

HOUSE BILL NO. 437

INTRODUCED BY NEUMAN, TVEIT, ASAY,  
KOLSTAD, SHONTZ, VINGER, JACOBSEN,  
HARP, DEVLIN, LEE, BLISS

IN THE HOUSE

January 20, 1983	On motion, rules suspended. Bill allowed to be introduced.
January 21, 1983	Introduced and referred to Committee on Highways and Transportation.
February 7, 1983	Committee recommend bill do pass as amended. Report adopted.
February 8, 1983	Bill printed and placed on members' desks.
February 9, 1983	Second reading, do pass.
February 10, 1983	Considered correctly engrossed.
February 11, 1983	Third reading, passed. Transmitted to Senate.

IN THE SENATE

February 12, 1983	Introduced and referred to Committee on Highways and Transportation.
March 11, 1983	Committee recommend bill be concurrent in as amended. Report adopted.
March 14, 1983	Second reading, concurred in.
March 16, 1983	On motion, taken from third reading and referred to second reading.

March 16, 1983

Second reading, concurred in  
as amended.

March 18, 1983

Third reading, concurred in.  
Ayes, 39; Noes, 11.

#### IN THE HOUSE

March 18, 1983

Returned to House with  
amendments.

March 31, 1983

Second reading, amendments  
concurred in.

April 1, 1983

Third reading, amendments  
concurred in.

Sent to enrolling.

Reported correctly enrolled.

1 *House* BILL NO. *437*  
 2 INTRODUCED BY *Neuman Street Co. Kolstad*  
 3 *Shay Vinger & Graham HARP Blum*  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE GROSS  
 5 VEHICLE WEIGHT LAWS BY ALLOWING THE MAXIMUM GROSS WEIGHT TO  
 6 BE DETERMINED USING THE STATUTORY FORMULA, BY ELIMINATING  
 7 THE GROSS WEIGHT LIMITATIONS ON GROUPS OF AXLES, AND BY  
 8 ALLOWING MAXIMUM LENGTH OF 95 FEET BY TERM PERMIT;  
 9 CORRECTING AN ERRONEOUS REFERENCE; AMENDING SECTIONS  
 10 61-10-107 AND 61-10-124, MCA."

11  
 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 13 Section 1. Section 61-10-107, MCA, is amended to read:  
 14 "61-10-107. Maximum gross weight -- when permit  
 15 required. (1) An axle may not carry a load in excess of  
 16 20,000 pounds, and no two consecutive axles more than 40  
 17 inches or less than 96 inches apart may carry a load in  
 18 excess of 34,000 pounds. For purposes of this section, axles  
 19 40 inches or less apart are considered as a single axle. A  
 20 vehicle or combination may not have more than nine axles.  
 21 The maximum gross weight allowed on a vehicle, group of  
 22 axles, or combination ~~so authorized by this section of~~  
 23 vehicles shall be determined by the formula  $W$  equals 500  
 24  $(LN/N \text{ minus } 1 \text{ plus } 12N \text{ plus } 36)$  in which  $W$  equals gross  
 25 weight,  $L$  equals wheel base in feet, and  $N$  equals number of

1 axles, except that two consecutive sets of tandem axles may  
 2 carry a gross load of 34,000 pounds each if the overall  
 3 distance between the first and last axles of such  
 4 consecutive sets of tandem axles is 36 feet or more.  
 5 ~~However, the maximum allowable gross weight on a group of~~  
 6 ~~axles may not exceed the following values:~~

7	2-axles	40,000-pounds
8	3-axles	60,000-pounds
9	4-axles	80,000-pounds
10	5-axles	85,500-pounds
11	6-axles	90,000-pounds
12	7-axles	105,500-pounds
13	8-axles	105,500-pounds
14	9-axles	105,500-pounds

15 (2) Notwithstanding a vehicle's conformance with the  
 16 requirements of subsection (1), its maximum load per inch of  
 17 tire width, excluding the steering axle, may not exceed 600  
 18 pounds, based on the table in 61-10-105(3).

19 (3) If the gross weight of a vehicle or combination  
 20 exceeds 80,000 pounds, the vehicle or combination must have  
 21 a special permit, which may be issued in the discretion of  
 22 the department of highways based on evaluation of safety,  
 23 highway capacity, and economics of highway maintenance and  
 24 vehicle operation. The fee shall be \$20 per trip permit or

1 \$100 per term permit. A term permit may not be issued for a  
 2 period of time greater than the period for which the GVW  
 3 license is valid. Owners of vehicles licensed in other  
 4 jurisdictions may, at the discretion of the department,  
 5 purchase permits to expire with their registration. Permits  
 6 may specify highway routing.

