



IN THE SENATE

APRIL 3, 1987

RECEIVED FROM HOUSE.

SECOND READING, AMENDMENTS  
CONCURRED IN.

SECOND READING, STATEMENT OF  
INTENT ADOPTED.

APRIL 4, 1987

THIRD READING, AMENDMENTS  
CONCURRED IN.

THIRD READING, STATEMENT OF  
INTENT ADOPTED.

SENT TO ENROLLING.

1 *Senate* BILL NO. *189*  
 2 INTRODUCED BY *Farrell Meyer, AS Rep. 189*  
 3 *Wesley Campbell, Sen. 189* *Simon R. Belmont, Secretary*

4 *Bill* BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING SPECIAL  
 VEHICLE COMBINATIONS TO OPERATE BY SPECIAL PERMIT UPON  
 6 INTERSTATE HIGHWAYS; INCREASING THE SPECIAL PERMIT FEES FOR  
 7 SPECIAL COMBINATIONS; AUTHORIZING THE DEPARTMENT OF HIGHWAYS  
 8 TO PRESCRIBE DRIVER QUALIFICATIONS, EQUIPMENT, AND SAFETY  
 9 STANDARDS SPECIFICALLY FOR SPECIAL VEHICLE COMBINATIONS;  
 10 AMENDING SECTIONS 61-10-107 AND 61-10-124, MCA; AND  
 11 PROVIDING AN EFFECTIVE DATE."

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 13 WHEREAS, Montana is surrounded by states and provinces  
 14 that allow motor carriers to pull special vehicle  
 15 combinations upon their four-lane highways while Montana  
 16 prohibits such combinations; and

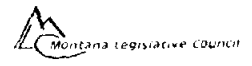
17 WHEREAS, shippers will increasingly route their  
 18 shipments around Montana to the detriment of Montana's  
 19 transportation industry and of public revenues if special  
 20 vehicle combinations continue to be excluded here; and

21 WHEREAS, highway traffic safety will be enhanced by the  
 22 allowance and strict regulation of special vehicle  
 23 combinations.

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

1 Section 1. Section 61-10-124, MCA, is amended to read:  
 2 "61-10-124. Special permits -- fee. (1) Except as  
 3 provided in subsection subsections (2)(b) and (4), in  
 4 addition to the regular registration and gross vehicle  
 5 weight fees, a fee of \$10 for each trip permit and a fee of  
 6 \$75 for each term permit issued for size and weight in  
 7 excess of that specified in 61-10-101 through 61-10-110  
 8 shall be paid for all movements under special permits on the  
 9 public highways under the jurisdiction of the department.

10 (2) (a) Except as provided in subsection subsections  
 11 (2)(b) and (4), term or blanket permits may not be issued  
 12 for an overwidth vehicle, combination of vehicles, load, or  
 13 other thing in excess of 15 feet; an overlength vehicle,  
 14 combination of vehicles, load, object, or other thing in  
 15 excess of 95 feet; and an overheight vehicle, combination of  
 16 vehicles, load, or other thing in excess of 13 1/2 feet, or  
 17 of a limit determined by the department. A vehicle,  
 18 combination of vehicles, load, or other thing in excess of  
 19 these dimensions is limited to trip permits. Special  
 20 permits for vehicle combinations of more than two trailers  
 21 or more than two units designed for or used to carry a load  
 22 are not permitted under this section except as provided in  
 23 subsection (4). Special permits for vehicle combinations may  
 24 specify and special permits under subsection (4) must  
 25 specify highway routing and otherwise limit or prescribe



1 conditions of operation of the vehicle or combination,  
2 including but not limited to required equipment, speed,  
3 stability, operational procedures, and insurance.

4 (b) A term permit may be issued to a dealer in  
5 implements of husbandry and self-propelled machinery for an  
6 overwidth or overlength vehicle referred to in subsection  
7 (2)(a). The fee for this permit is \$75. This permit covers a  
8 period of 1 year and expires on December 31 of each year  
9 with no grace period.

