted triple trailer longer combinations, using three 28 1/2 foot trailers. Triples have proved to be safe and economically beneficial to carriers and shippers and the state.

The Multistate Highway Transportation Agreement, to which Montana belongs, conducted a four-state test in 1984 of longer combination vehicles using various combinations of approved federal trailer sizes of 28 1/2 and 48 feet. This test included Triples, Rocky Mountain Doubles using a 48 foot and 28 1/2 foot trailer and Turnpike Doubles using two 48 foot trailers. Idaho, Nevada, Oregon and Utah were involved in the testing.

The results of that study confirmed that all the combinations of vehicles using the federal trailer sizes, can be operated safely and without incident in the Interstate environment, including the Turnpike Doubles test that used two 48 foot trailers.

Current law in Montana authorizes permitting for operation in the State, of Turnpike Doubles and Rocky Mountain Doubles, up to 100 feet in over-all length, but only on the Interstate.

SB 178, proposing to adopt WASHTO recommendations, would permit Turnpike Doubles up to 110 feet in over-all-length with 45 foot trailers on the Interstate. As the chart shows, the states south of Montana to the California border, currently allow a maximum length of 105 feet. It is to be presumed that WASHTO standards will be considered in those states as well, however for now their lengths are 105 feet.

So Turnpike Doubles operating out of Montana, if SB 178 passes, will only be as long as the states south of Montana permit. The chart shows the Dakotas with 110 feet, however, the volume shipments using TDs are likely to be north and south.

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

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 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.

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

The principal 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, a Double 45 will "sweep" a maximum width of 32.9 feet while negotiating a 90-degree turn on a 45 foot radius. This is 4.3 feet more than a 48/28 Rocky Mountain Double combination and 2.4 feet more than Double 40s. Both combinations are now permitted in Montana.

The answer to this is simple and is addressed in the proposed statement of intent amendment requiring the department of highways to adopt rules to permit Turnpike Doubles to operate only on ramps, and/or intersections 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.

MMCA supports these amendments and the application of all the rules and regulations now required for Triples to be applied to Turnpike Doubles. Gross weights, routings, breakdown sites and terminal access should be spelled out on the permit application so that Department of Highways will have an opportunity to check out the affected bridges and intersections.

These restrictions 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, only when they can put together available equipment with a sufficient amount of freight over an economic distance and can net additional revenue by doing so.

In some cases Turnpike Double permits will be used to move equipment and will be operated with little or no freight. In any case, it will not be seen as the every day combination on Montana's Interstate Highway System.

MMCA supports the combined trailer length measurement standard or "tip to tail" measurement proposed in SB 178 to be used on Rocky Mountain Doubles and other LCVs in the bill. The effect of this standard proposed by WASHTO, is to remove the tractor from the length measurement standard. We also support the amendment to remove the 28 1/2 foot restriction in SB 178 to the shorter trailer in a Rocky Mountain Double combination. Several carriers will undoubtedly operate a trailer shorter than a 48 foot maximum lead trailer. For example a 45 foot lead trailer and a restricted 28 1/2 foot following trailer would fall short of the 81 foot combined trailer length. WASHTO standard does not provide any restriction on the shorter trailer in a Rocky Mountain Double combination.

The trend in the industry is away from short flat nose cab over the axle tractors with the adoption of the federal trailer length standard. The longer convention tractors offer more stability, comfort, resulting in less driver fatigue, and improve the overall safe operation of the unit. Thank you.

