

SENATE BILL NO. 122

INTRODUCED BY KEATING, FULLER, DONALDSON

IN THE SENATE

January 12, 1983	Introduced and referred to Committee on Highways and Transportation.
January 21, 1983	Committee recommend bill do pass. Report adopt.
January 22, 1983	Bill printed and placed on members' desks.
January 24, 1983	Second reading, do pass.
January 25, 1983	Correctly engrossed.
January 26, 1983	Third reading, passed. Ayes, 47; Noes, 1. Transmitted to House.

IN THE HOUSE

January 27, 1983	Introduced and referred to Committee on Highways and Transportation.
March 2, 1983	Committee recommend bill be concurred in. Report adopted.
March 3, 1983	Second reading, concurred in.
March 4, 1983	Third reading, concurred in.

IN THE SENATE

March 5, 1983	Returned to Senate. Sent to enrolling. Reported correctly enrolled.
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1 *Senate* BILL NO. *122*
2 INTRODUCED BY *Leating* *Fuller*
3 *Donaldson*
4 A BILL FOR AN ACT ENTITLED: "AN ACT EXEMPTING FROM THE
5 COVERAGE OF TITLE 69, PUBLIC UTILITIES AND CARRIERS, CHAPTER
6 12, MOTOR CARRIERS, THE TRANSPORTING OF PROPERTY IN A
7 CONTINUOUS MOVEMENT THAT INCLUDES TRANSPORTING BY AIR AS
8 WELL AS BY MOTOR CARRIER; AMENDING SECTION 69-12-102, MCA."
9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11 Section 1. Section 69-12-102, MCA, is amended to read:
12 "69-12-102. Scope of chapter -- exemptions. (1) Except
13 as provided in 69-12-201(1)(f), this chapter does not
14 affect:
15 (a) motor vehicles used in carrying property
16 consisting of agricultural commodities (not including
17 manufactured products thereof) if the motor vehicles are not
18 used in carrying other property or passengers for
19 compensation;
20 (b) the operation of school buses which are used in
21 conveying pupils or other students enrolled in classes to
22 and from district or other schools or in transportation
23 movements related to school activities which are sponsored
24 or supervised by school authorities;
25 (c) the transportation by means of motor vehicles in

1 the regular course of business of employees, supplies, and
2 materials by a person or corporation engaged exclusively in
3 the construction or maintenance of highways or engaged
4 exclusively in logging or mining operations, insofar as the
5 use of employees, supplies, and materials in construction
6 and production is concerned;
7 (d) the transportation of property by motor vehicle in
8 a city, town, or village with a population of less than 500
9 persons according to the latest United States census or in
10 the commercial areas thereof, as determined by the
11 commission;
12 (e) the transportation of newspapers, newspaper
13 supplements, periodicals, or magazines;
14 (f) tow trucks and wreckers designed and exclusively
15 used in towing abandoned, wrecked, or disabled vehicles or
16 while these tow trucks and wreckers are rendering assistance
17 to abandoned, wrecked, or disabled vehicles;
18 (g) motor vehicles used exclusively in carrying junk
19 vehicles from a collection point to a motor vehicle wrecking
20 facility or a motor vehicle graveyard;
21 (h) ambulances; or
22 (i) the transportation of pit run or processed sand
23 and gravel, concrete mix, aggregate, plant mix asphalt
24 pavement, aggregate mix, dirt, rock, material from
25 demolished buildings and structures, used paving materials,

1 used concrete, broken concrete, riprap, and other forms and
2 types of materials transported solely for the purpose of
3 excavation or fill; or

4 (1) the transportation of property by motor carrier as
5 part of a continuous movement if such property, prior or
6 subsequent to such part of a continuous movement, has been
7 or will be transported by an air carrier.

8 (2) This chapter does not prevent bona fide leases,
9 brokerage agreements, or buy-and-sell agreements."

-End-

Approved by Committee
on Highways & Transportation

INTRODUCED BY Senate BILL NO. 122
Leahy J. Miller
Donaldson

A BILL FOR AN ACT ENTITLED: "AN ACT EXEMPTING FROM THE
COVERAGE OF TITLE 69, PUBLIC UTILITIES AND CARRIERS, CHAPTER
12, MOTOR CARRIERS, THE TRANSPORTING OF PROPERTY IN A
CONTINUOUS MOVEMENT THAT INCLUDES TRANSPORTING BY AIR AS
WELL AS BY MOTOR CARRIER; AMENDING SECTION 69-12-102, MCA."

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

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

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

(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;

(g) motor vehicles used exclusively in carrying junk
vehicles from a collection point to a motor vehicle wrecking
facility or a motor vehicle graveyard;

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

1 used concrete, broken concrete, riprap, and other forms and
2 types of materials transported solely for the purpose of
3 excavation or fill; or

4 ~~(1) the transportation of property by motor carrier as~~
5 ~~part of a continuous movement if such property, prior or~~
6 ~~subsequent to such part of a continuous movement, has been~~
7 ~~or will be transported by an air carrier.~~

8 (2) This chapter does not prevent bona fide leases,
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Senate BILL NO. 122

INTRODUCED BY Heating Juller
Donaldson

A BILL FOR AN ACT ENTITLED: "AN ACT EXEMPTING FROM THE COVERAGE OF TITLE 69, PUBLIC UTILITIES AND CARRIERS, CHAPTER 12, MOTOR CARRIERS, THE TRANSPORTING OF PROPERTY IN A CONTINUOUS MOVEMENT THAT INCLUDES TRANSPORTING BY AIR AS WELL AS BY MOTOR CARRIER; AMENDING SECTION 69-12-102, MCA."

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(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;

(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;

(g) motor vehicles used exclusively in carrying junk vehicles from a collection point to a motor vehicle wrecking facility or a motor vehicle graveyard;

(h) ambulances; or

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

1 used concrete, broken concrete, riprap, and other forms and
2 types of materials transported solely for the purpose of
3 excavation or fill; or

4 (1) the transportation of property by motor carrier as
5 part of a continuous movement if such property, prior or
6 subsequent to such part of a continuous movement, has been
7 or will be transported by an air carrier.

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9 brokerage agreements, or buy-and-sell agreements."

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FULLER, DONALDSON

A BILL FOR AN ACT ENTITLED: "AN ACT EXEMPTING FROM THE COVERAGE OF TITLE 69, PUBLIC UTILITIES AND CARRIERS, CHAPTER 12, MOTOR CARRIERS, THE TRANSPORTING OF PROPERTY IN A CONTINUOUS MOVEMENT THAT INCLUDES TRANSPORTING BY AIR AS WELL AS BY MOTOR CARRIER; AMENDING SECTION 69-12-102, MCA."

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(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;

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