

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

Senate BILL NO. 335

INTRODUCED BY *Debra Kay* *DeBreyer*

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE OPERATION OF FARM VEHICLES ON A COUNTY ROAD WITHOUT ACCOMPANYING FLAG VEHICLES; INCREASING THE WIDTH THAT A VEHICLE MUST BE TO WARRANT AN ACCOMPANYING FLAG VEHICLE; AND AMENDING SECTION 61-10-102, MCA."

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

Section 1. Section 61-10-102, MCA, is amended to read:

"61-10-102. Width. (1) Except as provided in subsection (2), a vehicle, including a bus, unloaded or with load, may not have a total outside width in excess of 102 inches. This width for buses is allowed only on paved highways 20 feet or more in width.

(2) (a) Subsection (1) does not apply to an implement of husbandry or a vehicle used for hauling hay, moved or propelled upon the highway during daylight hours for a distance of not more than 100 miles if the movement is incidental to the farming operations of the owner of the implement of husbandry or the vehicle used for hauling hay. If the implement or vehicle is more than 12 feet 6 inches wide, it must be preceded by flag vehicle escorts to warn other highway users. This restriction does not apply to dual-wheel tractors under 15 feet overall width that are used in farming operations or to movement on a county road within 100 miles of the farming operation of the owner of an implement of husbandry or a vehicle used for hauling hay. Lights which meet the requirements of 61-9-219(4) must be displayed on the rear of the implement of husbandry or vehicle used for hauling hay. However, if the highway passes through a hazardous area, the implements or vehicles must be preceded and followed by flag vehicle escorts unless the movement of the implements or vehicles is restricted to a county road within 100 miles of the farming operation of the owner.

(b) A commercial vehicle that is hauling hay but does not qualify under subsection (2)(a) may be granted a permit subject to the provisions of 61-10-121 through 61-10-127 and the following requirements:

(i) travel during daylight hours only for an oversize shipment of large round bales of hay, whether the vehicle is loaded or with an empty hay rack, up to 144 inches; when empty, a square red or orange flag

1 measuring 12 inches on each side must be attached to each corner of the hay rack; and

2 (ii) travel day or night for any other shipment of baled hay, whether the vehicle is loaded or with
3 an empty hay rack, up to 114 inches.

4 (c) Subsection (1) does not apply to a commercial hay grinder moved or propelled upon the
5 highway during daylight hours for a distance of not more than 100 miles if the movement is incidental to
6 operations of the commercial hay grinder. A commercial hay grinder exceeding 102 inches in width must
7 have a permit issued under 61-10-124. If the commercial hay grinder is more than 12 feet 6 inches wide,
8 it must be preceded by flag vehicle escorts to warn other highway users. Lights that meet the requirements
9 of 61-9-219(4) must be displayed on the rear of the commercial hay grinder. Movement of a commercial
10 hay grinder that does not exceed 138 inches in width may occur on any day of the week, including
11 holidays, and is restricted to movement during daylight hours. Movement of a commercial hay grinder may
12 not exceed the posted speed limit, including the speed limit on an interstate highway.

13 (3) A safety device that the department determines by rule adopted pursuant to 61-9-504 to be
14 necessary for safe and efficient operation of motor vehicles is not included in the calculation of width
15 provided in subsection (1).

16 (4) For the purposes of this section, "county road" has the same meaning as the term is defined
17 in 60-1-103."

18 -END-

1 SENATE BILL NO. 335

2 INTRODUCED BY JENKINS, DEBRUYCKER

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE OPERATION OF FARM VEHICLES ON A
5 COUNTY ROAD WITHOUT ACCOMPANYING FLAG VEHICLES; INCREASING THE WIDTH THAT A VEHICLE
6 MUST BE TO WARRANT AN ACCOMPANYING FLAG VEHICLE; ~~AND~~ AMENDING SECTION 61-10-102,
7 MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10
11 **Section 1.** Section 61-10-102, MCA, is amended to read:

12 **"61-10-102. Width.** (1) Except as provided in subsection (2), a vehicle, including a bus, unloaded
13 or with load, may not have a total outside width in excess of 102 inches. This width for buses is allowed
14 only on paved highways 20 feet or more in width.