10 (c) With payment of the appropriate gross weight fee  
11 required by 61-10-203 and with payment of the fee prescribed  
12 in subsection (1), allowable gross weight of a five-axle  
13 combination logging vehicle is 80,000 pounds.

14 (3) Except as provided in subsection (2)(b), a permit  
15 may not be issued for a period of time greater than the  
16 period for which the GVW license is valid as provided in  
17 this title, including grace periods allowed by this title.  
18 Owners of vehicles licensed in other jurisdictions may, at  
19 the discretion of the department, purchase permits to expire  
20 with their registration. A license required by the state  
21 governs the issuance of a special permit.

22 (4) The department may issue special permits to the  
23 operating company for a truck-trailer-trailer or truck  
24 tractor-semitrailer-trailer-trailer combination of vehicles  
25 under the following conditions:

1 (a) the combination may be operated only on highways  
2 that are part of the federal-aid interstate system as  
3 defined in 60-1-103 and within a 2-mile radius of an  
4 interchange on the interstate system on other highways only  
5 in order to obtain necessary services or to load or unload  
6 at a terminal. When a terminal is beyond a 2-mile radius,  
7 the department may authorize travel between the terminal and  
8 the interchange.

9 (b) no individual cargo unit of the combination may  
10 exceed 28 1/2 feet in length and 102 inches in width;

11 (c) gross weight fees under 61-10-203 must be paid on  
12 the truck or truck tractor for the declared registered gross  
13 weight of the special vehicle combination, but not to exceed  
14 the formula in 61-10-107;

15 (d) the combination must have a restricted route  
16 permit under 61-10-107(3) and a special overlength permit  
17 issued at a fee of \$200 for a term permit or \$20 for each  
18 trip permit;

19 (e) travel of the combination may be restricted to  
20 specific routes, hours of operation, specific days, or  
21 seasonal periods; and

22 (f) the department may enforce any other restrictions  
23 determined by the department to be necessary."

24 Section 2. Section 61-10-107, MCA, is amended to read:  
25 "61-10-107. Maximum gross weight -- when permit

1 required. (1) An axle may not carry a load in excess of  
 2 20,000 pounds, and no two consecutive axles more than 40  
 3 inches or less than 96 inches apart may carry a load in  
 4 excess of 34,000 pounds. For purposes of this section, axles  
 5 40 inches or less apart are considered as a single axle. A  
 6 vehicle or combination may not have more than nine axles.  
 7 The maximum gross weight allowed on a vehicle, group of  
 8 axles, or combination of vehicles shall be determined by the  
 9 formula  $W = 500 (LN/N - 1 + 12N + 36)$  in  
 10 which W equals gross weight, L equals wheel base in feet,  
 11 and N equals number of axles, except that two consecutive  
 12 sets of tandem axles may carry a gross load of 34,000 pounds  
 13 each if the overall distance between the first and last  
 14 axles of such consecutive sets of tandem axles is 36 feet or  
 15 more.

16 (2) Notwithstanding a vehicle's conformance with the  
 17 requirements of subsection (1), its maximum load per inch of  
 18 tire width, excluding the steering axle, may not exceed 600  
 19 pounds, based on the table in 61-10-105(3).

20 (3) If the gross weight of a vehicle or combination  
 21 exceeds 80,000 pounds, the vehicle or combination must have  
 22 a special permit, which may be issued in the discretion of  
 23 the department of highways based on evaluation of safety,  
 24 highway capacity, and economics of highway maintenance and  
 25 vehicle operation. The fee shall be \$20 per trip permit or

1 \$100 per term permit. A term permit may not be issued for a  
 2 period of time greater than the period for which the GVW  
 3 license is valid. Owners of vehicles licensed in other  
 4 jurisdictions may, at the discretion of the department,  
 5 purchase permits to expire with their registration. Permits  
 6 may specify and permits issued under 61-10-124(4) must  
 7 specify highway routing.

8 (4) A special permit issued under subsection (3) for  
 9 the transportation of agricultural products by farm vehicles  
 10 from a harvesting combine or other harvesting machinery to  
 11 the point of first unloading shall be for the full term of  
 12 the harvest season of the agricultural product transported.