(2)  
Ex. 3  
2-5-91  
6B 178

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

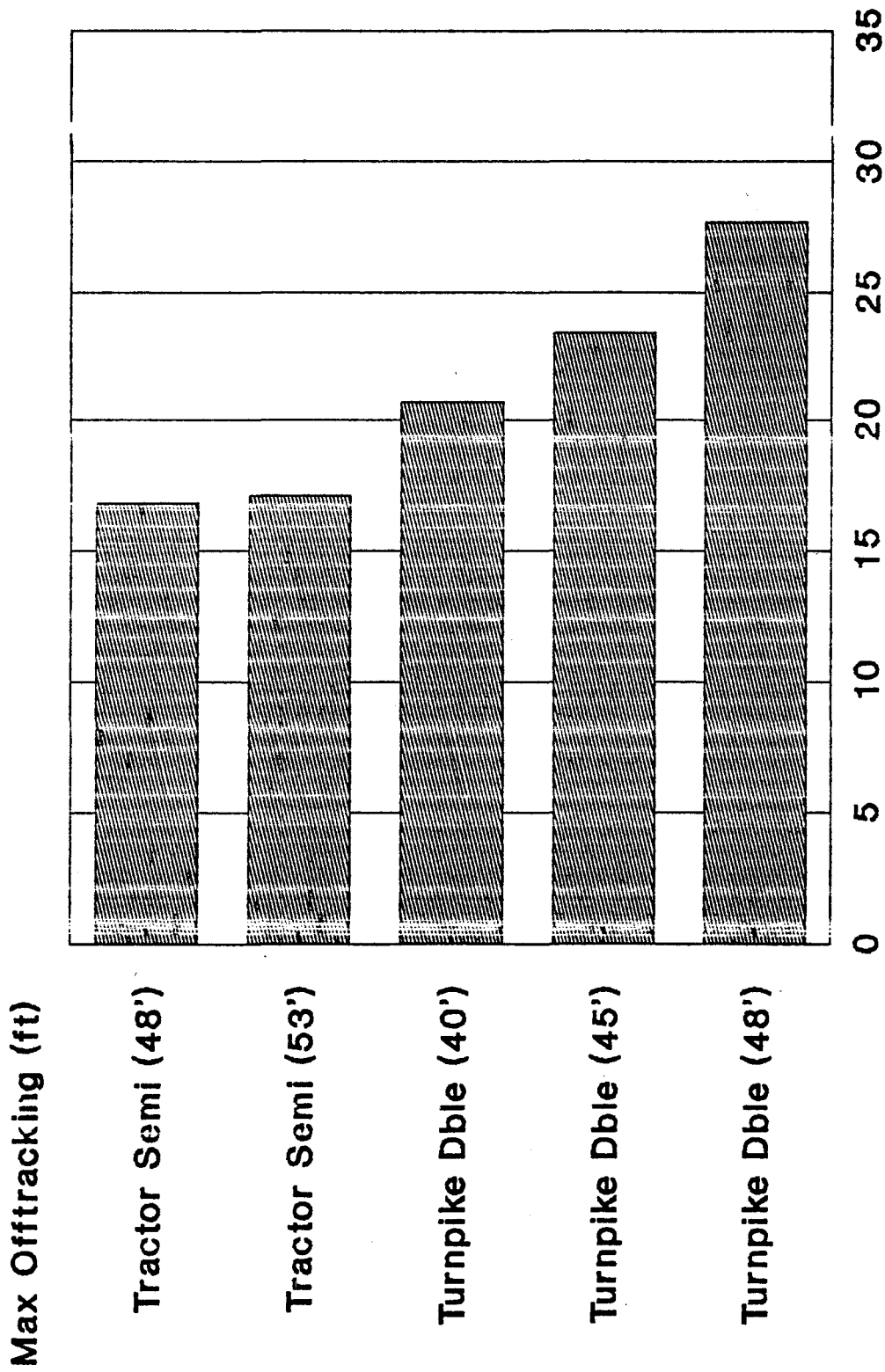
Table III-4  
Maximum Offtracking and Maximum Swept Path for Combinations  
Negotiating a 90-Degree Intersection Turn  
For a 45-Foot Radius Curve

<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



7

GUIDE FOR UNIFORM LAWS AND  
REGULATIONS GOVERNING TRUCK  
SIZE AND WEIGHT AMONG THE  
WASHTO STATES

SENATE HIGHWAYS

EXHIBIT NO. 4

DATE 2-5-91

BILL NO. SB 178



W  
A  
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O



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

Approved by WASHTO Policy Committee

April 6, 1990

## AMENDMENTS TO SENATE BILL 178

On page 1, line ten of the introduced bill, add the following statement of intent,

"A statement of intent is required for this bill because (Section 3) grants rulemaking authority to the department of highways. It is the intent of the legislature that the rules adopted for turnpike doubles include all the rules adopted for the operation of triple trailers. In addition it is intended that the department of highways audit all interchanges and shall restrict access routes on and off the interstate system by turnpike doubles as a result of the department's assessment of interchanges and routes to the interchanges to be followed and require, when necessary, to transport the trailers in a turnpike double configuration separately to a point near the interchange of the interstate for coupling prior to ingress and egress."

On page 3, line 19 of the introduced bill following the word "tongues.",  
add, "and load."

On page 5, line 10 of the introduced bill following the word "length."

strike the comma and the words following the comma, "~~and the shorter cargo unit may not exceed 28 1/2 feet in length.~~"

add a period after the word, "length".

On page 8, line 1, of the introduced bill following the word, "terminal."

add, "unless further restriction by the department is necessary for turnpike doubles"

SENATE HIGHWAYS  
EXHIBIT NO. 6  
DATE 2-5-91  
BILL NO. SB 178

**February 5, 1991**

**SB 178**

**Jon Largis, Mergenthaler Transfer & Storage**

Mr. Chairman, Members of the committee, for the record I am Jon Largis, representing Mergenthaler Transfer & Storage based in Helena Montana. 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 SB 178 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 a profit, we at Mergenthaler feel that the only way we can remain profitable is to fully utilize LCV's ( Longer Combination Vehicles) as set forth in the WASHTO recommendations for uniformity. This includes the adaptation of turnpike doubles. With turnpike doubles, the increased fuel savings and operational efficiency, because of increased volume would equate to reduced costs for shippers and consignees. The trucking industry could then help the state of Montana maintain a competitive environment for business.

