

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. Yeas, 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 consideration until 46th legislative day.
March 2, 1981	Second reading, concurred in.
March 4, 1981	Third reading, concurred in. Yeas, 77; Nays, 22.

IN THE SENATE

March 5, 1981

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

Reported correctly enrolled.

1 *Senate* BILL NO. *346*  
 INTRODUCED BY *Grubbs*  
 3 BY REQUEST OF THE DEPARTMENT OF HIGHWAYS

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO INCREASE THE MAXIMUM  
 6 GROSS VEHICLE WEIGHT ALLOWED WITHOUT SPECIAL PERMIT; TO  
 7 INCREASE THE FEES CHARGED FOR CERTAIN OVERWEIGHT AND  
 8 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, 61-10-107, 61-10-109, 61-10-124, 61-10-125, AND  
 12 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 ~~\$20~~.  
 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 61-10-107, MCA, is amended to read:

9 "61-10-107. Maximum gross axle weight -- ~~when~~ permit  
 10 required. (1) ~~The department of highways may, based on~~  
 11 ~~evaluation of safety, highway capacity, and economics of~~  
 12 ~~highway maintenance and vehicle operation, authorize by~~  
 13 ~~special permit at a fee of \$10, specifying highway~~  
 14 ~~routing, the operation of a vehicle having two but not more~~  
 15 ~~than nine axles if the maximum single axle load is an axle~~  
 16 ~~may not carry a load in excess of 20,000 pounds, and if no~~  
 17 two consecutive axles more than 40 inches or less than 96  
 18 inches apart may carry a load in excess of 34,000 pounds.  
 19 For purposes of this section, axles 40 inches or less apart  
 20 are considered as a single axle. A vehicle or combination  
 21 may not have more than nine axles. The maximum gross weight  
 22 allowed on a vehicle or combination so authorized by this  
 23 section special permit shall be determined by the formula W  
 24 equals 500 (LN/N minus 1 plus 12N plus 36) in which W equals  
 25 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 U.S.C. 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 overheight 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 GVH 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 "61-10-125. Other fees. In addition to the permit fee,  
 22 there shall be charged for single trip permits, for the  
 23 excess load over the gross allowable load or the sum of the  
 24 excess axle loads, whichever is greater:

25 (1) \$5 ~~10~~ for distances to and including 100 miles;

1 (2) ~~\$15~~ ~~130~~ for distances from 101 to 199 miles; and  
 2 (3) ~~\$25~~ ~~150~~ for distances over 200 miles traveled."

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

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

18 (3) The fee shall be:

19 (a) \$5 ~~10~~ for each trip of 200 miles or less;

20 (b) ~~\$7.50~~ ~~15~~ for each trip of over 200 miles to 400  
 21 miles;

22 (c) ~~\$10~~ ~~120~~ for each trip of over 400 miles.

23 (4) Such fees shall not apply to any trailer the  
 24 principal use of which is as temporary or permanent living  
 25 quarters, or to any vehicle of a carnival which is under

LC 1342/01

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 "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, based 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 \$107 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  $500(LN/N \text{ minus } 1 \text{ plus } 12N \text{ plus } 36)$  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 23-0-56-127) 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 35 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-

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 "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--based--on  
12 evaluation--of--safety--highway--capacity--and--economics--of  
13 highway--maintenance--and--vehicle--operations--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  $500 (LN/N \text{ minus } 1 \text{ plus } 12N \text{ plus } 36)$  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 23-0-5-6-127) 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 35 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  
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 based 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  $500 (LN/N \text{ minus } 1 \text{ plus } 12N \text{ plus } 36)$  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-UsEv-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 35 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-