

## MINUTES

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

#### COMMITTEE ON TRANSPORTATION

**Call to Order:** Chair Steve Lavin, on February 20, 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. 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. Frank Garner (R)  
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 532, 2/16/2015; HB 549, 2/17/2015; HB 556, 2/17/2015; HB 558, 2/18/2015; HB 573, 2/19/2015

00:00:03 Chair Lavin

### **HEARING ON HB 558**

#### **Opening Statement by Sponsor:**

00:00:52 Rep. Nicholas Schwaderer (R), HD 14, opened the hearing on HB 558, Revise req'ts/prohibitions for "vintage", "pioneer", "original" license plates.

**Proponents' Testimony:** None

#### **Opponents' Testimony:**

00:01:48 Sarah Garcia, Montana Department of Transportation (DOT)

**Informational Testimony:** None

#### **Questions from Committee Members and Responses:**

00:02:26 Rep. McKamey  
00:03:05 Sarah Garcia, DOT  
00:04:22 Rep. McKamey  
00:04:36 Rep. Schwaderer  
00:05:03 Rep. MacDonald  
00:05:52 Sarah Garcia, DOT  
00:06:03 Rep. Miller  
00:06:25 Rep. Schwaderer  
00:06:50 Rep. MacDonald  
00:07:01 Rep. Schwaderer

#### **Closing by Sponsor:**

00:07:28 Rep. Schwaderer

00:07:55 Rep. Miller

00:08:05 Chair Lavin

### **HEARING ON HB 532**

#### **Opening Statement by Sponsor:**

00:08:36 Rep. Tom Jacobson (D), HD 21, opened the hearing on HB 532, Prohibit public service commission from limiting number of limo services.

**Proponents' Testimony:** None

#### **Opponents' Testimony:**

00:14:59 Carrie Pintar, Amazing Taxi  
00:16:23 Kirk Hennefer, Valet Limousine

[EXHIBIT\(trh39a01\)](#)

[EXHIBIT\(trh39a02\)](#)

**Informational Testimony:**

00:32:04 Justin Kraske, Public Service Commission (PSC)

**Questions from Committee Members and Responses:**

00:32:35 Rep. Miller  
00:32:42 Rep. Garner arrived  
00:32:58 Sarah Garcia, Motor Vehicle Division (MVD)  
00:33:28 Rep. Miller  
00:33:45 Lisa Wanke, self  
00:34:07 Rep. Miller  
00:34:21 Sarah Garcia, MVD  
00:34:35 Justin Kraske, PSC  
00:35:33 Rep. Miller  
00:35:38 Justin Kraske, PSC  
00:35:55 Chair Lavin  
00:36:32 Rep. Jacobson  
00:38:06 Chair Lavin  
00:38:19 Rep. Jacobson  
00:38:24 Chair Lavin  
00:38:33 Rep. Jacobson  
00:39:23 Rep. Miller  
00:39:49 Kirk Hennefer, Valet Limousine  
00:40:15 Rep. Miller  
00:40:25 Kirk Hennefer, Valet Limousine  
00:40:57 Rep. Fiscus  
00:41:33 Justin Kraske, PSC  
00:42:27 Rep. Fiscus  
00:42:54 Rep. Jacobson  
00:43:17 Rep. Wilson  
00:43:59 Rep. Jacobson  
00:44:05 Rep. MacDonald  
00:44:50 Justin Kraske, PSC  
00:45:32 Rep. MacDonald  
00:45:41 Justin Kraske, PSC

**Closing by Sponsor:**

00:46:12 Rep. Jacobson

**HEARING ON HB 549****Opening Statement by Sponsor:**

00:49:46 Rep. Margaret (Margie) MacDonald (D), HD 51, opened the hearing on HB 549, Add motorcycles to liability insurance laws.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:53:35 Rep. Cook  
00:53:45 Rep. MacDonald  
00:53:58 Rep. Cook  
00:54:11 Rep. MacDonald  
00:54:23 Rep. Cook  
00:54:42 Rep. MacDonald  
00:55:06 Rep. Cook  
00:55:23 Rep. Garner  
00:55:36 Dave Bohyer, Legislative Services Division (LSD)  
00:56:25 Rep. MacDonald

**Closing by Sponsor:**

00:57:05 Rep. MacDonald

**HEARING ON HB 573**

**Opening Statement by Sponsor:**

00:57:36 Rep. Steve Lavin (R), HD 8, opened the hearing on HB 573, Revise odometer statement signing, filing, and transmittal processes.  
Note: Vice Chair Clark assumed the role of Chair

**Proponents' Testimony:**

01:00:53 Sarah Garcia, Motor Vehicle Division (MVD)

**Opponents' Testimony:**

01:02:34 Bruce Knudsen, Montana Auto Dealers Association (MTADA)

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:03:51 Rep. Cook  
01:04:04 Bruce Knudsen, MTADA  
01:05:04 Rep. Cook  
01:05:10 Bruce Knudsen, MTADA

**Closing by Sponsor:**

01:05:18 Rep. Lavin

**HEARING ON HB 556**

**Opening Statement by Sponsor:**

01:06:04 Rep. Steve Lavin (R), HD 8, opened the hearing on HB 556, Generally revise vehicle titling and registration laws.

