CHAPTER NO. 514

# HOUSE BILL NO. 14

## INTRODUCED BY NATHE

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# 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 SEN	ATE
January	15, 1979		Introduced and referred to Committee on Business and Industry.
March 12	2, 1979		Committee recommend bill be concurred in as amended. Report adopted.

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March	14,	1979		Second reading, concurred in.
March	16,	1979		Third reading, concurred in as amended.
			IN THE HOU	SE
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.

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2	INTRODUCED BY	2	the c
3	BY REQUEST OF THE DEPARTMENT OF PUBLIC SERVICE REGULATION	3	exclus
4		4	use d
5	A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION	5	and pr
6	69-12-102, MCA, TO EXEMPT THE TRANSPORTATION OF CERTAIN	6	C
7	CONSTRUCTION AND EXCAVATION NATERIALS FROM TITLE 69, CHAPTER	7	a city
8	12, MCA, RELATING TO NOTOR CARRIERS."	8	person
9		9	the c
10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	10	commis
11	Section 1. Section 69-12-102, NCA, is amended to read:	11	C
12	<pre>#69-12-102. Scope of chapter exemptions. (1) This</pre>	12	supple
13	chapter do <b>es n</b> ot affect:	13	c
14	(a) motor vehicles used in carrying property	14	used
15	consisting of agricultural commodities (not including	15	while
16	manufactured products thereof) if the motor vehicles are not	16	to aba
17	used in carrying other property or passengers for	17	C
18	compensation;	18	vehic]
19	(b) the operation of school buses which are used in	19	facili
20	conveying pupils or other students enrolled in classes to	20	(
21	and from district or other schools or in transportation	21	1
22	movements related to school activities which are sponsored	22	aixe_a
23	or supervised by school authorities;	23	LOCK1
24	(c) the transportation by means of motor vehicles in	24	paving
25	the regular course of business of employees, supplies, and	25	and al

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1	materials by a person or corporation engaged exclusively in
Z	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 thereofy as determined by the
10	commission;
11	(@) 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; <del>or</del>
20	(h) ambulances <u>t or</u>
21	(i)thetransportation_ofsand_and_gravel.concrete
22	<u>aix.aggregate.bituminous_asphalts_aggregate_mix.dirts</u>
23	rocks_pit_rups_material_from_demolished_buildingss_used

- 24 paving materials, used concrete, broken concrete, riprap.
- 25 and all forms and types of excavation materials.

-2-

LC 0303/01

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

-End-

#### 46th Legislature

HB 0014/02

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# Approved by Co

## Approved by Committee on <u>Business and Industry</u>

1	HOUSE BILL NO. 14
2	INTRODUCED BY NATHE
3	BY REQUEST OF THE DEPARTMENT OF PUBLIC SERVICE REGULATION
4	
5	A BILL FUR 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	<pre>#69-12-102. Scope of chapter exemptions. (1) This</pre>
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
27	movements related to school activities which are sponsored
23	or supervised by school authorities;

(c) the transportation by means of motor vehicles in
 the regular course of business of employees, supplies, and

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 and production is concerned; 5 (d) the transportation of property by motor vehicle in 6 a city, town, or village with a population of less than 500 7 persons according to the latest United States census or in 9 the commercial areas thereof, as determined by the 10 commission; 11 (a) the transportation of newspapers, newspaper 12 supplements, periodicals, or magazines; 13 (f) tow trucks and wreckers designed and exclusively

materials by a person or corporation engaged exclusively in

used in towing abandoned, wrecked, or disabled vehicles or
while these tow trucks and wreckers are rendering assistance
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
 fil\_the\_transportation\_of PlT\_BUN\_DR\_PROCESSED sand

 22
 and\_gravel.concrete\_mixs\_aggregates\_bituminous\_asphalts

 23
 aggregate\_mixs\_dirts\_rocks\_pit=runbs\_material\_from\_demolished

 24
 buildings\_AND\_SIRUCIURESs\_used\_paving\_materialss\_used

 25
 concretes\_broken\_concretes\_ripraps\_and att OIHER\_forms\_and

-2- HB 14 SECOND READING HB 0014/02

## 1 types of exception materials IRANSPORIED\_SQLELY\_FOR\_THE

## 2 PURPOSE DE EXCAVATION OB FILL.

3 (2) This chapter does not prevent bona fide leases.