7 (4) A special permit issued under subsection ~~(1)~~ (3)  
 8 for the transportation of agricultural products by farm  
 9 vehicles from a harvesting combine or other harvesting  
 10 machinery to the point of first unloading shall be for the  
 11 full term of the harvest season of the agricultural product  
 12 transported.

13 (5) 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 U.S.C. 127) when application  
 16 of this section would prevent this state from receiving  
 17 federal funds for highway purposes."

18 Section 2. 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 \$10 for  
 22 each trip permit and a fee of \$75 for each term permit  
 23 issued for size and weight in excess of that specified in  
 24 61-10-101 through 61-10-110 shall be paid for all movements  
 25 under special permits on the public highways under the

1 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 25  
 7 feet; and an overheight vehicle, combination of vehicles,  
 8 load, or 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. Special permits for vehicle  
 12 combinations of more than two trailers are not permitted  
 13 under this section.

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

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

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- 1 with their registration. A license required by the state
- 2 governs the issuance of a special permit."

-End-

Approved by Committee  
on Highways & Transportation

HOUSE BILL NO. 437

INTRODUCED BY NEUMAN, TVEIT, ASAY,  
KOLSTAD, SHONTZ, VINGER, G. JACOBSEN,  
HARP, DEVLIN, LEE, BLISS

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE GROSS  
VEHICLE WEIGHT LAWS BY ALLOWING THE MAXIMUM GROSS WEIGHT TO  
BE DETERMINED USING THE STATUTORY FORMULA, BY ELIMINATING  
THE GROSS WEIGHT LIMITATIONS ON GROUPS OF AXLES, AND BY  
ALLOWING MAXIMUM LENGTH OF 95 FEET BY TERM PERMIT;  
CORRECTING AN ERRONEOUS REFERENCE; AMENDING SECTIONS  
61-10-107 AND 61-10-124, MCA."

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

Section 1. Section 61-10-107, MCA, is amended to read:

"61-10-107. Maximum gross weight -- when permit  
required. (1) An axle may not carry a load in excess of  
20,000 pounds, and 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, group of  
axles, or combination so--authorized--by--this-section of  
vehicles shall be determined by the formula  $W$  equals 500

( $LN/N$  minus 1 plus 12N plus 36) in which  $W$  equals gross  
weight,  $L$  equals wheel base in feet, and  $N$  equals number of  
axles, except that two consecutive sets of tandem axles may  
carry a gross load of 34,000 pounds each if the overall  
distance between the first and last axles of such  
consecutive sets of tandem axles is 36 feet or more.  
~~However--the--maximum--allowable--gross--weight--on--a--group--of~~  
~~axles--may--not--exceed--the--following--values:~~

2-axles	40,000-pounds
3-axles	60,000-pounds
4-axles	80,000-pounds
5-axles	95,500-pounds
6-axles	90,000-pounds
7-axles	105,500-pounds
8-axles	105,500-pounds
9-axles	105,500-pounds

(2) Notwithstanding a vehicle's conformance with the  
requirements of subsection (1), its maximum load per inch of  
tire width, excluding the steering axle, may not exceed 600  
pounds, based on the table in 61-10-105(3).

(3) 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,

1 highway capacity, and economics of highway maintenance and  
 2 vehicle operation. The fee shall be \$20 per trip permit or  
 3 \$100 per term permit. A term permit may not be issued for a  
 4 period of time greater than the period for which the GVW  
 5 license is valid. Owners of vehicles licensed in other  
 6 jurisdictions may, at the discretion of the department,  
 7 purchase permits to expire with their registration. Permits  
 8 may specify highway routing.

9 (4) A special permit issued under subsection ~~(1)~~ (3)  
 10 for the transportation of agricultural products by farm  
 11 vehicles from a harvesting combine or other harvesting  
 12 machinery to the point of first unloading shall be for the  
 13 full term of the harvest season of the agricultural product  
 14 transported.

15 (5) This section does not apply to highways which are  
 16 a part of the national system of interstate and defense  
 17 highways (as referred to in 23 U.S.C. 127) when application  
 18 of this section would prevent this state from receiving  
 19 federal funds for highway purposes."