15 (2) (a) Subsection (1) does not apply to an implement of husbandry or a vehicle used for hauling
16 hay, moved or propelled upon the highway during daylight hours for a distance of not more than 100 miles
17 if the movement is incidental to the farming operations of the owner of the implement of husbandry or the
18 vehicle used for hauling hay. If the implement or vehicle is more than 12 feet 6 inches wide, it must be
19 preceded by flag vehicle escorts to warn other highway users. This restriction does not apply to dual-wheel
20 tractors under 15 feet overall width that are used in farming operations or to movement on a county road
21 within 100 miles of the farming operation of the owner of an implement of husbandry or a vehicle used for
22 hauling hay. Lights which meet the requirements of 61-9-219(4) must be displayed on the rear of the
23 implement of husbandry or vehicle used for hauling hay. However, if the highway passes through a
24 hazardous area, the implements or vehicles must be preceded and followed by flag vehicle escorts unless
25 the movement of the implements or vehicles is restricted to a county road within 100 miles of the farming
26 operation of the owner.

27 (b) A commercial vehicle that is hauling hay but does not qualify under subsection (2)(a) may be
28 granted a permit subject to the provisions of 61-10-121 through 61-10-127 and the following requirements:

29 (i) travel during daylight hours only for an oversize shipment of large round bales of hay, whether
30 the vehicle is loaded or with an empty hay rack, up to 144 inches; when empty, a square red or orange flag

1 measuring 12 inches on each side must be attached to each corner of the hay rack; and

2 (ii) travel day or night for any other shipment of baled hay, whether the vehicle is loaded or with
3 an empty hay rack, up to 114 inches.

4 (c) Subsection (1) does not apply to a commercial hay grinder moved or propelled upon the
5 highway during daylight hours for a distance of not more than 100 miles if the movement is incidental to
6 operations of the commercial hay grinder. A commercial hay grinder exceeding 102 inches in width must
7 have a permit issued under 61-10-124. If the commercial hay grinder is more than 12 feet 6 inches wide,
8 it must be preceded by flag vehicle escorts to warn other highway users. Lights that meet the requirements
9 of 61-9-219(4) must be displayed on the rear of the commercial hay grinder. Movement of a commercial
10 hay grinder that does not exceed 138 inches in width may occur on any day of the week, including
11 holidays, and is restricted to movement during daylight hours. Movement of a commercial hay grinder may
12 not exceed the posted speed limit, including the speed limit on an interstate highway.

13 (3) A safety device that the department determines by rule adopted pursuant to 61-9-504 to be
14 necessary for safe and efficient operation of motor vehicles is not included in the calculation of width
15 provided in subsection (1).

16 (4) For the purposes of this section, "county road" has the same meaning as the term is defined
17 in 60-1-103."

18
19 NEW SECTION. SECTION 2. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE ON PASSAGE AND
20 APPROVAL.

21 -END-

1 SENATE BILL NO. 335

2 INTRODUCED BY JENKINS, DEBRUYCKER

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE OPERATION OF FARM VEHICLES ON A
5 COUNTY ROAD WITHOUT ACCOMPANYING FLAG VEHICLES; INCREASING THE WIDTH THAT A VEHICLE
6 MUST BE TO WARRANT AN ACCOMPANYING FLAG VEHICLE; ~~AND~~ AMENDING SECTION 61-10-102,
7 MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10
11 **Section 1.** Section 61-10-102, MCA, is amended to read:

12 **"61-10-102. Width.** (1) Except as provided in subsection (2), a vehicle, including a bus, unloaded
13 or with load, may not have a total outside width in excess of 102 inches. This width for buses is allowed
14 only on paved highways 20 feet or more in width.

15 (2) (a) Subsection (1) does not apply to an implement of husbandry or a vehicle used for hauling
16 hay, moved or propelled upon the highway during daylight hours for a distance of not more than 100 miles
17 if the movement is incidental to the farming operations of the owner of the implement of husbandry or the
18 vehicle used for hauling hay. If the implement or vehicle is more than 12 feet 6 inches wide, it must be
19 preceded by flag vehicle escorts to warn other highway users. This restriction does not apply to dual-wheel
20 tractors under 15 feet overall width that are used in farming operations or to movement on a county road
21 within 100 miles of the farming operation of the owner of an implement of husbandry or a vehicle used for
22 hauling hay. Lights which meet the requirements of 61-9-219(4) must be displayed on the rear of the
23 implement of husbandry or vehicle used for hauling hay. However, if the highway passes through a
24 hazardous area, the implements or vehicles must be preceded and followed by flag vehicle escorts unless
25 the movement of the implements or vehicles is restricted to a county road within 100 miles of the farming
26 operation of the owner.

