

SENATE BILL NO. 346
INTRODUCED BY GRAHAM
BY REQUEST OF THE DEPARTMENT OF HIGHWAYS

IN THE SENATE

February 2, 1981

Introduced and referred to
Committee on Highways and
Transportation.

February 11, 1981

Committee recommend bill do
pass as amended. Report
adopted.

February 12, 1981

Bill printed and placed on
members' desks.

February 13, 1981

Second reading, do pass.

February 14, 1981

Correctly engrossed.

February 16, 1981

Third reading, passed.
Yea, 35; Nays, 12.
Transmitted to House.

IN THE HOUSE

February 17, 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 considera-
tion until 46th legislative
day.

March 2, 1981

Second reading, concurred in.

March 4, 1981

Third reading, concurred in.
Yea, 77; Nays, 22.

IN THE SENATE

March 5, 1981

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

Reported correctly enrolled.

Senate BILL NO. 346

INTRODUCED BY *Speaker*

BY REQUEST OF THE DEPARTMENT OF HIGHWAYS

A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE MAXIMUM GROSS VEHICLE WEIGHT ALLOWED WITHOUT SPECIAL PERMIT; TO INCREASE THE FEES CHARGED FOR CERTAIN OVERWEIGHT AND OVERSIZE PERMITS; TO CLARIFY THE PROVISIONS REGARDING OPERATION WITHOUT SPECIAL PERMITS; AND TO INCREASE THE FEE CHARGED FOR TEMPORARY FUEL PERMITS; AMENDING SECTIONS 15-70-312, 61-10-107, 61-10-109, 61-10-124, 61-10-125, AND 61-10-211, MCA."

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

Section 1. Section 15-70-312, MCA, is amended to read: "15-70-312. Fees for temporary permits -- duration of temporary permits. (1) The temporary special fuel permits shall cost the special fuel vehicle user a fee of \$20 \$30. The permit shall be valid for a period of time not to exceed 72 hours and will be automatically void should the vehicle leave the state of Montana during the 72-hour period.

(2) A temporary special fuel permit for a nonresident operating agricultural harvesting equipment shall cost \$30 per unit for a period beginning July 1 and ending October 31. The permit shall not be transferable. A unit shall be

defined as:

(a) one truck suitable for hauling produce;
 (b) one harvesting machine; and
 (c) pickup trucks and any other accessory vehicles.
 (3) All fees collected shall be remitted to the department or deposited directly in the earmarked revenue fund for the department of highways."

Section 2. Section 61-10-107, MCA, is amended to read: "61-10-107. Maximum gross axle weight -- when permit required. (1) The department of highways may base on evaluation of safety, highway capacity, and economics of highway maintenance and vehicle operations, authorize by special permit at a fee of \$10, specifying highway routings, the operation of a vehicle having two but not more than nine axles if the maximum single axle load is An axle may not carry a load in excess of 20,000 pounds, and if no two consecutive axles more than 40 inches or less than 96 inches apart may carry a load in excess of 34,000 pounds. For purposes of this section, axles 40 inches or less apart are considered as a single axle. A vehicle or combination may not have more than nine axles. The maximum gross weight allowed on a vehicle or combination so authorized by this section special permit shall be determined by the formula $W = L(N/N - 1 + 12N + 36)$ in which W equals gross weight, L equals wheel base in feet, and N equals

1 number of axles. However, the maximum allowable gross
 2 weight on a group of axles may not exceed the following
 3 values:

4 2 axles	40,000 pounds
5 3 axles	60,000 pounds
6 4 axles	80,000 pounds
7 5 axles	85,500 pounds
8 6 axles	90,000 pounds
9 7 axles	105,500 pounds
10 8 axles	105,500 pounds
11 9 axles	105,500 pounds

12 (2) ~~This--section--does--not--apply--to--highways--which--are~~
 13 ~~a--part--of--the--national--system--of--interstate--and--defense~~
 14 ~~highways--(as--referred--to--in--23-8-5-6-127)--when--application~~
 15 ~~of--this--section--would--prevent--this--state--from--receiving~~
 16 ~~federal--funds--for--highway--purposes~~ If the gross weight of a
 17 ~~vehicle--or--combination--exceeds--80,000--pounds~~, the vehicle or
 18 ~~combination--must--have--a--special--permit--which--may--be--issued~~
 19 ~~in--the--discretion--of--the--department--of--highways--based--on~~
 20 ~~evaluation--of--safety--highway--capacity--and--economics--of~~
 21 ~~highway--maintenance--and--vehicle--operation~~. The fee shall be
 22 ~~\$20--per--trip--permit--or--\$100--per--term--permit~~. A term permit
 23 ~~may--not--be--issued--for--a--period--of--time--greater--than--the~~
 24 ~~period--for--which--the--GVM--license--is--valid~~. Owners of
 25 ~~vehicles--licensed--in--other--jurisdictions--may--at--the~~

1 ~~discretion--of--the--department--purchase--permits--to--expire~~
 2 ~~with--their--registration~~. Permits may specify highway
 3 ~~routing~~.