20 Section 2. Section 61-10-124, MCA, is amended to read:

21 "61-10-124. Special permits -- fee. (1) Except as  
 22 provided in subsection (2)(b), in addition to the regular  
 23 registration and gross vehicle weight fees, a fee of \$10 for  
 24 each trip permit and a fee of \$75 for each term permit  
 25 issued for size and weight in excess of that specified in

1 61-10-101 through 61-10-110 shall be paid for all movements  
 2 under special permits on the public highways under the  
 3 jurisdiction of the department.

4 (2) (a) Except as provided in subsection (2)(b), term  
 5 or blanket permits may not be issued for an overwidth  
 6 vehicle, combination of vehicles, load, or other thing in  
 7 excess of 15 feet; an overlength vehicle, combination of  
 8 vehicles, load, object, or other thing in excess of 85 25  
 9 feet; and an overheight vehicle, combination of vehicles,  
 10 load, or other thing in excess of 13 1/2 feet, or of a limit  
 11 determined by the department. A vehicle, combination of  
 12 vehicles, load, or other thing in excess of these dimensions  
 13 is limited to trip permits. ~~Special permits for vehicle~~  
 14 ~~combinations of more than two trailers are not permitted~~  
 15 ~~under this section. SPECIAL PERMITS FOR VEHICLE COMBINATIONS~~  
 16 ~~MAY SPECIFY HIGHWAY ROUTING AND OTHERWISE LIMIT OR PRESCRIBE~~  
 17 ~~CONDITIONS OF OPERATION OF THE VEHICLE OR COMBINATION,~~  
 18 ~~INCLUDING BUT NOT LIMITED TO, REQUIRED EQUIPMENT, SPEED,~~  
 19 ~~STABILITY, OPERATIONAL PROCEDURES, AND INSURANCE.~~

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

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

-End-



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KOLSTAD, SHONTZ, VINGER, G. JACOBSEN,  
HARP, DEVLIN, LEE, BLISS

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THE GROSS WEIGHT LIMITATIONS ON GROUPS OF AXLES, AND BY  
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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
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"61-10-107. Maximum gross weight -- when permit  
required. (1) An axle may not carry a load in excess of  
20,000 pounds, and 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, group of  
axles or combination ~~so authorized by this section~~ of  
vehicles shall be determined by the formula  $W$  equals 500

( $LN/N$  minus 1 plus  $12N$  plus 36) in which  $W$  equals gross  
weight,  $L$  equals wheel base in feet, and  $N$  equals number of  
axles, ~~except that two consecutive sets of tandem axles may~~  
~~carry a gross load of 34,000 pounds each if the overall~~  
~~distance between the first and last axles of such~~  
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~~However--the--maximum--allowable--gross--weight--on--a--group--of~~  
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(2) Notwithstanding a vehicle's conformance with the  
requirements of subsection (1), its maximum load per inch of  
tire width, excluding the steering axle, may not exceed 600  
pounds, based on the table in 61-10-105(3).

(3) 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  
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 2 vehicle operation. The fee shall be \$20 per trip permit or  
 3 \$100 per term permit. A term permit may not be issued for a  
 4 period of time greater than the period for which the GVW  
 5 license is valid. Owners of vehicles licensed in other  
 6 jurisdictions may, at the discretion of the department,  
 7 purchase permits to expire with their registration. Permits  
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 10 for the transportation of agricultural products by farm  
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 13 full term of the harvest season of the agricultural product  
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 16 a part of the national system of interstate and defense  
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 18 of this section would prevent this state from receiving  
 19 federal funds for highway purposes."

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 24 each trip permit and a fee of \$75 for each term permit  
 25 issued for size and weight in excess of that specified in

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 7 excess of 15 feet; an overlength vehicle, combination of  
 8 vehicles, load, object, or other thing in excess of 85 25  
 9 feet; and an overheight vehicle, combination of vehicles,  
 10 load, or other thing in excess of 13 1/2 feet, or of a limit  
 11 determined by the department. A vehicle, combination of  
 12 vehicles, load, or other thing in excess of these dimensions  
 13 is limited to trip permits. Special permits for vehicle  
 14 combinations of more than two trailers are not permitted  
 15 under this section. SPECIAL PERMITS FOR VEHICLE COMBINATIONS  
 16 MAY SPECIFY HIGHWAY ROUTING AND OTHERWISE LIMIT OR PRESCRIBE  
 17 CONDITIONS OF OPERATION OF THE VEHICLE OR COMBINATION,  
 18 INCLUDING BUT NOT LIMITED TO REQUIRED EQUIPMENT, SPEED,  
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20 (b) A term permit may be issued to a dealer in  
 21 implements of husbandry and self-propelled machinery for an  
 22 overwidth or overlength vehicle referred to in subsection  
 23 (2)(a). The fee for this permit is \$75. This permit covers a  
 24 period of 1 year and expires on December 31 of each year  
 25 with no grace period.

