SENATE HIGHWAYS AND TRANSPORTATION
EXHIBIT NO. 1
DATE: 3/23/2005
BILL NO. HB 507

Amendments to Senate Bill No. 507
1st Reading Copy

Requested by Senator John Brueggeman

For the Senate Highways and Transportation Committee

Prepared by Todd Everts
March 22, 2005 (1:59pm)

1. Title, line 10.
Following: "61-9-204,"
Insert: "61-9-407, 61-9-430,"

2. Page 1, line 30.
Strike: "or"
Following: "parade"
Insert: ", or other occasional transportation activity"

3. Page 8, line 1.
Insert: "Section 7. Section 61-9-407, MCA, is amended to read:

"61-9-407. Fenders, splash aprons, or flaps required on certain vehicles -- dimension and location. (1) A person may not move, or permit to be moved, a vehicle, except a motorcycle, quadricycle, motor-driven cycle, or farm tractor, as defined in this title, upon the public highways without having first equipped the rearmost wheels or set of wheels of the vehicle with fenders, splash aprons, or flaps. The fenders, splash aprons, or flaps must be designed, constructed, and attached to the vehicle in a manner that arrests and deflects dirt, mud, water, rocks, and other substances that may be picked up by the rear wheels of the vehicle and thrown into the air, as follows:

(a) If the vehicle is equipped with fenders, the fenders must extend in full width from a point above and forward of the center of the tire or tires over and to the rear of the tires.

(b) If the vehicle is equipped with splash aprons or flaps, the splash aprons or flaps must extend downward in full width from a point not lower than halfway between the center of the tire or tires and the top of the tire or tires and to the rear of the tires.

(c) If the vehicle is in excess of 8,000 pounds gross vehicle weight or rating, the fenders, splash aprons, or flaps must extend downward to a point that is not more than 10 inches above the surface of the highway when the vehicle is empty.

(d) If the vehicle is 8,000 pounds or less gross vehicle weight or rating, the fenders, splash aprons, or flaps must extend downward to a point that is not more than 20 inches above the surface of the highway when the vehicle is empty.

(2) Fenders, splash aprons, or flaps, as used in subsection

(1), must be constructed as follows:

(a) when measured on the cross-sections of the tread of the wheel or on the combined cross-sections of the treads of multiple wheels, the fender, splash apron, or flap extends at least to each side of the width of the tire or of the combined width of the multiple tires; and

(b) the fender, splash apron, or flap is capable at all times of arresting and deflecting dirt, mud, water, or other substance that may be picked up and carried by the wheel or wheels.

(3) This section does not apply to a street rod ~~vehicles,~~ as defined in [section 1], motor vehicles not originally equipped with fenders, splash aprons, or flaps~~,~~, or motor vehicles for which fenders, splash aprons, or flaps were not required by federal law or regulation at the time of manufacture.

~~(4) For purposes of 61-9-430 and this section, "street rod" means a vehicle manufactured before 1949 that has been modified in body style or design.~~"

{*Internal References to 61-9-407:*
x61-9-430 x61-9-515}"

Insert: "Section 8. Section 61-9-430, MCA, is amended to read:

"61-9-430. Bumpers. (1) A motor vehicle of less than 10,000 pounds gross vehicle weight or rating registered in Montana, except a motorcycle, a quadricycle, a motor-driven cycle, or a farm tractor, must be equipped with a front bumper and, unless the vehicle is equipped with work-performing features that make installation impractical or unnecessary, with a rear bumper.

(2) This section does not apply to a street rod ~~vehicles~~, as defined in ~~61-9-407(4)~~ [section 1], vehicles not originally equipped with front or rear bumpers, or vehicles for which bumpers were not required by federal law or regulation at the time of manufacture."

{*Internal References to 61-9-430:*
x61-9-407}"

Renumber: subsequent sections

- END -