4 Section 3. Section 61-10-109, MCA, is amended to read:
 5 "61-10-109. Operation without special permits
 6 prohibited. The operation of vehicles or combinations of
 7 vehicles having ~~dimensions~~ or weights in excess of the
 8 maximum limits specified in ~~61-10-105~~ ~~61-10-101~~ through
 9 ~~61-10-108~~ is permitted only if authorized by special permit
 10 issued under ~~61-10-107~~ by the department of highways or its
 11 agents or the highway patrol."

12 Section 4. Section 61-10-124, MCA, is amended to read:
 13 "61-10-124. Special permits -- fee. (1) Except as
 14 provided in subsection (2)(b), in addition to the regular
 15 registration and gross vehicle weight fees, a fee of \$6 \$10
 16 for each trip permit and a fee of \$75 for each term permit
 17 issued ~~for--size--and--weight~~ in excess of the size and weight
 18 that specified in 61-10-101 through 61-10-110 shall be paid
 19 for all movements under special permits on the public
 20 highways under the jurisdiction of the department.

21 (2) (a) Except as provided in subsection (2)(b), term
 22 or blanket permits may not be issued for an overwidth
 23 vehicle, combination of vehicles, load, or other thing in
 24 excess of 15 feet; an overlength vehicle, combination of
 25 vehicles, load, object, or other thing in excess of 85 feet;

1 and an overweight vehicle, combination of vehicles, load, or
 2 other thing in excess of 13 1/2 feet, or of a limit
 3 determined by the department. A vehicle, combination of
 4 vehicles, load, or other thing in excess of these dimensions
 5 is limited to trip permits.

6 (b) A term permit may be issued to a dealer in
 7 implements of husbandry and self-propelled machinery for an
 8 overwidth or overlength vehicle referred to in subsection
 9 (2)(a). The fee for this permit is \$75. This permit covers a
 10 period of 1 year and expires on December 31 of each year
 11 with no grace period.

12 (3) Except as provided in subsection (2)(b), a permit
 13 may not be issued for a period of time greater than the
 14 period for which the GVM license is valid as provided in
 15 this title, including grace periods allowed by this title.
 16 Owners of vehicles licensed in other jurisdictions may, at
 17 the discretion of the department, purchase permits to expire
 18 with their registration. A license required by the state
 19 governs the issuance of a special permit."

20 Section 5. Section 61-10-125, MCA, is amended to read:
 21
 22 "61-10-125. Other fees. In addition to the permit fee,
 23 there shall be charged for single trip permits, for the
 24 excess load over the gross allowable load or the sum of the
 25 excess axle loads, whichever is greater:

26 (1) \$5 \$10 for distances to and including 100 miles;

1 (2) \$15 \$30 for distances from 101 to 199 miles; and
 2 (3) \$25 \$50 for distances over 200 miles traveled."
 3 Section 6. Section 61-10-211, MCA, is amended to read:
 4
 5 "61-10-211. Fees on motortrucks, truck tractors,
 6 trailers, and semitrailers from other states. (1) In lieu of
 7 other fees for the licensing of vehicles, there shall be
 8 collected a fee for each motortruck, truck tractor, trailer,
 9 and semitrailer already licensed for the year in another
 10 jurisdiction and operated upon an itinerant basis in this
 11 state. The fee shall be collected upon each entrance of such
 12 vehicle into the state, and shall be based upon the number
 13 of miles to be traveled in the state as shown in the
 14 application of the nonresident operator.

15 (2) The fee shall be collected for any single vehicle.
 16 When any combination of truck, truck tractor, semitrailer,
 17 or trailer totals more than 6,000 pounds gross weight, the
 18 fee shall be collected for each unit in the combination.

19 (3) The fee shall be:
 20 (a) \$5 \$10 for each trip of 200 miles or less;
 21 (b) \$7.50 \$15 for each trip of over 200 miles to 400
 22 miles;
 23 (c) \$10 \$20 for each trip of over 400 miles.
 24 (4) Such fees shall not apply to any trailer the
 25 principal use of which is as temporary or permanent living
 quarters, or to any vehicle of a carnival which is under

1 contract with a state, county, or district fair
2 association."

