

SENATE BILL NO. 344

2/06 Introduced  
2/07 Referred to Highways & Transportation  
2/12 Hearing  
2/15 Committee Report-Bill Do Pass  
2/15 Statement of Intent Attached  
2/18 2nd Reading Pass  
2/18 On Motion Segregated From Committee of  
Whole Report  
2/19 Statement of Intent Stricken  
2/19 2nd Reading Pass As Amended  
2/21 3rd Reading Pass

Transmitted to House

2/27 Referred to Highways & Transportation  
3/12 Hearing  
3/28 Adverse Committee Report  
3/30 Bill Killed

1 Senate BILL NO. 344  
 2 INTRODUCED BY Neuman Debye Miller Cobb  
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT TO DEFINE ANHYDROUS  
 5 AMMONIA NURSE TANKS AND TO EXEMPT SUCH TANKS FROM SPECIAL  
 6 MOBILE EQUIPMENT FEES AND GROSS VEHICLE WEIGHT FEES;  
 7 AMENDING SECTIONS 61-3-431 AND 61-10-214, MCA."

8  
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 NEW SECTION. Section 1. Anhydrous ammonia nurse tank.  
 11 The term "anhydrous ammonia nurse tank" means a farm  
 12 wagon-type tank vehicle of not over 3,000-gallon capacity  
 13 used as an interim field storage tank supplying the  
 14 fertilizer to a field applicator and moved on a road or  
 15 highway only when bringing the fertilizer from a local  
 16 source of supply to farms or fields or from one farm or  
 17 field to another.

18 Section 2. Section 61-3-431, MCA, is amended to read:

19 "61-3-431. Special mobile equipment -- exemption from  
 20 registration and payment of fees and charges --  
 21 identification plate -- publicly owned special mobile  
 22 equipment. (1) A person, firm, partnership, or corporation  
 23 who owns, leases, or rents special mobile equipment as  
 24 defined in 61-1-104(2) and occasionally moves that equipment  
 25 on, over, or across the highways of the state is not subject

1 to registration of that equipment or required to pay the  
 2 fees and charges provided for in 61-3-502, 61-4-301 through  
 3 61-4-308, or part 2 of chapter 10. Prior to movement on the  
 4 highways, however, each piece of equipment shall display an  
 5 equipment identification plate or a dealer's license plate  
 6 attached to the equipment.

7 (2) Annual application for the identification plate  
 8 shall be made to the county treasurer before any piece of  
 9 equipment is moved on the highways. Application shall be  
 10 made on a form furnished by the department of justice,  
 11 together with the payment of a fee of \$5. The equipment for  
 12 which a special mobile equipment plate is sought is subject  
 13 to the assessment of personal property taxes on the date  
 14 application is made for the plate. The personal property  
 15 taxes assessed against the special mobile equipment must be  
 16 paid before the issuance of a special mobile equipment  
 17 plate. The fees collected under this section belong to the  
 18 county road fund.

19 (3) The identification plate expires on December 31 of  
 20 each year. If the expired identification plate is displayed,  
 21 an owner of special mobile equipment registered under the  
 22 provisions of this section is entitled to operate the  
 23 equipment between January 1 and February 15 following  
 24 expiration without displaying the identification plate or  
 25 receipt of the current year.



-2-  
 INTRODUCED BILL  
 SB 344

1 (4) Publicly owned special mobile equipment, and  
 2 implements of husbandry used exclusively by an owner in the  
 3 conduct of his own farming operations, and anhydrous ammonia  
 4 nurse tanks are exempt from this section."

5 Section 3. Section 61-10-214, MCA, is amended to read:

6 "61-10-214. Exemptions. (1) Motor vehicles operating  
 7 exclusively for transportation of persons for hire within  
 8 the limits of incorporated cities or towns and within 15  
 9 miles from such limits are exempt from this part.

10 (2) Motor vehicles brought or driven into Montana by a  
 11 nonresident, migratory, bona fide agricultural worker  
 12 temporarily employed in agricultural work in this state  
 13 where those motor vehicles are used exclusively for  
 14 transportation of agricultural workers are exempt from this  
 15 part.

16 (3) Vehicles lawfully displaying a licensed dealer's  
 17 plate as provided in 61-4-103 are exempt from this part when  
 18 moving to or from a dealer's place of business when unloaded  
 19 or loaded with dealer's property only or while being  
 20 demonstrated in the course of the dealer's business, for a  
 21 period not to exceed 7 days. Vehicles being demonstrated may  
 22 not be leased, rented, or operated for compensation by the  
 23 licensed dealer.

24 (4) Anhydrous ammonia nurse tanks, as defined in  
 25 [section 1], are exempt from this part."

1 NEW SECTION. Section 4. Codification instruction.  
 2 Section 1 is intended to be codified as an integral part of  
 3 Title 61, chapter 1, part 1, and the provisions of Title 61  
 4 apply to section 1.

-End-

APPROVED BY COMMITTEE  
ON HIGHWAYS & TRANSPORTATION

1                   STATEMENT OF INTENT  
2                   SENATE BILL 344  
3           Senate Highways and Transportation Committee  
4

5           This bill requires a statement of intent because  
6 sections 2 through 4 provide rulemaking authority to the  
7 department of agriculture for safety measures in handling  
8 anhydrous ammonia.

9           It is the intent of the legislature that, although the  
10 department of agriculture is the agency responsible for  
11 administering the anhydrous ammonia safety program, it shall  
12 coordinate closely with other appropriate agencies in  
13 adopting and implementing rules for safety standards. Rules  
14 adopted must be only those which are reasonably necessary  
15 for the protection and safety of the public and particularly  
16 those persons handling and using anhydrous ammonia.

1                   SENATE BILL NO. 344  
 2                   INTRODUCED BY NEUMAN, SCHYE,  
 3                   MILLER, COBB  
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