

HOUSE BILL NO. 704

INTRODUCED BY DUSSAULT

BY REQUEST OF THE HOUSE LOCAL GOVERNMENT COMMITTEE

IN THE HOUSE

February 10, 1981	Introduced and referred to Committee on Local Government.
February 16, 1981	Committee recommend bill do pass. Report adopted.
February 17, 1981	Bill printed and placed on members' desks.
February 19, 1981	Second reading, do pass.
February 20, 1981	Considered correctly engrossed.
February 24, 1981	Third reading, passed. Ayes, 92; Noes, 4. Transmitted to Senate.

IN THE SENATE

March 2, 1981	Introduced and referred to Committee on Local Government.
March 19, 1981	Committee recommend bill be concurred in as amended. Report adopted.
March 21, 1981	Second reading, concurred in.
March 24, 1981	Third reading, concurred in as amended. Ayes, 47; Noes, 2.

IN THE HOUSE

March 25, 1981	Returned from Senate with amendments.
April 8, 1981	Second reading, amendments concurred in.

April 9, 1981

Third reading, amendments  
concurrent in. Ayes, 91;  
Noes, 4. Sent to enrolling.

Reported correctly enrolled.

1                   HOUSE   BILL NO. 704  
2   INTRODUCED BY Wussau

3                   BY REQUEST OF THE HOUSE LOCAL GOVERNMENT COMMITTEE

4  
5   A BILL FOR AN ACT ENTITLED: "AN ACT TO PERMIT THE  
6   ESTABLISHMENT OF BUS STOPS IN PLACES IN WHICH STOPPING,  
7   STANDING, AND PARKING A VEHICLE ARE OTHERWISE PROHIBITED;  
8   AMENDING SECTION 61-8-354, MCA."

9  
10   BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11       Section 1. Section 61-8-354, MCA, is amended to read:

12       "61-8-354. Stopping, standing, or parking prohibited  
13   in specified places -- ~~exceptions~~. (1) No person shall stop,  
14   stand, or park a vehicle, except when necessary to avoid  
15   conflict with other traffic or in compliance with law or the  
16   directions of a police officer or highway patrolman or  
17   traffic-control device, in any of the following places:

- 18       (a) on a sidewalk;
- 19       (b) in front of a public or private driveway;
- 20       (c) within an intersection;
- 21       (d) within 15 feet of a fire hydrant;
- 22       (e) on a crosswalk;
- 23       (f) within 20 feet of a crosswalk at an intersection;
- 24       (g) within 30 feet upon the approach to any flashing  
25   beacon, stop sign, or traffic-control signal located at the

1   side of a roadway;

2       (h) between a safety zone and the adjacent curb or  
3   within 30 feet of points on the curb immediately opposite  
4   the ends of a safety zone, unless the local authorities  
5   indicate a different length by signs or markings;

6       (i) within 50 feet of the nearest rail of a railroad  
7   crossing;

8       (j) within 20 feet of the driveway entrance to any  
9   fire station and on the side of a street opposite the  
10   entrance to any fire station within 75 feet of said entrance  
11   when properly signposted;

12       (k) alongside or opposite any street excavation or  
13   obstruction when stopping, standing, or parking would  
14   obstruct traffic;

15       (l) on the roadway side of any vehicle stopped or  
16   parked at the edge or curb of a street;

17       (m) upon any bridge or other elevated structure upon a  
18   highway or within a highway tunnel;

19       (n) at any place where official signs prohibit  
20   stopping.

21       ~~(2) This section does not prohibit the establishment~~  
22   ~~of public bus stops and the regulation of their use by a~~  
23   ~~local government. Such a bus stop must be established by~~  
24   ~~ordinance pursuant to a traffic and engineering study. Such~~  
25   ~~establishment is subject to review and approval by the~~

LC 1397/01

1 department of highways if the bus stop is to be established  
2 on a street or highway under its jurisdiction.

3 ~~(2)(3)~~ No person shall move a vehicle not lawfully  
4 under his control into any such prohibited area or away from  
5 a curb such distance as is unlawful."

-End-



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1 department of highways if the bus stop is to be established  
2 on a street or highway under its jurisdiction.

3 ~~(2)~~(3) No person shall move a vehicle not lawfully  
4 under his control into any such prohibited area or away from  
5 a curb such distance as is unlawful."

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6 ESTABLISHMENT OF BUS STOPS IN PLACES IN WHICH STOPPING,  
7 STANDING, AND PARKING A VEHICLE ARE OTHERWISE PROHIBITED;  
8 AMENDING SECTION 61-8-354, MCA."