-End-

Approved by Committee
on Highways & Transportation

1 SENATE BILL NO. 346

2 INTRODUCED BY GRAHAM

3 BY REQUEST OF THE DEPARTMENT OF HIGHWAYS

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE MAXIMUM
6 GROSS VEHICLE WEIGHT AND LENGTH ALLOWED WITHOUT SPECIAL
7 PERMIT; TO INCREASE THE FEES CHARGED FOR CERTAIN OVERWEIGHT
8 AND OVERSIZE PERMITS; TO CLARIFY THE PROVISIONS REGARDING
9 OPERATION WITHOUT SPECIAL PERMITS; AND TO INCREASE THE FEE
10 CHARGED FOR TEMPORARY FUEL PERMITS; AMENDING SECTIONS
11 15-70-312, 61-10-104, 61-10-107, 61-10-109, 61-10-124,
12 61-10-125, AND 61-10-211, MCA."

13
14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15 Section 1. Section 15-70-312, MCA, is amended to read:
16
17 "15-70-312. Fees for temporary permits -- duration of
18 temporary permits. (1) The temporary special fuel permits
19 shall cost the special fuel vehicle user a fee of ~~\$20~~ \$30.
20 The permit shall be valid for a period of time not to exceed
21 72 hours and will be automatically void should the vehicle
22 leave the state of Montana during the 72-hour period.

23 (2) A temporary special fuel permit for a nonresident
24 operating agricultural harvesting equipment shall cost \$30
25 per unit for a period beginning July 1 and ending October
 31. The permit shall not be transferable. A unit shall be

1 defined as:

2 (a) one truck suitable for hauling produce;
3 (b) one harvesting machine; and
4 (c) pickup trucks and any other accessory vehicles.
5 (3) All fees collected shall be remitted to the
6 department or deposited directly in the earmarked revenue
7 fund for the department of highways."

6 SECTION 2. SECTION 61-10-104, MCA, IS AMENDED TO READ:
7
8 "61-10-104. Length. (1) A single truck, bus, or any
9 self-propelled vehicle, unladen or with load, may not have
10 an overall length, inclusive of front and rear bumpers, in
11 excess of 40 feet.

12
13 (2) A combination of truck and trailer, tractor and
14 semitrailer, tractor-semitrailer-full-trailer, or
15 tractor-semitrailer-semitrailer converted to a trailer by
16 use of a dolly equipped with a fifth wheel may not have an
17 overall length, inclusive of front and rear bumpers, in
18 excess of ~~60~~ 65 feet. If the combination consists of more
19 than two units, the rear units of the combination shall be
20 equipped with breakaway brakes.

21
22 (3) A motor vehicle may not tow more than one motor
23 vehicle, and a motor vehicle may not draw more than two
24 motor vehicles attached to it by the dual saddle-mount
25 method; that is, by mounting the front wheels of one vehicle
 on the bed of another, leaving only the rear wheels of the

1 vehicle in contact with the roadway, nor may this
 2 combination have an overall length, inclusive of front and
 3 rear bumpers, in excess of 60 65 feet.

4 (4) A passenger vehicle or truck of less than 2,000
 5 pounds "manufacturers' rated capacity" may not tow more than
 6 one trailer or semitrailer, nor may this combination have an
 7 overall length, inclusive of front and rear bumpers, in
 8 excess of 60 65 feet."

9 Section 3. Section 61-10-107, MCA, is amended to read:

10 "61-10-107. Maximum gross axle weight -- when permit
 11 required. (1) ~~The--department--of--highways--may--base--on~~
 12 ~~evaluation--of--safety--highway--capacity--and--economics--of~~
 13 ~~highway--maintenance--and--vehicle--operation--authorize--by~~
 14 ~~special--permit--at--a--fee--of--\$10--specifying--highway~~
 15 ~~routings--the--operation--of--a--vehicle--having--two--but--not--more~~
 16 ~~than--nine--axles--if--the--maximum--single--axle--load--is~~ An axle
 17 may--not--carry--a--load--in--excess--of 20,000 pounds, and if no
 18 two consecutive axles more than 40 inches or less than 96
 19 inches apart may carry a load in excess of 34,000 pounds.
 20 For purposes of this section, axles 40 inches or less apart
 21 are considered as a single axle. A vehicle or combination
 22 may--not--have--more--than--nine--axles. The maximum gross weight
 23 allowed on a vehicle or combination so authorized by this
 24 section special--permit shall be determined by the formula W
 25 equals 500 (LN/N minus 1 plus 12N plus 36) in which W equals

1 gross weight, L equals wheel base in feet, and N equals
 2 number of axles. However, the maximum allowable gross
 3 weight on a group of axles may not exceed the following
 4 values:

5 2 axles	40,000 pounds
6 3 axles	60,000 pounds
7 4 axles	80,000 pounds
8 5 axles	85,500 pounds
9 6 axles	90,000 pounds
10 7 axles	105,500 pounds
11 8 axles	105,500 pounds
12 9 axles	105,500 pounds

