## HOUSE BILL NO. 236

## INTRODUCED BY DOZIER

## BY REQUEST OF THE PUBLIC SERVICE COMMISSION

	IN THE HOUSE
January 14, 1983	Introduced and referred to Committee on Business and Industry.
January 21, 1983	Committee recommend bill do pass. Report adopted.
January 22, 1983	Bill printed and placed on members' desks.
January 25, 1983	Second reading, do pass.
January 26, 1983	Considered correctly en- grossed.
January 27, 1983	Third reading, passed. Transmitted to Senate.
	IN THE SENATE
January 28, 1983	Introduced and referred to Committee on Highways and Transportation.
February 3, 1983	Committee recommend bill be concurred in. Report adopted.
February 3, 1983 February 7, 1983	
• •	concurred in. Report adopted.
February 7, 1983	concurred in. Report adopted.  Second reading, concurred in.  Third reading, concurred in.
February 7, 1983	concurred in. Report adopted.  Second reading, concurred in.  Third reading, concurred in.  Ayes, 49; Noes, 0.

February	9,	1983	Retur	ned	to	House.
February	10,	1983	Sent	to	enro	olling.

Reported correctly enrolled.

1		House	BILL	NO.	236
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BY REQUEST OF THE PUBLIC SERVICE COMMISSION

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A BILL FOR AN ACT ENTITLED: "AN ACT EXEMPTING CAR POOLS FROM REGULATION AS MOTOR CARRIERS; AMENDING SECTION 69-12-102, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

Section 1. Section 69-12-102, MCA, is amended to reads

"69-12-102. Scope of chapter -- exemptions. (1) Except

as provided in 69-12-201(1)(f), this chapter does not

13 affect:14 (a

- (a) motor vehicles used in carrying property consisting of agricultural commodities (not including manufactured products thereof) if the motor vehicles are not used in carrying other property or passengers for compensation;
- (b) the operation of school buses which are used in conveying pupils or other students enrolled in classes to and from district or other schools or in transportation movements related to school activities which are sponsored or supervised by school authorities;
- 24 (c) the transportation by means of motor vehicles in 25 the regular course of business of employees, supplies, and

materials by a person or corporation engaged exclusively in
the construction or maintenance of highways or engaged
exclusively in logging or mining operations, insofar as the
use of employees, supplies, and materials in construction
and production is concerned:

- (d) the transportation of property by motor vehicle in a city, town, or village with a population of less than 500 persons according to the latest United States census or in the commercial areas thereof, as determined by the commission;
- 11 (e) the transportation of newspapers, newspaper
  12 supplements, periodicals, or magazines;
- 13 (f) tow trucks and wreckers designed and exclusively
  14 used in towing abandoned, wrecked, or disabled vehicles or
  15 while these tow trucks and wreckers are rendering assistance
  16 to abandoned, wrecked, or disabled vehicles;
- 17 (g) motor vehicles used exclusively in carrying junk
  18 vehicles from a collection point to a motor vehicle wrecking
  19 facility or a motor vehicle graveyard;
  - (h) ambulances; or

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21 (i) the transportation of pit run or processed sand 22 and gravel, concrete mix, aggregate, plant mix asphalt 23 pavement, aggregate mix, dirt, rock, material from 24 demolished buildings and structures, used paving materials, 25 used concrete, broken concrete, riprap, and other forms and

- types of materials transported solely for the purpose of
   excavation or fill: or
- 3 (i) the transportation by motor vehicle of not more
  4 than 15 passengers between their places of residence or
  5 termini near their residences and their places of employment
  6 in a single daily round trip if the driver is also on his
  7 way to or from his place of employment.
- 8 (2) This chapter does not prevent bona fide leases,
  9 brokerage agreements, or buy—and—sell agreements.\*\*

NEW SECTION. Section 2. Effective date. This act is effective on passage and approval.

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Approved by Committee on Business and Industry

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

Section 1. Section 69-12-102, MCA, is amended to read:

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as provided in 69-12-201(1)(f), this chapter does not

affect:

- (a) motor vehicles used in carrying property consisting of agricultural commodities (not including manufactured products thereof) if the motor vehicles are not used in carrying other property or passengers for compensation;
- (b) the operation of school buses which are used in conveying pupils or other students enrolled in classes to and from district or other schools or in transportation movements related to school activities which are sponsored or supervised by school authorities;
- (c) the transportation by means of motor vehicles in the regular course of business of employees, supplies, and

materials by a person or corporation engaged exclusively in

the construction or maintenance of highways or engaged

exclusively in logging or mining operations, insofar as the

use of employees, supplies, and materials in construction

and production is concerned;

