

## MINUTES

### MONTANA HOUSE OF REPRESENTATIVES 64th LEGISLATURE - REGULAR SESSION

#### COMMITTEE ON TRANSPORTATION

**Call to Order:** Chair Steve Lavin, on January 26, 2015 at 3:00 PM, in Room 455 Capitol

#### ROLL CALL

**Members Present:**

Rep. Steve Lavin, Chair (R)  
Rep. Christy Clark, Vice Chair (R)  
Rep. Nancy Wilson, Vice Chair (D)  
Rep. Rob Cook (R)  
Rep. Willis Curdy (D)  
Rep. Clayton Fiscus (R)  
Rep. Frank Garner (R)  
Rep. George G. Kipp III (D)  
Rep. Margaret (Margie) MacDonald (D)  
Rep. Wendy McKamey (R)  
Rep. Mike Miller (R)  
Rep. Bridget Smith (D)  
Rep. Kathy Swanson (D)

**Members Excused:** Rep. Lee Randall (R)

**Members Absent:** None

**Staff Present:** Kendra Balian, Committee Secretary  
Dave Bohyer, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 241, 1/19/2015; HB 242, 1/19/2015; HB 246, 1/19/2015

00:00:26 Chair Lavin

**HEARING ON HB 241**

**Opening Statement by Sponsor:**

00:01:37 Rep. Tom Berry (R), HD 40, opened the hearing on HB 241, Clarify definition of commercial motor vehicle for emergency vehicles.

**Proponents' Testimony:**

00:03:19 Harold Blattie, Montana Association of Counties (MACo)

00:05:22 Dean Blomquist, Golden Valley County Commissioner

**Opponents' Testimony:**

00:06:45 Bob Gilbert, Montana Tow Truck Association

00:08:30 Jim Dusenberry, Montana Tow Truck Association

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:10:48 Rep. Cook

00:11:17 Rep. Berry

00:11:48 Rep. Cook

00:12:11 Rep. Berry

00:12:20 Rep. Cook

00:12:35 Rep. Curdy

00:13:01 Rep. Berry

00:13:24 Rep. Wilson

00:13:45 Rep. Berry

00:13:49 Rep. Wilson

00:14:16 Rep. Berry

00:15:09 Rep. Wilson

00:16:18 Rep. Berry

00:16:44 Rep. MacDonald

00:17:22 Rep. Berry

00:17:49 Rep. Fiscus

00:18:30 Rep. Berry

00:18:41 Rep. Fiscus

00:18:49 Rep. Berry

**Closing by Sponsor:**

00:19:00 Rep. Berry

**HEARING ON HB 242**

**Opening Statement by Sponsor:**

00:19:49 Rep. Kerry White (R), HD 64, opened the hearing on HB 242, Revise notification requirements when a vehicle is involved in an accident.

**EXHIBIT(trh17a01)**

**Proponents' Testimony:**

00:26:07 Jason Hildenstab, Montana Highway Patrol (MHP)

**Opponents' Testimony:**

00:27:30 Al Smith, Montana Trial Lawyers Association (MTLA)

**Informational Testimony:** None**Questions from Committee Members and Responses:**

00:31:04 Rep. Garner  
00:32:08 Rep. White  
00:33:26 Rep. Garner  
00:33:53 Rep. White  
00:35:01 Rep. Garner  
00:35:20 Rep. Curdy  
00:36:01 Rep. White  
00:36:51 Chair Lavin  
00:37:36 Rep. White  
00:38:28 Chair Lavin  
00:38:32 Rep. White  
00:39:03 Chair Lavin  
00:39:14 Rep. MacDonald  
00:39:59 Al Smith, MTLA  
00:40:46 Rep. McKamey  
00:41:37 Al Smith, MTLA  
00:42:10 Rep. McKamey  
00:42:39 Al Smith, MTLA  
00:42:42 Rep. McKamey  
00:43:10 Rep. White  
00:43:15 Rep. MacDonald  
00:44:35 Al Smith, MTLA  
00:45:27 Chair Lavin  
00:45:48 Rep. MacDonald  
00:45:58 Rep. Clark  
00:46:36 Al Smith, MTLA  
00:46:52 Rep. Clark  
00:47:13 Al Smith, MTLA  
00:47:22 Chair Lavin  
00:47:35 Rep. Fiscus  
00:48:09 Al Smith, MTLA