13 (2) ~~This--section--does--not--apply--to--highways--which--are~~
 14 ~~a--part--of--the--national--system--of--interstate--and--defense~~
 15 ~~highways--(as--referred--to--in--23-8-5-6--127)--when--application~~
 16 ~~of--this--section--would--prevent--this--state--from--receiving~~
 17 ~~federal--funds--for--highway--purposes~~ If the gross weight of a
 18 vehicle or combination exceeds 80,000 pounds, the vehicle or
 19 combination must have a special permit, which may be issued
 20 in the discretion of the department of highways based on
 21 evaluation of safety, highway capacity, and economics of
 22 highway maintenance and vehicle operation. The fee shall be
 23 \$20 per trip permit or \$100 per term permit. A term permit
 24 may not be issued for a period of time greater than the
 25 period for which the GVW license is valid. Owners of

1 vehicles licensed in other jurisdictions may, at the
 2 discretion of the department, purchase permits to expire
 3 with their registration. Permits may specify highway
 4 routing.

5 (3) THIS SECTION DOES NOT APPLY TO HIGHWAYS WHICH ARE
 6 A PART OF THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE
 7 HIGHWAYS (AS REFERRED TO IN 23 U.S.C. 127) WHEN APPLICATION
 8 OF THIS SECTION WOULD PREVENT THIS STATE FROM RECEIVING
 9 FEDERAL FUNDS FOR HIGHWAY PURPOSES."

10 Section 4. Section 61-10-109, MCA, is amended to read:
 11 "61-10-109. Operation without special permits
 12 prohibited. The operation of vehicles or combinations of
 13 vehicles having dimensions or weights in excess of the
 14 maximum limits specified in 61-10-105 61-10-101 through
 15 61-10-108 is permitted only if authorized by special permit
 16 issued under 61-10-107 by the department of highways or its
 17 agents or the highway patrol."

18 Section 5. Section 61-10-124, MCA, is amended to read:
 19 "61-10-124. Special permits -- fee. (1) Except as
 20 provided in subsection (2)(b), in addition to the regular
 21 registration and gross vehicle weight fees, a fee of \$6 \$10
 22 for each trip permit and a fee of \$75 for each term permit
 23 issued for size and weight in excess of the size and weight
 24 that specified in 61-10-101 through 61-10-110 shall be paid
 25 for all movements under special permits on the public

1 highways under the jurisdiction of the department.
 2 (2) (a) Except as provided in subsection (2)(b), term
 3 or blanket permits may not be issued for an overwidth
 4 vehicle, combination of vehicles, load, or other thing in
 5 excess of 15 feet; an overlength vehicle, combination of
 6 vehicles, load, object, or other thing in excess of 65 feet;
 7 and an overheight vehicle, combination of vehicles, load, or
 8 other thing in excess of 13 1/2 feet, or of a limit
 9 determined by the department. A vehicle, combination of
 10 vehicles, load, or other thing in excess of these dimensions
 11 is limited to trip permits.

12 (b) A term permit may be issued to a dealer in
 13 implements of husbandry and self-propelled machinery for an
 14 overwidth or overlength vehicle referred to in subsection
 15 (2)(a). The fee for this permit is \$75. This permit covers a
 16 period of 1 year and expires on December 31 of each year
 17 with no grace period.

18 (3) Except as provided in subsection (2)(b), a permit
 19 may not be issued for a period of time greater than the
 20 period for which the GVW license is valid as provided in
 21 this title, including grace periods allowed by this title.
 22 Owners of vehicles licensed in other jurisdictions may, at
 23 the discretion of the department, purchase permits to expire
 24 with their registration. A license required by the state
 25 governs the issuance of a special permit."

1 Section 6. Section 61-10-125, MCA, is amended to read:
 2 "61-10-125. Other fees. In addition to the permit fee,
 3 there shall be charged for single trip permits, for the
 4 excess load over the gross allowable load or the sum of the
 5 excess axle loads, whichever is greater:

6 (1) ~~\$5~~ \$10 for distances to and including 100 miles;
 7 (2) ~~\$15~~ \$30 for distances from 101 to 199 miles; and
 8 (3) ~~\$25~~ \$50 for distances over 200 miles traveled."

9 Section 7. Section 61-10-211, MCA, is amended to read:
 10 "61-10-211. Fees on motortrucks, truck tractors,
 11 trailers, and semitrailers from other states. (1) In lieu of
 12 other fees for the licensing of vehicles, there shall be
 13 collected a fee for each motortruck, truck tractor, trailer,
 14 and semitrailer already licensed for the year in another
 15 jurisdiction and operated upon an itinerant basis in this
 16 state. The fee shall be collected upon each entrance of such
 17 vehicle into the state, and shall be based upon the number
 18 of miles to be traveled in the state as shown in the
 19 application of the nonresident operator.

