

HB 168 INTRODUCED BY GILBERT  
DENYING FARM VEHICLES' GROSS VEHICLE WEIGHT SPECIAL  
FEE TO THREE-TIME VIOLATORS OF PRIVILEGE

1/13 INTRODUCED  
1/13 REFERRED TO HIGHWAYS & TRANSPORTATION  
1/20 HEARING  
2/10 TABLED IN COMMITTEE

1 HB BILL NO. 168  
 2 INTRODUCED BY Gilbert  
 3  
 4 A BILL FOR AN ACT ENTITLED: "AN ACT DENYING A GROSS VEHICLE  
 5 WEIGHT FARM VEHICLE SPECIAL FEE TO A PERSON WHO VIOLATES THE  
 6 LAW THREE TIMES; AND AMENDING SECTIONS 61-10-206 AND  
 7 61-10-232, MCA."

8  
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:  
 10 Section 1. Section 61-10-206, MCA, is amended to read:  
 11 "61-10-206. Special fees -- certain farm vehicles. (1)  
 12 Except for motortrucks owned and operated by cooperative  
 13 associations or cooperative marketing associations and  
 14 subject to the provisions of subsection (2), there shall be  
 15 paid and collected annually a fee equal to 16% of the fees  
 16 provided in Schedule I and Schedule II above on motortrucks,  
 17 trailers, and semitrailers owned and operated by ranchers or  
 18 farmers in the transportation of their own ranch, farm,  
 19 orchard, or dairy products from point of production to  
 20 market, or of supplies, commodities, or equipment to be used  
 21 on the ranch, farm, orchard, or dairy, or in the infrequent  
 22 or seasonal transportation by one farmer for another for any  
 23 purpose other than commercial hire of products of the farm,  
 24 orchard, or dairy, or of supplies or commodities to be used  
 25 on the farm, orchard, or dairy, and on one truck tractor and

1 lowboy trailer used by contractors engaged exclusively in  
 2 soil conservation work and land leveling activities that  
 3 result in direct benefit to agriculture. However, the  
 4 minimum fee so paid shall be \$6. The terms "trailers and  
 5 semitrailers" as used herein shall not include farm wagons.  
 6 (2) The department may not accept a fee under  
 7 subsection (1) from an owner or operator who has been  
 8 convicted three times of or who has forfeited bond three  
 9 times on a violation under 61-10-232 of operating a farm  
 10 truck for commercial hire after payment of the fee under  
 11 subsection (1)."

12 Section 2. Section 61-10-232, MCA, is amended to read:  
 13 "61-10-232. Violation -- penalty. Any owner or  
 14 operator of a motortruck, truck tractor, trailer,  
 15 semitrailer, bus, or automobile who violates any provision  
 16 of this part is guilty of a misdemeanor and shall be  
 17 punished by a fine of not more than \$300 or by a sentence of  
 18 not more than 60 days in the county jail or both and, when  
 19 applicable, the prohibition in 61-10-206(2)."

20 NEW SECTION. Section 3. Extension of authority. Any  
 21 existing authority of the department of highways to make  
 22 rules on the subject of the provisions of this act is  
 23 extended to the provisions of this act.

-End-

