

HOUSE BILL NO. 727

Introduced: 02/11/83

Referred to Committee on Business & Industry: 02/11/83

Hearing: 2/16/83

Died in Committee

1 ~~House~~ BILL NO. 727
2 INTRODUCED BY ~~Donnell Jackson~~ *Benjamin E. Smith*
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING
5 REQUIREMENTS FOR TRANSPORTERS OF CRUDE PETROLEUM OIL AND FOR
6 PERSONS POSSESSING CRUDE PETROLEUM OIL; AND PROVIDING
7 PENALTIES."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10 Section 1. Definitions. As used in [this act], the
11 following definitions apply:

12 (1) "Carrier" means a motor carrier as defined in
13 69-12-101.

14 (2) "Person" means any individual, partnership,
15 corporation, or association.

16 Section 2. Consent by carrier to inspection. Any
17 carrier transporting on any street or highway of this state
18 any oil or gas field equipment or any crude petroleum oil is
19 considered to have consented, as a condition of
20 certification under Title 69, chapter 12, to inspection of
21 the equipment or oil being transported when requested by any
22 federal, state, county, or city law enforcement officer.

23 Section 3. Documentation required -- length of time
24 retained. (1) Any person who stores, transports, possesses,
25 disposes of, or refines any crude petroleum oil must have in

1 his possession documentation required by this section.

2 (2) Documentation required for such a person when
3 using a motor vehicle to transport crude petroleum oil is a
4 run ticket or equivalent document containing the following:

5 (a) the name and address of the transporter;

6 (b) the name and license number of the operator of the
7 mineral lease being served;

8 (c) the name of the lease or facility from which the
9 oil was taken and the location of the tank by unit name,
10 section, township, range, and county;

11 (d) the date and time that crude petroleum oil was
12 loaded for transportation and unloaded at the destination;

13 (e) the estimated volume of crude petroleum oil or the
14 opening and closing tank gauge readings or meter readings;

15 (f) the signature of the driver;

16 (g) the name and location of the disposal, storage,
17 processing, or refining facility to which the crude
18 petroleum oil is being transported; and

19 (h) the name and address of the party receiving
20 shipment.

21 (3) A document containing the following information
22 must be left at the facility from which the crude petroleum
23 oil was removed:

24 (a) the name and address of the transporter;

25 (b) the date and time that crude petroleum oil was

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1 loaded for transportation;

2 (c) the signature of the driver; and

3 (d) the estimated volume of crude petroleum oil or the
4 opening and closing tank gauge readings or meter readings.

5 (4) One copy of the documentation required under
6 subsection (2) must be carried in the vehicle during
7 transportation and must be produced for examination and
8 inspection by any federal, state, county, or city law
9 enforcement officer upon request.

10 (5) A person who transports crude petroleum oil shall
11 retain documents reflecting the transportation of the crude
12 oil for at least 3 years.

13 Section 4. Identification of tanks and trucks. (1)
14 Every oil tank or tank battery must be identified by a sign
15 posted on or not more than 50 feet from the tank or tank
16 battery. The sign must be of durable construction and must
17 be large enough to be legible under normal conditions at a
18 distance of 50 feet. The sign must identify:

19 (a) the name and license number of the operator;

20 (b) the name of the mineral lease being served by the
21 tank; and

22 (c) the location of the tank by unit name, section,
23 township, range, and county.

24 (2) Every truck, tank wagon, or other vehicle that
25 transports crude petroleum oil must have the name and

1 address of the owner or lessee painted or otherwise durably
2 marked on both sides of the vehicle.

3 Section 5. Violation -- penalty. A person convicted of
4 violating [this act] may be fined not more than \$500 or
5 imprisoned in the county jail for a term not longer than 6
6 months, or both. In addition, the law enforcement officer
7 issuing the citation for violation may impound for a period
8 not to exceed 48 hours any vehicles used in furtherance of
9 the violation.

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