27 (b) A commercial vehicle that is hauling hay but does not qualify under subsection (2)(a) may be
28 granted a permit subject to the provisions of 61-10-121 through 61-10-127 and the following requirements:

29 (i) travel during daylight hours only for an oversize shipment of large round bales of hay, whether
30 the vehicle is loaded or with an empty hay rack, up to 144 inches; when empty, a square red or orange flag

1 measuring 12 inches on each side must be attached to each corner of the hay rack; and

2 (ii) travel day or night for any other shipment of baled hay, whether the vehicle is loaded or with
3 an empty hay rack, up to 114 inches.

4 (c) Subsection (1) does not apply to a commercial hay grinder moved or propelled upon the
5 highway during daylight hours for a distance of not more than 100 miles if the movement is incidental to
6 operations of the commercial hay grinder. A commercial hay grinder exceeding 102 inches in width must
7 have a permit issued under 61-10-124. If the commercial hay grinder is more than 12 feet 6 inches wide,
8 it must be preceded by flag vehicle escorts to warn other highway users. Lights that meet the requirements
9 of 61-9-219(4) must be displayed on the rear of the commercial hay grinder. Movement of a commercial
10 hay grinder that does not exceed 138 inches in width may occur on any day of the week, including
11 holidays, and is restricted to movement during daylight hours. Movement of a commercial hay grinder may
12 not exceed the posted speed limit, including the speed limit on an interstate highway.

13 (3) A safety device that the department determines by rule adopted pursuant to 61-9-504 to be
14 necessary for safe and efficient operation of motor vehicles is not included in the calculation of width
15 provided in subsection (1).

16 (4) For the purposes of this section, "county road" has the same meaning as the term is defined
17 in 60-1-103."

18

19 NEW SECTION. SECTION 2. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE ON PASSAGE AND
20 APPROVAL.

21

-END-

1 SENATE BILL NO. 335

2 INTRODUCED BY JENKINS, DEBRUYCKER

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE OPERATION OF FARM VEHICLES ON A
5 COUNTY ROAD WITHOUT ACCOMPANYING FLAG VEHICLES; INCREASING THE WIDTH THAT A VEHICLE
6 MUST BE TO WARRANT AN ACCOMPANYING FLAG VEHICLE; ~~AND~~ AMENDING SECTION 61-10-102,
7 MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10
11 **Section 1.** Section 61-10-102, MCA, is amended to read:

12 **"61-10-102. Width.** (1) Except as provided in subsection (2), a vehicle, including a bus, unloaded
13 or with load, may not have a total outside width in excess of 102 inches. This width for buses is allowed
14 only on paved highways 20 feet or more in width.

15 (2) (a) Subsection (1) does not apply to an implement of husbandry or a vehicle used for hauling
16 hay, moved or propelled upon the highway during daylight hours for a distance of not more than 100 miles
17 if the movement is incidental to the farming operations of the owner of the implement of husbandry or the
18 vehicle used for hauling hay. If the implement or vehicle is more than 12 feet 6 inches wide, it must be
19 preceded by flag vehicle escorts to warn other highway users. This restriction does not apply to dual-wheel
20 tractors under 15 feet overall width that are used in farming operations or to movement on a county road
21 within 100 miles of the farming operation of the owner of an implement of husbandry or a vehicle used for
22 hauling hay. Lights which meet the requirements of 61-9-219(4) must be displayed on the rear of the
23 implement of husbandry or vehicle used for hauling hay. However, if the highway passes through a
24 hazardous area, the implements or vehicles must be preceded and followed by flag vehicle escorts unless
25 the movement of the implements or vehicles is restricted to a county road within 100 miles of the farming
26 operation of the owner.

27 (b) A commercial vehicle that is hauling hay but does not qualify under subsection (2)(a) may be
28 granted a permit subject to the provisions of 61-10-121 through 61-10-127 and the following requirements:

29 (i) travel during daylight hours only for an oversize shipment of large round bales of hay, whether
30 the vehicle is loaded or with an empty hay rack, up to 144 inches; when empty, a square red or orange flag

1 measuring 12 inches on each side must be attached to each corner of the hay rack; and

2 (ii) travel day or night for any other shipment of baled hay, whether the vehicle is loaded or with
3 an empty hay rack, up to 114 inches.

4 (c) Subsection (1) does not apply to a commercial hay grinder moved or propelled upon the
5 highway during daylight hours for a distance of not more than 100 miles if the movement is incidental to
6 operations of the commercial hay grinder. A commercial hay grinder exceeding 102 inches in width must
7 have a permit issued under 61-10-124. If the commercial hay grinder is more than 12 feet 6 inches wide,
8 it must be preceded by flag vehicle escorts to warn other highway users. Lights that meet the requirements
9 of 61-9-219(4) must be displayed on the rear of the commercial hay grinder. Movement of a commercial
10 hay grinder that does not exceed 138 inches in width may occur on any day of the week, including
11 holidays, and is restricted to movement during daylight hours. Movement of a commercial hay grinder may
12 not exceed the posted speed limit, including the speed limit on an interstate highway.

