

SENATE BILL NO. 304

INTRODUCED BY HAZELBAKER

BY REQUEST OF THE DEPARTMENT OF HIGHWAYS

IN THE SENATE

January 28, 1981	Introduced and referred to Committee on Highways and Transportation.
	Fiscal note requested.
February 3, 1981	Fiscal note returned.
February 6, 1981	Committee recommend bill do pass. Report adopted.
February 7, 1981	Bill printed and placed on members' desks.
February 9, 1981	Second reading, do pass.
February 10, 1981	Correctly engrossed.
February 11, 1981	Third reading, passed. Yeas, 49; Nays, 0. Transmitted to House.

IN THE HOUSE

February 12, 1981	Introduced and referred to Committee on Highways and Transportation.
February 20, 1981	Committee recommend bill be concurred in. Report adopted.
February 21, 1981	Second reading, pass consideration until 46th legislative day.
March 2, 1981	Second reading, concurred in.
March 4, 1981	Third reading, concurred in. Yeas, 98; Nays, 0.

IN THE SENATE

March 5, 1981

Returned from House. Con-  
curred in. Sent to enrolling.

Reported correctly enrolled.

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 2 INTRODUCED BY Hall  
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 5 A BILL FOR AN ACT ENTITLED: "AN ACT TO DELETE THE  
 6 PROVISIONS FOR TRUCK AND TRAILER DEMONSTRATION PERMITS AND  
 7 TO CLARIFY THE EXEMPTION FOR VEHICLES DISPLAYING A LICENSED  
 8 DEALER'S PLATE; AMENDING SECTIONS 61-3-431, 61-3-432,  
 9 61-10-214, 61-10-231, AND 61-12-206, MCA; AND REPEALING  
 10 SECTIONS 61-4-114 THROUGH 61-4-118, MCA."

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

12 Section 1. Section 61-3-431, MCA, is amended to read:  
 13 "61-3-431. Special mobile equipment -- exemption from  
 14 registration and payment of fees and charges --  
 15 identification plate -- publicly owned special mobile  
 16 equipment. (1) A person, firm, partnership, or corporation  
 17 who owns, leases, or rents special mobile equipment as  
 18 defined in 61-1-104(2) and occasionally moves that equipment  
 19 on, over, or across the highways of the state is not subject  
 20 to registration of that equipment or required to pay the  
 21 fees and charges provided for in 61-3-502, ~~61-4-115,~~  
 22 61-4-301 through 61-4-308, or part 2 of chapter 10. Prior to  
 23 movement on the highways, however, each piece of equipment  
 24 shall display an equipment identification plate or a  
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1 dealers' license plate attached to the equipment.  
 2 (2) Annual application for the identification plate  
 3 shall be made to the county treasurer before any piece of  
 4 equipment is moved on the highways. Application shall be  
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 12 plate. The fees collected under this section belong to the  
 13 county road fund.

14 (3) The identification plate expires on December 31 of  
 15 each year. If the expired identification plate is displayed,  
 16 an owner of special mobile equipment registered under the  
 17 provisions of this section is entitled to operate the  
 18 equipment between January 1 and February 15 following  
 19 expiration without displaying the identification plate or  
 20 receipt of the current year.

21 (4) Publicly owned special mobile equipment, and  
 22 implements of husbandry used exclusively by an owner in the  
 23 conduct of his own farming operations, are exempt from this  
 24 section."

25 Section 2. Section 61-3-432, MCA, is amended to read:

1 "61-3-432. Exemptions of vehicles not capable of  
2 operation on highways. Track-type tractors, other track  
3 mounted machinery and equipment, road rollers, and other  
4 similar equipment and machinery which cannot be  
5 self-propelled or towed upon the highways of this state and  
6 which must be transported by some type of hauling unit, are  
7 not subject to this chapter, 61-4-101 through ~~61-4-116~~  
8 ~~61-4-106~~, chapter 6, part 2 of chapter 10, or part 4 of  
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10 Section 3. Section 61-10-214, MCA, is amended to read:

11 "61-10-214. Exemptions. (1) Motor vehicles operating  
12 exclusively for transportation of persons for hire within  
13 the limits of incorporated cities or towns and within 15  
14 miles from such limits are exempt from this part.

15 (2) Motor vehicles brought or driven into Montana by a  
16 nonresident, migratory, bona fide agricultural worker  
17 temporarily employed in agricultural work in this state  
18 where those motor vehicles are used exclusively for  
19 transportation of agricultural workers are exempt from this  
20 part.

