

MINUTES

**MONTANA HOUSE OF REPRESENTATIVES
53rd LEGISLATURE - REGULAR SESSION**

COMMITTEE ON HIGHWAYS & TRANSPORTATION

Call to Order: By CHAIRMAN ROBERT CLARK, on January 13, 1993, at 3:00 p.m.

ROLL CALL

Members Present:

Rep. Bob Clark, Chairman (R)
Rep. Karyl Winslow, Vice Chairman (R)
Rep. Shiell Anderson (R)
Rep. Joe Barnett (R)
Rep. Bill Endy (D)
Rep. Pat Galvin (D)
Rep. Marian Hanson (R)
Rep. Vern Keller (R)
Rep. Don Larson (D)
Rep. Gary Mason (R)
Rep. Bill Ryan (D)
Rep. Wayne Stanford (D)
Rep. Bill Tash (R)
Rep. Randy Vogel (R)
Rep. Tim Whalen (D)

Members Excused: Rep. David Ewer (D)

Members Absent: None.

Staff Present: Valencia Lane, Legislative Council
Kimberlee Greenough, Committee Secretary

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

Committee Business Summary:

Hearing: HB 100, HB 101
Executive Action: HB 96, HB 101

HEARING ON 100

Opening Statement by Sponsor:

REP. ERVIN DAVIS, House District 53, Lake County. EXHIBIT 1

Proponents' Testimony: None.

Opponents' Testimony:

Gordon Larsen, Highways Division, Department of Transportation, stated that they were not in favor of constructing short turnouts that would require any vehicle to slow down or stop. The reasons for opposing this bill are for safety issues. It would increase the possibility of rear-end collisions.

Questions From Committee Members and Responses:

REP. BARNETT asked Mr. Larsen if on roads where there is a slow moving vehicle, is there significant cost or hazard to the Highway Department if there is a sign that states "Scenic Turnout", and another sign that states "slow moving traffic" is added. Mr. Larsen answered he doesn't believe it would cause any significant cost.

REP. VOGEL asked Mr. Larsen what the sign cost would be and how many signs would be needed to take care of this bill? Mr. Larsen answered the price for signs would be \$746,000.

REP. LARSON asked Mr. Larsen, if the new Federal Highway Construction Standards require any turnouts or passing lanes. Mr. Larsen answered yes, they need to go through what they call a warrant study.

REP. TASH stated that, during the meeting at the Department of Transportation last Friday, it was indicated the cost of signs was \$250 each. Mr. Larsen stated the cost in the fiscal note included the sign, installation, and the post. The signs for one turnoff would cost approximately \$2,800.

REP. BARNETT asked if an engineering study had been done to adequately determine that there are 900 miles of these roads in Montana. Mr. Larsen answered the department had just made an assumption that on all rural two lane primary highways one of these signs would be placed every 20 miles.

CHAIRMAN CLARK asked if they were including secondary highways in this bill. Mr. Larsen answered no.

CHAIRMAN CLARK asked if it was necessary to contract people to put up these signs. Mr. Larsen answered no, it depends on how it is put together and how it is done. CHAIRMAN CLARK asked if Mr. Larsen could give the committee a rough estimate of the cost if the signs were to be done by the maintenance people. Mr. Larsen answered the cost would probably be cut in half.

Closing by Sponsor:

REP. ERVIN DAVIS stated he questions the cost of signage in the fiscal note; he felt the cost should be considerably less and has requested a revised fiscal note.

HEARING ON HB 101

Opening Statement by Sponsor:

REP. MIKE KADAS, HD 55, Missoula, stated that under the current law, those who have Montana Centennial license plates will have to take them off in 1996 and get a new set of plates. HB 101 stipulates that one can keep those plates as long as they are legible. If they are not legible, they can be replaced as long as the department has replacement stock. If the department runs out of replacement stock, an individual would be required to get new plates if the old ones are not legible.

Proponents' Testimony:

Dean Roberts, Motor Vehicle Division, stated the department supports HB 101.

Opponents' Testimony: None.

Questions From Committee Members and Responses:

REP. WHALEN asked if one plate wears out before the other what would they do? Mr. Roberts stated there is a stock of about 10,000 plates and believes that is sufficient for replacement.

REP. BARNETT asked, if you have already turned the plates in, can you receive another set of the centennial plates. Mr. Roberts said yes.

Closing by Sponsor:

REP. KADAS thanked the committee and requested HB 101 be given a do pass recommendation.

EXECUTIVE ACTION ON HB 96

Motion: REP. MASON MOVED HB 96 DO PASS.

Discussion: REP. WINSLOW stated she would like amendments four and 11 removed and the word "handicapped" removed from one. She stated that because of the word handicapped she wished to remove those because in her own experience with a family member who is handicapped, people who are primary drivers of the cars can get plates and as many as they wanted. She believes there is a potential to abuse the privilege.

