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SENATE BILL NO. 29  
INTRODUCED BY SWYSGOOD  
BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE MOTOR CARRIER LAWS; ELIMINATING THE SPECIAL PERMIT FOR A VEHICLE EXCEEDING A GROSS WEIGHT OF 80,000 POUNDS; ELIMINATING THE SPECIAL PERMIT FOR A CRANE; INCREASING THE WEIGHT FEES FOR VEHICLES WEIGHING IN EXCESS OF 80,000 POUNDS; INCREASING THE ALTERNATIVE GROSS WEIGHT FEES FOR CERTAIN VEHICLES WEIGHING IN EXCESS OF 78,001 POUNDS; INCREASING THE FEES ON CERTAIN VEHICLES LICENSED IN OTHER STATES; ELIMINATING THE TEMPORARY CASH COMPLIANCE BOND FOR SPECIAL FUEL USERS; AMENDING SECTIONS 61-8-312, 61-10-104, 61-10-107, 61-10-109, 61-10-124, 61-10-128, 61-10-144, 61-10-145, 61-10-146, 61-10-201, 61-10-203, AND 61-10-211, MCA; REPEALING SECTION 15-70-308, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

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) A person may not operate a truck or truck tractor, the gross weight of which exceeds 8,000 pounds, at a speed greater than 65 miles per an hour on those completed sections of interstate and four-lane divided highways and 60 miles per an hour on those completed sections of primary and secondary highways. However, the truck nighttime speed limit may not exceed that of automobiles, as stated in 61-8-303.

(2) A person may not operate a vehicle subject to a term permit under 61-10-124~~(3)(c)~~(2)(d) or a truck-trailer-trailer or truck tractor-semitrailer-trailer-trailer combination of vehicles subject to special permits under 61-10-124~~(6)~~(4) at a speed greater than 55 miles per an hour.

(3) A person may not operate a motor-driven cycle at any time mentioned in 61-9-201 at a speed greater than 35 miles per an hour unless the motor-driven cycle is equipped with a headlamp or lamps that are adequate to reveal a person or vehicle at a distance of 300 feet ahead.

(4) A person may not operate a vehicle that is towing a housetrailer at a speed greater than a



1 maximum of 50 miles ~~per an~~ hour."

2

3 **Section-2.** Section 61-10-104, MCA, is amended to read:

4 **"61-10-104. Length -- definitions.** (1) A single truck, bus, or any self-propelled vehicle, unladen  
5 or with load, may not have an overall length, inclusive of front and rear bumpers, in excess of 55 feet.

6 (2) (a) When used in a truck tractor-semitrailer combination, the semitrailer may not exceed 53  
7 feet in length, excluding those portions not designed to carry a load, except as provided by 61-10-124.  
8 When used in a truck tractor-semitrailer-trailer or a truck tractor-semitrailer-semitrailer combination, the  
9 semitrailer and trailer or the two semitrailers may not exceed 28 1/2 feet each in length, excluding those  
10 portions not designed to carry a load, except as provided by 61-10-124. Truck tractor-semitrailer, truck  
11 tractor-semitrailer-trailer, and truck tractor-semitrailer-semitrailer combinations are not subject to a  
12 combination length limit.

13 (b) A stinger-steered automobile or boat transporter may not exceed 75 feet in length plus a  
14 maximum 3 feet of front overhang and 4 feet of rear overhang, except as provided by 61-10-124.  
15 "Stinger-steered automobile or boat transporter" means a truck tractor-semitrailer combination that has a  
16 fifth wheel on a drop frame located behind and below the rear axle of the truck tractor and that is designed  
17 and used for the transportation of vehicles or assembled boats or boat hulls.

18 (c) All other combinations of vehicles may not have a combination length in excess of 75 feet,  
19 except as provided by 61-10-124. If the combination consists of more than two units, the rear units of the  
20 combination must be equipped with breakaway brakes.

21 (3) A motor vehicle may not tow more than one motor vehicle, and a motor vehicle may not draw  
22 more than three motor vehicles attached to it by the triple saddle-mount method (that is, by mounting the  
23 front wheels of one vehicle on the bed of another, leaving only the rear wheels of the vehicle in contact  
24 with the roadway), nor may this combination have a combination length in excess of 75 feet.

25 (4) A passenger vehicle or truck of less than 2,000 pounds "manufacturers' rated capacity" may  
26 not tow more than one trailer or semitrailer, nor may this combination have a length in excess of 65 feet.

27 (5) (a) The length of a vehicle combination consisting of a truck or truck-tractor and one pole  
28 trailer or semitrailer hauling raw logs may not exceed 75 feet in overall length. As used in this subsection  
29 (5)(a), the term "length" means the total length of the vehicle combination beginning at the front of the  
30 front bumper of the truck or truck-tractor and extending to the most distant end of the logs being hauled.

1 A term permit for an overlength vehicle combination, as provided in 61-10-124~~(3)~~(2), does not apply to the  
2 vehicle combination described in this subsection (5)(a). A vehicle combination exceeding 75 feet must have  
3 a trip permit.

4 (b) The maximum overhang of any log may not exceed 15 feet, except by a special, single-trip  
5 permit. Overhang is measured from the center of the rear-most axle to the most distant end of the logs  
6 being hauled.

7 (c) The provisions in subsections (5)(a) and (5)(b) do not apply to a vehicle combination hauling  
8 utility poles.

9 (6) As used in this chapter, the following definitions apply:

10 (a) "Combination length" means the total length of a combination of vehicles, such as a truck  
11 tractor-semitrailer-trailer combination, measured from the front bumper of the motor vehicle to the back  
12 bumper or rear extremity of the last trailer, including the connection tongues.

13 (b) "Combined trailer length" means the total length of a combination of trailers measured from the  
14 front of the first trailer to the back of the last trailer, including the connection tongues and loads.

15 (c) "Length", except as provided in subsection (5)(a), means the total longitudinal dimension of a  
16 single vehicle, a trailer, or a semitrailer. The length of a trailer or semitrailer is measured from the front of  
17 the cargo-carrying unit to its rear, exclusive of safety or energy efficiency devices, air-conditioning units,  
18 air compressors, flexible fender extensions, splash and spray suppressant devices, bolsters, mechanical  
19 fastening devices, and hydraulic lift gates.

20 (d) "Rocky Mountain double" means a combination of vehicles that includes a truck tractor pulling  
21 a long semitrailer and a shorter trailer."  
22

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

24 **"61-10-107. Maximum gross weight —~~when permit required.~~** (1) An axle may not carry a load  
25 in excess of 20,000 pounds, and no two consecutive axles more than 40 inches or less than 96 inches  
26 apart may carry a load in excess of 34,000 pounds. An axle load is the total load transmitted to the road  
27 by all wheels whose centers are included between two parallel transverse vertical planes 40 inches apart,  
28 extending across the full width of the vehicle. For purposes of this section, axles 40 inches or less apart  
29 are considered to be a single axle. A vehicle or combination may not have more than nine axles. The  
30 maximum gross weight allowed on a vehicle, group of axles, or combination of vehicles must be determined

1 by the formula:

$$2 \quad W = 500((LN/(N - 1)) + 12N + 36)$$

3 in which W equals gross weight, L equals wheel base in feet, and N equals number of axles, except that  
4 two consecutive sets of tandem axles may carry a gross load of 34,000 pounds each if the overall distance  
5 between the first and last axles of the consecutive sets of tandem axles is 36 feet or more.

6 (2) (a) Notwithstanding a vehicle's conformance with the requirements of subsection (1), except  
7 for the steering axle, all axles weighing over 11,000 pounds must have at least four tires or have wide-base  
8 tires. The maximum load on an axle, other than a steering axle, equipped with wide-base tires is limited to  
9 500 pounds ~~per~~ for each inch of tire width.

10 (b) The provisions of subsection (2)(a) do not apply to passenger buses.

11 (c) For the purposes of this section, wide-base tires are tires that are 14 or more inches in nominal  
12 width. The maximum tire weight limit is computed for wide-base tires based on the number of inches  
13 shown on the tire marking, or if the tire marking is shown by metric size, the tire weight limit is computed  
14 by conversion of the metric size.

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

22 ~~(4) A special permit issued under subsection (3) for the transportation of agricultural products by~~  
23 ~~farm vehicles from a harvesting combine or other harvesting machinery to the point of first unloading is for~~  
24 ~~the full term of the harvest season of the agricultural product transported.~~

25 ~~(5)~~(3) This section does not apply to highways that are a part of the national system of interstate  
26 and defense highways (as referred to in 23 U.S.C. 127) when application of this section would prevent this  
27 state from receiving federal funds for highway purposes."

28

29 **Section 4.** Section 61-10-109, MCA, is amended to read:

30 **"61-10-109. Operation without special permits prohibited.** The operation of vehicles or

1 combinations of vehicles having dimensions or weights in excess of the maximum limits specified in  
 2 61-10-101 through 61-10-104 and 61-10-106 through 61-10-108 is permitted only if authorized by special  
 3 permit issued under 61-10-121 through 61-10-125 by the department of transportation or its agents or the  
 4 highway patrol."

5  
 6 **Section 5.** Section 61-10-124, MCA, is amended to read:

7 **"61-10-124. Special permits -- fees — cranes.** ~~(1) As used in this section, "crane" means a~~  
 8 ~~self-propelled, single-unit vehicle consisting of not more than four axles and used for raising, shifting, and~~  
 9 ~~lowering heavy weights by means of a projecting swinging arm.~~

10 ~~(2)(1)~~ Except as provided in subsections ~~(3)(b) (2)(b), (3)(d) (2)(d), and (6) (4)~~, in addition to the  
 11 regular registration and gross vehicle weight fees, a fee of \$10 for each trip permit and a fee of \$75 for  
 12 each term permit issued for size ~~and weight~~ in excess of that specified in 61-10-101 through 61-10-104  
 13 ~~and 61-10-106 through 61-10-110~~ must be paid for all movements under special permits on the public  
 14 highways under the jurisdiction of the department of transportation.

15 ~~(3)(2)~~ (a) Except as provided in subsections ~~(3)(b) (2)(b), (3)(d) (2)(d), (6) (4), and (7) (5)~~, term or  
 16 blanket permits may not be issued for an overwidth vehicle, combination of vehicles, load, or other thing  
 17 in excess of 15 feet; an overlength vehicle, combination of vehicles, load, object, or other thing in excess  
 18 of 95 feet; or an overheight vehicle, combination of vehicles, load, or other thing in excess of 14 feet, or  
 19 of a limit determined by the department. A vehicle, combination of vehicles, load, or other thing in excess  
 20 of these dimensions is limited to trip permits. A Rocky Mountain double may not exceed 81 feet in  
 21 combined trailer length, and the long semitrailer cargo unit of the combination may not exceed 48 feet in  
 22 length. A Rocky Mountain double is not subject to a combination length limit. Special permits for vehicle  
 23 combinations of more than two trailers or more than two units designed for or used to carry a load are not  
 24 permitted except as provided in subsections ~~(6) (4) and (7) (5)~~. Special permits for vehicle combinations  
 25 may specify and special permits under subsections ~~(6) (4) and (7) (5)~~ must specify highway routing and  
 26 otherwise limit or prescribe conditions of operation of the vehicle or combination, including but not limited  
 27 to required equipment, speed, stability, operational procedures, and insurance.

28 (b) A term permit may be issued to a dealer in implements of husbandry and self-propelled  
 29 machinery for an overwidth or overlength vehicle referred to in subsection ~~(3)(a) (2)(a)~~. The fee for this  
 30 permit is \$75. This permit expires on December 31 of each year, with no grace period.

1 (c) With payment of the appropriate gross weight fees required by 61-10-201 and with payment  
2 of the fee prescribed in subsection ~~(2)~~ (1), allowable gross weight of a five-axle combination logging vehicle  
3 is 80,000 pounds.

4 (d) A term permit may be issued for any combination of vehicles that exceeds 95 feet in length but  
5 does not exceed 100 feet in combination length, except a truck-trailer-trailer or a truck  
6 tractor-semitrailer-trailer-trailer combination, for travel only on highways that are part of the federal-aid  
7 interstate system, as defined in 60-1-103, or on other highways within a 2-mile radius of an interchange  
8 on the interstate system in order to obtain necessary services or to load or unload at a terminal. When a  
9 terminal is beyond a 2-mile radius, the department may authorize travel between the terminal and the  
10 interchange. The fee for this permit is \$125.

11 (e) A term permit may be issued for a truck tractor-semitrailer combination when the semitrailer  
12 exceeds 53 feet in length but does not exceed 57 feet in length.

