

## **MINUTES**

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

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

**Call to Order:** By CHAIRMAN ROBERT CLARK, on March 8, 1993, at  
3:15 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:** David Ewer (D)

**Members Absent:** None

**Staff Present:** Connie Erickson, Legislative Council  
Kimberlee Greenough, Committee Secretary

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

##### **Committee Business Summary:**

Hearing: SB 353, SB 255, SB 315, SB 272  
Executive Action: SB 353, SB 315, SB 272,

#### **HEARING ON SB 353**

**Opening Statement by Sponsor:** SEN. ETHEL M. HARDING, SD 25,  
Polson, introduced SB 353 which changes the date for annual  
application for camper decals to be consistent with that of motor  
homes and travel trailers and provides a delayed effective date  
and an applicability date.

**Proponents' Testimony:**

Dean Roberts, Administrator, Motor Vehicle Division, Department of Justice, said his department has no problem with this bill. The bill simplifies obtaining the camper decals.

**Opponents' Testimony:** None.

**Questions From Committee Members and Responses:**

REP. ANDERSON said according to this bill if you license your camper August 1st a person will need to obtain a new license by June 15th of the next year. He said licenses in the past were good for one year. Mr. Roberts said that is correct until everyone gets on the new cycle.

REP. VOGEL asked if the license will be pro-rated this year? Mr. Roberts said no it is for a full year, however, there is a grace-period involved.

**Closing by Sponsor:**

SEN. HARDING said this bill will simplify the work for the county treasurers.

**HEARING ON SB 255****Opening Statement by Sponsor:**

SEN. CHUCK SWYSGOOD, SD 37, Dillon, said this bill will require appropriate licensing in situations where livestock is being transported for hire, while still promoting the traditional good neighbor policy of trading work and helping out your neighbors. He said over the years some haulers are slipping through the loop holes. He is a regulated carrier. If a person wants to haul for a neighbor he can be compensated by receiving fuel, service for service or exchanging labor. This bill will allow a person to be "grandfathered" if they have proof they have hauled livestock in the past year and have applied to PSC for the authority.

**Proponents' Testimony:**

Ben Havdahl, Montana Motor Carriers' Association, said MMCA and the members of the Livestock Tariff Bureau want to go on record in support of SB 255 for all the reasons outlined by SEN. SWYSGOOD. EXHIBIT 1

Candace Torgerson, representative of the Montana Stockgrowers Association and the Montana Wool Growers Association, said the groups she is representing request a do pass on SB 255. EXHIBIT 2

Wayne Budt, Administrator, Transportation Division, Public Service Commission, said SB 255 if enacted will enable regulation to work as it is intended, creating and preserving a stable livestock transportation industry. EXHIBIT 3

Opponents' Testimony:

Leonard Lundby, farmer/rancher, said he pays 75% GVW fees and has insurance and does not undercut rates. He does not want to put regulated carriers out of business. As an unregulated carrier he is allowed to charge more than the rates on the tariff sheets. The unregulated carriers also help with seasonal needs. He said he believes government regulations do not work, and indicated he supports the "grandfather" clause.

George Pearson, farmer/rancher, said he performs a service which is hauling livestock and grain for neighbors. He said most of the trucks in Billings which are used for hauling are out-of-state trucks. He believes truckers regulate themselves and are not trying to undercut other truckers, just as he doesn't.

Questions From Committee Members and Responses:

REP. ANDERSON asked Mr. Budt if part of the process of obtaining a Class B certificate is showing public convenience or necessity? Mr. Budt replied yes.

REP. ANDERSON asked if a certificate has ever been denied? Mr. Budt said he is not aware of a livestock certificate being denied in the last year.

REP. TASH asked Mr. Budt if the regulated carriers are allowed to charge more than the tariff rates? Mr. Budt said no. He said the tariff rates are exact rates.

REP. TASH asked if each case is determined on individual circumstances? Mr. Budt replied yes, but it is up to the carrier what rate to charge.

REP. BARNETT said that Mr. Budt indicated there were a number of problems with the present statute. He asked what they were? Mr. Budt said the biggest problem is the enforcement issue. The other problem is the audit on regulated carriers.

REP. BARNETT asked if the Class B carrier has the option to go with the tariff or go with their own rates? Mr. Budt said the carrier must have a tariff of rates on file. There is a tariff bureau the carrier may join which publishes rates or they may set their own rates and file them with the commission.