Motion/Vote: REP. WINSLOW made a substitute motion to strike "handicapped" from one and take out amendments four and 11. EXHIBITS 3 and 4 Motion carried 12 to 3 with REPS. STANFORD, BARNETT, and VOGEL voting no.

Motion/Vote: REP. WINSLOW MOVED TO ADOPT AMENDMENTS. EXHIBIT 4 Motion carried with REP. VOGEL voting no.

Vote: HB 96 DO PASS AS AMENDED. Motion carried 14 to 1 with
REP. VOGEL voting no.

EXECUTIVE ACTION ON HB 101

Motion: REP. LARSON MOVED HB 101 DO PASS.

Discussion: REP. MARIAN HANSON asked if these plates will be
good forever. CHAIRMAN CLARK answered yes, until they run out.

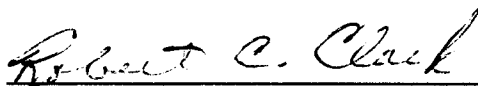
CHAIRMAN CLARK stated there is no money involved and there would
be no cost because there is stock already made.

REP. MASON stated that he believes the Centennial plate is a
piece of Montana history.

Vote: HB 101 DO PASS. Motion carried unanimously.

ADJOURNMENT

Adjournment: 4:05 P.M.



ROBERT C. CLARK, Chair



KIMBERLEE GREENOUGH, Secretary

RC/kg

HOUSE OF REPRESENTATIVES
HIGHWAYS AND TRANSPORTATION COMMITTEE

ROLL CALL

DATE

January 13, 1993

NAME	PRESENT	ABSENT	EXCUSED
REP. KARYL WINSLOW - VICE CHAIR	✓		
REP. SHIELL ANDERSON	✓		
REP. JOE BARNETT	✓		
REP. BILL ENDY	✓		
REP. DAVID EWER			✓
REP. PAT GALVIN - VICE CHAIR	✓		
REP. MARIAN HANSON	✓		
REP. VERN KELLER	✓		
REP. DON LARSON	✓		
REP. GARY MASON	✓		
REP. BILL RYAN	✓		
REP. WAYNE STANFORD	✓		
REP. BILL TASH	✓		
REP. RANDY VOGEL	✓		
REP. TIM WHALEN	✓		
CHAIR BOB CLARK	✓		

HOUSE STANDING COMMITTEE REPORT

January 14, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Highways and Transportation
report that House Bill 101 (first reading copy -- white) do
pass and be placed on consent calendar .

Signed: Robert C. Clark
Robert C. Clark, Chair

HOUSE STANDING COMMITTEE REPORT

January 14, 1993

Page 1 of 2

Mr. Speaker: We, the committee on Highways and Transportation report that House Bill 96 (first reading copy -- white) do pass as amended .

Signed: Robert C. Clark
Robert C. Clark, Chair

And, that such amendments read:

1. Title, line 4.

Following: "ALLOWING"

Insert: "HOLDERS OF "PRISONER OF WAR" AND "SURVIVOR OF PEARL HARBOR" SPECIAL LICENSE PLATES AND"

2. Page 8, line 23.

Following: "issued"

Strike: "a"

Following: "license"

Strike: "plate"

Insert: "plates, numbered in sets of two with a different number on each set,"

3. Page 9, lines 7 and 8.

Following: "plates," on line 7

Strike: "for one motor vehicle only"

Insert: "numbered in sets of two with a different number on each set"

4. Page 13, lines 5 and 6.

Following: "length." on line 5

Strike: "For number plates issued after 1976, the"

Insert: "The"

5. Page 13, line 9.

Strike: "bottom of the"

6. Page 13, lines 16 and 17.

Following: "numbers" on line 16

Strike: "and be numbered consecutively for each series of plates"

7. Page 14, line 3.
Following: "markings"
Insert: "provided"
Following: "section"
Strike: "provided"

8. Page 19, line 5.
Following: "issued"
Strike: "a"
Following: "license"
Strike: "plate"
Insert: "plates, numbered in sets of two with a different number
on each set,"

9. Page 19, lines 14 and 15.
Following: "plates," on line 14
Strike: "for one motor vehicle only"
Insert: "numbered in sets of two with a different number on each
set"



The Big Sky Country

EXHIBIT 1
DATE 1-13-93
HB 100

MONTANA HOUSE OF REPRESENTATIVES

REPRESENTATIVE ERVIN DAVIS

HOUSE DISTRICT 53

HELENA ADDRESS:
CAPITOL STATION
HELENA, MONTANA 59620

HOME ADDRESS:
P.O. BOX 63
CHARLO, MONTANA 59824

COMMITTEES:
EDUCATION, VICE-CHAIRMAN
STATE ADMINISTRATION

TESTIMONY HB 100

Mr. Chairman & Members of the Committee: For the record, my name is Ervin Davis, Representative HD 53, Lake County.