1       (3) Except as provided in subsection (2)(b), a permit  
2 may not be issued for a period of time greater than the  
3 period for which the GYW license is valid as provided in  
4 this title, including grace periods allowed by this title.  
5 Owners of vehicles licensed in other jurisdictions may, at  
6 the discretion of the department, purchase permits to expire  
7 with their registration. A license required by the state  
8 governs the issuance of a special permit."

-End-

March 11, 1983

SENATE STANDING COMMITTEE REPORT  
(Highways & Transportation)

That House Bill No. 437 be amended as follows:

1. Title.

Strike: line 10 in its entirety

Insert: "ESTABLISHING MAXIMUM LENGTH FOR TRAILERS AND  
SEMITRAILERS IN CERTAIN COMBINATIONS AND ALLOWING MAXIMUM  
LENGTH OF 75 FEET FOR OTHER COMBINATIONS WITHOUT SPECIAL  
PERMIT AND 95 FEET WITH SPECIAL PERMIT;"

2. Title, line 11.

Following: "SECTIONS"

Insert: "61-10-104,"

3. Page 1.

Following: Line 14

Insert: "Section 1. Section 61-10-104, MCA, is amended to read:  
"61-10-104. Length. (1) A single truck, bus, or any  
self-propelled vehicle, unladen or with load, may not have an  
overall length, inclusive of front and rear bumpers, in excess  
of 40 feet.

(2) When used in a truck tractor-semitrailer combination, the semitrailer may not exceed 48 feet in length, excluding those portions not designed to carry a load, except as provided by 61-10-124. When used in a truck tractor-semitrailer-trailer combination, the semitrailer and trailer may not exceed 28½ feet each in length, excluding those portions not designed to carry a load, except as provided by 61-10-124. Truck tractor-semi-trailer and truck tractor-semitrailer-trailer combinations are not subject to an overall combination length limit. A combination of truck-and-trailer, tractor-and-semitrailer, tractor-semitrailer, full-trailer, or tractor-semitrailer-semitrailer-converted-to-a trailer-by-use-of-a-dolly-equipped-with-a-fifth-wheel. All other combinations of vehicles may not have an overall length, inclusive of front and rear bumpers, in excess of 65- 75 feet, except as provided by 61-10-124. If the combination consists of more than two units, the rear units of the combination shall be equipped with breakaway brakes.

(3) A motor vehicle may not tow more than one motor vehicle, and a motor vehicle may not draw more than two motor vehicles attached to it by the dual saddle-mount method; that is, by mounting the front wheels of one vehicle on the bed of another, leaving only the rear wheels of the vehicle in contact with the roadway, nor may this combination have an overall length, inclusive of front and rear bumpers, in excess of 65 feet.

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

4. Renumber: Subsequent sections

## HOUSE BILL NO. 437

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THE GROSS WEIGHT LIMITATIONS ON GROUPS OF AXLES, AND BY  
~~ALLOWING MAXIMUM LENGTH OF 95 FEET BY PERMIT~~  
~~ESTABLISHING MAXIMUM LENGTH FOR TRAILERS AND SEMITRAILERS IN~~  
~~CERTAIN COMBINATIONS AND ALLOWING MAXIMUM LENGTH OF 75 FEET~~  
~~FOR OTHER COMBINATIONS WITHOUT SPECIAL PERMIT AND 95 FEET~~  
~~WITH SPECIAL PERMIT~~; CORRECTING AN ERRONEOUS REFERENCE;  
AMENDING SECTIONS ~~61-10-104~~, 61-10-107, AND 61-10-124, MCA."

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

SECTION 1. ~~SECTION 61-10-104, MCA, IS AMENDED TO READ:~~

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

(2) ~~A combination of truck and trailer, tractor and~~  
~~semitrailer, tractor-semitrailer, full trailer, or~~  
~~tractor-semitrailer-semitrailer converted to a trailer by~~