MR. BARNETT asked Mr. Havdahl how many Class B carriers are east of Miles City? Mr. Havdahl said they have 136 Class B carriers in the state which are members of the tariff but he does not have the exact number as to how many are in the eastern part of the

state.

REP. VOGEL asked SEN. SWYSGOOD what happens if a person, due to unforeseen circumstances, doesn't have time to file for a license? He asked if these people will fall through the cracks?

SEN. SWYSGOOD said not if he lets a regulated carrier haul his livestock or if he hauls them for service-or-service. The bill states if a person hauls for hire then he must be regulated.

REP. VOGEL believes it will take the system a long time to get the carriers regulated. SEN. SWYSGOOD said if the carrier can prove he has hauled before, the process will not take long. The person applying must be granted authority.

REP. KELLER asked if fifth-wheelers will be affected by the bill? SEN. SWYSGOOD said they are exempt.

REP. MASON asked if the certificate is "grandfathered" will this decrease its value? SEN. SWYSGOOD replied the value will decrease and the amount could be between \$1,500 to \$3,500, depending on where it is and who wants it.

REP. ANDERSON said it sounds like anyone who wants a Class B certificate can get one. SEN. SWYSGOOD said if a regulated carrier objects and can prove he is providing a service, the hearing officer after hearing the evidence makes a determination. The person may be denied if enough regulated carriers object.

REP. ANDERSON asked what the difference is between regulated carriers and farmers? SEN. SWYSGOOD said if a person hauls just livestock for hire they only need 75% GVW fees. If a person hauls-for-hire livestock, grain and other commodities he will need 100% GVW fees.

REP. ANDERSON asked about the insurance which the carriers need. SEN. SWYSGOOD said some carriers are operating under a farm/ranch exemption on their ranch insurance policy which is cheaper than a commercial insurance policy.

REP. BARNETT asked if every farmer or rancher who requests a Class B certificate gets one if he can show there is a need? Mr. Budt said if this bill passes any farmer or rancher who has been hauling livestock can apply for a Class B certificate and it will be automatically granted.

REP. BARNETT asked what happens to the farmer or rancher who has not been hauling but wants to obtain a Class B certificate? He asked if this person could be denied because he cannot show a need? Mr. Budt replied yes.

REP. BARNETT asked if the people who already haul and have their Class B certificates have the advantage.

REP. TASH asked SEN. SWYSGOOD if the termination date of May 1,

1994 will eliminate the Class B motor carrier certificates for hauling livestock. SEN. SWYSGOOD said the date eliminates the "grandfather" clause.

Closing by Sponsor:

SEN. SWYSGOOD read a letter from Jim Hagenbarth, Hagenbarth Livestock, in support of SB 255. EXHIBIT 4 He said this bill is not intended to put people out of business. Every carrier, according to the law, who hauls commodities for hire must have insurance. He thanked the committee for their time and attention and urged a be concurred in recommendation.

HEARING ON SB 315

Opening Statement by Sponsor:

SEN. CHUCK SWYSGOOD, SD 37, Dillon, said SB 315 will make Montana law the same as federal law relating to commercial motor vehicles and commercial motor vehicle operators. It will also add school buses to the definition of commercial motor vehicles.

Proponents' Testimony:

Peter Funk, office of the Attorney General, said the bill addresses three areas. The first is suspension of commercial a driver's license for conviction of a violation of operating an out-of-service vehicle, second is to include school buses in the definition of commercial motor vehicles, and the third changes "commercial vehicle operator's endorsement" to "commercial driver's license".

Mr. Roberts said the Motor Vehicle Division requires all Montana school bus drivers to have a commercial driver's license.

Opponents' Testimony: None.

Questions From Committee Members and Responses:

REP. STANFORD asked if there is a difference how regulations affect school buses and contract buses. Mr. Funk said there is a difference under the federal motor carrier safety regulations. A school bus which transports students to and from school is generally exempt from the motor carrier's safety regulations. School buses performing any other function are not exempt from the motor carrier's safety regulations.

REP. STANFORD said he is concerned with school bus drivers driving over 16 hours per day on long bus trips. Commercial bus drivers are not allowed to drive long hours. Mr. Funk said that under federal rules and regulations there are no restrictions on how long the drivers can drive as long as the bus is owned by a

government entity.

