



EXHIBIT 1
DATE 2-6-2009
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Montana Legislative Services Division
Office of Research and Policy Analysis

February 2, 2009

TO: House Transportation Committee

FROM: Rachel Weiss, committee staff

RE: Statute allowing Governor to exempt vehicles from size/weight limits

Chairman Sonju asked that I distribute to the committee the current statute in the MCA that allows the Governor to exempt vehicles from weight and size limits imposed in Title 61. The statute is 61-10-111, which can be found online here:

<http://data.opi.mt.gov/bills/mca/61/10/61-10-111.htm>. This statute came up in the discussion on HB233, which would create a wintertime overweight permit for certain farm vehicles. The bill is currently tabled in committee.

I will distribute copies of the statute at our next meeting, Wednesday, February 4, 2009.

Montana Code Annotated - 2007

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61-10-111. Governor's authority to exempt vehicles from size and weight limits. (1) The governor may, through executive order, exempt vehicles from the size and weight limits imposed under this part:

(a) upon a request of the director of the department of transportation and any other agency involved in the need to move oversize or overweight vehicles on the highway during emergency circumstances;

(b) for a specified, limited period of time; and

(c) during emergency circumstances and to meet unusual conditions to ensure the general welfare of the public.

(2) The agency director who requests the executive order may specify the areas in which the exemption is in effect, the duration of the exemption, the types of vehicles to be exempted, and any other appropriate conditions of the order.

(3) For the purposes of this section, "emergency circumstances" means conditions brought about by a weather event or a natural or other occurrence for which the movement of vehicles that may exceed size and weight limits is necessary for responding to the event or occurrence or for moving supplies, agricultural or other products, or equipment in a manner that is necessary because of the event or occurrence.

History: En. Sec. 1, Ch. 291, L. 2001.

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