13 (3) A safety device that the department determines by rule adopted pursuant to 61-9-504 to be
14 necessary for safe and efficient operation of motor vehicles is not included in the calculation of width
15 provided in subsection (1).

16 (4) For the purposes of this section, "county road" has the same meaning as the term is defined
17 in 60-1-103."

18

19 NEW SECTION. SECTION 2. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE ON PASSAGE AND
20 APPROVAL.

21

-END-

1 SENATE BILL NO. 335

2 INTRODUCED BY JENKINS, DEBRUYCKER

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR THE OPERATION OF FARM VEHICLES ON A
5 COUNTY ROAD WITHOUT ACCOMPANYING FLAG VEHICLES; INCREASING THE WIDTH THAT A VEHICLE
6 MUST BE TO WARRANT AN ACCOMPANYING FLAG VEHICLE; ~~AND~~ AMENDING SECTION 61-10-102,
7 MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10
11 **Section 1.** Section 61-10-102, MCA, is amended to read:

12 **"61-10-102. Width.** (1) Except as provided in subsection (2), a vehicle, including a bus, unloaded
13 or with load, may not have a total outside width in excess of 102 inches. This width for buses is allowed
14 only on paved highways 20 feet or more in width.

15 (2) (a) Subsection (1) does not apply to an implement of husbandry or a vehicle used for hauling
16 hay, moved or propelled upon the highway during daylight hours for a distance of not more than 100 miles
17 if the movement is incidental to the farming operations of the owner of the implement of husbandry or the
18 vehicle used for hauling hay. If the implement or vehicle is more than 12 feet 6 inches wide, it must be
19 preceded by flag vehicle escorts to warn other highway users. This restriction does not apply to dual-wheel
20 tractors under 15 feet overall width that are used in farming operations or to movement on a county road
21 within 100 miles of the farming operation of the owner of an implement of husbandry or a vehicle used for
22 hauling hay. Lights which meet the requirements of 61-9-219(4) must be displayed on the rear of the
23 implement of husbandry or vehicle used for hauling hay. However, if the highway passes through a
24 hazardous area, the implements or vehicles must be preceded and followed by flag vehicle escorts unless
25 the movement of the implements or vehicles is restricted to a county road within 100 miles of the farming
26 operation of the owner.

27 (b) A commercial vehicle that is hauling hay but does not qualify under subsection (2)(a) may be
28 granted a permit subject to the provisions of 61-10-121 through 61-10-127 and the following requirements:

29 (i) travel during daylight hours only for an oversize shipment of large round bales of hay, whether
30 the vehicle is loaded or with an empty hay rack, up to 144 inches; when empty, a square red or orange flag

1 measuring 12 inches on each side must be attached to each corner of the hay rack; and

2 (ii) travel day or night for any other shipment of baled hay, whether the vehicle is loaded or with
3 an empty hay rack, up to 114 inches.

4 (c) Subsection (1) does not apply to a commercial hay grinder moved or propelled upon the
5 highway during daylight hours for a distance of not more than 100 miles if the movement is incidental to
6 operations of the commercial hay grinder. A commercial hay grinder exceeding 102 inches in width must
7 have a permit issued under 61-10-124. If the commercial hay grinder is more than 12 feet 6 inches wide,
8 it must be preceded by flag vehicle escorts to warn other highway users. Lights that meet the requirements
9 of 61-9-219(4) must be displayed on the rear of the commercial hay grinder. Movement of a commercial
10 hay grinder that does not exceed 138 inches in width may occur on any day of the week, including
11 holidays, and is restricted to movement during daylight hours. Movement of a commercial hay grinder may
12 not exceed the posted speed limit, including the speed limit on an interstate highway.

13 (3) A safety device that the department determines by rule adopted pursuant to 61-9-504 to be
14 necessary for safe and efficient operation of motor vehicles is not included in the calculation of width
15 provided in subsection (1).

16 (4) For the purposes of this section, "county road" has the same meaning as the term is defined
17 in 60-1-103."

18

19 NEW SECTION. SECTION 2. EFFECTIVE DATE. [THIS ACT] IS EFFECTIVE ON PASSAGE AND
20 APPROVAL.

21

-END-