REP. VOGEL asked to have lines 24 and 25 page 1 explained to him. Mr. Funk said under federal rules and regulations there are several requirements for the driver and the vehicle.

REP. VOGEL asked to have the six-month suspension of license explained. SEN. SWYSGOOD said the CDL rules and requirements are very strict but the idea is to protect the people.

REP. VOGEL asked if we have the same safety agreement with other states. SEN. SWYSGOOD said this is a federal law and applies to all commercial drivers across the United States.

Closing by Sponsor:

SEN. SWYSGOOD said the bill is placing the state in compliance with the federal laws and changes the commercial vehicle operator's endorsement to commercial driver's license. He thanked the committee for their time and urged a be concurred in vote on this bill.

EXECUTIVE ACTION ON SB 353

Motion: REP. TASH MOVED SB 353 BE CONCURRED IN.

Discussion: REP. HANSON said the grace period for licensing will be April 30 to June 15.

Vote: SB 353 BE CONCURRED IN. Motion carried with REP. ANDERSON voting nay.

EXECUTIVE ACTION ON SB 315

Motion: REP. WINSLOW MOVED SB 315 BE CONCURRED IN.

Discussion: REP. WHALEN asked if the committee was aware that the six-month suspended sentence is a federal law? CHAIRMAN CLARK replied yes.

REP. WHALEN asked if a driver has trouble with his brakes does he stop wherever he is on the highway and have someone come out and repair them. CHAIRMAN CLARK said the MCS officers use their discretion in this type of situation.

REP. WHALEN asked how this process is verified. CHAIRMAN CLARK said if the repairs cannot be done on the highway the driver will be escorted by a patrolman to the nearest town.

REP. RYAN asked if the process was enforced by the law. CHAIRMAN CLARK responded yes.

REP. ANDERSON asked if law enforcement had specific guidelines which they follow on the type of service violation committed. CHAIRMAN CLARK said the federal government publishes a booklet listing the violations.

REP. TASH said the trucking industry supports this bill.

Vote: SB 315 CONCURRED IN. Motion carried unanimously.

HEARING ON SB 272

Opening Statement by Sponsor:

SEN. FRANCIS KOEHNKE, SD 16, Townsend, said SB 272 revises highway information signs to correspond with federal laws.

Proponents' Testimony:

Bob Brooks, Jr., Owner of the Montana Motorist Information Sign Group (MMISG), said this bill will require the Montana guidelines to be in compliance with federal guidelines. The Tourist Oriented Directional Sign Program was created by the legislature in 1989. The TODS program is on the primary highway system. He stated the MMISG believes, since there is a limited number of signs which can be displayed on the panels, the businesses which are open year-round should be given first priority.

Rich Munger, Montana Department of Transportation, said he is the state coordinator of The Montana Motorists Information Sign Program. The department supports this bill.

Opponents' Testimony: None.

Questions From Committee Members and Responses:

REP. TASH asked who pays for the logo signs on the highways? Mr. Munger said the signs are paid for by the Montana Motorists Information Sign Group. The MMISG receives revenue from the people who use their panels for advertising. The department pays nothing for these signs.

CHAIRMAN CLARK asked who is responsible for the maintenance of these signs? Mr. Munger said the groups using the panels for advertising are responsible for sign maintenance. The only thing the department is responsible for is to tell the people the site which can be used for the signs.

REP. VOGEL asked how much people pay for billboard advertising? Mr. Munger said the cost is approximately is \$89.00 a month.

This cost is for a mainline sign which is on the highway and can be seen in both directions. The amount is established by contract.

REP. VOGEL asked how much revenue these signs bring in annually for the state? Mr. Brooks said he does not have that information but it is filed with the state. He said there is a five-percent discount for businesses who pay the annual cost up-front.

REP. VOGEL asked if MMISG pays a rental fee for the space of the sign on the highway to the state of Montana? Mr. Brooks said his group pays personal property taxes on the structures they build and they pay the state an amount to cover the state expenses of administering the contracts.

Closing by Sponsor:

SEN. KOEHNKE asked the committee to give favorable consideration to this bill and thanked them for their time.

EXECUTIVE ACTION ON SB 272

Motion: REP. WHALEN MOVED SB 272 BE CONCURRED IN.

Discussion: Ms. Erickson suggested an amendment be placed on the bill to require an immediate effective date.