21 (3) Vehicles lawfully displaying a licensed dealer's  
22 plate as provided in 61-4-103 are exempt from this part when  
23 moving to or from a dealer's place of business when unloaded  
24 or loaded with dealer's property only, ~~and in the case of~~  
25 ~~vehicles having a gross loaded weight of less than 24,000~~

1 pounds or while being demonstrated in the course of the  
2 dealer's business, for a period not to exceed 7 days.  
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7 designated employee of the department of highways shall  
8 enforce this part, ~~and 61-3-502(1), and 61-4-114 through~~  
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10 motor vehicles operating upon the highways in this state and  
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14 Section 5. Section 61-12-206, MCA, is amended to read:

15 "61-12-206. Offenses for which arrest authorized. (1)  
16 Employees appointed under 61-12-201 may make arrests for  
17 violations of the following statutory provisions only:

- 18 (a) part 1, chapter 10, of this title;  
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23 (f) section 61-3-502(1);  
24 ~~(g) sections 61-4-114 through 61-4-116;~~  
25 ~~(h)(g)~~ sections 61-10-201 through 61-10-215;

1        ~~(+)(h)~~ sections 61-10-222 through 61-10-224;  
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5        Section 6. Repealer. Sections 61-4-114 through  
6        61-4-118, MCA, are repealed.

-End-

SB 304

STATE OF MONTANA

REQUEST NO. 252-81

FISCAL NOTE

Form BD-15

In compliance with a written request received January 30, 19 81, there is hereby submitted a Fiscal Note  
on Senate Bill 304 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members  
of the Legislature upon request.

DESCRIPTION OF PROPOSED LEGISLATION:

A proposal to discontinue issuing truck and trailer demonstration permits.

ASSUMPTIONS:

1. The number of permits issued will continue to be very low in volume.
2. There is little or no revenue gain when administrative costs are applied.

REVENUE IMPACT:

	<u>FY 1982</u>	<u>FY 1983</u>
Truck and trailer demonstration permits under current law	\$ 700.00	\$ 700.00
" " " " " " " proposed law	-0-	-0-
Decrease on truck and trailer demonstration permits	<u>\$ 700.00</u>	<u>\$ 700.00</u>

FUND INFORMATION

	<u>FY 1982</u>	<u>FY 1983</u>
Highway Earmarked Revenue Decrease	\$ 700.00	\$ 700.00

*David M. Lewis*

BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 2-3-81

Approved by Committee  
on Highways & Transportation

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16 identification plate -- publicly owned special mobile  
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18 who owns, leases, or rents special mobile equipment as  
19 defined in 61-1-104(2) and occasionally moves that equipment  
20 on, over, or across the highways of the state is not subject  
21 to registration of that equipment or required to pay the  
22 fees and charges provided for in 61-3-502, ~~61-4-115,~~  
23 61-4-301 through 61-4-309, or part 2 of chapter 10. Prior to  
24 movement on the highways, however, each piece of equipment  
25 shall display an equipment identification plate or a

1 dealers' license plate attached to the equipment.

2 (2) Annual application for the identification plate  
3 shall be made to the county treasurer before any piece of  
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14 (3) The identification plate expires on December 31 of  
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8 ~~61-4-106~~, chapter 6, part 2 of chapter 10, or part 4 of  
9 chapter 12."

10       Section 3. Section 61-10-214, MCA, is amended to read:

11       "61-10-214. Exemptions. (1) Motor vehicles operating  
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14 miles from such limits are exempt from this part.

15       (2) Motor vehicles brought or driven into Montana by a  
16 nonresident, migratory, bona fide agricultural worker  
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21       (3) Vehicles lawfully displaying a licensed dealer's  
22 plate as provided in 61-4-103 are exempt from this part when  
23 moving to or from a dealer's place of business when unloaded  
24 or loaded with dealer's property only ~~and in the case of~~  
25 ~~vehicles having a gross loaded weight of less than 24,000~~

1       pounds, or while being demonstrated in the course of the  
2 dealer's business, for a period not to exceed 7 days.  
3 Vehicles being demonstrated may not be leased, rented, or  
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5       Section 4. Section 61-10-231, MCA, is amended to read:

6       "61-10-231. Enforcement. The highway patrol and any  
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10 motor vehicles operating upon the highways in this state and  
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14       Section 5. Section 61-12-206, MCA, is amended to read:

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23       (f) section 61-3-502(1);

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