13 ~~(4)~~(3) Except as provided in subsection ~~(3)(b)~~ (2)(b), a permit may not be issued for a period of time  
14 greater than the period for which the GVW license is valid as provided in this title, including grace periods  
15 allowed by this title. Owners of vehicles licensed in other jurisdictions may, at the discretion of the  
16 department of transportation, purchase permits to expire with their registration. A license required by the  
17 state governs the issuance of a special permit.

18 ~~(5) The owner or operator of a crane with a gross vehicle weight of less than 80,000 pounds may~~  
19 ~~purchase a 30-day special permit for excess weight if the crane has a current special mobile equipment~~  
20 ~~identification plate and if the department of transportation has approved the configuration of the crane~~  
21 ~~through a weight analysis completed within the same calendar year. The permit is not transferable, and the~~  
22 ~~fee for the permit is \$200.~~

23 ~~(6)~~(4) The department may issue special permits to the operating company for a truck-trailer-trailer  
24 or truck tractor-semitrailer-trailer-trailer combination of vehicles under the following conditions:

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

30 (b) a combination of vehicles powered by a cab-over (tilt cab) type truck-tractor or a truck may not

1 exceed overall length of 105 feet, inclusive of front and rear bumpers and overhang;

2 (c) a combination of vehicles powered by a conventional truck-tractor may not exceed overall  
3 length of 110 feet, inclusive of front and rear bumpers and overhang;

4 (d) an individual cargo unit of the combination may not exceed 28 1/2 feet in length and 102  
5 inches in width;

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

8 (f) the combination must have ~~a restricted route permit under 61-10-107(3)~~ and a special  
9 overlength permit issued at a fee of \$200 for a term permit or \$20 for each trip permit;

10 (g) travel of the combination may be restricted to specific routes, hours of operation, specific days,  
11 or seasonal periods; and

12 (h) the department may enforce any other restrictions determined by the department to be  
13 necessary. The permit is not transferable, and the fee for the permit is \$200.

14 ~~(7)~~(5) The department of transportation may issue special permits under subsection ~~(6)~~ (4) for  
15 vehicle combinations that consist of a truck-trailer-trailer if:

16 (a) the vehicle combination's overall length, inclusive of front and rear bumpers, is not more than  
17 95 feet; and

18 (b) the person, firm, or corporation applying for the permit:

19 (i) restricts truck-trailer-trailer operations authorized by the permit to the hauling of talc ore,  
20 chlorite, dolomite, limestone, and custom combine equipment;

21 (ii) operated the truck-trailer-trailer combination before July 1, 1987;

22 (iii) restricts the truck-trailer-trailer operations authorized by the permit to the specified routes that  
23 those vehicles used before July 1, 1987; and

24 (iv) provides the department of transportation with an affidavit confirming the routes used before  
25 July 1, 1987, for truck-trailer-trailer operations."

26

27 **Section 6.** Section 61-10-128, MCA, is amended to read:

28 **"61-10-128. When authorities may restrict right to use roadway.** (1) A local authority may not  
29 alter the limitations provided in 61-10-101 through 61-10-104 and 61-10-106 through 61-10-110 or  
30 substitute other limitations or requirements, except as provided in this section.

1           (2) The department of transportation by order, or a local road authority by ordinance or resolution,  
 2 may prohibit the operation of or impose restrictions on the weight and speed of a vehicle traveling on a  
 3 public highway under its respective jurisdiction and for which it is responsible for maintenance whenever  
 4 the highway will be seriously damaged or destroyed by deterioration, rain, snow, or other climatic  
 5 conditions, unless the use of vehicles on the highway is prohibited or the permissible vehicle weights and  
 6 speed are reduced. The department of transportation or the authority that enacts the ordinance or resolution  
 7 shall erect signs designating the department's order or the authority's ordinance or resolution at each end  
 8 of that portion of the highway affected, and the order, ordinance, or resolution is not effective until the  
 9 signs are erected. The department of transportation or the authority by ordinance or resolution may prohibit  
 10 the operation of trucks or other commercial vehicles or impose limitations on their weight on designated  
 11 highways, subject to the provisions of subsection (3). These prohibitions and limitations must be designated  
 12 by appropriate signs placed on the highways.

13           (3) Neither the department of transportation nor a local authority may prohibit the operation of or  
 14 impose a restriction on the weight of a vehicle loaded with perishable seed potatoes that is traveling on a  
 15 public highway if:

- 16           (a) the vehicle is being operated within its legal licensed gross vehicle weight;
- 17           ~~(b) a permit has been issued under 61-10-107(3), regardless of the vehicle's gross weight,~~  
 18 ~~specifying the route from point of loading to the nearest nonrestricted road; and~~
- 19           ~~(c)~~(b) the driver possesses a federal-state inspection certificate issued for the load.

20           ~~(4) A permit referred to in subsection (3) may be revoked for violating any condition of the permit."~~

21  
 22           **Section 7.** Section 61-10-144, MCA, is amended to read:

23           **"61-10-144. Violation of standards -- tolerance.** (1) It is a misdemeanor for a person, firm, or  
 24 corporation to violate any provision of 61-10-101 through 61-10-104 and 61-10-106 through 61-10-110.

25           (2) However, the operator of a vehicle or combination of vehicles may move over the highways  
 26 to the first open state scale, permanent or portable, without incurring the excess weight penalties set forth  
 27 in 61-10-145 if the total gross weight of the vehicle or combination of vehicles does not exceed allowable  
 28 total gross weight limitations by more than 7% and if the weight carried by any axle or combination of  
 29 axles does not exceed the allowable axle weight limitations by more than 7%. ~~In the event that~~ if the  
 30 vehicle or combination of vehicles is not in excess of the allowable total gross or axle weight limitations



1 by more than 7%, the department may issue a single trip permit for the fee of \$10, allowing the vehicle  
 2 or combination of vehicles to move over the highways to the first facility where its load can be safely  
 3 adjusted or to its destination. Violations of total gross or axle weight limitations in excess of 7% are subject  
 4 to the fines provided in 61-10-145, and all loads in excess of 7% of the total gross or axle weight  
 5 limitations:

6 (a) may be required to be adjusted or reduced to conform to the size and weight limitations before  
 7 the vehicle or combination of vehicles is moved from the point of weighing; or

8 (b) may be issued a permit as authorized by 61-10-141.

9 (3) ~~An operator of a vehicle or combination of vehicles subject to the provisions of 61-10-107(4)~~  
 10 Farm vehicles transporting agricultural products from a harvesting combine or other harvesting machinery  
 11 may move over a highway, except any highway that is part of the federal-aid interstate system, within a  
 12 50-mile radius of the harvested field to the point of first unloading without incurring the excess weight  
 13 penalties set forth in 61-10-145 if the total gross weight of the farm vehicle or combination of vehicles does  
 14 not exceed allowable weight limitations by more than 20% ~~per~~ for each axle, but the maximum load ~~per~~  
 15 for each inch of tire width may not exceed 670 pounds. The farm vehicle or combination of vehicles may  
 16 not exceed 40 miles an hour. A single trip permit, as required in subsection (2), is not applicable to the farm  
 17 vehicle or combination of vehicles. When a farm vehicle or combination of vehicles violates any of the  
 18 provisions of this subsection, the fine or penalty imposed applies to that portion of the load above the legal  
 19 limit."

20

21 **Section 8.** Section 61-10-145, MCA, is amended to read:

22 **"61-10-145. Penalties.** (1) A person, firm, or corporation convicted of violating 61-10-101 through  
 23 61-10-104 and 61-10-106 through 61-10-110 shall be punished by a fine of not less than \$30 or more than  
 24 \$100. A person, firm, or corporation convicted of operating a motor vehicle upon the public highways of  
 25 this state with weight upon a wheel, axle, or group of axles greater than the maximum permitted by  
 26 61-10-101 through 61-10-104 and 61-10-106 through 61-10-110 shall be fined, in addition to other  
 27 penalties provided by law for the offense, the following amounts:

28 (a) \$30 for any excess weight up to and including 2,000 pounds;

29 (b) \$75 for any excess weight more than 2,000 pounds and less than 4,001 pounds;

30 (c) \$125 for any excess weight more than 4,000 pounds and less than 6,001 pounds;

- 1 (d) \$175 for any excess weight more than 6,000 pounds and less than 8,001 pounds;  
 2 (e) \$250 for any excess weight more than 8,000 pounds and less than 10,001 pounds;  
 3 (f) \$275 for any excess weight more than 10,000 pounds and less than 12,001 pounds;  
 4 (g) \$300 for any excess weight more than 12,000 pounds and less than 14,001 pounds;  
 5 (h) \$400 for any excess weight more than 14,000 pounds and less than 16,001 pounds;  
 6 (i) \$500 for any excess weight more than 16,000 pounds and less than 18,001 pounds;  
 7 (j) \$600 for any excess weight more than 18,000 pounds and less than 20,001 pounds;  
 8 (k) \$1,000 for any excess weight more than 20,000 pounds and less than 25,001 pounds;  
 9 (l) \$2,000 for any excess weight more than 25,000 pounds.

10 (2) If a motor vehicle is equipped with a retractable axle that is not fully extended and carrying its  
 11 proportionate share of the load while the motor vehicle is operated upon the highways of this state, the  
 12 weight penalties in subsection (1) apply to all weight over the legal maximum allowed by the fixed axles  
 13 regardless of whether the axle is extended at the time of weighing. In addition to the penalties in subsection  
 14 (1), the owner or operator shall be fined \$100 for failure to have the retractable axle fully extended while  
 15 the gross weight of the vehicle exceeds the legal maximum allowed by the fixed axles.

16 (3) A complaint filed and a summons or notice to appear issued pertaining to a violation of the  
 17 gross weight regulations in 61-10-101 through 61-10-104 and 61-10-106 through 61-10-110 must specify  
 18 the amount of the excess weight that the defendant is alleged to have had upon the vehicle or combination  
 19 of vehicles.

20 ~~(4) The penalties in subsection (1) do not apply to an operator who fails to secure a special permit~~  
 21 ~~as provided for in 61-10-107(3) if the vehicle or combination of vehicles is not overweight with that permit.~~  
 22 ~~The failure to obtain the special permit is punishable under 61-10-146 and under this section as provided~~  
 23 ~~in 61-10-146, and the operator is required to purchase the permit. If the vehicle or combination of vehicles~~  
 24 ~~exceeds the weight limitations allowed by special permit and the operator fails to obtain a permit under~~  
 25 ~~61-10-107(3), the penalties of subsection (1) apply to the weight exceeding 80,000 pounds.~~

26 ~~(5)~~(4) It is a misdemeanor, punishable as provided in 46-18-212, for a person, firm, or corporation  
 27 to violate any of the provisions of 61-10-123, 61-10-141, or 61-10-142."  
 28

29 **Section 9.** Section 61-10-146, MCA, is amended to read:

30 **"61-10-146. Special permits -- misrepresentations and violations as misdemeanor.** (1) A person

1 who knowingly and willfully misrepresents the size or weight of a vehicle, combination of vehicles, load,  
2 object, or other thing in obtaining a special permit or who does not follow the requirements and conditions  
3 of the special permit or who operates a vehicle, combination of vehicles, load, object, or other thing the  
4 size or weight of which requires a special permit without first obtaining a special permit is guilty of a  
5 misdemeanor.