## 4 brokerage agreements, or buy-and-sell agreements."

-End-

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46th Legislature

HB 0014/03

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### Approved by Committee on Business and Industry

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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	(o) 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

On motion rules suspended, yellow printing dispensed. L materials by a person or corporation engaged exclusively in the construction or maintenance of highways or engaged Z axclusively in logging or mining operations, insofar as the 3 4 use of employees, supplies, and materials in construction 5 and production is concerned:

(d) the transportation of property by motor vehicle in 6 7 a city, town, or village with a population of less than 500 A 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 facility or a motor vehicle graveyard; or 19

20 (h) ambulances<u>: or</u>

21 fil the transportation of PIT\_RUN\_OR\_PROCESSED sand

22 and\_gravel.concrete\_mix.\_aggregate.\_bituminous\_asphalts

23 aggregate mix: dirt: rock: pit-runy material from demolished

24 buildings AND SIRUCIURES, used paying materials, used

25 concretes\_broken\_concretes\_ripraps\_and all OIHER forms\_and

> -2-THIRD READING HB 14

HB 0014/03

HB 0014/03

- 1 types of exception materials IRANSPORIED 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.\*

-End-

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HB 0014/04

HOUSE BILL NO. 14 INTRODUCED BY NATHE BY REQUEST OF THE DEPARTMENT OF PUBLIC SERVICE REGULATION A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION 69-12-102. MCA. TO EXEMPT THE TRANSPORTATION OF CERTAIN CONSTRUCTION AND EXCAVATION MATERIALS FROM TITLE 69. CHAPTER 12. MCA. RELATING TO MOTOR CARRIERS: PROVIDING AN \_IMMEDIATE EFFECIIVE\_DAIE." BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: Section 1. Section 69-12-102, MCA, is amended to read: #69-12-102. Scope of chapter -- exemptions. (1) This chapter does not affect: vehicles used in carrying property (a) motor consisting of agricultural commodities (not including manufactured products thereof) if the motor vehicles are not used in carrying other property or passengers for compensation; (b) the operation of school buses which are used in conveying pupils or other students enrolled in classes to and from district or other schools or in transportation movements related to school activities which are sponsored or supervised by school authorities;

25 {c) the transportation by means of motor vehicles in

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 4 exclusively in logging or mining operations, insofar as the 5 use of employees, supplies, and materials in construction 6 and production is concerned; 7 (d) the transportation of property by motor vehicle in 8 a city, town, or village with a population of less than 500

9 persons according to the latest United States census or in 10 the commercial areas thereof, as determined by the 11 commission;

12 (e) the transportation of newspapers, newspaper
13 supplements, periodicals, or magazines;

14 (f) tow trucks and wreckers designed and exclusively
15 used in towing abandoned, wrecked, or disabled vehicles or
16 while these tow trucks and wreckers are rendering assistance

17 to abandoned, wrecked, or disabled vehicles;

18 (g) motor vehicles used exclusively in carrying junk
19 vehicles from a collection point to a motor vehicle wrecking

- 20 facility or a motor vehicle graveyard; or
- 21 (h) ambulances<u>: or</u>

22

- (i)\_the\_transportation\_of PII\_SVN\_DB\_PROCESSED\_sand
- 23 and\_gravels\_concrete\_mixs\_aggregates bituminous PLANI\_MIX
- 24 asphalt PAYEMENI: aggregate mixe dirts rocks pitternes
- 25 material\_from\_demolished\_buildings\_AND\_SIRUCTURES\_used

-2- HB 14

REFERENCE BILL

## H8 0014/04

HB 14

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1	<u>paving_materials_used_concretex_broken_concretex_riprap</u> +
2	and all QINER forms_and_types_of excernition materials
3	IRANSPORIED_SOLELY_EOB_INE_PURPOSE_DE_EXCAVAIION_DB_EILL•
4	(2) This chapter does not prevent bona fide leases,
5	brokerage agreements, or buy-and-sell agreements."
6	SECTION_2EEEECTIVEDATETHIS_ACT_IS_EEECTIVE_ON
7	PASSAGE AND APPROVAL.

-End-

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."