Motion/Vote: REP. VOGEL moved SB 272 be amended as suggested. The motion carried unanimously.

Motion/Vote: REP. VOGEL MOVED SB 272 BE CONCURRED IN AS AMENDED. The motion carried with REP. LARSON voting nay.



HOUSE HIGHWAYS & TRANSPORTATION COMMITTEE

March 8, 1993

Page 9 of 9

ADJOURNMENT

Adjournment: 4:50 p.m.

Robert C. Clark

Robert C. Clark, Chair

Kim S. Greenough

Kimberlee Greenough, Secretary

RC/kg

**HOUSE OF REPRESENTATIVES**  
**HIGHWAYS AND TRANSPORTATION**                      **COMMITTEE**

**ROLL CALL**

**DATE** March 8, 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

March 9, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Highways and Transportation report that Senate Bill 272 (third reading copy -- blue) be concurred in as amended.

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

And, that such amendments read:

Carried by: Rep. Clark

1. Title, line 9.  
Following: "AN"  
Insert: "IMMEDIATE"

-END-

Committee Vote:  
Yes 14, No 1.

530846SC.Hpf

HOUSE STANDING COMMITTEE REPORT

March 9, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Highways and Transportation report that Senate Bill 315 (third reading copy -- blue) be concurred in and be placed on consent calendar.

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

Carried by: Rep. Winslow

Committee Vote:  
Yes   , No X.

530850SC.HpF

HOUSE STANDING COMMITTEE REPORT

March 9, 1993

Page 1 of 1

Mr. Speaker: We, the committee on Highways and Transportation report that Senate Bill 353 (third reading copy -- blue) be concurred in.

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

Carried by: Rep. Barnett

Committee Vote:  
Yes 11, No 1.

530853SC.Hpf

Statement to House Highways and Transportation Committee  
SB 255 - March 8, 1993  
Montana Motor Carriers Association

Mr. Chairman. Members of the Committee. For the record I am Ben Havdahl, representing the Montana Motor Carriers Association. MMCA represents some 650 motor carrier members, 136 of them are regulated intrastate livestock carriers who belong to the Montana Livestock Tariff Bureau of which I am General Manager.

MMCA and the members of the Livestock Tariff Bureau want to go on record in support of SB 255 for all the reasons outlined before this committee by Senator Swysgood.

The statute governing intrastate livestock hauling under PSC regulation was passed in the 1971 session and has been in effect for more than 20 years. The statute has never been amended.

Several regulated livestock haulers operating under PSC authority, recently and in the past, have alleged to MMCA that several trucking operations have come into being around the State hauling livestock intrastate, for hire, in Montana without PSC authority.

This has come about because of the "exception to regulation provision" in the law that allows farmers, ranchers and raisers of livestock to commercially to haul livestock, for hire without authority, as long as they are "bona fide" farmers, ranchers or livestock raisers.

The result has been that a number of farmer, rancher, livestock raiser trucking operations have come into being and are undercutting the regulated tariff now in effect for regulated livestock carriers.

These firms are allegedly operating equipment and pay GVW fees assessed at 16% of the GVW rates assessed on other equipment such as truck tractors and trailers and as such they are not included in the definition of commercial vehicle for intrastate commerce and are exempt from safety regulations.

The trucking concerns operating under the exemption have been operating "legally" under the law notwithstanding they have not had to comply with rate regulation, insurance requirements, report filings, and other requirements of the Motor Carrier Act.

They simply obtain copies of the approved tariff rates by PSC and simply undercut them to obtain the transportation business.

Regulated carriers who are operating under difficult economic conditions, find it impossible to compete with trucking operations who get this kind of discount in GVW fees, do not have to meet safety requirements, and can freely cut rates for transporting livestock.

A recent compilation by MMCA, of 78 livestock carrier's income and expenditure reports filed with PSC for the year 1991 adjusted to include a 35.87% increase in workers comp rates and a 7% fuel, GVW fees and other surtax increases, shows the bottom line for these carriers to be a 100.67% operating ratio. Put an other way, the numbers translate to a .67% loss. A recap of that information is attached to this statement for the information of the committee.

MMCA supports SB 255 and the attempt to tighten up the law dealing with regulation of livestock hauling carriers and the repeal of the exemption provision.