Because of the 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 Mergenthaler's to maintain a balance of proper trailers at specific shipping locations.

In closing, the use of turnpike doubles would not be an everyday occurrence in our operation, but it is needed to remain a profitable Montana corporation. I urge you to pass SB 178 to help the ever decreasing viable Montana businesses. Thank you.



Testimony on SB 178

Senate Highways & Transportation Committee

Steve Bullock,

State Coordinator for Citizens for Reliable & Safe Highways

05 February 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.

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.

The timeliness of a bill to adopt recommendations of the Western Association of State Highway and Transportation officials is almost uncanny. Currently, the American Association of State Highway & Transportation Officials, which is the parent organization of the

Western Association of State Highway and Transportation Officials, is holding their Policy Committee Meeting. And Friday they are voting to urge 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.

AASHTO officials assured me that it is, and has been, the recommendation of the American Association of State Highway and Transportation Officials that the maximum length for double trailers be 28.5 feet, a size limitation that Montana already exceeds.

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 vehicles<sup>1</sup>

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

The states, in fact, estimated that only about half of all Interstate interchanges can even accommodate the 48 ft. semi-trailer combination mandated by the 1982 Surface Transportation

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

Authorization Act.<sup>2</sup>

Ex. 7  
2-5-91  
5B 178

If only one out of every four interchanges could accommodate 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, and California 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.<sup>3</sup>

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<sup>2</sup>U.S. DOT, The Feasibility of a Nationwide Network of LCVs, 1985.

<sup>3</sup>H. Stein & I. Jones, American Journal of Public Health, May 1988, vol. 78 no.5, p.491

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% more fatalities per mile than are single trailer trucks.<sup>4</sup>

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.<sup>5</sup>

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."

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<sup>4</sup>Fatal Accident Reporting System (US DOT), 1988.

<sup>5</sup>FARS, 1989; Truck Inventory & Use Survey, 1987.

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 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.<sup>6</sup>

Concerning trucking accidents and interstate travel, there were 528 total accidents, and twelve fatalities. Nationwide, doubles only account for 6/100's of a percent of the total trucks on our roads.<sup>7</sup> But in Montana, double trailers accounted for 9% of the total trucking accidents on our interstates, and 8.3 % 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

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<sup>6</sup>Montana Highway Patrol Annual Report, Records Bureau, Helena, Montana

<sup>7</sup>Transmode Consultants, November 1990.

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 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; or one truck with one 40 and one 45 foot trailer.

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.

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.

## GROSS VEHICLE WEIGHT CHART - RESTRICTED ROUTE LOAD PERMIT

Compute to the nearest "0" by the formula in section 61-10-107,  
 M.C.A. Formula  $W = 500 (L/N \text{ minus } 1 \text{ plus } 12N \text{ PLUS } 36)$  in which  
 $W$  = Gross Weight,  $L$  = Wheel Base in Feet, and  $N$  = Number of  
 Axles. The Formula provides for maximum gross weight allowed on  
 any vehicle or combination of vehicles and maximum gross weight  
 for any groups of axles. No tandem axle to exceed 34,000 pounds.  
 No single axle to exceed 20,000 pounds.

SENATE HIGHWAYS

EXHIBIT NO. 8DATE 2-5-91BILL NO. JB178

The distance between  
 First & Last Axles  
 in any group of  
 axles, vehicles, or  
 combination of vehicles.

	2 AXLES	3 AXLES	4 AXLES	5 AXLES	6 AXLES	7 AXLES	8 AXLES	9 AXLES	
1	34,000								
2	34,000								
3	34,000								
4	34,000								
5	38,000	42,000							
6	39,000	42,750							
7	40,000	43,500							
8		44,250							
9		45,000	50,000						
10		45,750	50,660						
11		46,500	51,330						
12		47,250	52,000						
13		48,000	52,660	58,000					
14		48,750	53,330	58,620					
15		49,500	54,000	59,250					
16		50,250	54,660	59,870					
17		51,000	55,330	60,500	66,000				
18		51,750	56,000	61,120	66,600				
19		52,500	56,660	61,750	67,200				
20		53,250	57,330	62,370	67,800				
21		54,000	58,000	63,000	68,400	74,000			
22		54,750	58,660	63,620	69,000	74,580			
23		55,500	59,330	64,250	69,600	75,160			
24		56,250	60,000	64,870	70,200	75,750			
25		57,000	60,660	65,500	70,800	76,330	82,000		
26		57,750	61,330	66,120	71,400	76,910	82,570		
27		58,500	62,000	66,750	72,000	77,500	83,140		
28		59,250	62,660	67,370	72,600	78,080	83,710		
29		60,000	63,330	68,000	73,200	78,660	84,280	90,000	
30			64,000	68,620	72,800	79,250	84,850	90,560	
31			64,660	69,250	74,400	79,830	85,420	91,120	
32			65,330	69,870	75,000	80,410	86,000	91,680	
33			66,000	70,500	75,600	81,000	86,570	92,250	
34			66,660	71,120	76,200	81,580	87,140	92,810	
35			68,000	71,750	76,800	82,160	87,710	93,370	
36			68,660	72,370	77,400	82,750	88,280	93,930	
37				73,000	78,000	83,330	88,850	94,500	
38				69,330	73,620	78,600	83,910	89,420	95,060
39				70,000	74,250	79,200	84,500	90,000	95,620
40				70,660	74,870	79,800	85,080	90,570	96,180
41				71,330	75,500	80,400	85,660	91,140	96,750
42				72,000	76,120	81,000	86,250	91,710	97,310
43				72,660	76,750	81,600	86,830	92,280	97,870

