HOUSE BILL NO. 57

INTRODUCED BY GILBERT

IN THE HOUSE

January 7, 1985		Introduced and referred to Committee on Highways and Transportation.
January 30, 1985		Committee recommend bill do pass. Report adopted.
		Bill printed and placed on members' desks.
February 1, 1985		Second reading, do pass.
	,	Considered correctly engrossed.
February 2, 1985		Third reading, passed. Ayes, 91; Noes, 0.
		Transmitted to Senate.
	IN THE	SENATE
February 6, 1985		Introduced and referred to Committee on Highways and Transportation.
March 13, 1985		Committee recommend bill be concurred in. Report adopted.
March 15, 1985		Second reading, concurred in.
March 18, 1985		Third reading, concurred in. Ayes, 46; Noes, 1.
		Returned to House.
	IN THE	HOUSE
March 19, 1985		Received from Senate.
		Sent to enrolling.
		Reported correctly enrolled.

LC 0431/01

HOUSE BILL NO. 57 1 INTRODUCED BY GILBERT 2 3 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REMOVE THE DRIVER 5 CONTROL REQUIREMENT FROM TRUCK LEASING AGREEMENTS; AMENDING 6 SECTION 69-12-611, MCA." 7 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA: 9 Section 1. Section 69-12-611, MCA, is amended to read: 10 "69-12-611. Leasing of power equipment. (1) All Class A, B, C, and D carriers subject to the jurisdiction of the 11 commission may lease power equipment for the purpose of 12 13 performing transportation movements within the state. The 14 leasing of such power units must be in writing. (2) All leases must contain: 15 16 (a) the full names and addresses of negotiating 17 parties; 18 (b) a complete description of each vehicle involved; 19 (c) provision that the sole possession. responsibility, control, and direction of each vehicle and 20 its-driver resides with the lessee for the entire term of 21 22 the lease; 23 (d) provision that the lessee assumes full 24 responsibility for all regulatory fees; 25 (e) amount of compensation to be paid for use of the

1 vehicle while under the lease and the method by which such compensation is determined; 2

3 (f) the renewal conditions of the lease, if any; and

(g) the term length of the lease.

4

5 (3) A copy of the lease must be maintained in each 6 leased vehicle at all times. Each power unit so leased must display in a conspicuous place on both sides of such vehicle 7 the identity and address of the lessor and lessee and the 8 9 certificate number under which the power unit is operating.

10 (4) The leasing of power units by an authorized 11 carrier to a noncertificated carrier is prohibited."

NEW SECTION. Section 2. Extension of authority. Any 12 existing authority of the public service commission to make 13 14 rules on the subject of the provisions of this act is

extended to the provisions of this act. 15

-End-



LC 0431/01

INTRODUCED BILL ⁻²⁻ HB 57



49th Legislature

LC 0431/01

APPROVED BY COMMITTEE ON HIGHWAYS & TRANSPORTATION

1	HOUSE BILL NO. 57					
2	INTRODUCED BYGILBERT					
3						
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO REMOVE THE DRIVER					
5	CONTROL REQUIREMENT FROM TRUCK LEASING AGREEMENTS; AMENDING					
6	SECTION 69-12-611, MCA."					
7						
8	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:					
9	Section 1. Section 69-12-611, MCA, is amended to read:					
10	"69-12-611. Leasing of power equipment. (1) All Class					
11	A, B, C, and D carriers subject to the jurisdiction of the					
12	commission may lease power equipment for the purpose of					
13	performing transportation movements within the state. The					
14	leasing of such power units must be in writing.					
15	(2) All leases must contain:					
16	(a) the full names and addresses of negotiating					
17	parties;					
18	(b) a complete description of each vehicle involved;					
19	(c) provision that the sole possession,					
20	responsibility, control, and direction of each vehicle and					
21	its-driver resides with the lessee for the entire term of					
22	the lease;					
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-End-

-2-



1	HOUSE BILL NO. 57	1	vehicle while under the lease and the method by which such
2	INTRODUCED BYGILBERT	2	compensation is determined;
3		3	(f) the renewal conditions of the lease, if any; and
4	A BILL FOR AN ACT ENTITLED: "AN ACT TO REMOVE THE DRIVER	4	(g) the term length of the lease.
5	CONTROL REQUIREMENT FROM TRUCK LEASING AGREEMENTS; AMENDING	5	(3) A copy of the lease must be maintained in each
6	SECTION 69-12-611, MCA."	6	leased vehicle at all times. Each power unit so leased must
7		7	display in a conspicuous place on both sides of such vehicle
8	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:	8	the identity and address of the lessor and lessee and the
9	Section 1. Section 69-12-611, MCA, is amended to read:	9	certificate number under which the power unit is operating.
10	"69-12-611. Leasing of power equipment. (1) All Class	10	(4) The leasing of power units by an authorized
11	A, B, C, and D carriers subject to the jurisdiction of the	11	carrier to a noncertificated carrier is prohibited."
12	commission may lease power equipment for the purpose of	12	NEW SECTION. Section 2. Extension of authority. Any
13	performing transportation movements within the state. The	13	existing authority of the public service commission to make
14	leasing of such power units must be in writing.	14	rules on the subject of the provisions of this act is
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17	parties;		
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25	(e) amount of compensation to be paid for use of the		
			THIRD READING
			HB 57

Montana Legislative Council

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HB 0057/02

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2	INTRODUCED BY GILBERT	2	compensation is determined;
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			-2~ HB 57 REFERENCE BILL