We support the "grandfathering" all existing trucking concerns by requiring PSC to grant certificates of public convenience and necessity to them making them Class B common carriers for intrastate livestock transportation. Thank you.

EXHIBIT 1

DATE 3/8/93

SB 255

## SUMMARY - LIVESTOCK - INTRASTATE (78 carriers)

INCOME STATEMENT  
FOR THE YEAR ENDED  
DECEMBER 31, 1991

LINE #	ACCOUNT (1)	SYSTEM-WIDE (2)	PROJECTED INCREASES (3)	PROJECTED INCOME STATEMENT (4)
1	OPERATING REVENUE			
2	A)INTRASTATE REVENUE			
3	B)INTERSTATE REVENUE			
4	C)NON-REGULATED REVENUE			
5	TOTAL REVENUE	\$3,169,816.79		\$3,169,816.79
6	EXPENSES			
7	SALARIES-OFFICERS & SUPER. PERSONNEL			
8	SALARIES & WAGES			
9	A)CLERICAL & ADMINISTRATIVE			
10	B)DRIVERS & HELPERS			
11	C)CARGO HANDLERS			
12	D)VEHICLE REPAIR & SERVICE			
13	E)OTHER LABOR			
14	OTHER FRINGES			
15	A)PAYROLL TAXES			
16	B)WORKMAN'S COMPENSATION	\$27,303.53	\$9,793.78	\$37,097.31
17	C)PENSION & WELFARE EXPENSES			
18	OPERATING SUPPLIES & EXPENSES			
19	A)FUEL FOR MOTOR VEHICLES			
20	B)VEHICLE PARTS			
21	C)OTHER OPERATING SUPPLIES & EXPENSES			
22	GENERAL SUPPLIES & EXPENSES			
23	OPERATING TAXES & LICENSES			
24	A)GAS,FUEL & OIL TAXES	\$38,097.95	\$2,666.86	\$40,764.81
25	B)REAL ESTATE & PERSONAL PROP. TAXES	\$19,366.46	\$1,355.65	\$20,722.11
26	C)VEHICLE LICENSE & REGISTRATION FEES			
27	D)OTHER TAXES	\$35,875.57	\$2,511.29	\$38,386.86
28	INSURANCE			
29	COMMUNICATIONS & UTILITIES			
30	DEPRECIATION & AMORTIZATION			
31	A)REVENUE EQUIPMENT			
32	B)OTHER			
33	PURCHASED TRANSPORTATION			
34	A)WITH DRIVER			
35	B)WITHOUT DRIVER			
36	C)OTHER PURCHASED TRANSPORTATION			
37	BUILDING & OFFICE EQUIPMENT RENTS			
38	+ OR - ON DISPOSITION OF OPER. ASSETS			
39	MISCELLANEOUS EXPENSES			
40	TOTAL EXPENSES	\$3,174,828.95	\$16,327.57	\$3,191,156.52
41	NET INCOME OR LOSS			
42	OPERATING RATIO	100.16%		100.67%
43	Work Comp Increase 35.87% Surtax Increase 7.00%			



# MONTANA LIVESTOCK TARIFF BUREAU

## Mileage Commodity Rates

Blue - Rates in Dollars and Cents

Yellow - Rates in Cents Per CWT

For more information call

406-442-6600 in Helena.

EXHIBIT 1  
DATE 3/8/93  
SB 255



The original document may be located at the Historical Society,  
225 North Roberts Street, Helena, MT 59620-1201. The phone number  
is 444-2694.

EXHIBIT 2  
3-8-93  
255

TESTIMONY  
FOR SENATE BILL 255  
AN ACT REVISING THE REMUNERATION EXCEPTION  
APPLICABLE TO TRANSPORTATION OF LIVESTOCK

INTRODUCED BY SENATOR CHARLES SWYSGOOD

Submitted for  
Montana Stockgrowers Association  
and  
Montana Wool Growers Association  
by Candace Torgerson

Mr. Chairman, members of the Committee, for the record, my name is Candace Torgerson. I am providing testimony on behalf of the Montana Stockgrowers Association and the Montana Wool Growers Association regarding Senate Bill 225.

Senator Swysgood addressed the Marketing & Transportation Committee at our annual convention concerning this bill. The Montana Stockgrowers Association and the Montana Wool Growers Association support Senate Bill 225.