~~use of a dolly equipped with a fifth wheel when used in a~~  
~~truck tractor-semitrailer combination, the semitrailer may~~  
~~not exceed 48 feet in length, excluding those portions not~~  
~~designed to carry a load, except as provided by 61-10-124.~~  
~~When used in a truck tractor-semitrailer-trailer~~  
~~combination, the semitrailer and trailer may not exceed~~  
~~28 1/2 feet each in length, excluding those portions not~~  
~~designed to carry a load, except as provided by 61-10-124.~~  
~~Truck tractor-semitrailer and truck~~  
~~tractor-semitrailer-trailer combinations are not subject to~~  
~~an overall combination length limit. All other combinations~~  
~~of vehicles may not have an overall length, inclusive of~~  
~~front and rear bumpers, in excess of 65 75 feet, except as~~  
~~provided by 61-10-124. If the combination consists of more~~  
~~than two units, the rear units of the combination shall be~~  
~~equipped with breakaway brakes.~~

(3) A motor vehicle may not tow more than one motor  
vehicle, and a motor vehicle may not draw more than two  
motor vehicles attached to it by the dual saddle-mount  
method; that is, by mounting the front wheels of one vehicle  
on the bed of another, leaving only the rear wheels of the  
vehicle in contact with the roadway, nor may this  
combination have an overall length, inclusive of front and  
rear bumpers, in excess of 65 feet.

(4) A passenger vehicle or truck of less than 2,000

1 pounds "manufacturers' rated capacity" may not tow more than  
2 one trailer or semitrailer, nor may this combination have an  
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4 excess of 65 feet."

5 Section 2. Section 61-10-107, MCA, is amended to read:

6 "61-10-107. Maximum gross weight -- when permit  
7 required. (1) An axle may not carry a load in excess of  
8 20,000 pounds, and no two consecutive axles more than 40  
9 inches or less than 96 inches apart may carry a load in  
10 excess of 34,000 pounds. For purposes of this section, axles  
11 40 inches or less apart are considered as a single axle. A  
12 vehicle or combination may not have more than nine axles.  
13 The maximum gross weight allowed on a vehicle, group of  
14 axles, or combination so--authorized--by--this--section of  
15 vehicles shall be determined by the formula  $M \text{ equals } 500$   
16  $(LN/N \text{ minus } 1 \text{ plus } 12N \text{ plus } 36)$  in which M equals gross  
17 weight, L equals wheel base in feet, and N equals number of  
18 axles, except that two consecutive sets of tandem axles may  
19 carry a gross load of 34,000 pounds each if the overall  
20 distance between the first and last axles of such  
21 consecutive sets of tandem axles is 36 feet or more.  
22 However, the maximum allowable gross weight on a group of  
23 axles may not exceed the following values:

24	2-axles	40,000-pounds
25	3-axles	60,000-pounds

1	4-axles	80,000-pounds
2	5-axles	85,500-pounds
3	6-axles	90,000-pounds
4	7-axles	±05,500-pounds
5	8-axles	±05,500-pounds
6	9-axles	±05,500-pounds

7 (2) Notwithstanding a vehicle's conformance with the  
8 requirements of subsection (1), its maximum load per inch of  
9 tire width, excluding the steering axle, may not exceed 600  
10 pounds, based on the table in 61-10-105(3).

11 (3) If the gross weight of a vehicle or combination  
12 exceeds 80,000 pounds, the vehicle or combination must have  
13 a special permit, which may be issued in the discretion of  
14 the department of highways based on evaluation of safety,  
15 highway capacity, and economics of highway maintenance and  
16 vehicle operation. The fee shall be \$20 per trip permit or  
17 \$100 per term permit. A term permit may not be issued for a  
18 period of time greater than the period for which the GVW  
19 license is valid. Owners of vehicles licensed in other  
20 jurisdictions may, at the discretion of the department,  
21 purchase permits to expire with their registration. Permits  
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1 machinery to the point of first unloading shall be for the  
2 full term of the harvest season of the agricultural product  
3 transported.

4 (5) This section does not apply to highways which are  
5 a part of the national system of interstate and defense  
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9 Section 3. Section 61-10-124, MCA, is amended to read:

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11 provided in subsection (2)(b), in addition to the regular  
12 registration and gross vehicle weight fees, a fee of \$10 for  
13 each trip permit and a fee of \$75 for each term permit  
14 issued for size and weight in excess of that specified in  
15 61-10-101 through 61-10-110 shall be paid for all movements  
16 under special permits on the public highways under the  
17 jurisdiction of the department.