**Proponents' Testimony:**

01:07:20 Chris Gallus, Bennett Law Office

01:08:04 Sarah Garcia, Montana Department of Transportation

**Opponents' Testimony:** None

**Informational Testimony:** None

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

**Closing by Sponsor:**

01:08:32 Rep. Lavin

### **EXECUTIVE ACTION ON HB 394**

01:08:54 **Motion:** Rep. Wilson moved that **HB 394 BE REMOVED FROM TABLE.**

[EXHIBIT\(trh39a03\)](#)

**Discussion:**

01:10:42 Rep. Fiscus

1:11:05 **Vote:** Motion carried 11-3 by roll call vote with Rep. Cook, Rep. Lavin and Rep. Randall voting no. Rep. Randall voted by proxy.

01:12:13 **Motion:** Rep. Wilson moved that **HB 394 DO PASS.**

**Discussion:**

01:12:26 Rep. Miller

01:12:44 Rep. McKamey

01:13:41 Rep. Fiscus

01:14:22 Rep. Kipp

01:15:49 Chair Lavin

01:16:44 **Vote:** Motion carried 9-5 by roll call vote with Rep. Cook, Rep. Garner, Rep. Lavin, Rep. Miller and Rep. Randall voting no. Rep. Randall voted by proxy.

### **EXECUTIVE ACTION ON HB 415**

01:17:51 **Motion/Vote:** Rep. Garner moved that **HB 415 BE REMOVED FROM TABLE.** Motion carried 11-3 by roll call vote with Rep. Clark, Rep. Randall and Rep. B. Smith voting no. Rep. Randall voted by proxy.

01:19:54 **Motion:** Rep. Garner moved that **HB 415 DO PASS.**

01:20:26 **Motion/Vote:** Rep. Garner moved that **HB 415 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Randall voted by proxy.

[EXHIBIT\(trh39a04\)](#)

01:22:01 **Motion:** Rep. Garner moved that **HB 415 DO PASS AS AMENDED.**  
**EXHIBIT**(trh39a05)

**Discussion:**

01:23:43 Rep. MacDonald  
01:24:28 Rep. Garner  
01:25:22 Rep. Smith  
01:25:40 Rep. Garner  
01:26:10 Rep. Smith  
01:26:32 Rep. Garner  
01:27:13 Chair Lavin

01:27:18 **Vote:** Motion carried 12-2 by roll call vote with Rep. Randall and Rep. B. Smith voting no. Rep. Randall voted by proxy.

01:28:40 Rep. Garner

**EXECUTIVE ACTION ON HB 491**

01:28:56 **Motion:** Rep. Clark moved that **HB 491 DO PASS.**

01:29:24 **Motion:** Rep. Lavin moved that **HB 491 BE AMENDED.**  
**EXHIBIT**(trh39a06)

**Discussion:**

01:31:15 Rep. Wilson  
01:31:38 Rep. Cook

01:31:55 **Vote:** Motion carried 9-5 by voice vote with Rep. Curdy, Rep. Garner, Rep. MacDonald, Rep. B. Smith and Rep. Wilson voting no. Rep. Randall voted by proxy.

01:33:04 **Motion:** Rep. Clark moved that **HB 491 DO PASS AS AMENDED.**

**Discussion:**

01:33:15 Rep. Garner  
01:34:04 Rep. Miller  
01:34:08 Chair Lavin

01:34:49 **Vote:** Motion carried unanimously by voice vote. Rep. Randall voted by proxy.

**EXECUTIVE ACTION ON HB 532**

01:35:10 **Motion:** Rep. Clark moved that **HB 532 DO PASS.**

01:35:51 **Substitute Motion/Vote:** Rep. MacDonald made a substitute motion that **HB 532 BE TABLED.** Substitute Motion carried 13-1 by voice vote with Rep. McKamey voting no. Rep. Randall voted by proxy.

**EXECUTIVE ACTION ON HB 549**

01:36:26 **Motion:** Rep. Clark moved that **HB 549 DO PASS.**

01:36:34 **Motion:** Rep. MacDonald moved a **CONCEPTUAL AMENDMENT TO HB 549 THAT WOULD ENSURE THAT THE HB 549 LIABILITY INSURANCE REQUIREMENTS DO NOT APPLY TO MOPEDS.**

**Discussion:**

01:37:12 Rep. Garner  
01:37:28 Dave Bohyer, LSD  
01:37:40 Rep. Garner  
01:38:02 Dave Bohyer, LSD  
01:38:23 Rep. Cook  
01:38:40 Dave Bohyer, LSD  
01:38:48 Rep. Cook  
01:38:54 Dave Bohyer, LSD

01:39:10 **Vote:** Motion carried unanimously by voice vote. Rep. Randall voted by proxy.