13 (5) This section does not apply to highways which are  
 14 a part of the national system of interstate and defense  
 15 highways (as referred to in 23 U.S.C. 127) when application  
 16 of this section would prevent this state from receiving  
 17 federal funds for highway purposes."

18 NEW SECTION. Section 3. Violation -- penalty. A  
 19 person, firm, or corporation convicted of violating any  
 20 provision of 61-10-124(4) or any restriction on the special  
 21 permits issued by the department under 61-10-124(4) shall be  
 22 punished by a fine of not less than \$500 or more than \$1,000  
 23 and all special permits issued for the operation of the  
 24 combination in violation shall be confiscated. The  
 25 combination must be separated into combinations of legal

1 length before the units may proceed.

2 NEW SECTION. Section 4. Rules regarding overlength  
3 vehicles. The department of highways may adopt rules to  
4 implement 61-10-124(4) and may by rule prescribe standards  
5 for the qualifications of drivers operating special vehicle  
6 combinations under 61-10-124(4) and for the equipping and  
7 operation of such combinations to enhance highway traffic  
8 safety.

9 NEW SECTION. Section 5. Codification instruction.  
10 Sections 3 and 4 are intended to be codified as an integral  
11 part of Title 61, chapter 10, part 1, and the provisions of  
12 Title 61 apply to sections 3 and 4.

13 NEW SECTION. Section 6. Effective date. This act is  
14 effective July 1, 1987.

-End-

STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB187, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act allowing special vehicle combinations to operate by special permit upon interstate highways; increasing the special permit fees for special combinations; authorizing the Department of Highways to prescribe driver qualifications, equipment and safety standards specifically for special vehicle combinations; amending sections 61-10-107 and 61-10-124, MCA.

ASSUMPTIONS:

1. This fiscal note reflects minimums based on 70 trucks, 35 instate and 35 out of state; splitting the permits evenly. The total fiscal impact is unknown.
2. Assume the prorated percent of miles driven in Montana by carriers based outside of Montana will not exceed 5%.
3. Assume the prorated percent of miles driven in Montana by carriers based in Montana will not exceed 50%.
4. A doubles combination currently is licensed at 80,000 pounds G.V.W.
5. A triples combination will be licensed at 110,000 pounds G.V.W.
6. Each triples combination will purchase either term permits or single trip permits.

Term permits will cost \$300 (\$100 term restricted route permit plus a \$200 term special overlength permit).

Single trip permits will cost \$40 (\$20 single trip restricted route permit plus a \$20 single trip special overlength permit). Assume carriers would make 10 individual trips.

7. The number of vehicles to which these assumptions would apply is unknown. However, for each example we will use 35 vehicles as our estimate for each situation.

FISCAL IMPACT:

New revenues to the Highway State Special Revenue Account will be generated as follows:

\$ 1,719 - G.V.W. fees from carriers based outside of Montana.  
17,194 - G.V.W. fees from carriers based in Montana.  
10,500 - Term restricted route permits and term special overlength permits.  
14,000 - Trip restricted route permits and special trip overlength permits.  
\$43,413

Expenditures of \$1000 are projected in FY88 to cover public hearings on new administrative rules.

Net impact to the highway earmarked special revenue fund is an increase of \$42,413 in FY88 and \$43,413 in FY89.

David L. Hunter DATE 1/27/87  
DAVID L. HUNTER, BUDGET DIRECTOR  
Office of Budget and Program Planning

William Farrell DATE 1/29/87  
WILLIAM FARRELL, PRIMARY SPONSOR

Fiscal Note for SB187, as introduced.

**SB 187**

APPROVED BY COMMITTEE  
ON HIGHWAYS & TRANSPORTATION

1 STATEMENT OF INTENT

2 SENATE BILL 187

3 Senate Highways and Transportation Committee

4

5 A statement of intent is required for this act because  
6 section 4 grants to the department of highways authority to  
7 make rules prescribing qualifications of drivers and for the  
8 equipping and operation of special vehicle combinations.