18 (2) (a) Except as provided in subsection (2)(b), term  
19 or blanket permits may not be issued for an overwidth  
20 vehicle, combination of vehicles, load, or other thing in  
21 excess of 15 feet; an overlength vehicle, combination of  
22 vehicles, load, object, or other thing in excess of 85 25  
23 feet; and an overheight vehicle, combination of vehicles,  
24 load, or other thing in excess of 13 1/2 feet, or of a limit  
25 determined by the department. A vehicle, combination of

1 vehicles, load, or other thing in excess of these dimensions  
2 is limited to trip permits. Special permits for vehicle  
3 combinations of more than two trailers are not permitted  
4 under this section. SPECIAL PERMITS FOR VEHICLE COMBINATIONS  
5 MAY SPECIFY HIGHWAY ROUTING AND OTHERWISE LIMIT OR PRESCRIBE  
6 CONDITIONS OF OPERATION OF THE VEHICLE OR COMBINATION,  
7 INCLUDING BUT NOT LIMITED TO REQUIRED EQUIPMENT, SPEED,  
8 STABILITY, OPERATIONAL PROCEDURES, AND INSURANCE.

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

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

-End-

March 16, 1983

COMMITTEE OF THE WHOLE AMENDMENT

That House Bill No. 437 be amended as follows:

1. Title, line 9.  
Following: "AXLES,"  
Insert: "BY PROVIDING FOR CHANGING THE 7% ALLOWANCE TO A 5%  
ALLOWANCE ON TOTAL GROSS AND AXLE WEIGHT LIMITATIONS FOR  
ALL VEHICLES OR COMBINATIONS OF VEHICLES NOT TRANSPORTING  
LIVESTOCK "
2. Title, line 15.  
Strike: "AND"  
Insert: ","  
Following: "61-10-124,"  
Insert: "AND 61-10-144,"
3. Page 6.  
Following line 22.  
Insert: "Section 4. Section 61-10-144, MCA, is amended to  
read:  
"61-10-144. Violation of standards - ~~seven percent allow-~~  
~~ance tolerance.~~ (1) It is a misdemeanor for a person,  
firm, or corporation to violate any provision of 61-10-101  
through 61-10-110.  
  
(2) However, the operator of a vehicle or combination  
of vehicles may move over the highways to the first  
open state scale, permanent or portable, without  
incurring the excess weight penalties set forth in  
61-10-145 if the total gross weight of the vehicle or  
combination of vehicles does not exceed allowable  
total gross weight limitations by more than 5%, or 7%  
if the vehicle or combination of vehicles is transporting  
livestock, and if the weight carried by any axle or  
combination of axles does not exceed the allowable axle  
weight limitations by more than 5%, or 7% if the  
vehicle or combination of vehicles is transporting  
livestock. In the event the vehicle or combination of  
vehicles is not in excess of the allowable total gross  
or axle weight limitations by more than 5%, or 7% if the  
vehicle or combination of vehicles is transporting  
livestock, the department may issue a single trip permit  
for the fee of \$10 for allowing said vehicle or  
combination of vehicles to move over the highways to  
the first facility where its load can be safely adjusted  
or to its destination. Violations of total gross or  
axle weight limitations in excess of 5%, or 7% if the  
vehicle or combination of vehicles is transporting



livestock, are subject to the fines provided in 61-10-145,  
and all loads in excess of 7% 5% of total gross or axle  
weight limitations, or 7% if the vehicle or combination  
of vehicles is transporting livestock, must be adjusted  
or reduced to conform to the size and weight limitations  
before the vehicle or combination of vehicles is moved  
from the point of weighing.

(3) An operator of a vehicle or combination of vehicles subject to the provisions of 61-10-107(2) may move over a highway, except any highway which is part of the federal-aid interstate system, within a 50-mile radius of the harvested field to the point of first unloading, without incurring the excess weight penalties set forth in 61-10-145 if the total gross weight of the vehicle or combination of vehicles does not exceed allowable weight limitations by more than 20% per axle by the maximum load per inch of tire width may not exceed 670 pounds. The vehicle or combination of vehicles may not exceed 40 miles per hour. No single trip permit as required in subsection (2) shall be applicable to such vehicle or combination of vehicles. When such vehicle or combination of vehicles violates any of the provisions of this subsection, the fine or penalty imposed shall apply to that portion of the load above the legal limit."