01:39:25 **Motion:** Rep. MacDonald moved that **HB 549 DO PASS AS AMENDED.**

**Discussion:**

01:39:51 Dave Bohyer, LSD

01:40:08 **Motion/Vote:** Rep. MacDonald moved a **CONCEPTUAL AMENDMENT THAT HB 549 BE COORDINATED WITH SB 110 TO CLARIFY THAT MOTORCYCLES USED EXCLUSIVELY OFF ROAD ARE NOT SUBJECT TO THE HB 549 LIABILITY INSURANCE REQUIREMENTS.** Motion carried unanimously by voice vote. Rep. Randall voted by proxy.

01:40:52 **Motion/Vote:** Rep. MacDonald moved that **HB 549 DO PASS AS AMENDED.** Motion carried 13-1 by voice vote with Rep. Miller voting no. Rep. Randall voted by proxy.

**EXECUTIVE ACTION ON HB 556**

01:41:34 **Motion/Vote:** Rep. Clark moved that **HB 556 BE TABLED.** Motion carried 13-0 by voice vote.

01:41:45 Rep. Fiscus left

**EXECUTIVE ACTION ON HB 558**

01:42:11 **Motion:** Rep. Clark moved that **HB 558 DO PASS.**

01:42:38 Rep. MacDonald

01:43:17 Sarah Garcia, Montana Department of Transportation (DOT)

01:43:53 **Substitute Motion/Vote:** Rep. Clark made a substitute motion that **HB 558 BE TABLED**. Substitute Motion carried 10-3 by voice vote with Rep. Cook, Rep. McKamey and Rep. Randall voting no. Rep. Randall voted by proxy.

**EXECUTIVE ACTION ON HB 573**

01:44:19 **Motion/Vote:** Rep. Clark moved that **HB 573 DO PASS**. Motion carried 13-0 by voice vote. Rep. Randall voted by proxy.

01:45:15 Chair Lavin

01:45:21 Rep. Miller

**EXECUTIVE ACTION ON HB 480**

01:45:35 **Motion:** Rep. Miller moved that **HB 480 DO PASS**.

01:45:42 **Motion:** Rep. Miller moved that **HB 480 BE AMENDED**.  
[EXHIBIT\(trh39a07\)](#)

01:46:24 Rep. Garner

01:46:26 Rep. Miller

01:47:04 **Vote:** Motion carried unanimously by voice vote. Rep. Fiscus and Rep. Randall voted by proxy.

01:47:17 **Motion:** Rep. Miller moved that **HB 480 DO PASS AS AMENDED**.

**Discussion:**

01:47:29 Rep. Curdy

01:49:08 Rep. Miller

01:49:13 Rep. Swanson

01:50:07 Chair Lavin

01:50:51 Rep. Miller

01:51:22 Chair Lavin

01:51:30 **Vote:** Motion failed 7-7 by roll call vote with Rep. Clark, Rep. Cook, Rep. Fiscus, Rep. Garner, Rep. McKamey, Rep. Miller and Rep. B. Smith voting aye. Rep. Fiscus and Rep. Randall voted by proxy.

01:52:55 **Motion/Vote:** Rep. Clark moved that **HB 480 BE TABLED**. Motion carried 11-1 by voice vote with Rep. B. Smith voting no.

**EXECUTIVE ACTION ON HB 486**

01:53:21 **Motion:** Rep. Clark moved that **HB 486 DO PASS**.

01:53:48 **Motion/Vote:** Rep. Cook moved that **HB 486 BE AMENDED**. Motion carried unanimously by voice vote. Rep. Fiscus and Rep. Randall voted by proxy.

[EXHIBIT\(trh39a08\)](#)

01:55:33 **Motion:** Rep. Cook moved that **HB 486 DO PASS AS AMENDED.**

**Discussion:**

01:55:52 Rep. Wilson

01:56:02 Rep. Cook

01:56:15 **Vote:** Motion carried unanimously by voice vote. Rep. Fiscus and Rep. Randall voted by proxy.

**EXECUTIVE ACTION ON HB 534**

01:56:40 **Motion:** Rep. Clark moved that **HB 534 DO PASS.**

**Discussion:**

01:57:06 Rep. Cook

01:57:22 **Motion/Vote:** Rep. Wilson moved that **HB 534 BE TABLED.** Motion carried unanimously by voice vote. Rep. Fiscus and Rep. Randall voted by proxy.

01:58:16 Rep. MacDonald

01:58:39 Chair Lavin

01:58:50 Rep. Miller

01:58:53 Chair Lavin

01:58:56 Rep. Clark

**ADJOURNMENT**

Adjournment: 01:59:06

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Kendra Balian, Secretary

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Additional Documents:

**EXHIBIT([trh39aad.pdf](#))**