HB 100 will require the D.O.T. to identify and mark turnouts on state two-lane highways for slow-moving vehicles.

Section 61-8-311, Montana Code Annotated, enacted some 20 or 25 years ago, currently requires a slow-moving vehicle, including a passenger vehicle, behind which FOUR or more vehicles are formed in line, SHALL turn off the roadway at the nearest place DESIGNATED AS A TURNOUT by signs - OR WHEREVER SUFFICIENT AREA FOR A SAFE TURNOUT EXISTS in order to permit the vehicles following it to proceed.

As used in Section 61-8-311, a SLOW-MOVING VEHICLE is one which is proceeding at a rate of speed less than the normal flow of traffic at the place.

The D.O.T. is authorized to DESIGNATE and CONSTRUCT such turnouts and to ERECT APPROPRIATE SIGNS.

Since, at least to my knowledge, no signing has been done and the Montana Highway Patrol is having some difficulty in enforcing Section 61-8-311 because of the lack of identified turnouts, HB 100 is designed to get the signing done and help to relieve some of the traffic congestion on most two-lane highways, HWY 93, in particular.

I do have an amendment which removes the word CONSTRUCT from

both the title on Page 1 and on Page 2, line 7. The intent of HB 100 was only to identify and mark any existing areas that could be used as turnouts, but not to CONSTRUCT any new areas. There has been a new fiscal note requested.

I'd like to allow time for any proponents or opponents and any questions from the committee and reserve the right to close.

**Ervin Davis, Representative
HD 53**

ED/eb

Amendments to House Bill No. 100
First Reading Copy

Requested by Representative Davis
For the House Highways Committee

Prepared by Eddye McClure
January 9, 1993

1. Title, line 5.
Following: "DESIGNATE"
Strike: "AND CONSTRUCT"

2. Page 2, line 7.
Following: "designate"
Strike: "and construct"

2
1-13-93
100

Amendments to House Bill No. 96
First Reading Copy (white)

Requested by the Committee
For the Committee on Highways

Prepared by Valencia Lane
January 12, 1993

EXHIBIT 3
DATE 1/13/93
HB 96
3
1-13-93
96

1. Title, line 4.

Following: "ALLOWING"

Insert: "HOLDERS OF "PRISONER OF WAR", "SURVIVOR OF PEARL
HARBOR", AND "~~HANDICAPPED~~" SPECIAL LICENSE PLATES AND"

2. Page 8, line 23.

Following: "issued"

Strike: "a"

Following: "license"

Strike: "plate"

Insert: "plates, numbered in sets of two with a different number
on each set,"

3. Page 9, lines 7 and 8.

Following: "plates," on line 7

Strike: "for one motor vehicle only"

Insert: "numbered in sets of two with a different number on each
set"

4. Page 11, line 13.

Following: "issued"

Strike: "a"

Following: "license"

Strike: "plate"

Insert: "plates, numbered in sets of two with a different number
on each set,"

5. Page 13, lines 5 and 6.

Following: "length." on line 5

Strike: "For number plates issued after 1976, the"

Insert: "The"

6. Page 13, line 9.

Strike: "bottom of the"

7. Page 13, lines 16 and 17.

Following: "numbers" on line 16

Strike: "and be numbered consecutively for each series of plates"

8. Page 14, line 3.

Following: "markings"

Insert: "provided"

Following: "section"

Strike: "provided"

9. Page 19, line 5.

EXHIBIT 4
DATE 1-13-93
BB 100

Synopsis of Testimony on HB 100

Room 420 - January 13, 1993 - 3:00 p.m.

The Department is not in favor of constructing short turnouts that would require the vehicle to slow down or stop. Our reasons for opposing this idea are safety related. The stopping or slowing of vehicles for turnouts will impede the operating condition of other vehicles on the roadway and tend to add further conflict to the overall operation of the highway. The deceleration to a slow or stopped condition will have to occur in the high speed lane. This will cause additional bunching of traffic and increase the possibility of rear-end collisions. Also, the need to re-enter traffic from this slowed or stopped condition will increase the potential for accidents and the time required to get back up to original speed will re-institute the traffic-bunching problem to an even greater degree.

If anything is to be done, the Department would favor the passing lane concept. However, the overall time to implement such a program would require many years because of the design and funding requirements.

In regard to just signing for turnouts and not doing any construction work it is unlikely that there are a significant number of existing locations that can be signed to provide a suitable turnout.

Testimony by Gordon L. Larson - Department of Transportation

HOUSE OF REPRESENTATIVES
VISITOR'S REGISTER

Highways & Trans

COMMITTEE

BILL NO.

HB 100416

DATE

1-13-93

SPONSOR(S)

Rep. Davis

Rep. Kadas

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
Don Roberts	HB 101	mta Veh. Div. Dept. of Justice	
Gordon Larson	MT. Dept. of Transportation		X

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS
ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.