- 6 (d) the transportation of property by motor vehicle in
  7 a city, town, or village with a population of less than 500
  8 persons according to the latest United States census or in
  9 the commercial areas thereof, as determined by the
  10 commission:
- 11 (e) the transportation of newspapers, newspaper
  12 supplements, periodicals, or magazines;
  - (f) tow trucks and wreckers designed and exclusively used in towing abandoned, wrecked, or disabled vehicles or while these tow trucks and wreckers are rendering assistance to abandoned, wrecked, or disabled vehicles;
- 17 (g) motor vehicles used exclusively in carrying junk
  18 vehicles from a collection point to a motor vehicle wrecking
  19 facility or a motor vehicle graveyard;
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25 used concrete, broken concrete, riprap, and other forms and

SECOND READING

types of materials transported solely for the purpose of
excavation or fill: or

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than 15 passengers between their places of residence or termini near their residences and their places of employment in a single daily round trip if the driver is also on his way to or from his place of employment.

8 (2) This chapter does not prevent bona fide leases,
9 brokerage agreements, or buy-and-sell agreements.\*\*
10 NEW SECTION. Section 2. Effective date. This act is
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13 affect:

- (a) motor vehicles used in carrying property consisting of agricultural commodities (not including manufactured products thereof) if the motor vehicles are not used in carrying other property or passengers for compensation;
- (b) the operation of school buses which are used in conveying pupils or other students enrolled in classes to any from district or other schools or in transportation movements related to school activities which are sponsored or supervised by school authorities;
- (c) the transportation by means of motor vehicles in the regular course of business of employees, supplies, and

materials by a person or corporation engaged exclusively in
the construction or maintenance of highways or engaged
exclusively in logging or mining operations, insofar as the
use of employees, supplies, and materials in construction
and production is concerned:

- (d) the transportation of property by motor vehicle in a city, town, or village with a population of less than 500 persons according to the latest United States census or in the commercial areas thereof, as determined by the commission;
- (e) the transportation of newspapers newspaper supplements periodicals or magazines;
- (f) tow trucks and wreckers designed and exclusively used in towing abandoned, wrecked, or disabled vehicles or while these tow trucks and wreckers are rendering assistance to abandoned, wrecked, or disabled vehicles;
- 17 (g) motor vehicles used exclusively in carrying junk 18 vehicles from a collection point to a motor vehicle wrecking 19 facility or a motor vehicle graveyard;
  - (b) ambulances: or

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(i) the transportation of pit run or processed sand and gravel, concrete mix, aggragate, plant mix asphalt pavement, aggragate mix, dirt, rock, material from demolished buildings and structures, used paving materials, used concrete, broken concrete, riprap, and other forms and

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- than 15 passengers between their places of residence or termini near their residences and their places of employment in a single daily round trip if the driver is also on his way to or from his place of employment.
- 8 (2) This chapter does not prevent bona fide leases,
  9 brokerage agreements, or buy-and-sell agreements.\*\*
  10 NEW SECTION. Section 2. Effective date. This act is
  11 effective on passage and approval.

HB 0236/02

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48th Legislature

HOUSE BILL NO. 236

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3	BY REQUEST OF THE PUBLIC SERVICE COMMISSION
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9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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15	consisting of agricultural commodities (not including
16	manufactured products thereof) if the motor vehicles are not
17	used in carrying other property or passengers for
r8	compensation;
L9	(b) the operation of school buses which are used in
20	conveying pupils or other students enrolled in classes to
21	and from district or other schools or in transportation
22	movements related to school activities which are sponsored
23	or supervised by school authorities;
24	(c) the transportation by means of motor vehicles in
25	the regular course of business of employees, supplies, and
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- 1 materials by a person or corporation engaged exclusively in the construction or maintenance of highways or engaged 2 3 exclusively in logging or mining operations, insofar as the use of employees, supplies, and materials in construction and production is concerned;
- (d) the transportation of property by motor vehicle in a city, town, or village with a population of less than 500 persons according to the latest United States census or in the commercial areas thereof, as determined by the 10 commission:
- (a) the transportation of newspapers, 11 newspaper supplements, periodicals, or magazines; 12
- 13 (f) tow trucks and wreckers designed and exclusively 14 used in towing abandoned, wrecked, or disabled vehicles or 15 while these tow trucks and wreckers are rendering assistance 16 to abandoned, wrecked, or disabled vehicles;
- 17 (g) motor vehicles used exclusively in carrying junk vehicles from a collection point to a motor vehicle wrecking 18 facility or a motor vehicle graveyard; 19
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HB 0236/02

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- 8 (2) This chapter does not prevent bona fide leases,9 brokerage agreements, or buy-and-sell agreements.
- NEW\_SECTION. Section 2. Effective date. This act is effective on passage and approval.