

SENATE BILL NO. 315

Harzgrove

INTRODUCED BY *Walt Crisman* *John HARP* *Arnold* *Debra* *Swanson* *Walt* *McKee* *Conroy* *Benedict* *Koz*

A BILL FOR AN ACT ENTITLED: "AN ACT EXEMPTING THE TRANSPORTATION OF REGISTERED GUESTS OF A RESORT, HOTEL, MOTEL, OR OTHER LODGING FACILITY FROM MOTOR CARRIER REGULATION; AND AMENDING SECTION 69-12-102, MCA."

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

Section 1. Section 69-12-102, MCA, is amended to read:

"69-12-102. Scope of chapter -- exemptions. (1) This chapter does not affect:

(a) motor vehicles used in carrying property ~~consisting that consists~~ of agricultural commodities, (not including manufactured products of agricultural commodities), if the motor vehicles are not used in carrying other property or passengers for compensation;

(b) the operation of school buses ~~which that~~ are used in conveying pupils or other students enrolled in classes to and from district or other schools or in transportation movements related to school activities ~~which that~~ are sponsored or supervised by school authorities;

(c) the transportation by means of motor vehicles in the regular course of business of employees, supplies, and materials by a person or corporation engaged exclusively in the construction or maintenance of highways or engaged exclusively in logging or mining operations, insofar as the use of employees, supplies, and materials in construction and production is concerned;

(d) the transportation of property by motor vehicle in a city, town, or village with a population of less than 500 persons according to the latest United States census or in the commercial areas ~~thereof of~~ a city, town, or village, as determined by the commission;

(e) the transportation of newspapers, newspaper supplements, periodicals, or magazines;

(f) tow trucks and wreckers designed and exclusively used in towing abandoned, wrecked, or disabled vehicles or while these tow trucks and wreckers are rendering assistance to abandoned, wrecked, or disabled vehicles;

(g) motor vehicles used exclusively in carrying junk vehicles from a collection point to a motor vehicle wrecking facility or a motor vehicle graveyard;

- 1 (h) ambulances;
- 2 (i) the transportation of pit run or processed sand and gravel, concrete mix, aggregate, plant mix
3 asphalt pavement, aggregate mix, dirt, rock, material from demolished buildings and structures, used paving
4 materials, used concrete, broken concrete, riprap, and other forms and types of materials transported solely
5 for the purpose of excavation or fill;
- 6 (j) the transportation by motor vehicle of not more than 15 passengers between their places of
7 residence or termini near their residences and their places of employment in a single daily round trip if the
8 driver is also going to or from the driver's place of employment;
- 9 (k) the transportation of property by motor carrier as part of a continuous movement if that
10 property, prior or subsequent to part of a continuous movement, has been or will be transported by an air
11 carrier;
- 12 (l) the operation of:
- 13 (i) a transportation system by a municipality or transportation district as provided in Title 7, chapter
14 14, part 2; or
- 15 (ii) municipal bus service pursuant to Title 7, chapter 14, part 44;
- 16 (m) armored motor vehicles used exclusively for the transportation of coins, currency, silver bullion,
17 gold bullion, and other precious metals, precious stones, valuable paintings, and other items of unusual
18 value requiring special handling and security;
- 19 (n) the transportation of a commodity under an agreement between a motor carrier and an office
20 or agency of the United States government; ~~or~~
- 21 (o) the transportation of ~~handicapped~~ a person with a disability or an elderly persons person
22 provided by private, nonprofit organizations. As used in this subsection:
- 23 (i) ~~"handicapped"~~ "disability" means ~~an individual who has~~ a physical or mental impairment that
24 substantially limits one or more major life activities;
- 25 (ii) "elderly" means a person 60 years of age or older; and
- 26 (iii) "private, nonprofit organization" means an organization recognized as nonprofit under section
27 501(c) of the Internal Revenue Code.
- 28 (p) courtesy transportation provided to registered guests by a resort, hotel, motel, or other lodging
29 facility.
- 30 (2) This chapter does not prevent bona fide leases, brokerage agreements, or buy-and-sell

1 agreements."

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