20 (2) The fee shall be collected for any single vehicle.
 21 When any combination of truck, truck tractor, semitrailer,
 22 or trailer totals more than 6,000 pounds gross weight, the
 23 fee shall be collected for each unit in the combination.

24 (3) The fee shall be:
 25 (a) ~~\$5~~ \$10 for each trip of 200 miles or less;

1 (b) ~~\$7.50~~ \$15 for each trip of over 200 miles to 400
 2 miles;
 3 (c) ~~\$10~~ \$20 for each trip of over 400 miles.
 4 (4) Such fees shall not apply to any trailer the
 5 principal use of which is as temporary or permanent living
 6 quarters, or to any vehicle of a carnival which is under
 7 contract with a state, county, or district fair
 8 association."

-End-

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE MAXIMUM
6 GROSS VEHICLE WEIGHT AND LENGTH ALLOWED WITHOUT SPECIAL
7 PERMIT; TO INCREASE THE FEES CHARGED FOR CERTAIN OVERWEIGHT
8 AND OVERSIZE PERMITS; TO CLARIFY THE PROVISIONS REGARDING
9 OPERATION WITHOUT SPECIAL PERMITS; AND TO INCREASE THE FEE
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14 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

15 Section 1. Section 15-70-312, MCA, is amended to read:

16 "15-70-312. Fees for temporary permits -- duration of

17 temporary permits. (1) The temporary special fuel permits

18 shall cost the special fuel vehicle user a fee of \$28 ~~\$30~~.

19 The permit shall be valid for a period of time not to exceed

20 72 hours and will be automatically void should the vehicle

21 leave the state of Montana during the 72-hour period.

22 (2) A temporary special fuel permit for a nonresident
23 operating agricultural harvesting equipment shall cost \$30
24 per unit for a period beginning July 1 and ending October
25 31. The permit shall not be transferable. A unit shall be

1 defined as:

2 (a) one truck suitable for hauling produce;

3 (b) one harvesting machine; and

4 (c) pickup trucks and any other accessory vehicles.

5 (3) All fees collected shall be remitted to the

6 department or deposited directly in the earmarked revenue

7 fund for the department of highways."

8 SECTION 2. SECTION 61-10-104, MCA, IS AMENDED TO READ:

9 "61-10-104. Length. (1) A single truck, bus, or any

10 self-propelled vehicle, unladen or with load, may not have

11 an overall length, inclusive of front and rear bumpers, in

12 excess of 40 feet.

13 (2) A combination of truck and trailer, tractor and

14 semitrailer, tractor-semitrailer-full-trailer, or

15 tractor-semitrailer-semitrailer converted to a trailer by

16 use of a dolly equipped with a fifth wheel may not have an

17 overall length, inclusive of front and rear bumpers, in

18 excess of 60 65 feet. If the combination consists of more

19 than two units, the rear units of the combination shall be

20 equipped with breakaway brakes.

21 (3) A motor vehicle may not tow more than one motor

22 vehicle, and a motor vehicle may not draw more than two

23 motor vehicles attached to it by the dual saddle-mount

24 method; that is, by mounting the front wheels of one vehicle

25 on the bed of another, leaving only the rear wheels of the

1 vehicle in contact with the roadway, nor may this
 2 combination have an overall length, inclusive of front and
 3 rear bumpers, in excess of 60 65 feet.

4 (4) A passenger vehicle or truck of less than 2,000
 5 pounds "manufacturers" rated capacity" may not tow more than
 6 one trailer or semitrailer, nor may this combination have an
 7 overall length, inclusive of front and rear bumpers, in
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9 Section 3. Section 61-10-107, MCA, is amended to read:

10 "61-10-107. Maximum gross axle weight -- when permit
 11 required. (1) ~~the--department--of--highways--may--base--on~~
 12 ~~evaluation--of--safety--highway--capacity--and--economics--of~~
 13 ~~highway--maintenance--and--vehicle--operation--authorize--by~~
 14 ~~special--permit--at--a--fee--of--\$10--specifying--highway~~
 15 ~~routing--the--operation--of--a--vehicle--having--two--but--not--more~~
 16 ~~than--nine--axles--if--the--maximum--single--axle--load--is~~ An axle
 17 ~~may--not--carry--a--load--in--excess--of--20,000--pounds;~~ and if no
 18 two consecutive axles more than 40 inches or less than 96
 19 inches apart ~~may--carry--a--load--in--excess--of--34,000--pounds.~~
 20 For purposes of this section, axles 40 inches or less apart
 21 are considered as a single axle. A vehicle or combination
 22 ~~may--not--have--more--than--nine--axles.~~ The maximum gross weight
 23 allowed on a vehicle or combination so authorized by this
 24 section ~~special--permits~~ shall be determined by the formula W
 25 equals $500 (LN/N \text{ minus } 1 \text{ plus } 12N \text{ plus } 36)$ in which W equals

