SENATE TAXATION
EXHIBIT NO. 9
DATE 3-2-05
BILL NO. HB 186

March 2, 2005
TO: Senate Taxation Committee
Chairman Elliott and Committee Members

Comments in Opposition to HB 186

The following statements regarding HB 186 are offered from the Great Falls Trail Bike Riders Association. We are a mix of off highway vehicle riders, motorcycle and quadricycle, from Great Falls and the surrounding communities. Our membership is comprised of over five hundred families who recreate on public land in Montana.

This bill was presented in the House Transportation Committee as a way to keep the small "pocket rocket" vehicles off of the streets and highways. We also offered testimony in opposition to HB 186 at that hearing. While the stated intent of the bill was commendable, the bill had substantial flaws. The bill was changed dramatically, thanks to Representative Bergren, by removing large sections and amending to eliminate the many negative unintended consequences.

This is unnecessary legislation. Currently there are statutes that would make any attempt to register and license one of these "pocket rockets" illegal. If one is on the street or highway, an enforcement officer can at this time enforce the current statutes and get them off the "ways" in Montana. We agree these are unsafe for anyone operating one with regular traffic but feel that another law is not necessary.

The methods used in this bill to establish the description of a non-standard vehicle as last seen, cause more confusion than clarity. A 17 digit VIN number is used by many small two wheeled vehicles, while some standard size motorcycles have 11 digit VIN.

Many of our members ride off highway motorcycles that have been converted for street use under current code, Title 61, Chapter 9, MCA. The Motor Vehicle Division Inspection checklist, (MV70) lists all of the required heights & projection of headlights, height and visibility of taillight, brakes, horn, muffler system, mirror, tires, and minimum speed (unable to travel 25 mph require a slow-moving vehicle sign be displayed). The "pocket rocket" vehicles could not honestly fulfill requirements on the inspection checklist.

If there is a justified reason to have a bill describing non-standard vehicles, we would work with whomever to produce a more workable product than what you see before you. We believe this is a case of no bill being better than a bad bill. We ask that you do not support this bill.

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