	* 2 AXLES *	* 3 AXLES *	* 4 AXLES *	* 5 AXLES *	* 6 AXLES *	* 7 AXLES *	* 8 AXLES *	* 9 AXLES *
47 *	*	*	73,330 *	77,370 *	82,200 *	87,410 *	92,850 *	98,430 *
48 *	*	*	74,000 *	78,000 *	82,800 *	88,000 *	93,420 *	99,000 *
49 *	*	*	74,660 *	78,620 *	83,400 *	88,580 *	94,000 *	99,560 *
50 *	*	*	75,330 *	79,250 *	84,000 *	89,160 *	94,570 *	100,120 *
51 *	*	*	76,000 *	79,870 *	84,600 *	89,750 *	95,140 *	100,680 *
52 *	*	*	76,660 *	80,500 *	85,200 *	90,330 *	95,710 *	101,250 *
53 *	*	*	77,330 *	81,120 *	85,800 *	90,910 *	96,280 *	101,810 *
54 *	*	*	78,000 *	81,750 *	86,400 *	91,500 *	96,850 *	102,370 *
55 *	*	*	78,660 *	82,370 *	87,000 *	92,080 *	97,420 *	102,930 *
56 *	*	*	79,330 *	83,000 *	87,600 *	92,660 *	98,000 *	103,500 *
57 *	*	*	80,000 *	83,620 *	88,200 *	93,250 *	98,570 *	104,060 *
58 *	*	*	*	84,250 *	88,800 *	93,830 *	99,140 *	104,620 *
59 *	*	*	*	84,870 *	89,400 *	94,410 *	99,710 *	105,180 *
60 *	*	*	*	85,500 *	90,000 *	95,000 *	100,280 *	105,750 *
61 *	*	*	*	86,120 *	90,600 *	95,580 *	100,850 *	106,310 *
62 *	*	*	*	86,750 *	91,200 *	96,160 *	101,420 *	106,870 *
63 *	*	*	*	87,370 *	91,800 *	96,750 *	102,000 *	107,430 *
64 *	*	*	*	88,000 *	92,400 *	97,330 *	102,570 *	108,000 *
65 *	*	*	*	88,620 *	93,000 *	97,910 *	103,140 *	108,560 *
66 *	*	*	*	89,250 *	93,600 *	98,500 *	103,710 *	109,120 *
67 *	*	*	*	89,870 *	94,200 *	99,080 *	104,280 *	109,680 *
68 *	*	*	*	90,500 *	94,800 *	99,660 *	104,850 *	110,250 *
69 *	*	*	*	91,120 *	95,400 *	100,250 *	105,420 *	110,810 *
70 *	*	*	*	91,750 *	96,000 *	100,830 *	106,000 *	111,370 *
71 *	*	*	*	92,370 *	96,600 *	101,410 *	106,570 *	111,930 *
72 *	*	*	*	93,000 *	97,200 *	102,000 *	107,140 *	112,500 *
73 *	*	*	*	93,620 *	97,800 *	102,580 *	107,710 *	113,060 *
74 *	*	*	*	94,250 *	98,400 *	103,160 *	108,280 *	113,620 *
75 *	*	*	*	94,870 *	99,000 *	103,750 *	108,850 *	114,180 *
76 *	*	*	*	95,500 *	99,600 *	104,330 *	109,420 *	114,750 *
77 *	*	*	*	96,120 *	100,200 *	104,910 *	110,000 *	115,310 *
78 *	*	*	*	96,750 *	100,800 *	105,500 *	110,570 *	115,870 *
79 *	*	*	*	97,370 *	101,400 *	106,080 *	111,140 *	116,430 *
80 *	*	*	*	98,000 *	102,000 *	106,660 *	111,710 *	117,000 *
81 *	*	*	*	98,620 *	102,600 *	107,250 *	112,280 *	117,560 *
82 *	*	*	*	99,250 *	103,200 *	107,830 *	112,850 *	118,120 *
83 *	*	*	*	99,870 *	103,800 *	108,410 *	113,420 *	118,680 *
84 *	*	*	*	*	104,400 *	109,000 *	114,000 *	119,250 *
85 *	*	*	*	*	105,000 *	109,580 *	114,570 *	119,810 *
86 *	*	*	*	*	105,600 *	110,160 *	115,140 *	120,370 *
87 *	*	*	*	*	106,200 *	110,750 *	115,710 *	120,930 *
88 *	*	*	*	*	106,800 *	111,330 *	116,280 *	121,500 *
89 *	*	*	*	*	107,400 *	111,910 *	116,850 *	122,060 *
90 *	*	*	*	*	108,000 *	112,500 *	117,420 *	122,620 *
91 *	*	*	*	*	108,600 *	113,080 *	118,000 *	123,180 *
92 *	*	*	*	*	109,200 *	113,660 *	118,570 *	123,750 *
93 *	*	*	*	*	109,800 *	114,250 *	119,140 *	124,310 *
94 *	*	*	*	*	110,400 *	114,830 *	119,710 *	124,870 *
95 *	*	*	*	*	*	115,410 *	120,280 *	125,440 *
96 *	*	*	*	*	*	116,000 *	120,850 *	126,000 *
97 *	*	*	*	*	*	116,580 *	121,430 *	126,560 *
98 *	*	*	*	*	*	117,160 *	122,000 *	127,120 *
99 *	*	*	*	*	*	117,750 *	122,570 *	127,690 *
100 *	*	*	*	*	*	118,330 *	123,140 *	128,250 *
101 *	*	*	*	*	*	118,910 *	123,710 *	128,810 *
102 *	*	*	*	*	*	119,500 *	124,280 *	129,370 *
103 *	*	*	*	*	*	120,080 *	124,850 *	129,940 *
104 *	*	*	*	*	*	120,660 *	125,430 *	130,500 *
105 *	*	*	*	*	*	121,250 *	126,000 *	131,060 *



