

HOUSE BILL NO. 60

INTRODUCED BY G. MACLAREN

BY REQUEST OF THE PUBLIC SERVICE COMMISSION

A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING THE APPOINTMENT OF A SUPERVISOR OF MOTOR CARRIERS BY THE PUBLIC SERVICE COMMISSION; AND AMENDING SECTION 69-12-203, MCA."

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

Section 1. Section 69-12-203, MCA, is amended to read:

"69-12-203. ~~Supervisor of motor carriers~~ Field inspectors. ~~(1) The commission shall appoint a supervisor of motor carriers who has general responsibility to the commission for enforcement of the provisions of this chapter. The supervisor must be either an attorney admitted to practice law in Montana or a person qualified by at least 5 years of suitable experience and training in appropriate phases of the motor carrier industry. The supervisor shall serve at the pleasure of the commission and at an annual salary to be set by the commission.~~

~~———— (2) The supervisor shall direct all enforcement activities on behalf of the commission, including the investigation and prosecution of violations of this chapter or the rules or orders prescribed under this chapter by the commission.~~

~~———— (3) The supervisor and whatever The commission may employ field inspectors may be employed by the commission to assist the supervisor are considered to investigate and enforce the provisions of this chapter. Field inspectors employed by the commission are peace officers for the purpose of making arrests in connection with violations of this chapter and issuing summonses, accepting bail, and serving warrants of arrest. The supervisor and field inspectors are empowered to make reasonable inspections of cargoes carried by commercial motor vehicles and require production of manifests, bills of lading, leases, and other documents relating to the cargo, driver, routing, or ownership of the vehicles. The scope of the inspections is limited to the enforcement of the provisions of Title 69, chapter 12."~~

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