9 The legislature intends that the rules for operation of  
10 special vehicle combinations be consistent with those rules  
11 adopted by states and provinces allowing these vehicle  
12 combinations. Rules are to include provisions for general  
13 operation, equipment, combination description, drivers,  
14 speed, stability, weight, load sequence, operational  
15 procedures, accidents, and insurance.

16 The legislature intends that the department of highways  
17 may restrict the operation of special vehicle combinations  
18 during times or periods when adverse conditions, weather, or  
19 other safety considerations make such operation unsafe or  
20 inadvisable.



## 1 SENATE BILL NO. 187

2 INTRODUCED BY FARRELL, MEYER, THAYER, HIRSCH,  
3 WALLIN, CAMPBELL, GRADY, SIMON, KITSELMAN, KEATING,  
4 GLASER, B. WILLIAMS, NEUMAN, D. BROWN

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11 (B) A COMBINATION OF VEHICLES POWERED BY A CAB-OVER  
 12 (TILT CAB) TYPE TRUCK-TRACTOR OR A TRUCK MAY NOT EXCEED  
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SB-187

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1 issued at a fee of \$200 for a term permit or \$20 for each  
 2 trip permit;

3 (e)(G) travel of the combination may be restricted to  
 4 specific routes, hours of operation, specific days, or  
 5 seasonal periods; and

6 (f)(H) the department may enforce any other  
 7 restrictions determined by the department to be necessary."

8 Section 2. Section 61-10-107, MCA, is amended to read:

9 "61-10-107. Maximum gross weight -- when permit  
 10 required. (1) An axle may not carry a load in excess of  
 11 20,000 pounds, and no two consecutive axles more than 40  
 12 inches or less than 96 inches apart may carry a load in  
 13 excess of 34,000 pounds. For purposes of this section, axles  
 14 40 inches or less apart are considered as a single axle. A  
 15 vehicle or combination may not have more than nine axles.  
 16 The maximum gross weight allowed on a vehicle, group of  
 17 axles, or combination of vehicles shall be determined by the  
 18 formula  $W$  equals  $500(LN/N \text{ minus } 1 \text{ plus } 12N \text{ plus } 36)$  in  
 19 which  $W$  equals gross weight,  $L$  equals wheel base in feet,  
 20 and  $N$  equals number of axles, except that two consecutive  
 21 sets of tandem axles may carry a gross load of 34,000 pounds  
 22 each if the overall distance between the first and last  
 23 axles of such consecutive sets of tandem axles is 36 feet or  
 24 more.

25 (2) Notwithstanding a vehicle's conformance with the

1 requirements of subsection (1), its maximum load per inch of  
 2 tire width, excluding the steering axle, may not exceed 600  
 3 pounds, based on the table in 61-10-105(3).

4 (3) If the gross weight of a vehicle or combination  
 5 exceeds 80,000 pounds, the vehicle or combination must have  
 6 a special permit, which may be issued in the discretion of  
 7 the department of highways based on evaluation of safety,  
 8 highway capacity, and economics of highway maintenance and  
 9 vehicle operation. The fee shall be \$20 per trip permit or  
 10 \$100 per term permit. A term permit may not be issued for a  
 11 period of time greater than the period for which the GVW  
 12 license is valid. Owners of vehicles licensed in other  
 13 jurisdictions may, at the discretion of the department,  
 14 purchase permits to expire with their registration. Permits  
 15 may specify and permits issued under 61-10-124(4) must  
 16 specify highway routing.

17 (4) A special permit issued under subsection (3) for  
 18 the transportation of agricultural products by farm vehicles  
 19 from a harvesting combine or other harvesting machinery to  
 20 the point of first unloading shall be for the full term of  
 21 the harvest season of the agricultural product transported.

22 (5) This section does not apply to highways which are  
 23 a part of the national system of interstate and defense  
 24 highways (as referred to in 23 U.S.C. 127) when application  
 25 of this section would prevent this state from receiving



1 federal funds for highway purposes."

