

SENATE BILL NO. 62

INTRODUCED BY FARRELL, J. BROWN

BY REQUEST OF THE DEPARTMENT OF HIGHWAYS

IN THE SENATE

JANUARY 4, 1989

INTRODUCED AND REFERRED TO COMMITTEE
ON HIGHWAYS & TRANSPORTATION.

FIRST READING.

JANUARY 18, 1989

COMMITTEE RECOMMEND BILL
DO PASS. REPORT ADOPTED.

STATEMENT OF INTENT ADOPTED.

JANUARY 19, 1989

PRINTING REPORT.

JANUARY 20, 1989

SECOND READING, DO PASS.

JANUARY 21, 1989

ENGROSSING REPORT.

JANUARY 23, 1989

THIRD READING, PASSED.
AYES, 50; NOES, 0.

TRANSMITTED TO HOUSE.

IN THE HOUSE

JANUARY 24, 1989

INTRODUCED AND REFERRED TO COMMITTEE
ON HIGHWAYS & TRANSPORTATION.

FEBRUARY 20, 1989

FIRST READING.

MARCH 15, 1989

COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

MARCH 17, 1989

SECOND READING, CONCURRED IN.

MARCH 18, 1989

THIRD READING, CONCURRED IN.
AYES, 83; NOES, 8.

RETURNED TO SENATE.

MARCH 20, 1989

IN THE SENATE

RECEIVED FROM HOUSE.

SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

5 A BILL FOR AN ACT ENTITLED: "AN ACT TO AUTHORIZE THE
6 DEPARTMENT OF HIGHWAYS TO ADOPT RULES IMPLEMENTING VEHICLE
7 SIZE AND WEIGHT, LICENSING REQUIREMENTS, AND SPECIAL
8 PERMITS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

11 **Section 1. Rulemaking authority.** The department of
12 highways may adopt and enforce rules to implement this
13 chapter.

18 **Section 3. Effective date.** [This act] is effective on
19 passage and approval.

INTRODUCED BILL
SB62

APPROVED BY COMMITTEE
ON HIGHWAYS & TRANSPORTATION

1 STATEMENT OF INTENT

2 SENATE BILL 62

3 Senate Highways and Transportation Committee

4

5 A statement of intent is required for this bill because
6 it grants rulemaking authority to the department of highways
7 to implement, interpret, and carry out MCA provisions
8 relating to vehicle size and weight, licensing requirements,
9 and special permits.

10 The legislature intends that the department have
11 discretion to adopt rules or to amend existing rules in a
12 manner that will promote the enforcement of provisions
13 regulating vehicles pursuant to Title 61, chapter 10. It is
14 intended that the department, with its expertise and
15 experience in the administration and enforcement of gross
16 vehicle weight laws, supplement the statutory provisions
17 with enforceable rules necessary to further the
18 administration and regulation of vehicles under chapter 10.

19 It is contemplated that the rules supplement and
20 interpret the provisions of chapter 10 by, among other
21 things, providing:

22 (1) guidance and direction for the administration and
23 collection of gross vehicle weight fees;

24 (2) implementation and regulation of the permit
25 systems authorized by statute; and

1 (3) regulation of the movement of vehicles with
2 oversize or overweight loads for the purposes of ensuring
3 highway safety and protecting the state highway system.

4 The legislature intends this rulemaking authority to
5 apply to the existing provisions of chapter 10 as well as to
6 any legislation passed in this session amending chapter 10.

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9

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

11 NEW SECTION. **Section 1.** Rulemaking authority. The
12 department of highways may adopt and enforce rules to
13 implement this chapter.

14 NEW SECTION. **Section 2.** Codification instruction.
15 [Section 1] is intended to be codified as an integral part
16 of Title 61, chapter 10, and the provisions of Title 61,
17 chapter 10, apply to [section 1].

18 NEW SECTION. **Section 3.** Effective date. [This act] is
19 effective on passage and approval.

-End-

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STATEMENT OF INTENT

A statement of intent is required for this bill because it grants rulemaking authority to the department of highways to implement, interpret, and carry out MCA provisions relating to vehicle size and weight, licensing requirements, and special permits.

The legislature intends that the department have discretion to adopt rules or to amend existing rules in a manner that will promote the enforcement of provisions regulating vehicles pursuant to Title 61, chapter 10. It is intended that the department, with its expertise and experience in the administration and enforcement of gross vehicle weight laws, supplement the statutory provisions with enforceable rules necessary to further the administration and regulation of vehicles under chapter 10.

It is contemplated that the rules supplement and

interpret the provisions of chapter 10 by, among other things, providing:

(1) guidance and direction for the administration and collection of gross vehicle weight fees;

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(3) regulation of the movement of vehicles with oversize or overweight loads for the purposes of ensuring highway safety and protecting the state highway system.

The legislature intends this rulemaking authority to apply to the existing provisions of chapter 10 as well as to any legislation passed in this session amending chapter 10.

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