6 (2) A person, firm, or corporation convicted of:

7 (a) operating a vehicle or combination of vehicles with weight upon a wheel, axle, or group of axles  
8 greater than the maximum authorized by a special permit or of operating without a special permit a vehicle  
9 or combination of vehicles the weight of which requires a special permit shall, in addition to the other  
10 penalties provided by law for the offense, be punished by a fine in the amount provided in 61-10-145(1);  
11 or

12 (b) violating any provision of ~~61-10-124(6)~~(4) or any restriction on the special permits issued by  
13 the department under ~~61-10-124(6)~~(4) shall be punished by a fine of not less than \$500 or more than  
14 \$1,000, and all special permits issued for the operation of the combination in violation ~~shall~~ must be  
15 confiscated. The combination must be separated into combinations of legal length before the units may  
16 proceed."  
17

18 **Section 10.** Section 61-10-201, MCA, is amended to read:

19 **"61-10-201. Weight fees on motortrucks, truck tractors, and buses.** In addition to other fees for  
20 the licensing of vehicles and except as provided in 61-10-203, there must be paid and collected annually  
21 for each truck, truck tractor, and bus, based upon the manufacturer's rated capacity for trucks with a  
22 capacity of 1 ton or less and upon the maximum gross loaded weight and the maximum gross weight of  
23 any towed unit of each truck and truck tractor as set by the licensee in the licensee's application, the  
24 following fees:

25 Schedule I

26	Manufacturer's rated capacity up to 1/2 ton . . . . .	\$ 7.00
27	Manufacturer's rated capacity of 3/4 ton . . . . .	12.50
28	Manufacturer's rated capacity of 1 ton . . . . .	17.50
29	Up to 16,000 lbs . . . . .	21.00
30	16,001 through 18,000 lbs . . . . .	28.00

1	18,001 through 20,000 lbs	37.50
2	20,001 through 22,000 lbs	47.00
3	22,001 through 24,000 lbs	70.00
4	24,001 through 26,000 lbs	90.00
5	26,001 through 28,000 lbs	110.00
6	28,001 through 30,000 lbs	130.00
7	30,001 through 32,000 lbs	150.00
8	32,001 through 34,000 lbs	170.00
9	34,001 through 36,000 lbs	190.00
10	36,001 through 38,000 lbs	215.00
11	38,001 through 40,000 lbs	235.00
12	40,001 through 42,000 lbs	255.00
13	42,001 through 44,000 lbs	275.00
14	44,001 through 46,000 lbs	300.00
15	46,001 through 48,000 lbs	320.00
16	48,001 through 50,000 lbs	340.00
17	50,001 through 52,000 lbs	360.00
18	52,001 through 54,000 lbs	380.00
19	54,001 through 56,000 lbs	400.00
20	56,001 through 58,000 lbs	420.00
21	58,001 through 60,000 lbs	440.00
22	60,001 through 62,000 lbs	460.00
23	62,001 through 64,000 lbs	482.50
24	64,001 through 66,000 lbs	502.50
25	66,001 through 68,000 lbs	522.50
26	68,001 through 70,000 lbs	545.75
27	70,001 through 72,000 lbs	566.50
28	72,001 through 74,000 lbs	607.50
29	74,001 through 76,000 lbs	655.00
30	76,001 through 78,000 lbs	695.00

1	78,001 through 80,000 lbs . . . . .	750.00
2	Over 80,000 lbs. and within the weight limits	
3	specified in 61-10-101 through 61-10-104	
4	and 61-10-106 through 61-10-110 . . . . .	750.00
5		plus an additional 46.00
6		for each ton or fraction of a ton
7		in excess of 80,000 lbs.,
8		<u>plus an additional \$100.00</u>
9		<u>to exceed the 80,000 lbs.</u>
10		<u>federal gross weight limit."</u>

**Section 11.** Section 61-10-203, MCA, is amended to read:

**"61-10-203. Alternative gross weight fees on motortrucks and truck tractors with special trailer combinations.** (1) In addition to other fees for the licensing of vehicles, there must be paid and collected annually for each motortruck or truck tractor operating under the provisions of 61-10-124~~(6)~~(4) and ~~(7)~~ (5), based upon the maximum combined gross loaded weight of a truck tractor or a motortruck and trailers, as set by the licensee in the application, the following fees:

Schedule II

Truck tractor or a motortruck and trailers:

20	Up to 42,000 lbs . . . . .	\$ 571.00
21	42,001 to 44,000 lbs . . . . .	631.00
22	44,001 to 46,000 lbs . . . . .	691.00
23	46,001 to 48,000 lbs . . . . .	752.00
24	48,001 to 50,000 lbs . . . . .	812.00
25	50,001 to 52,000 lbs . . . . .	871.00
26	52,001 to 54,000 lbs . . . . .	931.00
27	54,001 to 56,000 lbs . . . . .	992.00
28	56,001 to 58,000 lbs . . . . .	1,052.00
29	58,001 to 60,000 lbs . . . . .	1,112.00
30	60,001 to 62,000 lbs . . . . .	1,172.00

1	62,001 to 64,000 lbs	1,233.00
2	64,001 to 66,000 lbs	1,293.00
3	66,001 to 68,000 lbs	1,352.00
4	68,001 to 70,000 lbs	1,412.00
5	70,001 to 72,000 lbs	1,473.00
6	72,001 to 74,000 lbs	1,533.00
7	74,001 to 76,000 lbs	1,593.00
8	76,001 to 78,000 lbs	1,653.00
9	78,001 <del>and over</del> <u>to 80,000 lbs.</u>	<del>65.50</del> <u>1,718.50</u>
10		<u>per ton or fraction thereof</u>
11	<u>Over 80,000 lbs. and within the weight limits</u>	
12	<u>specified in 61-10-101 through 61-10-104 and</u>	
13	<u>61-10-106 through 61-10-110</u>	<u>1,718.50</u>
14		<u>plus an additional \$65.50</u>
15		<u>for each ton or fraction of a ton</u>
16		<u>in excess of 80,000 lbs.</u>
17		<u>plus an additional \$100.00</u>
18		<u>to exceed the 80,000 lbs.</u>
19		<u>federal gross weight limit.</u>

20 (2) The trailers or semitrailers must be currently registered in another country, state, or county."

22 **Section 12.** Section 61-10-211, MCA, is amended to read:

23 **"61-10-211. Fees on motortrucks, truck tractors, trailers, and semitrailers from other states.** (1)

24 In lieu of other fees for the licensing of vehicles, there must be collected a fee for each motortruck and

25 truck tractor already licensed for the year in another jurisdiction and operated upon an itinerant basis in this

26 state. The fee provided in subsection (2) must be collected upon each entrance of the vehicle into the state

27 and must be based upon the number of miles to be traveled in the state and the registered gross vehicle

28 weight of the motortruck or truck tractor as shown in the application of the nonresident operator.

29 (2) The fee for each trip in Montana is:

30	0-200 miles	201-400 miles	over 400 miles
----	-------------	---------------	----------------

1	Up to 46,000 lbs.	\$10	\$15	\$20
2	46,001 through 80,000 lbs.	20	30	40
3	Over 80,001 lbs.	<del>30</del> <u>50</u>	<del>45</del> <u>65</u>	<del>60</del> <u>80</u>
4	Triple combination	<del>40</del> <u>60</u>	<del>60</del> <u>80</u>	<del>80</del> <u>100</u>

5 (3) The fees do not apply to any trailer the principal use of which is as temporary or permanent  
6 living quarters, or to any vehicle of a carnival that is under contract with a state, county, or district fair  
7 association.

8 (4) A fee must be collected for each nonresident, unlicensed or unregistered trailer or semitrailer  
9 entering Montana. The fee for each trip in Montana is:

- 10 (a) \$10 for each trip of 200 miles or less;  
11 (b) \$15 for each trip of over 200 miles to 400 miles; and  
12 (c) \$20 for each trip of over 400 miles."

13  
14 **NEW SECTION. Section 13. Repealer.** Section 15-70-308, MCA, is repealed.

15  
16 **NEW SECTION. Section 14. Effective date.** [This act] is effective January 1, 1998.

17 -END-

STATE OF MONTANA - FISCAL NOTE

Fiscal Note for SB0029, as introduced

DESCRIPTION OF PROPOSED LEGISLATION:

An act generally revising the motor carrier laws; eliminating the special permit for a vehicle exceeding a gross weight of 80,000 pounds; eliminating the special permit for a crane; increasing the weight fees for vehicles weighing in excess of 80,000 pounds; increasing the alternative gross weight fees for certain vehicles weighing in excess of 78,001 pounds; increasing the fees on certain vehicles licensed in other states; and eliminating the temporary cash compliance bond for special fuel users.

ASSUMPTIONS:

Eliminating the Special Permit for a Vehicle Exceeding 80,000 lbs (RRLP/Restricted Route Load Permit)

1. There were 3,021 vehicles over 80,000 lbs. licensed under the International Registration Plan (IRP) issued Restricted Route Load Permits (RRLP) during fiscal year 1996. Another 262 vehicles from other jurisdictions apportioned with Montana were also issued RRLPs, for a total of 3,283 vehicles.
2. The average percent of miles traveled in Montana by the vehicles listed in assumption 1 was 56.7.
3. Under current law, each vehicle listed in assumption 1 would be issued a \$100 term (yearly) RRLP. Under this proposed legislation, the \$100 fee would be multiplied by the average percent of miles traveled in Montana to determine the new fee. For the vehicles in assumption 2, the reduction in fees would be as follows:  $(\$100.00 - 56.70) * 3,283 = \$142,154$ .
4. An additional 1,437 vehicles over 80,000 lbs., fully licensed in Montana, purchase gross vehicle weight (GVW) fees for an average of ten months per year.
5. The average percent of miles traveled in Montana for the vehicles listed in assumption 4 is 83.33 (for ten months).
6. Under current law, each vehicle in assumption 4 would be issued a \$100 term (yearly) RRLP. Under this proposed legislation, the \$100 fee would be multiplied by the average percent of miles traveled in Montana to determine the new fee. For the vehicles in assumption 4, the reduction in fees would be as follows:  $(\$100.00 - 83.33) * 1,437 = \$23,956$ .
7. Revenue for single trip RRLP will remain the same. Under current law, vehicles over 80,000 lbs. which are not licensed in Montana must purchase a single trip (license) permit and a single trip \$20 RRLP. Under the proposed legislation, 61-10-211, MCA, is amended to provide a \$20 increase for trip (license) permits for vehicles over 80,000 lbs, which brings the total fee to \$40.
8. The total RRLP revenue will decrease \$166,110,  $(\$142,154 + \$23,956)$ .

Eliminating the Special Crane Permit

9. There were no crane permits issued under current law. There will be no revenue impact by eliminating the crane permit.

Eliminating the Temporary Cash Compliance Bond for Special Fuel Users

10. One \$100 cash compliance bond was issued during fiscal 1996.
11. Temporary cash compliance bond revenue will decrease \$100.

FISCAL IMPACT:

Revenues:

	<u>FY98</u>	<u>FY99</u>
	<u>Difference</u>	<u>Difference</u>
Highway Special Revenue Account (02)	(166,210)	(166,210)

Dave Lewis 1-7-97  
 DAVE LEWIS, BUDGET DIRECTOR DATE  
 Office of Budget and Program Planning

Chuck Swysgood 1-9-97  
 CHUCK SWYSGOOD, PRIMARY SPONSOR DATE

Fiscal Note for SB0029, as introduced



APPROVED BY COM ON  
HIGHWAYS & TRANSPORTATION

1 SENATE BILL NO. 29

2 INTRODUCED BY SWYSGOOD

3 BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

4  
5 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE MOTOR CARRIER LAWS;  
6 ELIMINATING THE SPECIAL PERMIT FOR A VEHICLE EXCEEDING A GROSS WEIGHT OF 80,000 POUNDS;  
7 ELIMINATING THE SPECIAL PERMIT FOR A CRANE; INCREASING THE WEIGHT FEES FOR VEHICLES  
8 WEIGHING IN EXCESS OF 80,000 POUNDS; INCREASING THE ALTERNATIVE GROSS WEIGHT FEES FOR  
9 CERTAIN VEHICLES WEIGHING IN EXCESS OF 78,001 POUNDS; INCREASING THE FEES ON CERTAIN  
10 VEHICLES LICENSED IN OTHER STATES; ELIMINATING THE TEMPORARY CASH COMPLIANCE BOND FOR  
11 SPECIAL FUEL USERS; AMENDING SECTIONS 61-8-312, 61-10-104, 61-10-107, 61-10-109, 61-10-124,  
12 61-10-128, 61-10-144, 61-10-145, 61-10-146, 61-10-201, 61-10-203, AND 61-10-211, MCA;  
13 REPEALING SECTION 15-70-308, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

14  
15 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

16  
17 Section 1. Section 61-8-312, MCA, is amended to read:

18 "61-8-312. **Special speed limitations on trucks, truck tractors, motor-driven cycles, and vehicles**  
19 **towing house trailers.** (1) A person may not operate a truck or truck tractor, the gross weight of which  
20 exceeds 8,000 pounds, at a speed greater than 65 miles ~~per~~ an hour on those completed sections of  
21 interstate and four-lane divided highways and 60 miles ~~per~~ an hour on those completed sections of primary  
22 and secondary highways. However, the truck nighttime speed limit may not exceed that of automobiles,  
23 as stated in 61-8-303.

24 (2) A person may not operate a vehicle subject to a term permit under 61-10-124~~(3)(d)~~(2)(d) or a  
25 truck-trailer-trailer or truck tractor-semitrailer-trailer-trailer combination of vehicles subject to special permits  
26 under 61-10-124~~(6)(4)~~ at a speed greater than 55 miles ~~per~~ an hour.

