

CHAPTER NO. 514

HOUSE BILL NO. 14

INTRODUCED BY NATHE

BY REQUEST OF THE DEPARTMENT OF PUBLIC SERVICE REGULATION

IN THE HOUSE

January 4, 1979	Introduced and referred to Committee on Business and Industry.
January 6, 1979	On motion, joint rule 6-6 suspended and sponsor's signature allowed to be added to prefiled bill.
January 11, 1979	Committee recommend bill do pass as amended. Report adopted.
January 12, 1979	Printed and placed on members' desks.  On motion, rules suspended and bill placed on second reading this day.  Second reading, do pass.  On motion, rules suspended and bill placed on third reading this day.  Third reading, passed. Engrossed before transmittal. Transmitted to second house.

IN THE SENATE

January 15, 1979	Introduced and referred to Committee on Business and Industry.
March 12, 1979	Committee recommend bill be concurred in as amended. Report adopted.

March 14, 1979 Second reading, concurred in.  
March 16, 1979 Third reading, concurred in  
as amended.

IN THE HOUSE

March 17, 1979 Returned from second house.  
Concurred in as amended.

March 19, 1979 On motion, consideration  
passed for the day.

March 20, 1979 On motion, consideration  
passed until the 71st  
Legislative Day.

March 28, 1979 Second reading, amendments  
adopted.

March 29, 1979 Third reading, amendments  
adopted. Sent to enrolling.  
Reported correctly enrolled.

1                    HOUSE    BILL NO. 14  
2    INTRODUCED BY \_\_\_\_\_  
3    BY REQUEST OF THE DEPARTMENT OF PUBLIC SERVICE REGULATION  
4  
5    A BILL FOR AN ACT ENTITLED:    "AN ACT TO AMEND SECTION  
6    69-12-102, MCA, TO EXEMPT THE TRANSPORTATION OF CERTAIN  
7    CONSTRUCTION AND EXCAVATION MATERIALS FROM TITLE 69, CHAPTER  
8    12, MCA, RELATING TO MOTOR CARRIERS."  
9  
10    BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
11            Section 1. Section 69-12-102, MCA, is amended to read:  
12            "69-12-102. Scope of chapter -- exemptions. (1) This  
13    chapter does not affect:  
14            (a) motor vehicles used in carrying property  
15    consisting of agricultural commodities (not including  
16    manufactured products thereof) if the motor vehicles are not  
17    used in carrying other property or passengers for  
18    compensation;  
19            (b) the operation of school buses which are used in  
20    conveying pupils or other students enrolled in classes to  
21    and from district or other schools or in transportation  
22    movements related to school activities which are sponsored  
23    or supervised by school authorities;  
24            (c) the transportation by means of motor vehicles in  
25    the regular course of business of employees, supplies, and

1    materials by a person or corporation engaged exclusively in  
2    the construction or maintenance of highways or engaged  
3    exclusively in logging or mining operations, insofar as the  
4    use of employees, supplies, and materials in construction  
5    and production is concerned;  
6            (d) the transportation of property by motor vehicle in  
7    a city, town, or village with a population of less than 500  
8    persons according to the latest United States census or in  
9    the commercial areas thereof, as determined by the  
10    commission;  
11            (e) the transportation of newspapers, newspaper  
12    supplements, periodicals, or magazines;  
13            (f) tow trucks and wreckers designed and exclusively  
14    used in towing abandoned, wrecked, or disabled vehicles or  
15    while these tow trucks and wreckers are rendering assistance  
16    to abandoned, wrecked, or disabled vehicles;  
17            (g) motor vehicles used exclusively in carrying junk  
18    vehicles from a collection point to a motor vehicle wrecking  
19    facility or a motor vehicle graveyard; or  
20            (h) ambulances; or  
21            (i) the transportation of sand and gravel, concrete  
22    mix, aggregate, bituminous asphalt, aggregate mix, dirt,  
23    rock, pit run, material from demolished buildings, used  
24    paving materials, used concrete, broken concrete, riprap,  
25    and all forms and types of excavation materials.