The media has been very critical of trucking accidents the past couple of years. Statistics have been presented that would lead us to believe that drivers are less capable, vehicle maintenance is practically non-existent and that because of government deregulation, most companies and owners do not really care about safety. Rather than debate the merits or demerits of the above claims, we will look at the available accident statistics of triples in the various states/provinces that allow their use.

As a preface to this analysis, Minnesota has been gathering statistics concerning combination vehicles since 1974. Since August 1973, doubles have been authorized on Minnesota highways. Great concern was expressed when this was allowed. Most of this fear centered around possible accidents involving these large vehicles. This fear appears to have been unfounded. For the past five years (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).<sup>22</sup> Larger truck combinations (western doubles) in Minnesota have already established an enviable safety record in comparison to all other forms of traffic types. (Exhibit 3)

#### Triples and Accidents

As stated previously, triples have been allowed for twenty years in Utah and Nevada. The safety record of triples has been carefully analyzed during this entire period. Experimental programs have been established in each of the states that now have authorized programs (and in some that do not). In most of these programs, an analysis of the accidents has been provided.

Based on these statistics the following statement can be made: Over twenty years and tens of millions of miles of operation, triples have a better safety record than any other truck combination and it is much better than the safety record for the automobile population.

Some highlights of this excellent safety record:

1. In twenty years of operation no fatalities involving triples have been reported in Utah.<sup>23</sup>
2. 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.<sup>24</sup>
3. 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.<sup>25</sup>
4. 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.<sup>26</sup>
5. Colorado, during their experimental study of thirty companies (1984-85) did

"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."

Indeed, most of the statistics are determined by larger companies. They operate most of the triples. Many of these companies utilize their best drivers and pay incentive money in the form of additional money per mile traveled. Since this is often a relatively new program, much of the equipment is newer. Driving is restricted to better roads and lesser congested traffic. Inclement weather is commonly a cause of trip cancellation. Considering all of these factors, a comparison to other trucks (and certainly the automobile) may be unfair.

On the other hand, the statistics do not lie. Based on the number of vehicles, trips and accident record, triples have shown that when driving under proper controls and restrictions they are one of the safest vehicles on our highways. Rather than question the research or comparative statistics a look at the restrictions that have made triples such a safe vehicle is in order.

# Himsl-Wohlwend Motors, Inc.

EXHIBIT NO. 10  
DATE 2-5-91  
BILL NO. SB 44  
Phone 755-9858

Office: 4th Ave. E. and Center St.

KALISPELL, MONTANA 59901

P. O. Box 838

January 14, 1991

Senator Bob Brown  
Capitol Post Office  
Helena, MT. 59620

Re: SB 44 Allowing highway dept to cooperate with parks

Dear Bob:

As you know we have a number of small state parks in our area which are more fishing and accessing boat sites and these are served by good highways but the roads to the sites are not maintained and are terrible! yet users are charged admission fees!

A case in point is the West Shore State park, in the "goose bay area" on the west shore of Flathead lake. Highway 93 is an excellent road and the lead to the park is good but then the road in the park is filled with holes and is terrible!! for about a quarter of a mile to the lake. And they charge people to try to go in there! It is a shame!

Highway maintenance crews drive right by on 93.