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

11 Section 1. Section 61-8-354, MCA, is amended to read:

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13 in specified places -- ~~exceptions~~. (1) No person shall stop,  
14 stand, or park a vehicle, except when necessary to avoid  
15 conflict with other traffic or in compliance with law or the  
16 directions of a police officer or highway patrolman or  
17 traffic-control device, in any of the following places:

- 18 (a) on a sidewalk;
- 19 (b) in front of a public or private driveway;
- 20 (c) within an intersection;
- 21 (d) within 15 feet of a fire hydrant;
- 22 (e) on a crosswalk;
- 23 (f) within 20 feet of a crosswalk at an intersection;
- 24 (g) within 30 feet upon the approach to any flashing  
25 beacon, stop sign, or traffic-control signal located at the

1 side of a roadway;

2 (h) between a safety zone and the adjacent curb or  
3 within 30 feet of points on the curb immediately opposite  
4 the ends of a safety zone, unless the local authorities  
5 indicate a different length by signs or markings;

6 (i) within 50 feet of the nearest rail of a railroad  
7 crossing;

8 (j) within 20 feet of the driveway entrance to any  
9 fire station and on the side of a street opposite the  
10 entrance to any fire station within 75 feet of said entrance  
11 when properly signposted;

12 (k) alongside or opposite any street excavation or  
13 obstruction when stopping, standing, or parking would  
14 obstruct traffic;

15 (l) on the roadway side of any vehicle stopped or  
16 parked at the edge or curb of a street;

17 (m) upon any bridge or other elevated structure upon a  
18 highway or within a highway tunnel;

19 (n) at any place where official signs prohibit  
20 stopping.

21 ~~(2) This section does not prohibit the establishment  
22 of public bus stops and the regulation of their use by a  
23 local government. Such a bus stop must be established by  
24 ordinance pursuant to a traffic and engineering study. Such  
25 establishment is subject to review and approval by the~~

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1 department of highways if the bus stop is to be established  
2 on a street or highway under its jurisdiction.

3       †2†(3) No person shall move a vehicle not lawfully  
4 under his control into any such prohibited area or away from  
5 a curb such distance as is unlawful."

-End-

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6 ESTABLISHMENT OF BUS STOPS IN PLACES IN WHICH STOPPING,  
7 STANDING, AND PARKING A VEHICLE ARE OTHERWISE PROHIBITED;  
8 AMENDING SECTION 61-8-354, MCA; AND PROVIDING AN IMMEDIATE  
9 EFFECTIVE DATE."

10  
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 61-8-354, MCA, is amended to read:

13 "61-8-354. Stopping, standing, or parking prohibited  
14 in specified places -- exceptions. (1) No person shall stop,  
15 stand, or park a vehicle, except when necessary to avoid  
16 conflict with other traffic or in compliance with law or the  
17 directions of a police officer or highway patrolman or  
18 traffic-control device, in any of the following places:

- 19 (a) on a sidewalk;
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2 side of a roadway;

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10 fire station and on the side of a street opposite the  
11 entrance to any fire station within 75 feet of said entrance  
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15 obstruct traffic;

16 (l) on the roadway side of any vehicle stopped or  
17 parked at the edge or curb of a street;

18 (m) upon any bridge or other elevated structure upon a  
19 highway or within a highway tunnel;

20 (n) at any place where official signs prohibit  
21 stopping.

22 (2) This A PUBLIC BUS STOP MAY NOT BE ESTABLISHED IN  
23 THE AREAS DESCRIBED IN SUBSECTIONS (1)(A) THROUGH (C) AND  
24 (E). OTHERWISE, THIS section does not prohibit the  
25 establishment of public bus stops and the regulation of

1 their use by a local government. Such a bus stop must be  
2 established by ordinance pursuant to a traffic and  
3 engineering study. Such establishment is subject to review  
4 and approval by the department of highways if the bus stop  
5 is to be established on a street or highway under its  
6 jurisdiction.

7 ~~{2}~~(3) No person shall move a vehicle not lawfully  
8 under his control into any such prohibited area or away from  
9 a curb such distance as is unlawful."

10 SECTION 2. EFFECTIVE DATE. THIS ACT IS EFFECTIVE ON  
11 PASSAGE AND APPROVAL.

-End-

March 19, 1981

SENATE STANDING COMMITTEE REPORT  
(Local Government)

That House Bill No. 704 be amended as follows:

1. Title, line 8.

Following: "MCA"

Insert: "; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE"

2. Page 2, line 21.

Following: "(2)"

Strike: "This".

Insert: "A public bus stop may not be established in the areas described in subsections (1) (a) through (c) and (e). Otherwise, this"

3. Page 3.

Following: line 5

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