

HOUSE BILL NO. 513

INTRODUCED BY B. MCCHESENEY

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

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

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

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

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

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

(2) The applicant for a special permit shall specifically describe the powered vehicle or towing vehicle

1 and generally describe the type of vehicle, combination of vehicles, load, object, or other thing to be operated or
2 moved and the particular state highways over which the vehicle, combination of vehicles, load, object, or other
3 thing is to be moved and whether the permit is required for a single trip or for continuous operation.

4 (3) Issuance of a permit pursuant to this section is exempt from the provisions of Title 75, chapter 1, parts
5 1 and 2.

6 ~~(3)~~(4) The department may enter into a contract with a private party to act as an agent of the department
7 for the purpose of issuing, in writing, a special permit allowed under this section."

8 - END -