This bill will require appropriate licensing in situations where persons are transporting livestock for hire, while still promoting the traditional good neighbor policy of trading work and helping out your neighbors.

The Montana Stockgrowers and the Montana Wool Growers request a "do pass" on Senate Bill 255.

Thank you.

PSC Testimony, SB 255, Livestock

The PSC supports SB 255. The proposed legislation is in the interests of the public.

Section 69-12-405, MCA, regulating the transportation of livestock as motor carriage, was enacted in 1971. The statute has practical problems. SB 255 will eliminate these.

A primary objective of motor carrier regulation is to ensure stability in the industry. Normally, regulation of entry into the industry prevents destructive competition, yet allows competition where beneficial. Rate and service regulation, including an obligation to serve, prevents monopoly abuses.

However, existing livestock carrier regulation cannot achieve this because a segment of the commercial livestock transportation industry is unregulated. There is an overly broad exclusion creating direct competition between a regulated segment of the industry and an unregulated segment.

SB 255 properly narrows the exclusion. If enacted it will enable regulation to work as it is intended, creating and preserving a stable livestock transportation industry.

The "grandfather" provision is fair to the status quo unregulated carriers. It will allow those now operating under the broad exclusion to become regulated carriers.

TESTIMONY OF WAYNE BUDT, ADMINISTRATOR, TRANSPORTATION DIVISION  
MONTANA PUBLIC SERVICE COMMISSION

3/7/93  
Hagenbarth Livestock  
Jim Hagenbarth  
P.O. Box 1128  
Dillon, MT 59725

Representative Robert Clark  
Chairman , Highways and Transportation  
Room 420  
Capitol Station  
Helena, MT 59620

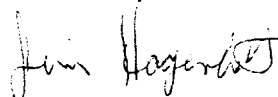
Re: Senate Bill No. 255-Swygood

Dear Representaitve Clark:

I am submitting testimony in favor of Senate Bill 255. Our family has been in the livestock business in Southwestern Montana for nearly a century. We rely heavily on the commercial trucking industry to haul our livestock to and from the summer ranges and the markets. With the never ending addition of regulations and expenses, it is becoming increasingly difficult for those in the commercial trucking industry to make a decent living. Many of our ranching friends have trucks which they use to bolster their income by hauling livestock for their neighbors and anyone else they can. We do not use these truckers because often times their insurance is inadequate and they are competing unfairly with the commercial trucker, who mean so much to our business.

Senate Bill 255, introduced by Senator Swysgood, is an effort to correct this inequity. I realize this may put a hardship on those who choose to be illegal or use a loophole in the existing law, but for the long tern good of the commercial trucking industry and the livestock industry in this state, the playing field has to be level. Senate Bill 255 gives ampleremedy to those ranchers who want a Class B certificate. I strongly support Senate Bill 255 and ask that the committee does also. Please make available a copy of this letter to all committee members.

Thanks,

  
Jim Hagenbarth

cc. Senator Chuck Swysgood  
Montana Stockgrowers Ass.

EXHIBIT 5  
DATE 3-8-93  
SB 272

Amendments to Senate Bill No. 272  
Third Reading Copy

Requested by Representative Vogel  
For the Committee on Highways and Transportation

Prepared by Connie Erickson  
March 8, 1993

1. Title, line 9.  
Following: "AN"  
Insert: "IMMEDIATE"

HOUSE OF REPRESENTATIVES  
VISITOR'S REGISTER

Highways & Transportation

COMMITTEE

BILL NO.

SB 255

SB 272

SB 315

SB 353

DATE 3-8-93

SPONSOR(S) Swygrod, Koehnke, Harding

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

NAME AND ADDRESS	REPRESENTING	SUPPORT	OPPOSE
George H. Pearson	Self		X
Candace Torgerson	Mont. Stockgrowers Assn. Mont. Wool Growers Assn.	X SB 255	
Leonard Lundby	Self		SB 255 X
Peter Funk	Dept. of Justice	SB 315 X	
Ben Hardan	MT Motor Carriers	SB 315 SB 255	
Wayne Bent	M P S C	SB 255	
Don HRE	motor veh. div.	SB 315 SB 315	
Robert Brooks, Jr.	Montana Motorist Information Sign Group	SB 272 X	
Richard T Menger	MD Transportation	SB 272 X	
Richard Barnard	Martin Ranch	SB 255 X	

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