2 NEW SECTION. Section 3. Violation -- penalty. A  
3 person, firm, or corporation convicted of violating any  
4 provision of 61-10-124(4) or any restriction on the special  
5 permits issued by the department under 61-10-124(4) shall be  
6 punished by a fine of not less than \$500 or more than \$1,000  
7 and all special permits issued for the operation of the  
8 combination in violation shall be confiscated. The  
9 combination must be separated into combinations of legal  
10 length before the units may proceed.

11 NEW SECTION. Section 4. Rules regarding overlength  
12 vehicles. The department of highways may adopt rules to  
13 implement 61-10-124(4) and may by rule prescribe standards  
14 for the qualifications of drivers operating special vehicle  
15 combinations under 61-10-124(4) and for the equipping and  
16 operation of such combinations to enhance highway traffic  
17 safety.

18 NEW SECTION. Section 5. Codification instruction.  
19 Sections 3 and 4 are intended to be codified as an integral  
20 part of Title 61, chapter 10, part 1, and the provisions of  
21 Title 61 apply to sections 3 and 4.

22 NEW SECTION. Section 6. Effective date. This act is  
23 effective July 1, 1987.

-End-

1 STATEMENT OF INTENT

2 SENATE BILL 187

3 Senate Highways and Transportation Committee

4  
5 A statement of intent is required for this act because  
6 section 4 grants to the department of highways authority to  
7 make rules prescribing qualifications of drivers and for the  
8 equipping and operation of special vehicle combinations.

9 The legislature intends that the rules for operation of  
10 special vehicle combinations be consistent with those rules  
11 adopted by states and provinces allowing these vehicle  
12 combinations. Rules are to include provisions for general  
13 operation, equipment, combination description, drivers,  
14 speed, stability, weight, load sequence, operational  
15 procedures, accidents, and insurance.

16 The legislature intends that the department of highways  
17 may restrict the operation of special vehicle combinations  
18 during times or periods when adverse conditions, weather, or  
19 other safety considerations make such operation unsafe or  
20 inadvisable.

## SENATE BILL NO. 187

INTRODUCED BY FARRELL, MEYER, THAYER, HIRSCH,  
WALLIN, CAMPBELL, GRADY, SIMON, KITSELMAN, KEATING,  
GLASER, B. WILLIAMS, NEUMAN, D. BROWN

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING SPECIAL VEHICLE COMBINATIONS TO OPERATE BY SPECIAL PERMIT UPON INTERSTATE HIGHWAYS; INCREASING THE SPECIAL PERMIT FEES FOR SPECIAL COMBINATIONS; ESTABLISHING A 55 MILE PER HOUR SPEED LIMIT ON THE OPERATION OF SPECIAL COMBINATION VEHICLES; AUTHORIZING THE DEPARTMENT OF HIGHWAYS TO PRESCRIBE DRIVER QUALIFICATIONS, EQUIPMENT, AND SAFETY STANDARDS SPECIFICALLY FOR SPECIAL VEHICLE COMBINATIONS; AMENDING SECTIONS 61-8-312, 61-10-107 AND 61-10-124, MCA; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

WHEREAS, Montana is surrounded by states and provinces that allow motor carriers to pull special vehicle combinations upon their four-lane highways while Montana prohibits such combinations; and

WHEREAS, shippers will increasingly route their shipments around Montana to the detriment of Montana's transportation industry and of public revenues if special vehicle combinations continue to be excluded here; and

WHEREAS, highway traffic safety will be enhanced by the

allowance and strict regulation of special vehicle combinations.

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

SECTION 1. SECTION 61-8-312, MCA, IS AMENDED TO READ:

"61-8-312. Special speed limitations on trucks, truck tractors, motor-driven cycles, and vehicles towing housetrailers. (1) No person shall operate any truck or truck tractor the gross weight of which exceeds 8,000 pounds at a speed greater than 65 miles per hour on those completed sections of interstate and four-lane divided highways and 60 miles per hour on those completed sections of primary and secondary highways. However, the truck nighttime speed limit shall not exceed that of automobiles as stated in 61-8-303.