27 (3) A person may not operate a motor-driven cycle at any time mentioned in 61-9-201 at a speed  
28 greater than 35 miles ~~per~~ an hour unless the motor-driven cycle is equipped with a headlamp or lamps that  
29 are adequate to reveal a person or vehicle at a distance of 300 feet ahead.

30 (4) A person may not operate a vehicle that is towing a house trailer at a speed greater than a

1 maximum of 50 miles ~~per an~~ hour."

2

3 **Section 2.** Section 61-10-104, MCA, is amended to read:

4 **"61-10-104. Length -- definitions.** (1) A single truck, bus, or any self-propelled vehicle, unladen  
5 or with load, may not have an overall length, inclusive of front and rear bumpers, in excess of 55 feet.

6 (2) (a) When used in a truck tractor-semitrailer combination, the semitrailer may not exceed 53  
7 feet in length, excluding those portions not designed to carry a load, except as provided by 61-10-124.  
8 When used in a truck tractor-semitrailer-trailer or a truck tractor-semitrailer-semitrailer combination, the  
9 semitrailer and trailer or the two semitrailers may not exceed 28 1/2 feet each in length, excluding those  
10 portions not designed to carry a load, except as provided by 61-10-124. Truck tractor-semitrailer, truck  
11 tractor-semitrailer-trailer, and truck tractor-semitrailer-semitrailer combinations are not subject to a  
12 combination length limit.

13 (b) A stinger-steered automobile or boat transporter may not exceed 75 feet in length plus a  
14 maximum 3 feet of front overhang and 4 feet of rear overhang, except as provided by 61-10-124.  
15 "Stinger-steered automobile or boat transporter" means a truck tractor-semitrailer combination that has a  
16 fifth wheel on a drop frame located behind and below the rear axle of the truck tractor and that is designed  
17 and used for the transportation of vehicles or assembled boats or boat hulls.

18 (c) All other combinations of vehicles may not have a combination length in excess of 75 feet,  
19 except as provided by 61-10-124. If the combination consists of more than two units, the rear units of the  
20 combination must be equipped with breakaway brakes.

21 (3) A motor vehicle may not tow more than one motor vehicle, and a motor vehicle may not draw  
22 more than three motor vehicles attached to it by the triple saddle-mount method (that is, by mounting the  
23 front wheels of one vehicle on the bed of another, leaving only the rear wheels of the vehicle in contact  
24 with the roadway), nor may this combination have a combination length in excess of 75 feet.

25 (4) A passenger vehicle or truck of less than 2,000 pounds "manufacturers' rated capacity" may  
26 not tow more than one trailer or semitrailer, nor may this combination have a length in excess of 65 feet.

27 (5) (a) The length of a vehicle combination consisting of a truck or truck-tractor and one pole  
28 trailer or semitrailer hauling raw logs may not exceed 75 feet in overall length. As used in this subsection  
29 (5)(a), the term "length" means the total length of the vehicle combination beginning at the front of the  
30 front bumper of the truck or truck-tractor and extending to the most distant end of the logs being hauled.

1 A term permit for an overlength vehicle combination, as provided in 61-10-124~~(3)~~(2), does not apply to the  
2 vehicle combination described in this subsection (5)(a). A vehicle combination exceeding 75 feet must have  
3 a trip permit.

4 (b) The maximum overhang of any log may not exceed 15 feet, except by a special, single-trip  
5 permit. Overhang is measured from the center of the rear-most axle to the most distant end of the logs  
6 being hauled.

7 (c) The provisions in subsections (5)(a) and (5)(b) do not apply to a vehicle combination hauling  
8 utility poles.

9 (6) As used in this chapter, the following definitions apply:

10 (a) "Combination length" means the total length of a combination of vehicles, such as a truck  
11 tractor-semitrailer-trailer combination, measured from the front bumper of the motor vehicle to the back  
12 bumper or rear extremity of the last trailer, including the connection tongues.

13 (b) "Combined trailer length" means the total length of a combination of trailers measured from the  
14 front of the first trailer to the back of the last trailer, including the connection tongues and loads.

15 (c) "Length", except as provided in subsection (5)(a), means the total longitudinal dimension of a  
16 single vehicle, a trailer, or a semitrailer. The length of a trailer or semitrailer is measured from the front of  
17 the cargo-carrying unit to its rear, exclusive of safety or energy efficiency devices, air-conditioning units,  
18 air compressors, flexible fender extensions, splash and spray suppressant devices, bolsters, mechanical  
19 fastening devices, and hydraulic lift gates.

20 (d) "Rocky Mountain double" means a combination of vehicles that includes a truck tractor pulling  
21 a long semitrailer and a shorter trailer."  
22

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

24 **"61-10-107. Maximum gross weight —when permit required.** (1) An axle may not carry a load  
25 in excess of 20,000 pounds, and no two consecutive axles more than 40 inches or less than 96 inches  
26 apart may carry a load in excess of 34,000 pounds. An axle load is the total load transmitted to the road  
27 by all wheels whose centers are included between two parallel transverse vertical planes 40 inches apart,  
28 extending across the full width of the vehicle. For purposes of this section, axles 40 inches or less apart  
29 are considered to be a single axle. A vehicle or combination may not have more than nine axles. The  
30 maximum gross weight allowed on a vehicle, group of axles, or combination of vehicles must be determined

1 by the formula:

$$2 \qquad \qquad \qquad W = 500((LN/(N - 1)) + 12N + 36)$$

3 in which W equals gross weight, L equals wheel base in feet, and N equals number of axles, except that  
4 two consecutive sets of tandem axles may carry a gross load of 34,000 pounds each if the overall distance  
5 between the first and last axles of the consecutive sets of tandem axles is 36 feet or more.

6 (2) (a) Notwithstanding a vehicle's conformance with the requirements of subsection (1), except  
7 for the steering axle, all axles weighing over 11,000 pounds must have at least four tires or have wide-base  
8 tires. The maximum load on an axle, other than a steering axle, equipped with wide-base tires is limited to  
9 500 pounds ~~per~~ for each inch of tire width.

10 (b) The provisions of subsection (2)(a) do not apply to passenger buses.

11 (c) For the purposes of this section, wide-base tires are tires that are 14 or more inches in nominal  
12 width. The maximum tire weight limit is computed for wide-base tires based on the number of inches  
13 shown on the tire marking, or if the tire marking is shown by metric size, the tire weight limit is computed  
14 by conversion of the metric size.

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

22 ~~(4) A special permit issued under subsection (3) for the transportation of agricultural products by~~  
23 ~~farm vehicles from a harvesting combine or other harvesting machinery to the point of first unloading is for~~  
24 ~~the full term of the harvest season of the agricultural product transported.~~

25 ~~(5)(3)~~ This section does not apply to highways that are a part of the national system of interstate  
26 and defense highways (as referred to in 23 U.S.C. 127) when application of this section would prevent this  
27 state from receiving federal funds for highway purposes."

28

29 **Section 4.** Section 61-10-109, MCA, is amended to read:

30 **"61-10-109. Operation without special permits prohibited.** The operation of vehicles or

1 combinations of vehicles having dimensions or weights in excess of the maximum limits specified in  
 2 61-10-101 through 61-10-104 and 61-10-106 through 61-10-108 is permitted only if authorized by special  
 3 permit issued under 61-10-121 through 61-10-125 by the department of transportation or its agents or the  
 4 highway patrol."

5

6 **Section 5.** Section 61-10-124, MCA, is amended to read:

7 **"61-10-124. Special permits -- fees -- cranes.** ~~(1) As used in this section, "crane" means a~~  
 8 ~~self-propelled, single-unit vehicle consisting of not more than four axles and used for raising, shifting, and~~  
 9 ~~lowering heavy weights by means of a projecting swinging arm.~~

10 ~~(2)(1)~~ Except as provided in subsections ~~(3)(b)~~ (2)(b), ~~(3)(d)~~ (2)(d), and ~~(6)~~ (4), in addition to the  
 11 regular registration and gross vehicle weight fees, a fee of \$10 for each trip permit and a fee of \$75 for  
 12 each term permit issued for size ~~and weight~~ in excess of that specified in 61-10-101 through 61-10-104  
 13 ~~and 61-10-106 through 61-10-110~~ must be paid for all movements under special permits on the public  
 14 highways under the jurisdiction of the department of transportation.

15 ~~(3)(2)~~ (a) Except as provided in subsections ~~(3)(b)~~ (2)(b), ~~(3)(d)~~ (2)(d), ~~(6)~~ (4), and ~~(7)~~ (5), term or  
 16 blanket permits may not be issued for an overwidth vehicle, combination of vehicles, load, or other thing  
 17 in excess of 15 feet; an overlength vehicle, combination of vehicles, load, object, or other thing in excess  
 18 of 95 feet; or an overheight vehicle, combination of vehicles, load, or other thing in excess of 14 feet, or  
 19 of a limit determined by the department. A vehicle, combination of vehicles, load, or other thing in excess  
 20 of these dimensions is limited to trip permits. A Rocky Mountain double may not exceed 81 feet in  
 21 combined trailer length, and the long semitrailer cargo unit of the combination may not exceed 48 feet in  
 22 length. A Rocky Mountain double is not subject to a combination length limit. Special permits for vehicle  
 23 combinations of more than two trailers or more than two units designed for or used to carry a load are not  
 24 permitted except as provided in subsections ~~(6)~~ (4) and ~~(7)~~ (5). Special permits for vehicle combinations  
 25 may specify and special permits under subsections ~~(6)~~ (4) and ~~(7)~~ (5) must specify highway routing and  
 26 otherwise limit or prescribe conditions of operation of the vehicle or combination, including but not limited  
 27 to required equipment, speed, stability, operational procedures, and insurance.

28 (b) A term permit may be issued to a dealer in implements of husbandry and self-propelled  
 29 machinery for an overwidth or overlength vehicle referred to in subsection ~~(3)(a)~~ (2)(a). The fee for this  
 30 permit is \$75. This permit expires on December 31 of each year, with no grace period.

1 (c) With payment of the appropriate gross weight fees required by 61-10-201 and with payment  
2 of the fee prescribed in subsection ~~(2)~~ (1), allowable gross weight of a five-axle combination logging vehicle  
3 is 80,000 pounds.

4 (d) A term permit may be issued for any combination of vehicles that exceeds 95 feet in length but  
5 does not exceed 100 feet in combination length, except a truck-trailer-trailer or a truck  
6 tractor-semitrailer-trailer-trailer combination, for travel only on highways that are part of the federal-aid  
7 interstate system, as defined in 60-1-103, or on other highways within a 2-mile radius of an interchange  
8 on the interstate system in order to obtain necessary services or to load or unload at a terminal. When a  
9 terminal is beyond a 2-mile radius, the department may authorize travel between the terminal and the  
10 interchange. The fee for this permit is \$125.

11 (e) A term permit may be issued for a truck tractor-semitrailer combination when the semitrailer  
12 exceeds 53 feet in length but does not exceed 57 feet in length.

13 ~~(4)~~(3) Except as provided in subsection ~~(3)(b)~~ (2)(b), a permit may not be issued for a period of time  
14 greater than the period for which the GVW license is valid as provided in this title, including grace periods  
15 allowed by this title. Owners of vehicles licensed in other jurisdictions may, at the discretion of the  
16 department of transportation, purchase permits to expire with their registration. A license required by the  
17 state governs the issuance of a special permit.

18 ~~(6) The owner or operator of a crane with a gross vehicle weight of less than 80,000 pounds may~~  
19 ~~purchase a 30-day special permit for excess weight if the crane has a current special mobile equipment~~  
20 ~~identification plate and if the department of transportation has approved the configuration of the crane~~  
21 ~~through a weight analysis completed within the same calendar year. The permit is not transferable, and the~~  
22 ~~fee for the permit is \$200.~~

23 ~~(6)~~(4) The department may issue special permits to the operating company for a truck-trailer-trailer  
24 or truck tractor-semitrailer-trailer-trailer combination of vehicles under the following conditions:

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

30 (b) a combination of vehicles powered by a cab-over (tilt cab) type truck-tractor or a truck may not

1 exceed overall length of 105 feet, inclusive of front and rear bumpers and overhang;

2 (c) a combination of vehicles powered by a conventional truck-tractor may not exceed overall  
3 length of 110 feet, inclusive of front and rear bumpers and overhang;

4 (d) an individual cargo unit of the combination may not exceed 28 1/2 feet in length and 102  
5 inches in width;

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

8 (f) the combination must have ~~a restricted route permit under 61-10-107(3)~~ and a special  
9 overlength permit issued at a fee of \$200 for a term permit or \$20 for each trip permit;

10 (g) travel of the combination may be restricted to specific routes, hours of operation, specific days,  
11 or seasonal periods; and

12 (h) the department may enforce any other restrictions determined by the department to be  
13 necessary. The permit is not transferable, and the fee for the permit is \$200.

