

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.<br>Yea, 35; Nays, 12.<br>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 consideration until 46th legislative day.       |
| March 2, 1981     | Second reading, concurred in.  |
| March 4, 1981     | Third reading, concurred in.<br>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  
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."

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 \$20 \$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  
 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 ~~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:

|            |                |
|------------|----------------|
| 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--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  
 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:  
 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:  
 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 \$20 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-