- 1 (2) This chapter does not prevent bona fide leases,
- 2 brokerage agreements, or buy-and-sell agreements.\*

-End-

Approved by Committee  
on Business and Industry

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15   consisting of agricultural commodities (not including  
16   manufactured products thereof) if the motor vehicles are not  
17   used in carrying other property or passengers for  
18   compensation;  
19       (b) the operation of school buses which are used in  
20   conveying pupils or other students enrolled in classes to  
21   and from district or other schools or in transportation  
22   movements related to school activities which are sponsored  
23   or supervised by school authorities;  
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2   the construction or maintenance of highways or engaged  
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4   use of employees, supplies, and materials in construction  
5   and production is concerned;  
6       (d) the transportation of property by motor vehicle in  
7   a city, town, or village with a population of less than 500  
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9   the commercial areas thereof, as determined by the  
10   commission;  
11       (e) the transportation of newspapers, newspaper  
12   supplements, periodicals, or magazines;  
13       (f) tow trucks and wreckers designed and exclusively  
14   used in towing abandoned, wrecked, or disabled vehicles or  
15   while these tow trucks and wreckers are rendering assistance  
16   to abandoned, wrecked, or disabled vehicles;  
17       (g) motor vehicles used exclusively in carrying junk  
18   vehicles from a collection point to a motor vehicle wrecking  
19   facility or a motor vehicle graveyard; or  
20       (h) ambulances; or  
21       *iii) the transportation of PIT RUN OR PROCESSED sand*  
22   and gravel, concrete mix, aggregate, bituminous asphalt,  
23   aggregate mix, dirt, rock, pit-run material from demolished  
24   buildings AND STRUCTURES, used paving materials, used  
25   concrete, broken concrete, riprap, and all OTHER forms and

1 types of excavation materials TRANSPORTED SOLELY FOR THE  
2 PURPOSE OF EXCAVATION OR FILL.

3 (2) This chapter does not prevent bona fide leases,  
4 brokerage agreements, or buy-and-sell agreements."

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15 consisting of agricultural commodities (not including  
16 manufactured products thereof) if the motor vehicles are not  
17 used in carrying other property or passengers for  
18 compensation;  
19 (b) the operation of school buses which are used in  
20 conveying pupils or other students enrolled in classes to  
21 and from district or other schools or in transportation  
22 movements related to school activities which are sponsored  
23 or supervised by school authorities;  
24 (c) the transportation by means of motor vehicles in  
25 the regular course of business of employees, supplies, and

1 materials by a person or corporation engaged exclusively in  
2 the construction or maintenance of highways or engaged  
3 exclusively in logging or mining operations, insofar as the  
4 use of employees, supplies, and materials in construction  
5 and production is concerned;  
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22 and gravel, concrete mix, aggregate, bituminous asphalt,  
23 aggregate mix, dirt, rock, pit-run material from demolished  
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 6 69-12-102, MCA, TO EXEMPT THE TRANSPORTATION OF CERTAIN  
 7 CONSTRUCTION AND EXCAVATION MATERIALS FROM TITLE 69, CHAPTER  
 8 12, MCA, RELATING TO MOTOR CARRIERS; PROVIDING AN IMMEDIATE  
 9 EFFECTIVE DATE."

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 11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 12 Section 1. Section 69-12-102, MCA, is amended to read:  
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 19 vehicles from a collection point to a motor vehicle wrecking  
 20 facility or a motor vehicle graveyard; or  
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 22 (i) the transportation of PII-RUN-DB-PROCESSED sand  
 23 and gravel; concrete mix; aggregate; bituminous PLANT MIX  
 24 asphalt PAVEMENT; aggregate mix; dirt; rock; pit-run  
 25 material from demolished buildings AND STRUCTURES; used

1 paving materials, used concrete, broken concrete, riprap,  
2 and all OTHER forms and types of excavation materials  
3 TRANSPORTED SOLELY FOR THE PURPOSE OF EXCAVATION OR FILL.

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6 SECTION 2. EFFECTIVE DATE. THIS ACT IS EFFECTIVE ON  
7 PASSAGE AND APPROVAL.

-End-

March 12, 1979

SENATE STANDING COMMITTEE REPORT  
(Business & Industry)

That House Bill No. 14 be amended as follows:

1. Title, line 8.

Following: "CARRIERS"

Insert: "; PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 2, line 22.

Following: "aggregate,"

Strike: "bituminous"

Insert: "plant mix"

Following: "asphalt"

Insert: "pavement"

3. Page 3, line 5.

Following: line 4

Insert: "Section 2. Effective date. This act is effective on passage and approval."