

HOUSE BILL NO. 607

INTRODUCED BY B. WAGNER

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING MOTOR CARRIER LAWS; REQUIRING A PEACE OFFICER, OFFICER OF THE HIGHWAY PATROL, OR EMPLOYEE OF THE DEPARTMENT OF TRANSPORTATION TO ACCEPT A CERTIFIED WEIGHT TICKET OF GROSS VEHICLE WEIGHT AS EVIDENCE OF AN OPERATOR'S INTENT TO COMPLY WITH AXLE WEIGHT LIMITS; PROVIDING THAT AN OPERATOR WITH A CERTIFIED WEIGHT TICKET MAY NOT BE CHARGED WITH A VIOLATION OF AXLE WEIGHT LIMITS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

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

NEW SECTION. Section 1. Certified weight ticket -- evidence of intent to comply with axle weight

law. (1) A peace officer, officer of the highway patrol, or employee of the department of transportation shall accept an operator's certified weight ticket of gross vehicle weight as evidence that the operator did not intend to knowingly, purposely, or negligently violate the axle weight provisions of 61-10-107.

(2) A peace officer, officer of the highway patrol, or employee of the department of transportation may not charge an operator of a vehicle with a violation of axle weight standards pursuant to 61-10-144(1) if:

(a) the operator presents to the officer a certified weight ticket of the gross vehicle weight of the vehicle or combination of vehicles; and

(b) the gross vehicle weight as certified does not exceed allowable gross weight limitations provided in this chapter.

NEW SECTION. Section 2. Codification instruction. [Section 1] is intended to be codified as an

integral part of Title 61, chapter 10, part 1, and the provisions of Title 61, chapter 10, part 1, apply to [section 1].

NEW SECTION. Section 3. Effective date. [This act] is effective on passage and approval.

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