(2) No person shall operate any truck-trailer-trailer or truck tractor-semitrailer-trailer-trailer combination of vehicles subject to special permits under 61-10-124(4) at a speed greater than 55 miles per hour.

~~(2)~~(1) No person shall operate any motor-driven cycle at any time mentioned in 61-9-201 at a speed greater than 35 miles per hour unless such motor-driven cycle is equipped with a headlamp or lamps which are adequate to reveal a person or vehicle at a distance of 300 feet ahead.

~~(3)~~(4) No person shall operate a vehicle which is towing a housetrailer at a speed greater than a maximum of

1 50 miles per hour."

2 Section 2. Section 61-10-124, MCA, is amended to read:

3 "61-10-124. Special permits -- fee. (1) Except as  
4 provided in subsection subsections (2)(b) and (4), in  
5 addition to the regular registration and gross vehicle  
6 weight fees, a fee of \$10 for each trip permit and a fee of  
7 \$75 for each term permit issued for size and weight in  
8 excess of that specified in 61-10-101 through 61-10-110  
9 shall be paid for all movements under special permits on the  
10 public highways under the jurisdiction of the department.

11 (2) (a) Except as provided in subsection subsections  
12 (2)(b) and (4), term or blanket permits may not be issued  
13 for an overwidth vehicle, combination of vehicles, load, or  
14 other thing in excess of 15 feet; an overlength vehicle,  
15 combination of vehicles, load, object, or other thing in  
16 excess of 95 feet; and an overheight vehicle, combination of  
17 vehicles, load, or other thing in excess of 13 1/2 feet, or  
18 of a limit determined by the department. A vehicle,  
19 combination of vehicles, load, or other thing in excess of  
20 these dimensions is limited to trip permits. Special  
21 permits for vehicle combinations of more than two trailers  
22 or more than two units designed for or used to carry a load  
23 are not permitted under this section except as provided in  
24 subsection (4). Special permits for vehicle combinations may  
25 specify and special permits under subsection (4) must

1 specify highway routing and otherwise limit or prescribe  
2 conditions of operation of the vehicle or combination,  
3 including but not limited to required equipment, speed,  
4 stability, operational procedures, and insurance.

5 (b) A term permit may be issued to a dealer in  
6 implements of husbandry and self-propelled machinery for an  
7 overwidth or overlength vehicle referred to in subsection  
8 (2)(a). The fee for this permit is \$75. This permit covers a  
9 period of 1 year and expires on December 31 of each year  
10 with no grace period.

11 (c) With payment of the appropriate gross weight fee  
12 required by 61-10-203 and with payment of the fee prescribed  
13 in subsection (1), allowable gross weight of a five-axle  
14 combination logging vehicle is 80,000 pounds.

15 (3) Except as provided in subsection (2)(b), a permit  
16 may not be issued for a period of time greater than the  
17 period for which the GVW license is valid as provided in  
18 this title, including grace periods allowed by this title.  
19 Owners of vehicles licensed in other jurisdictions may, at  
20 the discretion of the department, purchase permits to expire  
21 with their registration. A license required by the state  
22 governs the issuance of a special permit.

23 (4) The department may issue special permits to the  
24 operating company for a truck-trailer-trailer or truck  
25 tractor-semitrailer-trailer-trailer combination of vehicles

1 under the following conditions:

2 (a) the combination may be operated only on highways  
 3 that are part of the federal-aid interstate system as  
 4 defined in 60-1-103 and within a 2-mile radius of an  
 5 interchange on the interstate system on other highways only  
 6 in order to obtain necessary services or to load or unload  
 7 at a terminal. When a terminal is beyond a 2-mile radius,  
 8 the department may authorize travel between the terminal and  
 9 the interchange.