**Closing by Sponsor:**

00:48:46 Rep. White

**HEARING ON HB 246****Opening Statement by Sponsor:**

00:50:25 Rep. Zac Perry (D), HD 3, opened the hearing on HB 246, Revise laws related to deposit of oversize load fee revenue.

**Proponents' Testimony:**

00:51:33 Larry Flynn, Montana Department of Transportation (MDT)  
00:53:25 Steve Wade, Montana Contractors Association (MTCA)

**Opponents' Testimony:** None**Informational Testimony:** None**Questions from Committee Members and Responses:**

00:53:58 Rep. Cook  
00:54:21 Larry Flynn, MTCA  
00:54:22 Rep. Cook  
00:54:29 Larry Flynn, MTCA

**Closing by Sponsor:**

00:54:48 Rep. Perry  
  
00:55:16 Rep. McKamey  
00:55:32 Chair Lavin

**EXECUTIVE ACTION ON HB 202**

00:56:37 **Motion:** Rep. Clark moved that **HB 202 DO PASS.**

**Discussion:**

00:57:06 Rep. Wilson  
00:57:39 Chair Lavin  
00:58:01 Rep. Garner  
00:59:32 Chair Lavin  
00:59:43 Rep. MacDonald  
01:00:29 Rep. Cook  
01:02:25 Chair Lavin  
01:02:33 Rep. MacDonald  
01:03:02 Rep. McKamey  
01:03:35 Rep. Cook  
01:03:58 Rep. Miller  
01:04:16 Rep. Garner  
01:04:26 Without objection, Rep. Clark withdrew the DO PASS motion.  
01:04:46 Chair Lavin

**EXECUTIVE ACTION ON HB 222**

01:04:59 **Motion:** Rep. Clark moved that **HB 222 DO PASS.**

**Discussion:**

01:05:35 Rep. Curdy  
01:06:29 Chair Lavin  
01:06:40 Rep. Curdy  
01:06:51 Rep. Miller

01:07:08 Rep. Fiscus  
01:08:00 Chair Lavin  
01:08:09 Rep. Wilson  
01:09:02 Rep. Cook  
01:10:01 Chair Lavin  
01:10:30 Rep. Miller

01:10:42 Without objection, Rep. Wilson moved to **DELAY FURTHER ACTION ON HB 222.**

**Discussion:**

01:11:14 Chair Lavin  
01:11:26 Rep. Garner  
01:13:21 Chair Lavin

01:14:41 **Vote:** Motion failed 6-8 by roll call vote with Rep. Curdy, Rep. Kipp, Rep. MacDonald, Rep. Smith, Rep. Swanson and Rep. Wilson voting aye. Rep. Randall voted by proxy.

01:14:55 Rep. Fiscus

01:16:44 **Vote: DO PASS** motion. Motion carried 9-5 by roll call vote with Rep. Curdy, Rep. Kipp, Rep. MacDonald, Rep. Swanson and Rep. Wilson voting no. Rep. Randall voted by proxy.

**EXECUTIVE ACTION ON HB 246**

01:16:55 **Motion/Vote:** Rep. Clark moved that **HB 246 DO PASS.** Motion carried unanimously by voice vote. Rep. Randall voted by proxy.

Note: HB246 awaiting the arrival of fiscal note in Committee. Bill will remain in Committee until further notice.

**ADJOURNMENT**

Adjournment: 01:17:31

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Kendra Balian, Secretary

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Additional Documents:

**EXHIBIT([trh17aad.pdf](#))**