## HOUSE BILL NO. 437

INTRODUCED BY NEUMAN, TVEIT, ASAY,

KOLSTAD, SHONTZ, VINGER, JACOBSEN,

HARP, DEVLIN, LEE, BLISS

A BILL FOR AN ACT ENTITLED: "AN ACT TO REVISE THE GROSS VEHICLE WEIGHT LAWS BY ALLOWING THE MAXIMUM GROSS WEIGHT TO BE DETERMINED USING THE STATUTORY FORMULA, BY ELIMINATING THE GROSS WEIGHT LIMITATIONS ON GROUPS OF AXLES, BY PROVIDING FOR CHANGING THE 7 PERCENT ALLOWANCE TO A 5 PERCENT ALLOWANCE ON TOTAL GROSS AND AXLE WEIGHT LIMITATIONS FOR ALL VEHICLES OR COMBINATIONS OF VEHICLES NOT TRANSPORTING LIVESTOCK, AND BY ALLOWING MAXIMUM LENGTH OF 95 FEET--BY--TERM--PERMIT; ESTABLISHING MAXIMUM LENGTH FOR TRAILERS AND SEMITRAILERS IN CERTAIN COMBINATIONS AND ALLOWING MAXIMUM LENGTH OF 75 FEET FOR OTHER COMBINATIONS WITHOUT SPECIAL PERMIT AND 95 FEET WITH SPECIAL PERMIT; CORRECTING AN ERRONEOUS REFERENCE; AMENDING SECTIONS 61-10-104, 61-10-107, AND 61-10-124, AND 61-10-144, MCA."

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

SECTION 1. SECTION 61-10-104, MCA, IS AMENDED TO READ:

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

excess of 40 feet.

(2) ~~A combination of truck and trailer, tractor and semitrailer, tractor-semitrailer, full trailer, or tractor-semitrailer-semitrailer-converted-to-a-trailer by use of a dolly equipped with a fifth wheel when used in a truck tractor-semitrailer combination, the semitrailer may not exceed 48 feet in length, excluding those portions not designed to carry a load, except as provided by 61-10-124. When used in a truck tractor-semitrailer-trailer combination, the semitrailer and trailer may not exceed 28 1/2 feet each in length, excluding those portions not designed to carry a load, except as provided by 61-10-124. Truck tractor-semitrailer and truck tractor-semitrailer-trailer combinations are not subject to an overall combination length limit. All other combinations of vehicles may not have an overall length, inclusive of front and rear bumpers, in excess of 65 1/2 feet, except as provided by 61-10-124. If the combination consists of more than two units, the rear units of the combination shall be equipped with breakaway brakes.~~

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

REFERENCE BILL

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 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 65 feet."

9 Section 2. Section 61-10-107, MCA, is amended to read:

10 "61-10-107. Maximum gross weight -- when permit  
11 required. (1) An axle may not carry a load in excess of  
12 20,000 pounds, and no two consecutive axles more than 40  
13 inches or less than 96 inches apart may carry a load in  
14 excess of 34,000 pounds. For purposes of this section, axles  
15 40 inches or less apart are considered as a single axle. A  
16 vehicle or combination may not have more than nine axles.  
17 The maximum gross weight allowed on a vehicle, group of  
18 axles, or combination so--authorized--by--this-section of  
19 vehicles shall be determined by the formula  $W$  equals 500  
20  $(LN/N \text{ minus } 1 \text{ plus } 12N \text{ plus } 36)$  in which  $W$  equals gross  
21 weight,  $L$  equals wheel base in feet, and  $N$  equals number of  
22 axles, except that two consecutive sets of tandem axles may  
23 carry a gross load of 34,000 pounds each if the overall  
24 distance between the first and last axles of such  
25 consecutive sets of tandem axles is 36 feet or more.

1 However--the--maximum--allowable-gross-weight-on-a-group-of  
2 axles--may-not-exceed-the-following-values:

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

11 (2) Notwithstanding a vehicle's conformance with the  
12 requirements of subsection (1), its maximum load per inch of  
13 tire width, excluding the steering axle, may not exceed 600  
14 pounds, based on the table in 61-10-105(3).

15 (3) If the gross weight of a vehicle or combination  
16 exceeds 80,000 pounds, the vehicle or combination must have  
17 a special permit, which may be issued in the discretion of  
18 the department of highways based on evaluation of safety,  
19 highway capacity, and economics of highway maintenance and  
20 vehicle operation. The fee shall be \$20 per trip permit or  
21 \$100 per term permit. A term permit may not be issued for a  
22 period of time greater than the period for which the GVW  
23 license is valid. Owners of vehicles licensed in other  
24 jurisdictions may, at the discretion of the department,

1 purchase permits to expire with their registration. Permits  
2 may specify highway routing.

3 (4) A special permit issued under subsection ~~(1)~~ (3)  
4 for the transportation of agricultural products by farm  
5 vehicles from a harvesting combine or other harvesting  
6 machinery to the point of first unloading shall be for the  
7 full term of the harvest season of the agricultural product  
8 transported.