10 (B) A COMBINATION OF VEHICLES POWERED BY A CAB-OVER  
 11 (TILT CAB) TYPE TRUCK-TRACTOR OR A TRUCK MAY NOT EXCEED  
 12 OVERALL LENGTH OF 105 FEET, INCLUSIVE OF FRONT AND REAR  
 13 BUMPERS AND OVERHANG;

14 (C) A COMBINATION OF VEHICLES POWERED BY A  
 15 CONVENTIONAL TRUCK-TRACTOR MAY NOT EXCEED OVERALL LENGTH OF  
 16 110 FEET, INCLUSIVE OF FRONT AND REAR BUMPERS AND OVERHANG;

17 (b)(D) no individual cargo unit of the combination may  
 18 exceed 28 1/2 feet in length and 102 inches in width;

19 (e)(E) gross weight fees under 61-10-203 must be paid  
 20 on the truck or truck tractor for the declared registered  
 21 gross weight of the special vehicle combination, but not to  
 22 exceed the formula in 61-10-107;

23 (d)(F) the combination must have a restricted route  
 24 permit under 61-10-107(3) and a special overlength permit  
 25 issued at a fee of \$200 for a term permit or \$20 for each

1 trip permit;

2 (e)(G) travel of the combination may be restricted to  
 3 specific routes, hours of operation, specific days, or  
 4 seasonal periods; and

5 (f)(H) the department may enforce any other  
 6 restrictions determined by the department to be necessary."

7 Section 3. Section 61-10-107, MCA, is amended to read:

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 9 required. (1) An axle may not carry a load in excess of  
 10 20,000 pounds, and no two consecutive axles more than 40  
 11 inches or less than 96 inches apart may carry a load in  
 12 excess of 34,000 pounds. For purposes of this section, axles  
 13 40 inches or less apart are considered as a single axle. A  
 14 vehicle or combination may not have more than nine axles.  
 15 The maximum gross weight allowed on a vehicle, group of  
 16 axles, or combination of vehicles shall be determined by the  
 17 formula  $W = 500 (LN/N - 1 + 12N + 36)$  in  
 18 which W equals gross weight, L equals wheel base in feet,  
 19 and N equals number of axles, except that two consecutive  
 20 sets of tandem axles may carry a gross load of 34,000 pounds  
 21 each if the overall distance between the first and last  
 22 axles of such consecutive sets of tandem axles is 36 feet or  
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24 (2) Notwithstanding a vehicle's conformance with the  
 25 requirements of subsection (1), its maximum load per inch of

1 tire width, excluding the steering axle, may not exceed 600  
2 pounds, based on the table in 61-10-105(3).

3 (3) If the gross weight of a vehicle or combination  
4 exceeds 80,000 pounds, the vehicle or combination must have  
5 a special permit, which may be issued in the discretion of  
6 the department of highways based on evaluation of safety,  
7 highway capacity, and economics of highway maintenance and  
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11 license is valid. Owners of vehicles licensed in other  
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18 from a harvesting combine or other harvesting machinery to  
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20 the harvest season of the agricultural product transported.

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22 a part of the national system of interstate and defense  
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24 of this section would prevent this state from receiving  
25 federal funds for highway purposes."

1 NEW SECTION. Section 4. Violation -- penalty. A  
2 person, firm, or corporation convicted of violating any  
3 provision of 61-10-124(4) or any restriction on the special  
4 permits issued by the department under 61-10-124(4) shall be  
5 punished by a fine of not less than \$500 or more than \$1,000  
6 and all special permits issued for the operation of the  
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13 for the qualifications of drivers operating special vehicle  
14 combinations under 61-10-124(4) and for the equipping and  
15 operation of such combinations to enhance highway traffic  
16 safety.

17 NEW SECTION. Section 6. Codification instruction.  
18 Sections ~~3--and 4~~ AND 5 are intended to be codified as an  
19 integral part of Title 61, chapter 10, part 1, and the  
20 provisions of Title 61 apply to sections ~~3--and 4~~ AND 5.