1 gross weight, L equals wheel base in feet, and N equals
 2 number of axles. However, the maximum allowable gross
 3 weight on a group of axles may not exceed the following
 4 values:

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 15 ~~highways--as--referred--to--in--23-8-5-6--to--27;~~ when application
 16 ~~of--this--section--would--prevent--this--state--from--receiving~~
 17 ~~federal--funds--for--highway--purposes~~ If the gross weight of a
 18 ~~vehicle--or--combination--exceeds--80,000--pounds;~~ the vehicle or
 19 ~~combination--must--have--a--special--permit,~~ which may be issued
 20 ~~in--the--discretion--of--the--department--of--highways--based--on~~
 21 ~~evaluation--of--safety--highway--capacity--and--economics--of~~
 22 ~~highway--maintenance--and--vehicle--operation.~~ The fee shall be
 23 ~~\$20--per--trip--permit--or--\$100--per--term--permit.~~ A term permit
 24 ~~may--not--be--issued--for--a--period--of--time--greater--than--the~~
 25 ~~period--for--which--the--GVW--license--is--valid.~~ Owners of

1 vehicles licensed in other jurisdictions may, at the
 2 discretion of the department, purchase permits to expire
 3 with their registration. Permits may specify highway
 4 routing.

5 (3) THIS SECTION DOES NOT APPLY TO HIGHWAYS WHICH ARE
 6 A PART OF THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE
 7 HIGHWAYS (AS REFERRED TO IN 23 U.S.C. 127) WHEN APPLICATION
 8 OF THIS SECTION WOULD PREVENT THIS STATE FROM RECEIVING
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11 "61-10-109. Operation without special permits
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19 "61-10-124. Special permits -- fee. (1) Except as
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 22 for each trip permit and a fee of \$75 for each term permit
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 24 that specified in 61-10-101 through 61-10-110 shall be paid
 25 for all movements under special permits on the public

1 highways under the jurisdiction of the department.
 2 (2) (a) Except as provided in subsection (2)(b), term
 3 or blanket permits may not be issued for an overwidth
 4 vehicle, combination of vehicles, load, or other thing in
 5 excess of 15 feet; an overlength vehicle, combination of
 6 vehicles, load, object, or other thing in excess of 85 feet;
 7 and an overheight vehicle, combination of vehicles, load, or
 8 other thing in excess of 13 1/2 feet, or of a limit
 9 determined by the department. A vehicle, combination of
 10 vehicles, load, or other thing in excess of these dimensions
 11 is limited to trip permits.

12 (b) A term permit may be issued to a dealer in
 13 implements of husbandry and self-propelled machinery for an
 14 overwidth or overlength vehicle referred to in subsection
 15 (2)(a). The fee for this permit is \$75. This permit covers a
 16 period of 1 year and expires on December 31 of each year
 17 with no grace period.

18 (3) Except as provided in subsection (2)(b), a permit
 19 may not be issued for a period of time greater than the
 20 period for which the GVW license is valid as provided in
 21 this title, including grace periods allowed by this title.
 22 Owners of vehicles licensed in other jurisdictions may, at
 23 the discretion of the department, purchase permits to expire
 24 with their registration. A license required by the state
 25 governs the issuance of a special permit."

1 Section 6. Section 61-10-125, MCA, is amended to read:
 2 "61-10-125. Other fees. In addition to the permit fee,
 3 there shall be charged for single trip permits, for the
 4 excess load over the gross allowable load or the sum of the
 5 excess axle loads, whichever is greater:

6 (1) ~~\$5~~ \$10 for distances to and including 100 miles;
 7 (2) ~~\$15~~ \$30 for distances from 101 to 199 miles; and
 8 (3) ~~\$25~~ \$50 for distances over 200 miles traveled."

9 Section 7. Section 61-10-211, MCA, is amended to read:
 10 "61-10-211. Fees on motortrucks, truck tractors,
 11 trailers, and semitrailers from other states. (1) In lieu of
 12 other fees for the licensing of vehicles, there shall be
 13 collected a fee for each motortruck, truck tractor, trailer,
 14 and semitrailer already licensed for the year in another
 15 jurisdiction and operated upon an itinerant basis in this
 16 state. The fee shall be collected upon each entrance of such
 17 vehicle into the state, and shall be based upon the number
 18 of miles to be traveled in the state as shown in the
 19 application of the nonresident operator.

20 (2) The fee shall be collected for any single vehicle.
 21 When any combination of truck, truck tractor, semitrailer,
 22 or trailer totals more than 6,000 pounds gross weight, the
 23 fee shall be collected for each unit in the combination.

