

## 1 HOUSE BILL NO. 513

2 INTRODUCED BY MCCHESENEY, ANKNEY, ARNTZEN, BLASDEL, CUFFE, GLIMM, HOLLANDSWORTH,  
3 KEANE, THOMAS, VINCENT

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5 A BILL FOR AN ACT ENTITLED: "AN ACT EXEMPTING PERMITS FOR OVERSIZE VEHICLES FROM  
6 ENVIRONMENTAL REVIEW UNDER CERTAIN CIRCUMSTANCES; AND AMENDING SECTION 61-10-121,  
7 MCA."

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

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11 **Section 1.** Section 61-10-121, MCA, is amended to read:

12 **"61-10-121. Permits for excess size and weight -- exempt from environmental review -- agents.**

13 (1) (a) Upon application and with good cause shown, the department of transportation, or its agent under  
14 subsection (3), and local authorities in their respective jurisdictions may issue telephonically or in writing a special  
15 permit authorizing the applicant to operate or move a vehicle, combination of vehicles, load, object, or other thing  
16 of a size or weight exceeding the maximum specified in 61-10-101 through 61-10-104 and 61-10-106 through  
17 61-10-110 upon a highway under the jurisdiction of and for the maintenance of which the body granting the permit  
18 is responsible. However, only the department may issue permits for movement of a vehicle or combination of  
19 vehicles carrying built-up or reducible loads in excess of 9 feet in width or exceeding the length, height, or weight  
20 specified in 61-10-101 through 61-10-104 and 61-10-106 through 61-10-110. This permit must be issued in the  
21 public interest. A carrier receiving this permit must have public liability and property damage insurance for the  
22 protection of the traveling public as a whole. A permit may not be issued for a period greater than the period for  
23 which the GVW license is valid, including grace periods, as provided in this title. Owners of vehicles licensed in  
24 other jurisdictions may, at the discretion of the department, purchase permits to expire with their registration. A  
25 license required by the state governs the issuance of a special permit.

26 (b) The department may issue to dealers in implements of husbandry and self-propelled machinery  
27 oversize permits. The permits may be transferred from unit to unit by the dealer, for the fee set forth in 61-10-124.  
28 These oversize permits may not restrict dealers in implements of husbandry and self-propelled machinery from  
29 traveling on a Saturday or Sunday and expire on December 31 of each year, with no grace period. For the  
30 purposes of this section, a dealer in implements of husbandry or self-propelled machinery must be a resident of

1 the state. A post-office box number is not a permanent address under this section.

2 (2) The applicant for a special permit shall specifically describe the powered vehicle or towing vehicle  
3 and generally describe the type of vehicle, combination of vehicles, load, object, or other thing to be operated or  
4 moved and the particular state highways over which the vehicle, combination of vehicles, load, object, or other  
5 thing is to be moved and whether the permit is required for a single trip or for continuous operation.

6 (3) Issuance of a permit pursuant to this section is exempt from the provisions of Title 75, chapter 1, parts  
7 1 and 2, WHEN EXISTING ROADS THROUGH EXISTING RIGHTS-OF-WAY ARE USED.

8 ~~(3)~~(4) The department may enter into a contract with a private party to act as an agent of the department  
9 for the purpose of issuing, in writing, a special permit allowed under this section."

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