

EXHIBIT 4
DATE 2-2-05
HB 445

Motor Carrier Services
2701 Prospect Avenue
PO Box 4639
Helena, MT 59604-4639

February 2, 2005

Representative Rick Maedje
House District 2

Subject: Portable Weighing Accomplished By MCS Officers

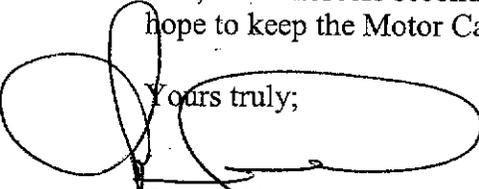
Dear Representative Maedje;

Thank you for bringing the portable weight enforcement problems that we discussed on the phone this morning to my attention. I agree with you 100% that portable weighing should not unduly detain commercial vehicles or create a safety hazard. These issues are clearly addressed in MCS operating policy.

Paraphrasing, the subject policy instructs MCS Officers engaged in portable weight enforcement to limit weighing to the number of vehicles that can be safely accommodated at the weighing site. As I explained when we spoke, that number would be no more than five (5) at a time at "A" type sites, and no more than two (2) at "B" type sites. The policy also instructs MCS Officers to utilize "open/closed" signs to improve safety and reduce weigh site congestion. Finally, the policy clearly states that at no time should vehicles be forced to "stack" up onto the highway or the shoulder of the highway while waiting to be weighed. Stacking trucks onto the highway creates a safety hazard, defies logic and is operationally unacceptable. I believe my employees understand and abide by this policy. However, my desk phone is (406) 444-6140. Please call me with time, location and date details if you find that this is not the case.

In closing, I very much appreciate the concern you have voiced regarding commercial vehicle enforcement practices in Montana. I consider my Officers to be service providers first, and enforcers second. With input and cooperation from you and other legislators, I hope to keep the Motor Carrier Services Division on this course. Please call me any time.

Yours truly;


Drew Livesay, Administrator
Motor Carrier Services Division



Montana Department of Transportation

Drew Livesay
Administrator
Motor Carrier Services Division

Office: (406) 444-7638
Fax: (406) 444-9263
TTY: (800) 335-7592
E-mail: dlivesay@state.mt.us

2701 Prospect Avenue
PO Box 201001
Helena, MT 59620-1001
www.mdt.state.mt.us