24 (3) The fee shall be:
 25 (a) ~~\$5~~ \$10 for each trip of 200 miles or less;

1 (b) ~~\$7.50~~ \$15 for each trip of over 200 miles to 400
 2 miles;
 3 (c) ~~\$18~~ \$20 for each trip of over 400 miles.
 4 (4) Such fees shall not apply to any trailer the
 5 principal use of which is as temporary or permanent living
 6 quarters, or to any vehicle of a carnival which is under
 7 contract with a state, county, or district fair
 8 association."

-End-

1 SENATE BILL NO. 346

2 INTRODUCED BY GRAHAM

3 BY REQUEST OF THE DEPARTMENT OF HIGHWAYS

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE MAXIMUM
6 GROSS VEHICLE WEIGHT AND LENGTH ALLOWED WITHOUT SPECIAL
7 PERMIT; TO INCREASE THE FEES CHARGED FOR CERTAIN OVERWEIGHT
8 AND OVERSIZE PERMITS; TO CLARIFY THE PROVISIONS REGARDING
9 OPERATION WITHOUT SPECIAL PERMITS; AND TO INCREASE THE FEE
10 CHARGED FOR TEMPORARY FUEL PERMITS; AMENDING SECTIONS
11 15-70-312, 61-10-104, 61-10-107, 61-10-109, 61-10-124,
12 61-10-125, AND 61-10-211, MCA."

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

14 Section 1. Section 15-70-312, MCA, is amended to read:
15 "15-70-312. Fees for temporary permits -- duration of
16 temporary permits. (1) The temporary special fuel permits
17 shall cost the special fuel vehicle user a fee of \$20 \$30.
18 The permit shall be valid for a period of time not to exceed
19 72 hours and, will be automatically void should the vehicle
20 leave the state of Montana during the 72-hour period.

21 (2) A temporary special fuel permit for a nonresident
22 operating agricultural harvesting equipment shall cost \$30
23 per unit for a period beginning July 1 and ending October
24 31. The permit shall not be transferable. A unit shall be

1 defined as:

2 (a) one truck suitable for hauling produce;
3 (b) one harvesting machine; and
4 (c) pickup trucks and any other accessory vehicles.
5 (3) All fees collected shall be remitted to the
6 department or deposited directly in the earmarked revenue
7 fund for the department of highways."

8 SECTION 2. SECTION 61-10-104, MCA, IS AMENDED TO READ:

9 "61-10-104. Length. (1) A single truck, bus, or any
10 self-propelled vehicle, unladen or with load, may not have
11 an overall length, inclusive of front and rear bumpers, in
12 excess of 40 feet.

13 (2) A combination of truck and trailer, tractor and
14 semitrailer, tractor-semitrailer-full-trailer, or
15 tractor-semitrailer-semitrailer converted to a trailer by
16 use of a dolly equipped with a fifth wheel may not have an
17 overall length, inclusive of front and rear bumpers, in
18 excess of 60 65 feet. If the combination consists of more
19 than two units, the rear units of the combination shall be
20 equipped with breakaway brakes.

21 (3) A motor vehicle may not tow more than one motor
22 vehicle, and a motor vehicle may not draw more than two
23 motor vehicles attached to it by the dual saddle-mount
24 method; that is, by mounting the front wheels of one vehicle
25 on the bed of another, leaving only the rear wheels of the

1 vehicle in contact with the roadway, nor may this
 2 combination have an overall length, inclusive of front and
 3 rear bumpers, in excess of 60 65 feet.

4 (4) A passenger vehicle or truck of less than 2,000
 5 pounds "manufacturers' rated capacity" may not tow more than
 6 one trailer or semitrailer, nor may this combination have an
 7 overall length, inclusive of front and rear bumpers, in
 8 excess of 60 65 feet."

9 Section 3. Section 61-10-107, MCA, is amended to read:
 10 "61-10-107. Maximum gross axle weight -- when permit
 11 required. (1) ~~the--department--of--highways--may--base--on~~
~~evaluation--of--safety--highway--capacity--and--economics--of~~
~~highway--maintenance--and--vehicle--operations--authorize--by~~
~~special--permit--at--a--fee--of--\$10,--specifying--highway~~
~~routings--the--operation--of--a--vehicle--having--two--but--not--more~~
~~than--nine--axles--if--the--maximum--single--axle--load--is An--axle~~
~~may--not--carry--a--load--in--excess--of--20,000--pounds--and--if--no~~
~~two--consecutive--axles--more--than--40--inches--or--less--than--96~~
~~inches--apart--may--carry--a--load--in--excess--of--34,000--pounds.~~
 20 For purposes of this section, axles 40 inches or less apart
 21 are considered as a single axle. A--vehicle--or--combination
~~may--not--have--more--than--nine--axles.~~ The maximum gross weight
 23 allowed on a vehicle or combination so authorized by this
 24 section special-permit shall be determined by the formula W
 25 equals $500 (LN/N \text{ minus } 1 \text{ plus } 12N \text{ plus } 36)$ in which W equals