9 (5) This section does not apply to highways which are  
10 a part of the national system of interstate and defense  
11 highways (as referred to in 23 U.S.C. 127) when application  
12 of this section would prevent this state from receiving  
13 federal funds for highway purposes."

14 Section 3. Section 61-10-124, MCA, is amended to read:

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

23 (2) (a) Except as provided in subsection (2)(b), term  
24 or blanket permits may not be issued for an overwidth  
25 vehicle, combination of vehicles, load, or other thing in

1 excess of 15 feet; an overlength vehicle, combination of  
2 vehicles, load, object, or other thing in excess of 65 95  
3 feet; and an overheight vehicle, combination of vehicles,  
4 load, or other thing in excess of 13 1/2 feet, or of a limit  
5 determined by the department. A vehicle, combination of  
6 vehicles, load, or other thing in excess of these dimensions  
7 is limited to trip permits. ~~Special permits for vehicle~~  
8 ~~combinations of more than two trailers are not permitted~~  
9 ~~under this section. SPECIAL PERMITS FOR VEHICLE COMBINATIONS~~  
10 ~~MAY SPECIFY HIGHWAY ROUTING AND OTHERWISE LIMIT OR PRESCRIBE~~  
11 ~~CONDITIONS OF OPERATION OF THE VEHICLE OR COMBINATION,~~  
12 ~~INCLUDING BUT NOT LIMITED TO REQUIRED EQUIPMENT, SPEED,~~  
13 ~~STABILITY, OPERATIONAL PROCEDURES, AND INSURANCE.~~

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

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

1 with their registration. A license required by the state  
2 governs the issuance of a special permit."

3 ~~SECTION 4. SECTION 61-10-144, MCA, IS AMENDED TO READ:~~

4 "61-10-144. Violation of standards -- ~~seven--percent~~  
5 ~~allowance tolerance.~~ (1) It is a misdemeanor for a person,  
6 firm, or corporation to violate any provision of 61-10-101  
7 through 61-10-110.

8 (2) However, the operator of a vehicle or combination  
9 of vehicles may move over the highways to the first open  
10 state scale, permanent or portable, without incurring the  
11 excess weight penalties set forth in 61-10-145 if the total  
12 gross weight of the vehicle or combination of vehicles does  
13 not exceed allowable total gross weight limitations by more  
14 than 5% or 7% if the vehicle or combination of vehicles is  
15 transporting livestock, and if the weight carried by any  
16 axle or combination of axles does not exceed the allowable  
17 axle weight limitations by more than 5% or 7% if the  
18 vehicle or combination of vehicles is transporting  
19 livestock. In the event the vehicle or combination of  
20 vehicles is not in excess of the allowable total gross or  
21 axle weight limitations by more than 5% or 7% if the  
22 vehicle or combination of vehicles is transporting  
23 livestock, the department may issue a single trip permit for  
24 the fee of \$10 for allowing said vehicle or combination of  
25 vehicles to move over the highways to the first facility

1 where its load can be safely adjusted or to its destination.  
2 Violations of total gross or axle weight limitations in  
3 excess of 5% or 7% if the vehicle or combination of  
4 vehicles is transporting livestock, are subject to the fines  
5 provided in 61-10-145, and all loads in excess of 5% of the  
6 total gross or axle weight limitations, or 7% if the vehicle  
7 or combination of vehicles is transporting livestock, must  
8 be adjusted or reduced to conform to the size and weight  
9 limitations before the vehicle or combination of vehicles is  
10 moved from the point of weighing.

11 (3) An operator of a vehicle or combination of  
12 vehicles subject to the provisions of 61-10-107(2) may move  
13 over a highway, except any highway which is part of the  
14 federal-aid interstate system, within a 50-mile radius of  
15 the harvested field to the point of first unloading, without  
16 incurring the excess weight penalties set forth in 61-10-145  
17 if the total gross weight of the vehicle or combination of  
18 vehicles does not exceed allowable weight limitations by  
19 more than 20% per axle but the maximum load per inch of tire  
20 width may not exceed 670 pounds. The vehicle or combination  
21 of vehicles may not exceed 40 miles per hour. No single trip  
22 permit as required in subsection (2) shall be applicable to  
23 such vehicle or combination of vehicles. When such vehicle  
24 or combination of vehicles violates any of the provisions of  
25 this subsection, the fine or penalty imposed shall apply to

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1 that portion of the load above the legal limit."

-End-