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2 INTRODUCED BY Elij House BILL NO. 418
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4 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE SLOW-MOVING VEHICLE LAWS;
5 APPLYING THE SLOW-MOVING VEHICLE LAWS ON ALL HIGHWAYS; REQUIRING THE DEPARTMENT OF
6 TRANSPORTATION TO POST NOTICES REGARDING THE REGULATION OF SLOW-MOVING VEHICLES;
7 REQUIRING THE DEPARTMENT OF TRANSPORTATION TO CONSTRUCT TURNOUTS FOR SLOW-MOVING
8 VEHICLES; REQUIRING THE DEPARTMENT OF TRANSPORTATION OR A LOCAL AUTHORITY TO SET A
9 MINIMUM SPEED LIMIT UNDER CERTAIN CONDITIONS; AND AMENDING SECTION 61-8-311, MCA."

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11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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13 **Section 1.** Section 61-8-311, MCA, is amended to read:

14 **"61-8-311. Minimum speed regulations.** (1) A person may not drive a motor vehicle at a speed
15 slow enough to impede or block the normal and reasonable movement of traffic except when reduced speed
16 is necessary for safe operation or in compliance with law.

17 (2) On a ~~two-lane~~ highway where passing is unsafe because of traffic in the opposite direction or
18 other conditions, a slow-moving vehicle, including a passenger vehicle, behind which four or more vehicles
19 are formed in line ~~shall~~ must turn off the roadway at the nearest place designated as a turnout by signs
20 erected by the authority having jurisdiction over the highway or wherever sufficient area for a safe turnout
21 exists in order to permit the vehicles following it to proceed. If the shoulder of the highway to the right of
22 the overtaken vehicle is wide enough and is in a condition allowing safe travel, the driver of the overtaken
23 vehicle may drive onto the shoulder and proceed at a safe speed until passed. As used in this section, a
24 slow-moving vehicle is one ~~which~~ that is proceeding at a rate of speed less than the normal flow of traffic
25 at the particular time and place. The department of transportation ~~is authorized to designate and shall~~
26 construct ~~such~~ turnouts and ~~to~~ erect signs at appropriate places advising motorists of this statute.

27 (3) If the department of transportation or local authorities within their respective jurisdictions
28 determine on the basis of an engineering and traffic investigation that slow speeds on any part of a highway
29 consistently impede the normal and reasonable movement of traffic, the commission or the local authority
30 ~~may~~ shall set a minimum speed limit below which a person may not drive a vehicle except when necessary

1 for safe operation or in compliance with law."

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-END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for HB0418, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

A bill generally revising the slow-moving vehicle laws.

ASSUMPTIONS:

1. It is assumed no signage or turnouts will be required on the interstate system or any other four lane facility, because at least one lane is available to pass.
2. Appropriate turnouts and signage would be provided on the 700 miles of two-lane primary highways. Turnouts would be spaced about every five miles on both sides of the road. This would require 280 turnouts (700 miles/every 5 miles x 2).
3. If the Montana Department of Transportation (MDT) includes turnouts on scheduled projects it would take about 20 years to accomplish the task. It is assumed that some urgency is expressed in the bill, and thus the fiscal note is written based upon a 5-year completion schedule.
4. It is assumed that if turnouts are constructed in conjunction with scheduled projects the cost of each turnout will be about \$15,000. And, 15% of the 280 turnouts, or 42, can be constructed at the \$15,000 amount. Thus \$630,000 (42 x \$15,000) would be expended on 15% of the specified turnouts, or \$126,000 per year (\$630,000/5).
5. The remaining 238 (280 - 42) turnouts would be contracted on an individual basis. The per turnout cost is estimated to be \$35,000. The more than doubling in cost is caused by economy of scale. The per year cost for the 238 turnouts is \$1,666,000 (238 x \$35,000 / 5 years).
6. The above costs include both the manufacture and installation of signs announcing the approaching turnouts.
7. Signs will also be needed to notify the motoring public that it is unlawful to drive below the minimum speed limit. It is estimated that 540 signs will be needed on both primary and secondary roads. Each sign is estimated to cost \$435 to manufacture and install, or \$235,000. These signs will all be installed in FY98.
8. Beginning in FY99, there will be a sign maintenance cost on the 540 installed above. Historically, 17% of signs need repairs each year due to accidents and/or vandalism. Maintenance cost in FY99 is estimated to be \$40,000 (540 x 17% x \$435).

FISCAL IMPACT:

Expenditures:

	<u>FY98</u>	<u>FY99</u>
	<u>Difference</u>	<u>Difference</u>
MDT:		
Operating expenses	\$2,027,000	\$1,832,000

Funding:

State special (02)	405,400	366,400
Federal special (03)	<u>1,621,600</u>	<u>1,465,600</u>
Total	\$2,027,000	\$1,832,000

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

Local governments, if necessary, will have to provide minimum speed limit signage on the roadways in their jurisdiction. An accurate estimate of the cost is not available.

LONG-RANGE EFFECTS OF PROPOSED LEGISLATION:

At the end of FY02 all turnouts will be complete and a reduction of annual expenses in the MDT budget of \$1,799,000 will be noted.

Dave Lewis 2-7-97
 DAVE LEWIS, BUDGET DIRECTOR DATE
 Office of Budget and Program Planning

 JON ELLINGSON, PRIMARY SPONSOR DATE

Fiscal Note for HB0418, as introduced

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