1 gross weight, L equals wheel base in feet, and N equals
 2 number of axles. However, the maximum allowable gross
 3 weight on a group of axles may not exceed the following
 4 values:

5 2 axles	40,000 pounds
6 3 axles	60,000 pounds
7 4 axles	80,000 pounds
8 5 axles	85,500 pounds
9 6 axles	90,000 pounds
10 7 axles	105,500 pounds
11 8 axles	105,500 pounds
12 9 axles	105,500 pounds

13 (2) ~~This--section--does--not--apply--to--highways--which--are~~
~~a--part--of--the--national--system--of--interstate--and--defense~~
~~highways--(as--referred--to--in--23--U.S.S.--127)--when--application~~
~~of--this--section--would--prevent--this--state--from--receiving~~
~~federal--funds--for--highway--purposes~~ if the gross weight of a
~~vehicle--or--combination--exceeds--80,000--pounds,~~ the vehicle or
~~combination must have a special permit, which may be issued~~
~~in the discretion of the department of highways based on~~
~~evaluation of safety, highway capacity, and economics of~~
~~highway maintenance and vehicle operation. The fee shall be~~
~~\$20 per trip permit or \$100 per term permit. A term permit~~
~~may not be issued for a period of time greater than the~~
~~period for which the GVW license is valid. Owners of~~

1 vehicles licensed in other jurisdictions may, at the
 2 discretion of the department, purchase permits to expire
 3 with their registration. Permits may specify highway
 4 routing.

5 (3) THIS SECTION DOES NOT APPLY TO HIGHWAYS WHICH ARE
 6 A PART OF THE NATIONAL SYSTEM OF INTERSTATE AND DEFENSE
 7 HIGHWAYS (AS REFERRED TO IN 23 U.S.C. 127) WHEN APPLICATION
 8 OF THIS SECTION WOULD PREVENT THIS STATE FROM RECEIVING
 9 FEDERAL FUNDS FOR HIGHWAY PURPOSES."

10 Section 4. Section 61-10-109, MCA, is amended to read:
 11 "61-10-109. Operation without special permits
 12 prohibited. The operation of vehicles or combinations of
 13 vehicles having dimensions or weights in excess of the
 14 maximum limits specified in 61-10-105 61-10-101 through
 15 61-10-108 is permitted only if authorized by special permit
 16 issued under 61-10-107 by the department of highways or its
 17 agents or the highway patrol."

18 Section 5. Section 61-10-124, MCA, is amended to read:
 19 "61-10-124. Special permits -- fee. (1) Except as
 20 provided in subsection (2)(b), in addition to the regular
 21 registration and gross vehicle weight fees, a fee of \$6 \$10
 22 for each trip permit and a fee of \$75 for each term permit
 23 issued for size and weight in excess of the size and weight
 24 that specified in 61-10-101 through 61-10-110 shall be paid
 25 for all movements under special permits on the public

1 highways under the jurisdiction of the department.

2 (2) (a) Except as provided in subsection (2)(b), term
 3 or blanket permits may not be issued for an overwidth
 4 vehicle, combination of vehicles, load, or other thing in
 5 excess of 15 feet; an overlength vehicle, combination of
 6 vehicles, load, object, or other thing in excess of 85 feet;
 7 and an overheight vehicle, combination of vehicles, load, or
 8 other thing in excess of 13 1/2 feet, or of a limit
 9 determined by the department. A vehicle, combination of
 10 vehicles, load, or other thing in excess of these dimensions
 11 is limited to trip permits.

12 (b) A term permit may be issued to a dealer in
 13 implements of husbandry and self-propelled machinery for an
 14 overwidth or overlength vehicle referred to in subsection
 15 (2)(a). The fee for this permit is \$75. This permit covers a
 16 period of 1 year and expires on December 31 of each year
 17 with no grace period.

18 (3) Except as provided in subsection (2)(b), a permit
 19 may not be issued for a period of time greater than the
 20 period for which the GVW license is valid as provided in
 21 this title, including grace periods allowed by this title.
 22 Owners of vehicles licensed in other jurisdictions may, at
 23 the discretion of the department, purchase permits to expire
 24 with their registration. A license required by the state
 25 governs the issuance of a special permit."

1 Section 6. Section 61-10-125, MCA, is amended to read:
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 16 state. The fee shall be collected upon each entrance of such
 17 vehicle into the state, and shall be based upon the number
 18 of miles to be traveled in the state as shown in the
 19 application of the nonresident operator.

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 21 When any combination of truck, truck tractor, semitrailer,
 22 or trailer totals more than 6,000 pounds gross weight, the
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-End-