14 ~~(7)(5)~~ The department of transportation may issue special permits under subsection ~~(6)~~ (4) for  
15 vehicle combinations that consist of a truck-trailer-trailer if:

16 (a) the vehicle combination's overall length, inclusive of front and rear bumpers, is not more than  
17 95 feet; and

18 (b) the person, firm, or corporation applying for the permit:

19 (i) restricts truck-trailer-trailer operations authorized by the permit to the hauling of talc ore,  
20 chlorite, dolomite, limestone, and custom combine equipment;

21 (ii) operated the truck-trailer-trailer combination before July 1, 1987;

22 (iii) restricts the truck-trailer-trailer operations authorized by the permit to the specified routes that  
23 those vehicles used before July 1, 1987; and

24 (iv) provides the department of transportation with an affidavit confirming the routes used before  
25 July 1, 1987, for truck-trailer-trailer operations."

26

27 **Section 6.** Section 61-10-128, MCA, is amended to read:

28 **"61-10-128. When authorities may restrict right to use roadway.** (1) A local authority may not  
29 alter the limitations provided in 61-10-101 through 61-10-104 and 61-10-106 through 61-10-110 or  
30 substitute other limitations or requirements, except as provided in this section.

1           (2) The department of transportation by order, or a local road authority by ordinance or resolution,  
 2 may prohibit the operation of or impose restrictions on the weight and speed of a vehicle traveling on a  
 3 public highway under its respective jurisdiction and for which it is responsible for maintenance whenever  
 4 the highway will be seriously damaged or destroyed by deterioration, rain, snow, or other climatic  
 5 conditions, unless the use of vehicles on the highway is prohibited or the permissible vehicle weights and  
 6 speed are reduced. The department of transportation or the authority that enacts the ordinance or resolution  
 7 shall erect signs designating the department's order or the authority's ordinance or resolution at each end  
 8 of that portion of the highway affected, and the order, ordinance, or resolution is not effective until the  
 9 signs are erected. The department of transportation or the authority by ordinance or resolution may prohibit  
 10 the operation of trucks or other commercial vehicles or impose limitations on their weight on designated  
 11 highways, subject to the provisions of subsection (3). These prohibitions and limitations must be designated  
 12 by appropriate signs placed on the highways.

13           (3) Neither the department of transportation nor a local authority may prohibit the operation of or  
 14 impose a restriction on the weight of a vehicle loaded with perishable seed potatoes that is traveling on a  
 15 public highway if:

- 16           (a) the vehicle is being operated within its legal licensed gross vehicle weight;  
 17           ~~(b) a permit has been issued under 61-10-107(3), regardless of the vehicle's gross weight,~~  
 18 ~~specifying the route from point of loading to the nearest nonrestricted road; and~~  
 19           ~~(c) the driver possesses a federal-state inspection certificate issued for the load; AND~~  
 20           (C) THE VEHICLE TAKES THE MOST DIRECT ROUTE FROM THE POINT OF LOADING TO THE  
 21 NEAREST NONRESTRICTED ROAD.

22           ~~(4) A permit referred to in subsection (3) may be revoked for violating any condition of the permit."~~

24           **Section 7.** Section 61-10-144, MCA, is amended to read:

25           **"61-10-144. Violation of standards -- tolerance.** (1) It is a misdemeanor for a person, firm, or  
 26 corporation to violate any provision of 61-10-101 through 61-10-104 and 61-10-106 through 61-10-110.

27           (2) However, the operator of a vehicle or combination of vehicles may move over the highways  
 28 to the first open state scale, permanent or portable, without incurring the excess weight penalties set forth  
 29 in 61-10-145 if the total gross weight of the vehicle or combination of vehicles does not exceed allowable  
 30 total gross weight limitations by more than 7% and if the weight carried by any axle or combination of



1 axles does not exceed the allowable axle weight limitations by more than 7%. ~~In the event that~~ If the  
 2 vehicle or combination of vehicles is not in excess of the allowable total gross or axle weight limitations  
 3 by more than 7%, the department may issue a single trip permit for the fee of \$10, allowing the vehicle  
 4 or combination of vehicles to move over the highways to the first facility where its load can be safely  
 5 adjusted or to its destination. Violations of total gross or axle weight limitations in excess of 7% are subject  
 6 to the fines provided in 61-10-145, and all loads in excess of 7% of the total gross or axle weight  
 7 limitations:

8 (a) may be required to be adjusted or reduced to conform to the size and weight limitations before  
 9 the vehicle or combination of vehicles is moved from the point of weighing; or

10 (b) may be issued a permit as authorized by 61-10-141.

11 (3) ~~An operator of a vehicle or combination of vehicles subject to the provisions of 61-10-107(4)~~  
 12 Farm vehicles transporting agricultural products from a harvesting combine or other harvesting machinery  
 13 may move over a highway, except any highway that is part of the federal-aid interstate system, within a  
 14 50-mile radius of the harvested field to the point of first unloading without incurring the excess weight  
 15 penalties set forth in 61-10-145 if the total gross weight of the farm vehicle or combination of vehicles does  
 16 not exceed allowable weight limitations by more than 20% ~~per~~ for each axle, but the maximum load ~~per~~  
 17 for each inch of tire width may not exceed 670 pounds. The farm vehicle or combination of vehicles may  
 18 not exceed 40 miles an hour. A single trip permit, as required in subsection (2), is not applicable to the farm  
 19 vehicle or combination of vehicles. When a farm vehicle or combination of vehicles violates any of the  
 20 provisions of this subsection, the fine or penalty imposed applies to that portion of the load above the legal  
 21 limit."

22

23 **Section 8.** Section 61-10-145, MCA, is amended to read:

24 "**61-10-145. Penalties.** (1) A person, firm, or corporation convicted of violating 61-10-101 through  
 25 61-10-104 and 61-10-106 through 61-10-110 shall be punished by a fine of not less than \$30 or more than  
 26 \$100. A person, firm, or corporation convicted of operating a motor vehicle upon the public highways of  
 27 this state with weight upon a wheel, axle, or group of axles greater than the maximum permitted by  
 28 61-10-101 through 61-10-104 and 61-10-106 through 61-10-110 shall be fined, in addition to other  
 29 penalties provided by law for the offense, the following amounts:

30 (a) \$30 for any excess weight up to and including 2,000 pounds;

- 1 (b) \$75 for any excess weight more than 2,000 pounds and less than 4,001 pounds;  
 2 (c) \$125 for any excess weight more than 4,000 pounds and less than 6,001 pounds;  
 3 (d) \$175 for any excess weight more than 6,000 pounds and less than 8,001 pounds;  
 4 (e) \$250 for any excess weight more than 8,000 pounds and less than 10,001 pounds;  
 5 (f) \$275 for any excess weight more than 10,000 pounds and less than 12,001 pounds;  
 6 (g) \$300 for any excess weight more than 12,000 pounds and less than 14,001 pounds;  
 7 (h) \$400 for any excess weight more than 14,000 pounds and less than 16,001 pounds;  
 8 (i) \$500 for any excess weight more than 16,000 pounds and less than 18,001 pounds;  
 9 (j) \$600 for any excess weight more than 18,000 pounds and less than 20,001 pounds;  
 10 (k) \$1,000 for any excess weight more than 20,000 pounds and less than 25,001 pounds;  
 11 (l) \$2,000 for any excess weight more than 25,000 pounds.

12 (2) If a motor vehicle is equipped with a retractable axle that is not fully extended and carrying its  
 13 proportionate share of the load while the motor vehicle is operated upon the highways of this state, the  
 14 weight penalties in subsection (1) apply to all weight over the legal maximum allowed by the fixed axles  
 15 regardless of whether the axle is extended at the time of weighing. In addition to the penalties in subsection  
 16 (1), the owner or operator shall be fined \$100 for failure to have the retractable axle fully extended while  
 17 the gross weight of the vehicle exceeds the legal maximum allowed by the fixed axles.

18 (3) A complaint filed and a summons or notice to appear issued pertaining to a violation of the  
 19 gross weight regulations in 61-10-101 through 61-10-104 and 61-10-106 through 61-10-110 must specify  
 20 the amount of the excess weight that the defendant is alleged to have had upon the vehicle or combination  
 21 of vehicles.

22 ~~(4) The penalties in subsection (1) do not apply to an operator who fails to secure a special permit~~  
 23 ~~as provided for in 61-10-107(3) if the vehicle or combination of vehicles is not overweight with that permit.~~  
 24 ~~The failure to obtain the special permit is punishable under 61-10-146 and under this section as provided~~  
 25 ~~in 61-10-146, and the operator is required to purchase the permit. If the vehicle or combination of vehicles~~  
 26 ~~exceeds the weight limitations allowed by special permit and the operator fails to obtain a permit under~~  
 27 ~~61-10-107(3), the penalties of subsection (1) apply to the weight exceeding 80,000 pounds.~~

28 ~~(5)(4)~~ It is a misdemeanor, punishable as provided in 46-18-212, for a person, firm, or corporation  
 29 to violate any of the provisions of 61-10-123, 61-10-141, or 61-10-142."  
 30

1 Section 9. Section 61-10-146, MCA, is amended to read:

2 "61-10-146. Special permits -- misrepresentations and violations as misdemeanor. (1) A person  
3 who knowingly and willfully misrepresents the size or weight of a vehicle, combination of vehicles, load,  
4 object, or other thing in obtaining a special permit or who does not follow the requirements and conditions  
5 of the special permit or who operates a vehicle, combination of vehicles, load, object, or other thing the  
6 size or weight of which requires a special permit without first obtaining a special permit is guilty of a  
7 misdemeanor.

8 (2) A person, firm, or corporation convicted of:

9 (a) operating a vehicle or combination of vehicles with weight upon a wheel, axle, or group of axles  
10 greater than the maximum authorized by a special permit or of operating without a special permit a vehicle  
11 or combination of vehicles the weight of which requires a special permit shall, in addition to the other  
12 penalties provided by law for the offense, be punished by a fine in the amount provided in 61-10-145(1);  
13 or

14 (b) violating any provision of 61-10-124~~(6)~~(4) or any restriction on the special permits issued by  
15 the department under 61-10-124~~(6)~~(4) shall be punished by a fine of not less than \$500 or more than  
16 \$1,000, and all special permits issued for the operation of the combination in violation shall must be  
17 confiscated. The combination must be separated into combinations of legal length before the units may  
18 proceed."

19

20 Section 10. Section 61-10-201, MCA, is amended to read:

21 "61-10-201. Weight fees on motortrucks, truck tractors, and buses. In addition to other fees for  
22 the licensing of vehicles and except as provided in 61-10-203, there must be paid and collected annually  
23 for each truck, truck tractor, and bus, based upon the manufacturer's rated capacity for trucks with a  
24 capacity of 1 ton or less and upon the maximum gross loaded weight and the maximum gross weight of  
25 any towed unit of each truck and truck tractor as set by the licensee in the licensee's application, the  
26 following fees:

27 Schedule I

28	Manufacturer's rated capacity up to 1/2 ton . . . . .	\$ 7.00
29	Manufacturer's rated capacity of 3/4 ton . . . . .	12.50
30	Manufacturer's rated capacity of 1 ton . . . . .	17.50

1	Up to 16,000 lbs . . . . .	21.00
2	16,001 through 18,000 lbs . . . . .	28.00
3	18,001 through 20,000 lbs . . . . .	37.50
4	20,001 through 22,000 lbs . . . . .	47.00
5	22,001 through 24,000 lbs . . . . .	70.00
6	24,001 through 26,000 lbs . . . . .	90.00
7	26,001 through 28,000 lbs . . . . .	110.00
8	28,001 through 30,000 lbs . . . . .	130.00
9	30,001 through 32,000 lbs . . . . .	150.00
10	32,001 through 34,000 lbs . . . . .	170.00
11	34,001 through 36,000 lbs . . . . .	190.00
12	36,001 through 38,000 lbs . . . . .	215.00
13	38,001 through 40,000 lbs . . . . .	235.00
14	40,001 through 42,000 lbs . . . . .	255.00
15	42,001 through 44,000 lbs . . . . .	275.00
16	44,001 through 46,000 lbs . . . . .	300.00
17	46,001 through 48,000 lbs . . . . .	320.00
18	48,001 through 50,000 lbs . . . . .	340.00
19	50,001 through 52,000 lbs . . . . .	360.00
20	52,001 through 54,000 lbs . . . . .	380.00
21	54,001 through 56,000 lbs . . . . .	400.00
22	56,001 through 58,000 lbs . . . . .	420.00
23	58,001 through 60,000 lbs . . . . .	440.00
24	60,001 through 62,000 lbs . . . . .	460.00
25	62,001 through 64,000 lbs . . . . .	482.50
26	64,001 through 66,000 lbs . . . . .	502.50
27	66,001 through 68,000 lbs . . . . .	522.50
28	68,001 through 70,000 lbs . . . . .	545.75
29	70,001 through 72,000 lbs . . . . .	566.50
30	72,001 through 74,000 lbs . . . . .	607.50



