

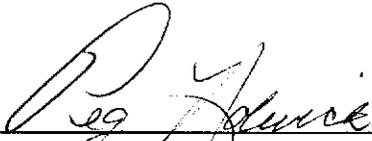


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**COMMITTEE FILE COPY**

**TABLED BILL**

The **SENATE HIGHWAYS AND TRANSPORTATION COMMITTEE** TABLED **HB 683**, by motion, on  
**Thursday, March 31, 2005.**

  
\_\_\_\_\_  
(For the Committee)

  
\_\_\_\_\_  
(Secretary of Senate)

4:30 13-31  
(Time) (Date)

March 31, 2005

Peg Holwick, Secretary

Phone: 444-4783

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## SENATE STANDING COMMITTEE REPORT

April 1, 2005

Page 1 of 2

Mr. President:

We, your committee on **Highways and Transportation** recommend that **House Bill 645** (third reading copy -- blue) be concurred in as amended.

Signed: *Gerald Pease*  
*Senator Gerald Pease, Chair*

To be carried by Senator Dan Weinberg

**And, that such amendments read:**

1. Page 5, line 30.

**Insert:** "COORDINATION SECTION. Section 3. Coordination instruction. If both House Bill No. 671 and [this act] are passed and approved, then 49-4-301 must be amended as follows:

**"49-4-301. Eligibility for special parking permit.** (1) The department of justice shall issue a special parking permit to a person who has a disability that limits or impairs the person's mobility and ~~who, as determined by for whom~~ a licensed physician, a licensed chiropractor, or a licensed advanced practice registered nurse, as provided in 37-8-202, submits a certification to the department, by electronic or other means prescribed by the department, that the person meets one of the following criteria:

- (a) cannot walk 200 feet without stopping to rest;
- (b) is severely limited in ability to walk because of an arthritic, neurological, or orthopedic condition;
- (c) is so severely disabled that the person cannot walk without the use of or assistance from a brace, cane, another person, prosthetic device, wheelchair, or other assistive device;
- (d) uses portable oxygen;
- (e) is restricted by lung disease to the extent that forced expiratory respiratory volume, when measured by spirometry, is less than 1 liter per second or the arterial oxygen tension is less than 60 mm/hg on room air at rest;
- (f) has impairment because of cardiovascular disease or a cardiac condition to the extent that the person's functional

**Committee Vote:**  
Yes 8, No 0.

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limitations are classified as class III or IV under standards accepted by the American heart association; or

(g) has a disability resulting from an acute sensitivity to automobile emissions or from another disease or physical condition that limits or impairs the person's mobility and that is documented by the licensed physician, the licensed chiropractor, or the licensed advanced practice registered nurse as being comparable in severity to the other conditions listed in this subsection (1).

(2) (a) A person who has a condition expected to improve within 6 months may be issued a temporary placard for a period not to exceed 6 months but may not be issued a special license plate under ~~61-3-332(11)~~ 61-3-332(9). If the condition exists after 6 months, a new temporary placard must be issued for the time period prescribed by the applicant's physician, chiropractor, or advanced practice registered nurse, not to exceed 24 months, upon receipt of a new later paper or electronic certification from the disabled person's physician, chiropractor, or advanced practice registered nurse that the conditions specified in subsection (1) continue to exist and are expected to continue for the time specified.

(b) A person who meets one of the criteria in subsection (1) for what is considered to be a permanent condition, as determined by a licensed physician, a licensed chiropractor, or a licensed advanced practice registered nurse, may, by application to the department, by electronic or other means prescribed by the department, be issued a special license plate under 61-3-332(9) and is not required to reapply for the special license plate when the vehicle is reregistered.

(3) The department of justice may issue special parking permits to an agency or business that provides transportation as a service for persons with a disability. The permits must be used only to load and unload persons with a disability in the special parking place provided for in 49-4-302. As used in this subsection, "disability" means a physical impairment that severely limits a person's ability to walk.

(4) Except as provided in subsection (3), an applicant may not receive more than one permit."