I understand there was some appropriation of about \$180,000. for park road maintenance but the FWP dept. couldn't get the highway dept to provide service due to the language of 23-1-104. Yet general powers given to the highway dept. in 60-2-201 (2) allows the dept to cooperate with counties and municipalities. Why should not this same cooperation be allowed between and among state agencies?

Common sense and economy certainly suggest and calls for such cooperation. I hope this makes good sense to your committees.

Thanks for your help and good luck, I appreciate what you are trying to do in the interest of good government.

Yours truly,

  
Matt Himsl

SENATE HIGHWAYS  
EXHIBIT NO. 11  
DATE 2-5-91  
BILL NO. SB 44

SB 44  
February 5, 1991

Testimony presented by Don Hyyppa, Dept. of Fish, Wildlife & Parks

Our department supports SB-44 which would enable, but not require, the Montana Department of Highways to construct and maintain roads within our state parks.

New funding would have to be found to make it feasible for the Department of Highways to actually begin doing any more than incidental work.

The State Park System was administered by the Department of Highways until 1965 when parks were transferred to Fish, Wildlife and Parks. The convenience of Highway Department maintenance was lost in the transfer.

State park roads need attention. Within our 60+ parks there are an estimated 135 road miles. The Department of Fish, Wildlife and Parks currently spends about \$58,500 per year for road maintenance and recognizes that the amount is inadequate.

We contract some roadwork and seek assistance from county road departments. Occasionally the Department of Highways has done limited work on a cost reimbursable basis.

We do what we can ourselves, but we lack equipment, labor and expertise. The department has only three road graders...the newest one is 21 years old, the oldest 43!

The Montana Promotions Division will not advertise some of our most significant parks, including Bannack, because of road conditions. This in turn has a dampening impact on tourism and the associated businesses.

This bill would allow the Department of Highways, which has the necessary expertise and the appropriate equipment, to work on interior park roads if funding can be found.

Our department, therefore, urges your favorable consideration of SB 44.

My name is Ed Zaidlicz. I live at 724 Park Lane, Billings, Montana 59102.

As chairman of the State Parks Futures Committee I wish to go on record as favoring passage of Senator Brown's SB 44.

In our 15 month study of Montana's State Parks and as we stated in our November report to you and Governor Stephens, we have great concern for the condition and viability of our State Park System. For your convenience I brought each of you a copy of our report - The State Park System Montana's Legacy - A new Growth Industry. Among the long list of State Park system deficiencies we identified, the inadequacies of connecting as well as in-park roads rank among the critical.

The impressive successes of recent years of tourism growth because of the effective use of the 4% bed tax will be seriously eroded if we fail to provide our visitors with adequate recreational facilities and reasonable access to them.

Our field examinations of 20 of our significant parks revealed many unsafe connecting and interior roads. In addition, existing roads are deteriorating badly because of a lack of timely maintenance. Witness such parks as Finley Point, Cooney, Black Sandy, Lewis & Clark Caverns to name a few. Connecting roads from parks to primary highways fail to insure safe and adequate access. Visitors driving expensive campers and recreation vehicles are distressed by the primitive "cow trails" that pass for park access.

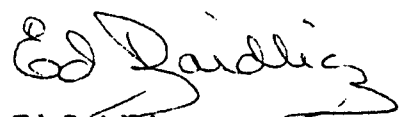
County road departments are overwhelmed by the drains on their limited funds from trying to marginally maintain connecting roads. A case in point involves Cooney State Park located in Carbon County. The connecting road from State hiway 212, for a length of seven miles, serves extremely heavy use by Billings Yellowstone County recreationists. Carbon County is required to exhaust their road funds serving the users from Stillwater and Yellowstone.

From the standpoint of equitable apportionment of cost the State Highway Department should service this road. The economic benefits that tourism generates ripple far beyond the confines of a given State Park locale. Either these park roads should be constructed, improved and maintained by the Department of Highways or the Coal Trust, gas tax and other road funds should be withdrawn and reapportioned to the impacted county road departments for park purposes.

The current process remains inadequate and inequitable for serving State Park road needs.

SB 44 as enabling legislation does recognize somewhat the changing public awareness of State Park needs.

The SPFC would favor substituting shall for may on line 12 under Section 1.



Ed Zaidlicz  
Chairman, State Parks  
Futures Committee

# It's time to repair dilapidated parks

Recently, after 15 months of work involving public meetings in 15 towns across Montana, hearing and interviewing hundreds of people, running a statewide newspaper survey and visiting 20 of our 60 state parks, the State Park Futures Committee handed its report to Gov. Stephens.