1	58,001 to 60,000 lbs	1,112.00
2	60,001 to 62,000 lbs	1,172.00
3	62,001 to 64,000 lbs	1,233.00
4	64,001 to 66,000 lbs	1,293.00
5	66,001 to 68,000 lbs	1,352.00
6	68,001 to 70,000 lbs	1,412.00
7	70,001 to 72,000 lbs	1,473.00
8	72,001 to 74,000 lbs	1,533.00
9	74,001 to 76,000 lbs	1,593.00
10	76,001 to 78,000 lbs	1,653.00
11	78,001 <del>and over</del> <u>to 80,000 lbs.</u>	<del>65.50</del> <u>1,718.50</u>
12		<u>per ton or fraction thereof</u>
13	<u>Over 80,000 lbs. and within the weight limits</u>	
14	<u>specified in 61-10-101 through 61-10-104 and</u>	
15	<u>61-10-106 through 61-10-110</u>	<u>1,718.50</u>
16		<u>plus an additional \$65.50</u>
17		<u>for each ton or fraction of a ton</u>
18		<u>in excess of 80,000 lbs.</u>
19		<u>plus an additional \$100.00</u>
20		<u>to exceed the 80,000 lbs.</u>
21		<u>federal gross weight limit.</u>

(2) The trailers or semitrailers must be currently registered in another country, state, or county."

**Section 12.** Section 61-10-211, MCA, is amended to read:

**"61-10-211. Fees on motortrucks, truck tractors, trailers, and semitrailers from other states. (1)**

In lieu of other fees for the licensing of vehicles, there must be collected a fee for each motortruck and truck tractor already licensed for the year in another jurisdiction and operated upon an itinerant basis in this state. The fee provided in subsection (2) must be collected upon each entrance of the vehicle into the state and must be based upon the number of miles to be traveled in the state and the registered gross vehicle weight of the motortruck or truck tractor as shown in the application of the nonresident operator.

1 (2) The fee for each trip in Montana is:

2	0-200 miles	201-400 miles	over 400 miles
3 Up to 46,000 lbs.	\$10	\$15	\$20
4 46,001 through 80,000 lbs.	20	30	40
5 Over 80,001 lbs.	<del>30</del> <u>50</u>	<del>45</del> <u>65</u>	<del>60</del> <u>80</u>
6 Triple combination	<del>40</del> <u>60</u>	<del>60</del> <u>80</u>	<del>80</del> <u>100</u>

7 (3) The fees do not apply to any trailer the principal use of which is as temporary or permanent  
8 living quarters, or to any vehicle of a carnival that is under contract with a state, county, or district fair  
9 association.

10 (4) A fee must be collected for each nonresident, unlicensed or unregistered trailer or semitrailer  
11 entering Montana. The fee for each trip in Montana is:

- 12 (a) \$10 for each trip of 200 miles or less;  
13 (b) \$15 for each trip of over 200 miles to 400 miles; and  
14 (c) \$20 for each trip of over 400 miles."

15  
16 **NEW SECTION. Section 13. Repealer.** Section 15-70-308, MCA, is repealed.

17  
18 **NEW SECTION. Section 14. Effective date.** [This act] is effective January 1, 1998.

19 -END-

## 1 SENATE BILL NO. 29

2 INTRODUCED BY SWYSGOOD

3 BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

4

5 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE MOTOR CARRIER LAWS;  
6 ELIMINATING THE SPECIAL PERMIT FOR A VEHICLE EXCEEDING A GROSS WEIGHT OF 80,000 POUNDS;  
7 ELIMINATING THE SPECIAL PERMIT FOR A CRANE; INCREASING THE WEIGHT FEES FOR VEHICLES  
8 WEIGHING IN EXCESS OF 80,000 POUNDS; INCREASING THE ALTERNATIVE GROSS WEIGHT FEES FOR  
9 CERTAIN VEHICLES WEIGHING IN EXCESS OF 78,001 POUNDS; INCREASING THE FEES ON CERTAIN  
10 VEHICLES LICENSED IN OTHER STATES; ELIMINATING THE TEMPORARY CASH COMPLIANCE BOND FOR  
11 SPECIAL FUEL USERS; AMENDING SECTIONS 61-8-312, 61-10-104, 61-10-107, 61-10-109, 61-10-124,  
12 61-10-128, 61-10-144, 61-10-145, 61-10-146, 61-10-201, 61-10-203, AND 61-10-211, MCA;  
13 REPEALING SECTION 15-70-308, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

14

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

**THERE ARE NO CHANGES IN THIS BILL AND IT WILL NOT BE  
REPRINTED. PLEASE REFER TO SECOND READING COPY  
(YELLOW) FOR COMPLETE TEXT.**



1 SENATE BILL NO. 29  
 2 INTRODUCED BY SWYSGOOD  
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 4  
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 12 61-10-128, 61-10-144, 61-10-145, 61-10-146, 61-10-201, 61-10-203, AND 61-10-211, MCA;  
 13 REPEALING SECTION 15-70-308, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."  
 14  
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## SENATE BILL NO. 29

INTRODUCED BY SWYSGOOD

BY REQUEST OF THE DEPARTMENT OF TRANSPORTATION

A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING THE MOTOR CARRIER LAWS; ELIMINATING THE SPECIAL PERMIT FOR A VEHICLE EXCEEDING A GROSS WEIGHT OF 80,000 POUNDS; ELIMINATING THE SPECIAL PERMIT FOR A CRANE; INCREASING THE WEIGHT FEES FOR VEHICLES WEIGHING IN EXCESS OF 80,000 POUNDS; INCREASING THE ALTERNATIVE GROSS WEIGHT FEES FOR CERTAIN VEHICLES WEIGHING IN EXCESS OF 78,001 POUNDS; INCREASING THE FEES ON CERTAIN VEHICLES LICENSED IN OTHER STATES; ELIMINATING THE TEMPORARY CASH COMPLIANCE BOND FOR SPECIAL FUEL USERS; AMENDING SECTIONS 61-8-312, 61-10-104, 61-10-107, 61-10-109, 61-10-124, 61-10-128, 61-10-144, 61-10-145, 61-10-146, 61-10-201, 61-10-203, AND 61-10-211, MCA; REPEALING SECTION 15-70-308, MCA; AND PROVIDING A DELAYED EFFECTIVE DATE."

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 house trailers.** (1) A person may not operate a truck or truck tractor, the gross weight of which exceeds 8,000 pounds, at a speed greater than 65 miles ~~per~~ an hour on those completed sections of interstate and four-lane divided highways and 60 miles ~~per~~ an hour on those completed sections of primary and secondary highways. However, the truck nighttime speed limit may not exceed that of automobiles, as stated in 61-8-303.

(2) A person may not operate a vehicle subject to a term permit under 61-10-124~~(3)(d)~~(2)(d) or a truck-trailer-trailer or truck tractor-semitrailer-trailer-trailer combination of vehicles subject to special permits under 61-10-124~~(6)(4)~~(4) at a speed greater than 55 miles ~~per~~ an hour.

(3) A person may not operate a motor-driven cycle at any time mentioned in 61-9-201 at a speed greater than 35 miles ~~per~~ an hour unless the motor-driven cycle is equipped with a headlamp or lamps that are adequate to reveal a person or vehicle at a distance of 300 feet ahead.

(4) A person may not operate a vehicle that is towing a house trailer at a speed greater than a

1 maximum of 50 miles ~~per~~ an hour."

2

3 **Section 2.** Section 61-10-104, MCA, is amended to read:

4 **"61-10-104. Length -- definitions.** (1) A single truck, bus, or any self-propelled vehicle, unladen  
5 or with load, may not have an overall length, inclusive of front and rear bumpers, in excess of 55 feet.

6 (2) (a) When used in a truck tractor-semitrailer combination, the semitrailer may not exceed 53  
7 feet in length, excluding those portions not designed to carry a load, except as provided by 61-10-124.  
8 When used in a truck tractor-semitrailer-trailer or a truck tractor-semitrailer-semitrailer combination, the  
9 semitrailer and trailer or the two semitrailers may not exceed 28 1/2 feet each in length, excluding those  
10 portions not designed to carry a load, except as provided by 61-10-124. Truck tractor-semitrailer, truck  
11 tractor-semitrailer-trailer, and truck tractor-semitrailer-semitrailer combinations are not subject to a  
12 combination length limit.

13 (b) A stinger-steered automobile or boat transporter may not exceed 75 feet in length plus a  
14 maximum 3 feet of front overhang and 4 feet of rear overhang, except as provided by 61-10-124.  
15 "Stinger-steered automobile or boat transporter" means a truck tractor-semitrailer combination that has a  
16 fifth wheel on a drop frame located behind and below the rear axle of the truck tractor and that is designed  
17 and used for the transportation of vehicles or assembled boats or boat hulls.

18 (c) All other combinations of vehicles may not have a combination length in excess of 75 feet,  
19 except as provided by 61-10-124. If the combination consists of more than two units, the rear units of the  
20 combination must be equipped with breakaway brakes.

21 (3) A motor vehicle may not tow more than one motor vehicle, and a motor vehicle may not draw  
22 more than three motor vehicles attached to it by the triple saddle-mount method (that is, by mounting the  
23 front wheels of one vehicle on the bed of another, leaving only the rear wheels of the vehicle in contact  
24 with the roadway), nor may this combination have a combination length in excess of 75 feet.

25 (4) A passenger vehicle or truck of less than 2,000 pounds "manufacturers' rated capacity" may  
26 not tow more than one trailer or semitrailer, nor may this combination have a length in excess of 65 feet.

27 (5) (a) The length of a vehicle combination consisting of a truck or truck-tractor and one pole  
28 trailer or semitrailer hauling raw logs may not exceed 75 feet in overall length. As used in this subsection  
29 (5)(a), the term "length" means the total length of the vehicle combination beginning at the front of the  
30 front bumper of the truck or truck-tractor and extending to the most distant end of the logs being hauled.

1 A term permit for an overlength vehicle combination, as provided in 61-10-124~~(3)~~(2), does not apply to the  
 2 vehicle combination described in this subsection (5)(a). A vehicle combination exceeding 75 feet must have  
 3 a trip permit.

4 (b) The maximum overhang of any log may not exceed 15 feet, except by a special, single-trip  
 5 permit. Overhang is measured from the center of the rear-most axle to the most distant end of the logs  
 6 being hauled.

7 (c) The provisions in subsections (5)(a) and (5)(b) do not apply to a vehicle combination hauling  
 8 utility poles.

9 (6) As used in this chapter, the following definitions apply:

10 (a) "Combination length" means the total length of a combination of vehicles, such as a truck  
 11 tractor-semitrailer-trailer combination, measured from the front bumper of the motor vehicle to the back  
 12 bumper or rear extremity of the last trailer, including the connection tongues.

13 (b) "Combined trailer length" means the total length of a combination of trailers measured from the  
 14 front of the first trailer to the back of the last trailer, including the connection tongues and loads.

15 (c) "Length", except as provided in subsection (5)(a), means the total longitudinal dimension of a  
 16 single vehicle, a trailer, or a semitrailer. The length of a trailer or semitrailer is measured from the front of  
 17 the cargo-carrying unit to its rear, exclusive of safety or energy efficiency devices, air-conditioning units,  
 18 air compressors, flexible fender extensions, splash and spray suppressant devices, bolsters, mechanical  
 19 fastening devices, and hydraulic lift gates.

20 (d) "Rocky Mountain double" means a combination of vehicles that includes a truck tractor pulling  
 21 a long semitrailer and a shorter trailer."