**Insert:** "COORDINATION SECTION. Section 4. Coordination instruction. If both House Bill No. 671 and [this act] are passed and approved, then the code commissioner shall change all of the references to vehicle in subsection (11)(c) of 61-3-332 in [this act] to references to motor vehicles."

**Renumber:** subsequent sections

- END -



## SENATE STANDING COMMITTEE REPORT

March 31, 2005

Page 1 of 1

Mr. President:

We, your committee on **Highways and Transportation** recommend that **House Bill 170** (third reading copy -- blue) be concurred in.

Signed:

Handwritten signature of Gerald Pease in cursive script.

*Senator Gerald Pease, Chair*

To be carried by Senator Donald Steinbeisser

- END -

**Committee Vote:**  
**Yes 8, No 0.**

681640SC.sjo

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## SENATE STANDING COMMITTEE REPORT

March 31, 2005

Page 1 of 1

Mr. President:

We, your committee on **Highways and Transportation** recommend that **House Bill 451** (third reading copy -- blue) be concurred in.

Signed: *Gerald Pease*  
*Senator Gerald Pease, Chair*

To be carried by Senator Gerald Pease

- END -

**Committee Vote:**  
**Yes 8, No 0.**

681641SC.sjo

KF

**PROXY VOTE**

I, the undersigned, hereby authorize Senator Laslovich to  
vote my proxy on any issue before the Senate Highways  
Committee held on 3-31-05, 2005.

- HB 683 : YES TO TABLE
- HB 645 : YES TO AMENDMENT  
          YES
- HB 170 : YES
- HB 451 : YES

  
\_\_\_\_\_  
SENATOR  
STATE OF MONTANA

PROXY VOTE

I, the undersigned, hereby authorize Senator Jesse L. to

vote my proxy on any issue before the Senate ~~S~~ Transportation

Committee held on 3-31-05, 2005.

HR 683: NO TO TABLE

Vote HB 645: YES  
YES TO ANDART

HB 170: YES

Yes on HB 451: YES

Bills

Sam Kutigobes

SENATOR  
STATE OF MONTANA





US Department  
Of Transportation  
**Federal Highway  
Administration**

Montana Division

2880 Skyway Drive  
Helena, Montana 59602

March 30, 2005

In Reply Refer to:  
HDA-MT

Drew Livesay, Administrator  
Motor Carrier Services Division  
Montana Department of Transportation  
2701 Prospect Avenue  
Helena, MT 59601

Subject: Length Limits on Triple-Trailer Truck Configurations  
Amending Section 61-10-214, Montana Code Annotated (MCA)  
CY 2005 Montana State Legislative Session

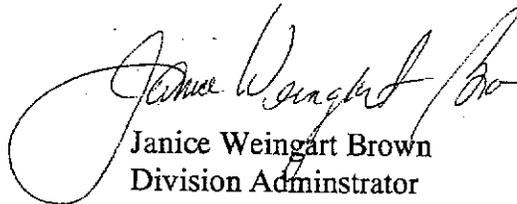
Dear Mr. Livesay:

We understand that in a previous legislative session Montana's Code for allowable length limits was modified for triple-trailer truck configurations. The previously amended MCA allows combined trailer lengths up to and including 95 feet. However, this amendment did not address the overall federal length limit of 110 feet for the tractor and trailer units. Therefore, this modification is in conflict with federal regulations for truck length.

Montana cannot certify that it is adequately enforcing size and weight laws in accordance with federal size and weight laws. Unless Montana's MCA is amended to be in concert with Appendix C under 23 CFR 658 then the State will be found in non-conformance with federal size and weight laws. The result is that Montana's apportioned highway funds for the next fiscal year will be reduced by 10 percent if the State does not modify their MCA for triple-trailer truck configurations.

If you have any questions, please contact Bob Burkhardt, FHWA Planning Engineer, at 406-449-5302 ext. 241.

Sincerely,



Janice Weingart Brown  
Division Administrator

File: 722.8 reb/lr

