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EXHIBIT 1  
DATE 01/23/2013  
HB 216  
RESOLUTION 2012 - 16

### OVERWEIGHT PERMIT FEES

It is the intent of the Montana Association of Counties to seek legislation that will provide for an equitable distribution of permit fees collected.

**WHEREAS**, the Montana Department of Transportation (MDT) issues overweight and over size permits for loads on highways and roads open to public travel; and

**WHEREAS**, MDT has no jurisdiction over county roads; and

**WHEREAS**, Montana Code Annotated (MCA) Section 61-10-121 authorizes counties to issue permits for such loads on highways over which counties have jurisdiction; and

**WHEREAS**, MCA Section 61-10-121 authorizes MDT to issue permits for such loads on highways over which MDT has jurisdiction; and

**WHEREAS**, MCA Section 61-10-126 requires that all fees for permits issued pursuant to 61-10-121 be forwarded to the department for deposit in the non-restricted account in the state special revenue fund.

**NOW, THEREFORE, BE IT RESOLVED**, that the Montana Association of Counties shall seek legislation that will provide for an equitable distribution of overweight and over size permit fees collected.

<b>SPONSOR:</b>	<b>Districts 1, 2 &amp; 3</b>
<b>RECOMMENDATION:</b>	<b>Do Pass</b>
<b>REFERRED TO:</b>	<b>MACo Transportation Committee</b>
<b>ADOPTED:</b>	<b>Annual Conference, Great Falls, MT, September 26, 2012</b>