

SENATE BILL NO. 225

INTRODUCED BY T. BROWN

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A BILL FOR AN ACT ENTITLED: "AN ACT INCREASING THE ALLOWABLE GROSS VEHICLE WEIGHT PER AXLE FOR FARM VEHICLES TRANSPORTING SUGAR BEETS WITHIN A 50-MILE RADIUS OF THE HARVESTED FIELD BETWEEN SEPTEMBER 15 AND DECEMBER 1; AND AMENDING SECTION 61-10-144, MCA."

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

Section 1. Section 61-10-144, MCA, is amended to read:

"61-10-144. Violation of standards -- tolerance. (1) It is a misdemeanor for a person, firm, or corporation to violate any provision of 61-10-101 through 61-10-104 and 61-10-106 through 61-10-110.

(2) The operator of a vehicle or combination of vehicles may move over the highways to the first open state scale, permanent or portable, without incurring the excess weight penalties set forth in 61-10-145 if the total gross weight of the vehicle or combination of vehicles does not exceed allowable total gross weight limitations by more than 10% and if the weight carried by any axle or combination of axles does not exceed the allowable axle weight limitations by more than 10%. If the vehicle or combination of vehicles is not in excess of the allowable total gross or axle weight limitations by more than 10%, the department may issue a single trip permit for the fee of \$10, allowing the vehicle or combination of vehicles to move over the highways to the first facility where its load can be safely adjusted or to its destination. Violations of total gross or axle weight limitations in excess of 10% are subject to the fines provided in 61-10-145, and all loads in excess of 10% of the total gross or axle weight limitations:

(a) may be required to be adjusted or reduced to conform to the size and weight limitations before the vehicle or combination of vehicles is moved from the point of weighing; or

(b) may be issued a permit as authorized by 61-10-141.

(3) Farm vehicles transporting agricultural products from a harvesting combine or other harvesting machinery may be operated on any highway, except a highway that is part of the federal-aid interstate system, within a 100-mile radius of the harvested field to the point of first unloading without incurring excess weight penalties under 61-10-145 if the total gross weight of the farm vehicle or combination of vehicles does not exceed

1 allowable weight limitations by more than 20% for each axle and the maximum load for each inch of tire width
2 does not exceed 670 pounds. A single trip permit, as required in subsection (2), is not applicable to the farm
3 vehicle or combination of vehicles. When a farm vehicle or combination of vehicles violates any of the provisions
4 of this subsection, the fine or penalty imposed applies to that portion of the load above the legal limit.

5 (4) Farm vehicles transporting sugar beets from a harvested field between September 15 and December
6 1 may be operated on any highway, except a highway that is part of the federal-aid interstate system, within a
7 50-mile radius of the harvested field to the point of first unloading at a designated sugar beet receiving station
8 without incurring excess weight penalties under 61-10-145 if the total gross weight of the farm vehicle or
9 combination of vehicles does not exceed allowable weight limitations by more than 30% for each axle. A single
10 trip permit, as required in subsection (2), is not applicable to the farm vehicle or combination of vehicles. When
11 a farm vehicle or combination of vehicles violates any of the provisions of this subsection, the fine or penalty
12 imposed applies to that portion of the load above the legal limit."

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