22

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

24 **"61-10-107. Maximum gross weight —~~when permit required.~~** (1) An axle may not carry a load  
 25 in excess of 20,000 pounds, and no two consecutive axles more than 40 inches or less than 96 inches  
 26 apart may carry a load in excess of 34,000 pounds. An axle load is the total load transmitted to the road  
 27 by all wheels whose centers are included between two parallel transverse vertical planes 40 inches apart,  
 28 extending across the full width of the vehicle. For purposes of this section, axles 40 inches or less apart  
 29 are considered to be a single axle. A vehicle or combination may not have more than nine axles. The  
 30 maximum gross weight allowed on a vehicle, group of axles, or combination of vehicles must be determined

1 by the formula:

$$2 \quad W = 500((LN/(N - 1)) + 12N + 36)$$

3 in which W equals gross weight, L equals wheel base in feet, and N equals number of axles, except that  
4 two consecutive sets of tandem axles may carry a gross load of 34,000 pounds each if the overall distance  
5 between the first and last axles of the consecutive sets of tandem axles is 36 feet or more.

6 (2) (a) Notwithstanding a vehicle's conformance with the requirements of subsection (1), except  
7 for the steering axle, all axles weighing over 11,000 pounds must have at least four tires or have wide-base  
8 tires. The maximum load on an axle, other than a steering axle, equipped with wide-base tires is limited to  
9 500 pounds ~~per~~ for each inch of tire width.

10 (b) The provisions of subsection (2)(a) do not apply to passenger buses.

11 (c) For the purposes of this section, wide-base tires are tires that are 14 or more inches in nominal  
12 width. The maximum tire weight limit is computed for wide-base tires based on the number of inches  
13 shown on the tire marking, or if the tire marking is shown by metric size, the tire weight limit is computed  
14 by conversion of the metric size.

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

22 ~~(4) A special permit issued under subsection (3) for the transportation of agricultural products by~~  
23 ~~farm vehicles from a harvesting combine or other harvesting machinery to the point of first unloading is for~~  
24 ~~the full term of the harvest season of the agricultural product transported.~~

25 ~~(5)(3)~~ This section does not apply to highways that are a part of the national system of interstate  
26 and defense highways (as referred to in 23 U.S.C. 127) when application of this section would prevent this  
27 state from receiving federal funds for highway purposes."

28

29 **Section 4.** Section 61-10-109, MCA, is amended to read:

30 **"61-10-109. Operation without special permits prohibited.** The operation of vehicles or

1 combinations of vehicles having dimensions or weights in excess of the maximum limits specified in  
 2 61-10-101 through 61-10-104 and 61-10-106 through 61-10-108 is permitted only if authorized by special  
 3 permit issued under 61-10-121 through 61-10-125 by the department of transportation or its agents or the  
 4 highway patrol."

5  
 6 **Section 5.** Section 61-10-124, MCA, is amended to read:

7 **"61-10-124. Special permits -- fees -- cranes.** ~~(1) As used in this section, "crane" means a~~  
 8 ~~self-propelled, single-unit vehicle consisting of not more than four axles and used for raising, shifting, and~~  
 9 ~~lowering heavy weights by means of a projecting swinging arm.~~

10 ~~(2)(1)~~ Except as provided in subsections ~~(3)(b)~~ (2)(b), ~~(3)(d)~~ (2)(d), and ~~(6)~~ (4), in addition to the  
 11 regular registration and gross vehicle weight fees, a fee of \$10 for each trip permit and a fee of \$75 for  
 12 each term permit issued for size ~~and weight~~ in excess of that specified in 61-10-101 through 61-10-104  
 13 ~~and 61-10-106 through 61-10-110~~ must be paid for all movements under special permits on the public  
 14 highways under the jurisdiction of the department of transportation.

15 ~~(3)(2)~~ (a) Except as provided in subsections ~~(3)(b)~~ (2)(b), ~~(3)(d)~~ (2)(d), ~~(6)~~ (4), and ~~(7)~~ (5), term or  
 16 blanket permits may not be issued for an overwidth vehicle, combination of vehicles, load, or other thing  
 17 in excess of 15 feet; an overlength vehicle, combination of vehicles, load, object, or other thing in excess  
 18 of 95 feet; or an overheight vehicle, combination of vehicles, load, or other thing in excess of 14 feet; or  
 19 of a limit determined by the department. A vehicle, combination of vehicles, load, or other thing in excess  
 20 of these dimensions is limited to trip permits. A Rocky Mountain double may not exceed 81 feet in  
 21 combined trailer length, and the long semitrailer cargo unit of the combination may not exceed 48 feet in  
 22 length. A Rocky Mountain double is not subject to a combination length limit. Special permits for vehicle  
 23 combinations of more than two trailers or more than two units designed for or used to carry a load are not  
 24 permitted except as provided in subsections ~~(6)~~ (4) and ~~(7)~~ (5). Special permits for vehicle combinations  
 25 may specify and special permits under subsections ~~(6)~~ (4) and ~~(7)~~ (5) must specify highway routing and  
 26 otherwise limit or prescribe conditions of operation of the vehicle or combination, including but not limited  
 27 to required equipment, speed, stability, operational procedures, and insurance.

28 (b) A term permit may be issued to a dealer in implements of husbandry and self-propelled  
 29 machinery for an overwidth or overlength vehicle referred to in subsection ~~(3)(a)~~ (2)(a). The fee for this  
 30 permit is \$75. This permit expires on December 31 of each year, with no grace period.

1 (c) With payment of the appropriate gross weight fees required by 61-10-201 and with payment  
2 of the fee prescribed in subsection ~~(2)~~ (1), allowable gross weight of a five-axle combination logging vehicle  
3 is 80,000 pounds.

4 (d) A term permit may be issued for any combination of vehicles that exceeds 95 feet in length but  
5 does not exceed 100 feet in combination length, except a truck-trailer-trailer or a truck  
6 tractor-semitrailer-trailer-trailer combination, for travel only on highways that are part of the federal-aid  
7 interstate system, as defined in 60-1-103, or on other highways within a 2-mile radius of an interchange  
8 on the interstate system in order to obtain necessary services or to load or unload at a terminal. When a  
9 terminal is beyond a 2-mile radius, the department may authorize travel between the terminal and the  
10 interchange. The fee for this permit is \$125.

11 (e) A term permit may be issued for a truck tractor-semitrailer combination when the semitrailer  
12 exceeds 53 feet in length but does not exceed 57 feet in length.

13 ~~(4)~~(3) Except as provided in subsection ~~(3)(b)~~ (2)(b), a permit may not be issued for a period of time  
14 greater than the period for which the GVW license is valid as provided in this title, including grace periods  
15 allowed by this title. Owners of vehicles licensed in other jurisdictions may, at the discretion of the  
16 department of transportation, purchase permits to expire with their registration. A license required by the  
17 state governs the issuance of a special permit.

18 ~~(5) The owner or operator of a crane with a gross vehicle weight of less than 80,000 pounds may~~  
19 ~~purchase a 30-day special permit for excess weight if the crane has a current special mobile equipment~~  
20 ~~identification plate and if the department of transportation has approved the configuration of the crane~~  
21 ~~through a weight analysis completed within the same calendar year. The permit is not transferable, and the~~  
22 ~~fee for the permit is \$200.~~

23 ~~(6)~~(4) The department may issue special permits to the operating company for a truck-trailer-trailer  
24 or truck tractor-semitrailer-trailer-trailer combination of vehicles under the following conditions:

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

30 (b) a combination of vehicles powered by a cab-over (tilt cab) type truck-tractor or a truck may not

1 exceed overall length of 105 feet, inclusive of front and rear bumpers and overhang;

2 (c) a combination of vehicles powered by a conventional truck-tractor may not exceed overall  
3 length of 110 feet, inclusive of front and rear bumpers and overhang;

4 (d) an individual cargo unit of the combination may not exceed 28 1/2 feet in length and 102  
5 inches in width;

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

8 (f) the combination must have a ~~restricted route permit under 61-10-107(3)~~ and a special  
9 overlength permit issued at a fee of \$200 for a term permit or \$20 for each trip permit;

10 (g) travel of the combination may be restricted to specific routes, hours of operation, specific days,  
11 or seasonal periods; and

12 (h) the department may enforce any other restrictions determined by the department to be  
13 necessary. The permit is not transferable, and the fee for the permit is \$200.

14 ~~(7)~~(5) The department of transportation may issue special permits under subsection ~~(6)~~ (4) for  
15 vehicle combinations that consist of a truck-trailer-trailer if:

16 (a) the vehicle combination's overall length, inclusive of front and rear bumpers, is not more than  
17 95 feet; and

18 (b) the person, firm, or corporation applying for the permit:

19 (i) restricts truck-trailer-trailer operations authorized by the permit to the hauling of talc ore,  
20 chlorite, dolomite, limestone, and custom combine equipment;

21 (ii) operated the truck-trailer-trailer combination before July 1, 1987;

22 (iii) restricts the truck-trailer-trailer operations authorized by the permit to the specified routes that  
23 those vehicles used before July 1, 1987; and

24 (iv) provides the department of transportation with an affidavit confirming the routes used before  
25 July 1, 1987, for truck-trailer-trailer operations."

26

27 **Section 6.** Section 61-10-128, MCA, is amended to read:

28 **"61-10-128. When authorities may restrict right to use roadway.** (1) A local authority may not  
29 alter the limitations provided in 61-10-101 through 61-10-104 and 61-10-106 through 61-10-110 or  
30 substitute other limitations or requirements, except as provided in this section.



1           (2) The department of transportation by order, or a local road authority by ordinance or resolution,  
 2 may prohibit the operation of or impose restrictions on the weight and speed of a vehicle traveling on a  
 3 public highway under its respective jurisdiction and for which it is responsible for maintenance whenever  
 4 the highway will be seriously damaged or destroyed by deterioration, rain, snow, or other climatic  
 5 conditions, unless the use of vehicles on the highway is prohibited or the permissible vehicle weights and  
 6 speed are reduced. The department of transportation or the authority that enacts the ordinance or resolution  
 7 shall erect signs designating the department's order or the authority's ordinance or resolution at each end  
 8 of that portion of the highway affected, and the order, ordinance, or resolution is not effective until the  
 9 signs are erected. The department of transportation or the authority by ordinance or resolution may prohibit  
 10 the operation of trucks or other commercial vehicles or impose limitations on their weight on designated  
 11 highways, subject to the provisions of subsection (3). These prohibitions and limitations must be designated  
 12 by appropriate signs placed on the highways.

13           (3) Neither the department of transportation nor a local authority may prohibit the operation of or  
 14 impose a restriction on the weight of a vehicle loaded with perishable seed potatoes that is traveling on a  
 15 public highway if:

- 16           (a) the vehicle is being operated within its legal licensed gross vehicle weight;  
 17           ~~(b) a permit has been issued under 61-10-107(3), regardless of the vehicle's gross weight,~~  
 18 ~~specifying the route from point of loading to the nearest nonrestricted road; and~~  
 19           ~~(c) the driver possesses a federal-state inspection certificate issued for the load; AND~~  
 20           **(C) THE VEHICLE TAKES THE MOST DIRECT ROUTE FROM THE POINT OF LOADING TO THE**  
 21 **NEAREST NONRESTRICTED ROAD.**

22           ~~(4) A permit referred to in subsection (3) may be revoked for violating any condition of the permit."~~  
 23

24           **Section 7. Section 61-10-144, MCA, is amended to read:**

25           **"61-10-144. Violation of standards -- tolerance.** (1) It is a misdemeanor for a person, firm, or  
 26 corporation to violate any provision of 61-10-101 through 61-10-104 and 61-10-106 through 61-10-110.

27           (2) However, the operator of a vehicle or combination of vehicles may move over the highways  
 28 to the first open state scale, permanent or portable, without incurring the excess weight penalties set forth  
 29 in 61-10-145 if the total gross weight of the vehicle or combination of vehicles does not exceed allowable  
 30 total gross weight limitations by more than 7% and if the weight carried by any axle or combination of

1 axles does not exceed the allowable axle weight limitations by more than 7%. ~~In the event that~~ If the  
 2 vehicle or combination of vehicles is not in excess of the allowable total gross or axle weight limitations  
 3 by more than 7%, the department may issue a single trip permit for the fee of \$10, allowing the vehicle  
 4 or combination of vehicles to move over the highways to the first facility where its load can be safely  
 5 adjusted or to its destination. Violations of total gross or axle weight limitations in excess of 7% are subject  
 6 to the fines provided in 61-10-145, and all loads in excess of 7% of the total gross or axle weight  
 7 limitations:

8 (a) may be required to be adjusted or reduced to conform to the size and weight limitations before  
 9 the vehicle or combination of vehicles is moved from the point of weighing; or

10 (b) may be issued a permit as authorized by 61-10-141.

