

1 House BILL NO. 487  
 2 INTRODUCED BY Frankley Request  
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION  
 5 32-21-151, R.C.M. 1947, ALLOWING USE OF EMERGENCY REFLECTIVE  
 6 TRIANGLES AS AN ALTERNATE TO OTHER REQUIREMENTS."  
 7

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 32-21-151, R.C.M. 1947, is amended  
 10 to read as follows:

11 "32-21-151. Certain vehicles to carry flares or other  
 12 warning devices. (a) No person shall operate any motor  
 13 truck of one (1) ton capacity or greater, passenger bus, or  
 14 truck tractor upon any highway outside the corporate limits  
 15 of municipalities at any time unless there shall be carried  
 16 in such vehicle the following equipment except as provided  
 17 in paragraph (b):

18 1. At least three (3) flares or three (3) red electric  
 19 lanterns or three (3) portable red emergency reflectors each  
 20 of which shall be capable of being seen and distinguished at  
 21 a distance of not less than six hundred (600) feet under  
 22 normal atmospheric conditions at nighttime.

23 No portable reflector unit shall be used for the  
 24 purpose of compliance with the requirements of this section  
 25 unless it is so designed and constructed as to display a

1 minimum of twenty-four (24) square inches of reflective  
 2 surface, or two (2) reflecting elements; one above the  
 3 other, either of which shall be capable of reflecting red  
 4 light clearly visible from all distances within six hundred  
 5 (600) feet to one hundred (100) feet under normal  
 6 atmospheric conditions at night when directly in front of  
 7 lawful upper beams of head lamps.

8 2. At least three (3) red-burning fusees unless red  
 9 electric lanterns or red portable emergency reflectors are  
 10 carried.

11 3. At least two (2) red-cloth flags, no less than  
 12 twelve (12) inches square, with standards to support such  
 13 flags.

14 (b) No person shall operate at the time and under the  
 15 conditions stated in paragraph (a) any motor vehicle used  
 16 for the transportation of explosives, any cargo tank truck  
 17 used for the transportation of flammable liquids or  
 18 compressed gases, or any motor vehicle using compressed gas  
 19 as a fuel unless there shall be carried in such vehicle  
 20 three (3) red electric lanterns or three (3) portable red  
 21 emergency reflectors meeting the requirements of paragraph  
 22 (a) of this section, and there shall not be carried in any  
 23 said vehicle any flares, fusees, or signal produced by  
 24 flame.

25 (c) As an alternative to the equipment required in

1 paragraphs (a) and (b) of this section, three (3) emergency  
2 reflective triangles conforming with U. S. department of  
3 transportation motor vehicle safety standard 125 may be  
4 carried."

-End-

Approved by Committee  
on Highways & Transportation

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*House* BILL NO. *487*

INTRODUCED BY *Edward Jay Bergquist*

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Section 1. Section 32-21-151, R.C.M. 1947, is amended to read as follows:

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No portable reflector unit shall be used for the purpose of compliance with the requirements of this section unless it is so designed and constructed as to display a

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2. At least three (3) red-burning fusees unless red electric lanterns or red portable emergency reflectors are carried.

3. At least two (2) red-cloth flags, no less than twelve (12) inches square, with standards to support such flags.

(b) No person shall operate at the time and under the conditions stated in paragraph (a) any motor vehicle used for the transportation of explosives, any cargo tank truck used for the transportation of flammable liquids or compressed gases, or any motor vehicle using compressed gas as a fuel unless there shall be carried in such vehicle three (3) red electric lanterns or three (3) portable red emergency reflectors meeting the requirements of paragraph (a) of this section, and there shall not be carried in any said vehicle any flares, fusees, or signal produced by flame.

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