This firsthand exposure to our state park system, plus supporting information from professional experts and a review of other states' experiences, led the SPFC to conclude that we are blessed and/or cursed by the following:

- Our current state parks and other potential sites rank among the finest in the U.S.
- We have done a poor job of managing and protecting this priceless heritage.
- We are either indifferent to their uniqueness or, through loving overuse and deficient maintenance, systematically devour them. Montanans generally have a passionate love affair with their outdoor recreation "resources." While we cherish their value as important social infrastructures, comparable to roads and bridges, and we point with pride to "our" national parks — Yellowstone and Glacier — too often, when it comes to state parks, we emulate the proverbial artisan shoe cobbler whose own children suffer the winter ill shod.
- We employ fewer state park professional and seasonal personnel with a smaller operating budget than almost every state in America. (We rank 48th in what we spend per visitor, and as a result we rank last in revenue generated).
- We lack comprehensive inventories of the system's resources. Our handful of dedicated public servants are overwhelmed and must expend their meager resources providing essential but minimal health and safety services to users.
- Among the number of suggested actions proposed by SPFC for remedial attention, we must recognize and accept the

## Guest columnist



**Edwin Zaidlicz**

essential need for an increased budget and personnel. Outdoor recreation provided by the state parks can no longer be regarded as a frivolous luxury. We not only face the imminent loss of irreplaceable sites, but we may be foregoing a one-time opportunity to improve our economic base.

The SPFC strongly recommends a budgetary increase of \$6 million and 30 full-time positions to bring the SP system into balance with competitive sister states and our own "bed tax" tourism program — over a five-year time frame.

Gov. Stephens' positive response to the challenge recommends restoring general funds of \$750,000 per year for parks in the next biennium. (The general fund has not been used for parks since 1985).

Further, he recognized that additional park capital and operating needs are required and announced that he would work with the Legislature to identify other financial resources to improve our parks.

The SPFC, in its recommendation, stressed the need to use general funds, coal tax and user fees as had been done traditionally but also identified 13 other new sources for funding to make up the shortfall. For concerned readers, a free copy of the SPFC Summary Report may be obtained from the Department of Fish, Wildlife & Parks in Helena.

The wisdom of implementing the full

Outdoor recreation provided by the state parks can no longer be regarded as a frivolous luxury.

\$6.3 million budgetary infusion over a five-year schedule is reinforced by documented data drawn from our own Montana experience and that of other successful Western states. For example:

- Montana, with a \$3.6 million park budget and a badly deteriorated system, still generated \$45 million and 1,500 private sector jobs.
- Wyoming learned that traditional hunting/fishing brought in \$220 million a year, but non-consumptive use — bird watching, photographing wildlife and outdoor recreation amazed everyone with a year's return of \$654 million from tourists.
- Colorado is proposing a \$30 million recreation plan this year to tap the tourist dollar.

• The Province of Alberta, after a \$10 million investment in the Head Smashed Buffalo jump (comparable to our Ulm Pishkun State Park) has reaped 250,000 tourist visits a year and \$3.1 million accrued to the Fort McLeod area economy — that resulted in employment of 58 people. Alberta believes 4.6 private sector jobs are created for each staff position at a cultural site. We allowed Ulm Pishkun to be vandalized.

For contrast, we now spend \$25,000 per park site while North Dakota spends \$1,000.

We agonize about our restricted state economic base because of vast open space and low population when, in reality, we should capitalize on our attributes. Witness the remarkable success that we have achieved with the "bed tax" tourism promotion effort. We marvel at the growing influx of out-of-state visitors whom we now attract with an investment of slightly more than \$1 million a year. Now what? Now that Montana has been discovered, what can we offer the visitor to sustain this breakthrough — unsanitary toilets, broken picnic tables, access roads that tear an expensive RV vehicle apart, potential health hazards from overused sites, deteriorating world-famous historic and cultural sites, i.e. — Bannack, Plenty Coups, Pictograph Caves, vandalized Ulm Pishkun, the "lost" Rosebud Battlefield.

Unless we purposefully mesh our state park rejuvenation with our successful tourism promotion effort, we may well jeopardize our tourism gains.

Can we ignore the action and successes that our Western sister states have achieved? Montanans owe it to themselves and their descendants to familiarize themselves with the sad condition and the enormous potential of their prized real estate — their state parks.

Having publicly identified the deplorable status of our parks — on our watch — history may prove unforgiving if we fail to make a credible effort to redress the alarming trend.

The ball is now in our court.

13

2-5-91

SB44



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# THE STATE PARK SYSTEM Montana's Legacy - A New Growth Industry

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A Report to Governor Stan Stephens  
and the 52nd Legislature

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Respectfully Submitted by  
THE STATE PARK FUTURES COMMITTEE  
November 1990

(2) "Aviation dealer" means any person in this state engaged in the business of selling aviation gasoline, either from a wholesale or retail outlet, on which the license tax has been paid to a licensed distributor as herein provided for.

(3) "Aviation gasoline" means gasoline or any other liquid fuel by whatever name such liquid fuel may be known or sold, compounded for use in and sold for use in aircraft, including but not limited to any and all such gasoline or liquid fuel meeting or exceeding the minimum specifications prescribed by the United States for use by its military forces in aircraft.

(4) "Bulk delivery" means placing gasoline in storage or containers. The term does not mean gasoline delivered into the supply tank of a motor vehicle.