11 ~~(3) An operator of a vehicle or combination of vehicles subject to the provisions of 61-10-107(4)~~

12 Farm vehicles transporting agricultural products from a harvesting combine or other harvesting machinery  
 13 may move over a highway, except any highway that is part of the federal-aid interstate system, within a  
 14 50-mile radius of the harvested field to the point of first unloading without incurring the excess weight  
 15 penalties set forth in 61-10-145 if the total gross weight of the farm vehicle or combination of vehicles does  
 16 not exceed allowable weight limitations by more than 20% ~~per~~ for each axle, but the maximum load ~~per~~  
 17 for each inch of tire width may not exceed 670 pounds. The farm vehicle or combination of vehicles may  
 18 not exceed 40 miles an hour. A single trip permit, as required in subsection (2), is not applicable to the farm  
 19 vehicle or combination of vehicles. When a farm vehicle or combination of vehicles violates any of the  
 20 provisions of this subsection, the fine or penalty imposed applies to that portion of the load above the legal  
 21 limit."

22

23 **Section 8.** Section 61-10-145, MCA, is amended to read:

24 "61-10-145. **Penalties.** (1) A person, firm, or corporation convicted of violating 61-10-101 through  
 25 61-10-104 and 61-10-106 through 61-10-110 shall be punished by a fine of not less than \$30 or more than  
 26 \$100. A person, firm, or corporation convicted of operating a motor vehicle upon the public highways of  
 27 this state with weight upon a wheel, axle, or group of axles greater than the maximum permitted by  
 28 61-10-101 through 61-10-104 and 61-10-106 through 61-10-110 shall be fined, in addition to other  
 29 penalties provided by law for the offense, the following amounts:

30 (a) \$30 for any excess weight up to and including 2,000 pounds;

- 1 (b) \$75 for any excess weight more than 2,000 pounds and less than 4,001 pounds;  
 2 (c) \$125 for any excess weight more than 4,000 pounds and less than 6,001 pounds;  
 3 (d) \$175 for any excess weight more than 6,000 pounds and less than 8,001 pounds;  
 4 (e) \$250 for any excess weight more than 8,000 pounds and less than 10,001 pounds;  
 5 (f) \$275 for any excess weight more than 10,000 pounds and less than 12,001 pounds;  
 6 (g) \$300 for any excess weight more than 12,000 pounds and less than 14,001 pounds;  
 7 (h) \$400 for any excess weight more than 14,000 pounds and less than 16,001 pounds;  
 8 (i) \$500 for any excess weight more than 16,000 pounds and less than 18,001 pounds;  
 9 (j) \$600 for any excess weight more than 18,000 pounds and less than 20,001 pounds;  
 10 (k) \$1,000 for any excess weight more than 20,000 pounds and less than 25,001 pounds;  
 11 (l) \$2,000 for any excess weight more than 25,000 pounds.

12 (2) If a motor vehicle is equipped with a retractable axle that is not fully extended and carrying its  
 13 proportionate share of the load while the motor vehicle is operated upon the highways of this state, the  
 14 weight penalties in subsection (1) apply to all weight over the legal maximum allowed by the fixed axles  
 15 regardless of whether the axle is extended at the time of weighing. In addition to the penalties in subsection  
 16 (1), the owner or operator shall be fined \$100 for failure to have the retractable axle fully extended while  
 17 the gross weight of the vehicle exceeds the legal maximum allowed by the fixed axles.

18 (3) A complaint filed and a summons or notice to appear issued pertaining to a violation of the  
 19 gross weight regulations in 61-10-101 through 61-10-104 and 61-10-106 through 61-10-110 must specify  
 20 the amount of the excess weight that the defendant is alleged to have had upon the vehicle or combination  
 21 of vehicles.

22 ~~(4) The penalties in subsection (1) do not apply to an operator who fails to secure a special permit~~  
 23 ~~as provided for in 61-10-107(3) if the vehicle or combination of vehicles is not overweight with that permit.~~  
 24 ~~The failure to obtain the special permit is punishable under 61-10-146 and under this section as provided~~  
 25 ~~in 61-10-146, and the operator is required to purchase the permit. If the vehicle or combination of vehicles~~  
 26 ~~exceeds the weight limitations allowed by special permit and the operator fails to obtain a permit under~~  
 27 ~~61-10-107(3), the penalties of subsection (1) apply to the weight exceeding 80,000 pounds.~~

28 ~~(5)~~(4) It is a misdemeanor, punishable as provided in 46-18-212, for a person, firm, or corporation  
 29 to violate any of the provisions of 61-10-123, 61-10-141, or 61-10-142."

30

1 Section 9. Section 61-10-146, MCA, is amended to read:

2 "61-10-146. Special permits -- misrepresentations and violations as misdemeanor. (1) A person  
3 who knowingly and willfully misrepresents the size or weight of a vehicle, combination of vehicles, load,  
4 object, or other thing in obtaining a special permit or who does not follow the requirements and conditions  
5 of the special permit or who operates a vehicle, combination of vehicles, load, object, or other thing the  
6 size or weight of which requires a special permit without first obtaining a special permit is guilty of a  
7 misdemeanor.

8 (2) A person, firm, or corporation convicted of:

9 (a) operating a vehicle or combination of vehicles with weight upon a wheel, axle, or group of axles  
10 greater than the maximum authorized by a special permit or of operating without a special permit a vehicle  
11 or combination of vehicles the weight of which requires a special permit shall, in addition to the other  
12 penalties provided by law for the offense, be punished by a fine in the amount provided in 61-10-145(1);  
13 or

14 (b) violating any provision of 61-10-124~~(6)~~(4) or any restriction on the special permits issued by  
15 the department under 61-10-124~~(6)~~(4) shall be punished by a fine of not less than \$500 or more than  
16 \$1,000, and all special permits issued for the operation of the combination in violation ~~shall~~ must be  
17 confiscated. The combination must be separated into combinations of legal length before the units may  
18 proceed."  
19

20 Section 10. Section 61-10-201, MCA, is amended to read:

21 "61-10-201. Weight fees on motortrucks, truck tractors, and buses. In addition to other fees for  
22 the licensing of vehicles and except as provided in 61-10-203, there must be paid and collected annually  
23 for each truck, truck tractor, and bus, based upon the manufacturer's rated capacity for trucks with a  
24 capacity of 1 ton or less and upon the maximum gross loaded weight and the maximum gross weight of  
25 any towed unit of each truck and truck tractor as set by the licensee in the licensee's application, the  
26 following fees:

27 Schedule I

28	Manufacturer's rated capacity up to 1/2 ton . . . . .	\$ 7.00
29	Manufacturer's rated capacity of 3/4 ton . . . . .	12.50
30	Manufacturer's rated capacity of 1 ton . . . . .	17.50



1	Up to 16,000 lbs	21.00
2	16,001 through 18,000 lbs	28.00
3	18,001 through 20,000 lbs	37.50
4	20,001 through 22,000 lbs	47.00
5	22,001 through 24,000 lbs	70.00
6	24,001 through 26,000 lbs	90.00
7	26,001 through 28,000 lbs	110.00
8	28,001 through 30,000 lbs	130.00
9	30,001 through 32,000 lbs	150.00
10	32,001 through 34,000 lbs	170.00
11	34,001 through 36,000 lbs	190.00
12	36,001 through 38,000 lbs	215.00
13	38,001 through 40,000 lbs	235.00
14	40,001 through 42,000 lbs	255.00
15	42,001 through 44,000 lbs	275.00
16	44,001 through 46,000 lbs	300.00
17	46,001 through 48,000 lbs	320.00
18	48,001 through 50,000 lbs	340.00
19	50,001 through 52,000 lbs	360.00
20	52,001 through 54,000 lbs	380.00
21	54,001 through 56,000 lbs	400.00
22	56,001 through 58,000 lbs	420.00
23	58,001 through 60,000 lbs	440.00
24	60,001 through 62,000 lbs	460.00
25	62,001 through 64,000 lbs	482.50
26	64,001 through 66,000 lbs	502.50
27	66,001 through 68,000 lbs	522.50
28	68,001 through 70,000 lbs	545.75
29	70,001 through 72,000 lbs	566.50
30	72,001 through 74,000 lbs	607.50

1	74,001 through 76,000 lbs . . . . .	655.00
2	76,001 through 78,000 lbs . . . . .	695.00
3	78,001 through 80,000 lbs . . . . .	750.00
4	Over 80,000 lbs. and within the weight limits	
5	specified in 61-10-101 through 61-10-104	
6	and 61-10-106 through 61-10-110 . . . . .	750.00
7		plus an additional 46.00
8		for each ton or fraction of a ton
9		in excess of 80,000 lbs.
10		<u>plus an additional \$100.00</u>
11		<u>to exceed the 80,000 lbs.</u>
12		<u>federal gross weight limit."</u>

Section 11. Section 61-10-203, MCA, is amended to read:

"61-10-203. Alternative gross weight fees on motortrucks and truck tractors with special trailer combinations. (1) In addition to other fees for the licensing of vehicles, there must be paid and collected annually for each motortruck or truck tractor operating under the provisions of 61-10-124~~(6)~~(4) and ~~(7)~~ (5), based upon the maximum combined gross loaded weight of a truck tractor or a motortruck and trailers, as set by the licensee in the application, the following fees:

Schedule II

Truck tractor or a motortruck and trailers:

22	Up to 42,000 lbs . . . . .	\$ 571.00
23	42,001 to 44,000 lbs . . . . .	631.00
24	44,001 to 46,000 lbs . . . . .	691.00
25	46,001 to 48,000 lbs . . . . .	752.00
26	48,001 to 50,000 lbs . . . . .	812.00
27	50,001 to 52,000 lbs . . . . .	871.00
28	52,001 to 54,000 lbs . . . . .	931.00
29	54,001 to 56,000 lbs . . . . .	992.00
30	56,001 to 58,000 lbs . . . . .	1,052.00

1	58,001 to 60,000 lbs	1,112.00
2	60,001 to 62,000 lbs	1,172.00
3	62,001 to 64,000 lbs	1,233.00
4	64,001 to 66,000 lbs	1,293.00
5	66,001 to 68,000 lbs	1,352.00
6	68,001 to 70,000 lbs	1,412.00
7	70,001 to 72,000 lbs	1,473.00
8	72,001 to 74,000 lbs	1,533.00
9	74,001 to 76,000 lbs	1,593.00
10	76,001 to 78,000 lbs	1,653.00
11	78,001 <del>and over</del> <u>to 80,000 lbs.</u>	<del>65.50</del> <u>1,718.50</u>

~~per ton or fraction thereof~~

Over 80,000 lbs. and within the weight limits

specified in 61-10-101 through 61-10-104 and

61-10-106 through 61-10-110

1,718.50

plus an additional \$65.50

for each ton or fraction of a ton

in excess of 80,000 lbs.

plus an additional \$100.00

to exceed the 80,000 lbs.

federal gross weight limit.

(2) The trailers or semitrailers must be currently registered in another country, state, or county."

Section 12. Section 61-10-211, MCA, is amended to read:

"61-10-211. Fees on motortrucks, truck tractors, trailers, and semitrailers from other states. (1)

In lieu of other fees for the licensing of vehicles, there must be collected a fee for each motortruck and truck tractor already licensed for the year in another jurisdiction and operated upon an itinerant basis in this state. The fee provided in subsection (2) must be collected upon each entrance of the vehicle into the state and must be based upon the number of miles to be traveled in the state and the registered gross vehicle weight of the motortruck or truck tractor as shown in the application of the nonresident operator.

1 (2) The fee for each trip in Montana is:

	0-200 miles	201-400 miles	over 400 miles
3 Up to 46,000 lbs.	\$10	\$15	\$20
4 46,001 through 80,000 lbs.	20	30	40
5 Over 80,001 lbs.	<del>30</del> <u>50</u>	<del>45</del> <u>65</u>	<del>60</del> <u>80</u>
6 Triple combination	<del>40</del> <u>60</u>	<del>60</del> <u>80</u>	<del>80</del> <u>100</u>

7 (3) The fees do not apply to any trailer the principal use of which is as temporary or permanent  
 8 living quarters, or to any vehicle of a carnival that is under contract with a state, county, or district fair  
 9 association.

10 (4) A fee must be collected for each nonresident, unlicensed or unregistered trailer or semitrailer  
 11 entering Montana. The fee for each trip in Montana is:

- 12 (a) \$10 for each trip of 200 miles or less;
- 13 (b) \$15 for each trip of over 200 miles to 400 miles; and
- 14 (c) \$20 for each trip of over 400 miles."

15

16 **NEW SECTION. Section 13. Repealer.** Section 15-70-308, MCA, is repealed.

17

18 **NEW SECTION. Section 14. Effective date.** [This act] is effective January 1, 1998.

19

-END-