

STATE OF MONTANA
DEPARTMENT OF JUSTICE
 MOTOR VEHICLE DIVISION

SENATE HIGHWAYS AND TRANSPORTATION

FILE NO. 1
 DATE: 2/17/09
 BILL NO. SB 385

Mike McGrath
 Attorney General



303 North Roberts
 PO Box 201430
 Helena, MT 59620-1430

Friday, September 16, 2005

Mr. Roy D. Weikum
 219 South Montana
 Conrad, MT 59425

Dear Mr. Weikum,

This letter is to confirm that you do not need a commercial driver's license to drive your F250 pickup and pull the hay chopper that you had with you on Thursday, September 15, 2005. You are legal to drive this combination of vehicle/equipment with your class D driver's license.

Federal regulation mandates that when we are checking the gross vehicle weight we look at the manufacture's plate on the vehicle, not the vehicle registration. It is the gross vehicle weight listed on the manufacturer's plate that determines whether or not a commercial license will be necessary for the operation of that vehicle. The same holds true when combining weights of a towing unit and the unit being towed.

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Weights are combined when the unit being towed has a GVWR in excess of 10,000 pounds. Please keep in mind when combining GVWR that it is the manufacturer's gross vehicle weight that you use, and if the GCWR's (gross combination weight ratings) of the towing unit and unit being towed meet or exceed 26,001 pounds, then you would need a commercial driver license. (Or a single vehicle with a GVWR at 26,001 or more requires a commercial license unless exempt.) I am enclosing a classification list from our commercial driver license manual that further explains the commercial classes of licenses and their requirements.

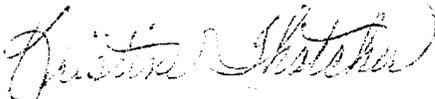
For our testing purposes, if we cannot satisfactorily determine the gross vehicle weight of the unit being towed, then the driver of the vehicle will need to present an owners

manual, manufacturer's schematic or some such document verifying the GVWR of that towed unit.

I hope this information is helpful. You mentioned that you thought there might be some confusion at some of the scales, in particular the one near Laurel. I would recommend contacting the Regional Manager at the Billings Driver License Office, Brenda Ray (896-4327). I know she will be happy to assist with any necessary clarification as well.

If you have any questions please don't hesitate to contact me.

Sincerely,



Kristine Thatcher, Regional Manager
Great Falls Driver Licensing
916 13th Ave. South
Great Falls, MT 59405
454-3149

ENC



KRISTINE THATCHER

REGIONAL MANAGER

MOTOR VEHICLE DIVISION, FIELD OPERATIONS BUREAU

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GREAT FALLS DRIVER LICENSING
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GREAT FALLS, MT 59405

Classifications. Each Interstate or Intrastate license will be classified as to the type of vehicle driven as follows:

Combination Vehicle (Group A) is any combination of vehicles with a Gross Combination Weight Rating (GCWR) of 11,794 kilograms or more (26,001 pounds or more) provided the GVWR of the vehicle(s) being towed is in excess of 4,536 kilograms (10,000 pounds).

Heavy Straight Vehicle (Group B) is any single vehicle with a GVWR of 11,794 kilograms or more (26,001 pounds or more) or any such vehicle towing a vehicle not in excess of 4,536 kilograms (10,000 pounds) GVWR.

Small Vehicle (Group C) is any single vehicle, or combination of vehicles, that meets neither the definition of Group A nor that of Group B as contained in this section, but that either is designed to transport 16 or more passengers including the driver, or is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act and which requires the motor vehicle to be placarded under the Hazardous Materials Regulations.

Non-Commercial Vehicle (Group D) is any noncommercial vehicle authorized to be driven with a regular driver's license (Class D).

Double/Triple Trailers endorsement is required for drivers who pull double or triple trailers in Vehicle Group A, B, or C.

Passenger Vehicles endorsement is required in Group A, B, or C vehicles that are designed to transport sixteen (16) or more passengers including the driver.

Tank Vehicle meaning any Commercial Motor Vehicle that is designed to transport any liquid or gaseous materials within a tank that is either permanently or temporarily attached to the vehicle or the chassis. Such vehicles include, but are not limited to, cargo tanks and portable tanks as defined in CFR 383.5. The endorsement is applicable to commercial vehicles in Vehicle Group A, B, or C, however, this definition does not include portable tanks having a rated capacity less than 1,000 gallons.

Hazardous Materials endorsement is required of placarded hazardous materials haulers operating commercial vehicles in Vehicle Group A, B, or C.

School Bus endorsement is required for a Commercial Motor Vehicle, or any bus regardless of size, used to transport pre-primary, primary, or secondary school students from home to school, from school to home, or to and from school sponsored events. School bus does not include a bus used as a common carrier.

Air Brake Restriction is a restriction placed on a Commercial Driver's License prohibiting the operation of airbrake equipped vehicles unless the driver has passed an examination (written, pre-trip, and driving) to show that he is qualified to operate an airbrake equipped vehicle.