

## 1 SENATE BILL NO. 244

## 2 INTRODUCED BY SQUIRES

3  
4 A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING RECREATIONAL VEHICLES AND CAMPERS USED  
5 FOR NONCOMMERCIAL PURPOSES TO EXCEED VEHICLE WIDTH LIMITS UNDER CERTAIN  
6 CIRCUMSTANCES; REVISING THE DEFINITION OF "TRAVEL TRAILER"; AMENDING SECTIONS 61-1-129,  
7 61-1-131, 61-1-132, AND 61-10-102, MCA; AND PROVIDING AN EFFECTIVE DATE."

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

10  
11 **SECTION 1.** SECTION 61-1-129, MCA, IS AMENDED TO READ:

12 **"61-1-129. Camper.** (1) The term "camper" as used in 61-1-102 and 61-10-102 includes but is not  
13 limited to truck camper, chassis-mounted camper, cab-over, half cab-over, noncab-over, telescopic, and  
14 telescopic cab-over.

15 (2) The term does not include a truck canopy cover or topper."  
16

17 **Section 2.** Section 61-1-131, MCA, is amended to read:

18 **"61-1-131. Travel trailer.** "Travel trailer" as used in 61-1-132, 61-3-521, and 61-3-523 means a ~~trailer~~  
19 vehicle:

20 (1) that is 45 40 feet or less in length; and 8 feet or less in width originally designed or permanently  
21 ~~altered~~

22 (2) that is of a size or weight that does not require special permits when towed by a motor vehicle;

23 (3) with gross trailer area of less than 320 square feet; and

24 (4) that is designed to provide temporary facilities for recreational, travel, or camping use and not used  
25 as a principal residence."  
26

27 **Section 3.** Section 61-1-132, MCA, is amended to read:

28 **"61-1-132. Recreational vehicle.** The term "recreational vehicle" as used in chapter 4, part 1, of this  
29 title, 61-10-102, and 61-10-141 includes travel trailers as defined in 61-1-131, motor homes as defined in  
30 61-1-130, and other self-propelled vehicles originally designed or permanently altered to provide temporary

1 facilities for recreational, travel, or camping use."

2

3 **Section 4.** Section 61-10-102, MCA, is amended to read:

4 **"61-10-102. Width.** (1) Except as provided in ~~subsection (2)~~ subsections (2) and (3), a vehicle, including  
5 a bus, unloaded or with load, may not have a total outside width in excess of 102 inches. This width for buses  
6 is allowed only on paved highways 20 feet or more in width.

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

18 (b) An implement of husbandry or a vehicle used for hauling hay that exceeds 16 1/2 feet in width and  
19 that is traveling on an interstate or a four-lane highway must be followed by a flag vehicle escort.

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

22 (i) travel during daylight hours only for an oversize shipment of large round bales of hay, whether the  
23 vehicle is loaded or with an empty hay rack, up to 144 inches; when empty, a square red or orange flag  
24 measuring 12 inches on each side must be attached to each corner of the hay rack; and

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

27 (d) Subsection (1) does not apply to a commercial hay grinder moved or propelled upon the highway  
28 during daylight hours for a distance of not more than 100 miles if the movement is incidental to operations of the  
29 commercial hay grinder. A commercial hay grinder exceeding 102 inches in width must have a permit issued  
30 under 61-10-124. If the commercial hay grinder is more than 12 1/2 feet wide, it must be preceded by flag vehicle

1 escorts to warn other highway users. Lights that meet the requirements of 61-9-219(4) must be displayed on the  
 2 rear of the commercial hay grinder. Movement of a commercial hay grinder that does not exceed 138 inches in  
 3 width may occur on any day of the week, including holidays, and is restricted to movement during daylight hours.  
 4 Movement of a commercial hay grinder may not exceed the posted speed limit, including the speed limit on an  
 5 interstate highway.

6 (3) (a) The width of a recreational vehicle, as defined in 61-1-132, AND A CAMPER, AS DEFINED IN  
 7 61-1-129, that is being operated for noncommercial purposes may exceed 102 inches if:

8 (i) the excess width is attributable to recreational vehicle OR CAMPER appurtenances that do not extend  
 9 beyond the exterior rearview mirrors of the recreational vehicle, or THE CAMPER, a vehicle being towed by the  
 10 recreational vehicle, OR THE MOTOR VEHICLE PROVIDING MOTIVE POWER; and

11 (ii) the rearview mirrors extend only the distance necessary to provide the appropriate field of view for  
 12 the vehicle before the recreational vehicle OR CAMPER appurtenances are attached.

13 (b) For the purposes of this section, "recreational vehicle OR CAMPER appurtenances" means an awning  
 14 and its support hardware or any appendage that is intended to be an integral part of the recreational vehicle OR  
 15 CAMPER and that is installed by the manufacturer or dealer.

16 ~~(3)(4)~~ A safety device that the department determines by rule adopted pursuant to 61-9-504 to be  
 17 necessary for safe and efficient operation of motor vehicles is not included in the calculation of width provided  
 18 in subsection (1).

19 ~~(4)(5)~~ For the purposes of this section, "county road" has the same meaning as ~~the term is defined~~  
 20 provided in 60-1-103.

21  
 22 COORDINATION SECTION. SECTION 5. COORDINATION INSTRUCTION. IF SENATE BILL NO. 285 AND [THIS  
 23 ACT] ARE BOTH PASSED AND APPROVED, THEN THE CODE COMMISSIONER SHALL INCLUDE THE REVISIONS TO THE  
 24 DEFINITION OF "TRAVEL TRAILER" IN [THIS ACT] IN THE DEFINITION OF THAT TERM IN SENATE BILL NO. 285.

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 26 NEW SECTION. Section 6. Effective date. [This act] is effective May 1, 2005.

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