(5) (a) Gasoline refined, produced, manufactured, or compounded in this state and placed in tanks thereat or gasoline transferred from a refinery or pipeline terminal in this state and placed in tanks thereat or gasoline imported into this state and placed in storage at refineries or pipeline terminals shall be deemed to be "distributed", for the purpose of this part, at the time the gasoline is withdrawn from such tanks, refinery, or terminal storage for sale or use in this state or for the transportation to destinations in this state other than by pipeline to another refinery or pipeline terminal in this state. When withdrawn from such tanks, refinery, or terminal, such gasoline may be distributed only by a person who is the holder of a valid distributor's license.

(b) Gasoline imported into this state, other than that gasoline placed in storage at refineries or pipeline terminals, shall be deemed to be "distributed" after it has arrived in and is brought to rest in this state.

(6) "Distributor" means:

(a) any person who engages in the business in this state of producing, refining, manufacturing, or compounding gasoline for sale, use, or distribution;

(b) any person who imports gasoline for sale, use, or distribution;

(c) any person who engages in the wholesale distribution of gasoline in this state and chooses to become licensed to assume the Montana state gasoline tax liability;

(d) any dealer licensed as of January 1, 1969, except a dealer at an established airport;

(e) any person in Montana who blends alcohol with gasoline.

(7) "Export" means export as defined in 15-70-503.

(8) "Gasohol" means all products commonly or commercially known or sold as gasohol, used for the purpose of effectively and efficiently operating internal combustion engines, consisting of not less than 10% anhydrous ethanol produced in Montana from Montana agricultural products, including Montana wood or wood products.

(9) "Gasoline" includes all products commonly or commercially known or sold as gasolines, including casinghead gasoline, natural gasoline, aviation gasoline, and all flammable liquids composed of a mixture of selected hydrocarbons expressly manufactured and blended for the purpose of effectively and efficiently operating internal combustion engines. Gasoline does not include special fuels as defined in 15-70-301.

(10) "Import" includes and means to receive into any person's possession or custody first after its arrival and coming to rest at destination within the



Amendments to Senate Bill No. 109  
First Reading Copy

For the Committee on Highways and Transportation

Prepared by Paul Verdon  
February 6, 1991

1. Page 1, lines 23 and 24.

Strike: line 23 in its entirety and "engines" on line 24

Insert: "all products commonly or commercially known or sold as  
gasohol, used for the purpose of effectively and efficiently  
operating internal combustion engines, consisting of not  
less than 10% anhydrous ethanol produced in Montana from  
Montana agricultural products, including Montana wood or  
wood products"

COMMITTEE ON: HIGHWAYS AND TRANSPORTATIONDATE: February 5, 1991

## VISITOR'S REGISTER

NAME	REPRESENTING	BILL #	SUPPORT	OPPO
Ben G. Harvold	MT. Motor Carriers Assn	SB178	✓	
Dave Clark	DOH	SB178	✓	
Ed Zandlicz	State Park Future	SB44	✓	
DON HYPPA	DFWP	SB44	✓	
Jon Largis	Mergenthaler Transfer	SB178	✓	
STEVE SUICK	CITIZENS FOR RELIABLE <sup>SAFETY</sup> HIGHWAYS	SB178		✓
Carla Allen	Central Montana Rail	SB178		
GARY GILMORE	INDOH	SB44		
TOM BARNARD	"	"		
Bob Stevens	Retired	178		✓
R. L. BERTOLINO	R. M. T. King	178	✓	
P. C. Klein	BN	178		
Janet Ellis	MT Audubon	SB44		

(PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY)

DATE: February 7, 1991

[illegible]

(PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY)

**WITNESS STATEMENT**

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 05 day of FEB, 1991.

Name: Steve Bullock

Address: P.O. Box 535

HELENA, MT 59624

Telephone Number: 449-5330

Representing whom?

CITIZENS FOR RELIABLE SAFE HIGHWAYS

Appearing on which proposal?

SB 175

Do you: Support? \_\_\_\_\_ Amend? \_\_\_\_\_ Oppose? X

Comments:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 5 day of Feb, 1991.

Name: Bob Stevens

Address: Box 459

Bozeman Mt 59771

Telephone Number: 586-1182

Representing whom?

self

Appearing on which proposal?

SB 178

Do you: Support?        Amend?        Oppose? ✓

Comments:

Will file written comments

WITNESS STATEMENT

To be completed by a person testifying or a person who wants their testimony entered into the record.

Dated this 5 day of February, 1991.

Name: David A. GALT

Address: 2701 Prospect

Telephone Number: 444-6130

Representing whom?

Department of Highway

Appearing on which proposal?

53-178

Do you: Support? X Amend? \_\_\_\_\_ Oppose? \_\_\_\_\_

Comments:

PLEASE LEAVE ANY PREPARED STATEMENTS WITH THE COMMITTEE SECRETARY