21 NEW SECTION. Section 7. Effective date. This act is  
22 effective July 1, 1987.

23 NEW SECTION. SECTION 8. TERMINATION DATE. THIS ACT  
24 SHALL TERMINATE ON JULY 1, 1989.

-End-

COMMITTEE OF THE WHOLE AMENDMENT

3-28-87  
DATE  
9:20  
TIME

MR. CHAIRMAN: I MOVE TO AMEND SB 187

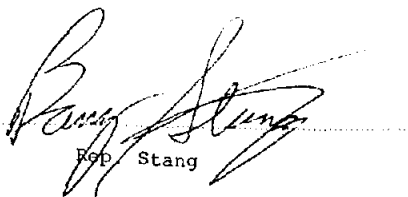
3rd reading copy (blue) as follows:  
Color

- 1. Title, line 9.  
Following: ";"  
Insert: "ESTABLISHING A 55 MILE PER HOUR SPEED LIMIT ON THE OPERATION OF SPECIAL COMBINATION VEHICLES;"
- 2. Title, line 12.  
Following: "SECTIONS"  
Insert: "61-8-312,"
- 3. Page 2.  
Following: line 2  
Insert: "Section 1. Section 61-8-312, MCA, is amended to read:  
"61-8-312. Special speed limitations on trucks, truck tractors, motor-driven cycles, and vehicles towing housetrailers. (1) No person shall operate any truck or truck tractor the gross weight of which exceeds 8,000 pounds at a speed greater than 65 miles per hour on those completed sections of interstate and four-lane divided highways and 60 miles per hour on those completed sections of primary and secondary highways. However, the truck nighttime speed limit shall not exceed that of automobiles as stated in 61-8-303.  
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~~(2)~~(3) No person shall operate any motor-driven cycle at any time mentioned in 61-9-201 at a speed greater than 35 miles per hour unless such motor-driven cycle is equipped with a headlamp or lamps which are adequate to reveal a person or vehicle at a distance of 300 feet ahead.  
~~(3)~~(4) No person shall operate a vehicle which is towing a house trailer at a speed greater than a maximum of 50 miles per hour."

Renumber:subsequent sections

- 4. Page 7, line 19.  
Strike: "3 and"  
Following: "4"  
Insert: "and 5"
- 5. Page 7, line 21.  
Strike: "3 and"  
Following: "4"  
Insert: "and 5"

ADOPT  
REJECT

  
Rep. Stang

COMMITTEE OF THE WHOLE AMENDMENT

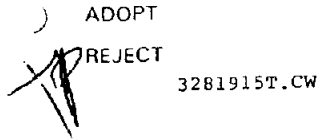
3-28-87  
DATE  
19:15  
TIME

MR. CHAIRMAN: I MOVE TO AMEND SB 187

3rd reading copy (blue) as follows:  
Color

- 1) Title, line 13.  
Following: "DATE"  
Insert: "AND A TERMINATION DATE"
- 2) Page 7, following line 23.  
Insert: "Section 7. Termination date. This act shall terminate on July 1, 1989."

ADOPT  
REJECT

  
3281915T.CW

  
Spaeth

# STANDING COMMITTEE REPORT

## HOUSE

March 26 19 87

Mr. Speaker: We, the committee on HIGHWAYS & TRANSPORTATION

report SENATE BILL 187

do pass  
 do not pass

be concurred in  
 be not concurred in

as amended  
 statement of intent attached

  
REP. JOHN HARP

Chairman


### STATEMENT OF INTENT

A statement of intent is required for this act because section 4 grants to the department of highways authority to make rules prescribing qualifications of drivers and for the equipping and operation of special vehicle combinations.

The legislature intends that the rules for operation of special vehicle combinations be consistent with those rules adopted by states and provinces allowing these vehicle combinations. Rules are to include provisions for general operations, equipment, combination description, drivers, speed, stability, weight, load sequence, operational procedures, accidents, and insurance.

The legislature intends that the department of highways may restrict the operation of special vehicle combinations during times or periods when adverse conditions, weather, or other safety considerations make such operation unsafe or inadvisable.

Rep. Swysgood will carry on House floor.

  
Third

reading copy ( Blue )  
color