



AN ACT CREATING A WINTERTIME 10% OVERWEIGHT PERMIT AND A DURATIONAL 10% OVERWEIGHT PERMIT; REQUIRING A FEE TO OBTAIN THE PERMIT; AMENDING SECTION 61-10-125, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

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

Section 1. Section 61-10-125, MCA, is amended to read:

"61-10-125. Other fees. (1) ~~There is charged for~~ For a single trip permit for a load that is over the gross allowable load provided for by the formula in 61-10-107(1) but that does not exceed axle limits set forth in 61-10-107(1), the department of transportation shall charge for distances traveled:

- (a) \$10 for distances up to and including 100 miles;
- (b) \$30 for distances from 101 to 199 miles; and
- (c) \$50 for distances ~~over~~ 200 miles ~~traveled~~ and over.

(2) (a) Upon application, the department of transportation or its agent under 61-10-121(4) may issue a wintertime permit or a durational permit authorizing the applicant to operate a vehicle, combination of vehicles, load, or object exceeding by up to 10% the maximum weight limits specified in 61-10-106 through 61-10-110.

(b) (i) The nonrefundable fee for a wintertime permit is \$50 for each vehicle. A wintertime permit is valid for 30 days or until March 7, whichever is earlier.

(ii) The nonrefundable fee for a durational permit is \$150 for each vehicle. A durational permit is valid for the period between December 1 and March 7.

~~(2)(3)~~ (a) ~~There is charged~~ The department of transportation shall charge a fee of:

(i) \$200 for a term permit for a load that is in excess of the limits set forth in 61-10-107(1) but that does not exceed a total of 5,000 pounds in excess axle weight;

(ii) \$500 for a term permit for a load that is in excess of the limits set forth in 61-10-107(1) but that does not exceed a total of 10,000 pounds in excess axle weight, with no single axle exceeding 5,000 pounds in excess axle weight;

(iii) \$750 for a term permit for a load that is in excess of the limits set forth in 61-10-107(1) but that does not exceed a total of 15,000 pounds in excess axle weight, with no single axle exceeding 5,000 pounds in excess axle weight;

(iv) \$1,000 for a term permit for a load that is in excess of the limits set forth in 61-10-107(1) but that does not exceed a total of 20,000 pounds in excess axle weight, with no single axle exceeding 5,000 pounds in excess axle weight and no tandem axle exceeding 15,000 pounds in excess axle weight;

(v) \$1,500 for a term permit for a load that is in excess of the limits set forth in 61-10-107(1) but that does not exceed a total of 25,000 pounds in excess axle weight, with no axle or axle group exceeding the maximum weight allowed by a weight analysis conducted by the department of transportation;

(vi) \$2,000 for a term permit for a load that is in excess of the limits set forth in 61-10-107(1) but that does not exceed a total of 30,000 pounds in excess axle weight, with no axle or axle group exceeding the maximum weight allowed by a weight analysis conducted by the department of transportation;

(vii) \$3,000 for a term permit for a load that is in excess of the limits set forth in 61-10-107(1) but that does not exceed a total of 35,000 pounds in excess axle weight, with no axle or axle group exceeding the maximum weight allowed by a weight analysis conducted by the department of transportation;

(viii) \$4,000 for a term permit for a load that is in excess of the limits set forth in 61-10-107(1) but that does not exceed a total of 40,000 pounds in excess axle weight, with no axle or axle group exceeding the maximum weight allowed by a weight analysis conducted by the department of transportation.

(b) The fees provided in subsection ~~(2)(a)~~ (3)(a) are annual fees but may be prorated on a quarterly basis and may be paid quarterly, semiannually, or annually. However, if the fee is paid other than annually, there is an additional fee of \$10 each time a fee is paid.

(c) A permit issued under this subsection ~~(2)~~ (3) is valid for a period of no less than 1 calendar quarter and no more than 1 calendar year.

(d) The department of transportation or its agent may not issue a term permit for loads that exceed 10,000 pounds in excess axle weight unless the person applying for the term permit has obtained approval from the department of transportation, through a weight analysis, for the configuration of the vehicle.

~~(3)(4) There is charged~~ The department of transportation shall charge for a permit to move a load that exceeds the single axle, tandem axle, or axle group limits set forth in 61-10-107(1) the following fee based upon the sum of excess in axle or axle group weights:

Total Excess Axle Weight (pounds)	Calculated Cost of 25 Miles of Travel (dollars)
5,000	3.50
10,000	7.00
15,000	10.50
20,000	14.00
25,000	17.50
30,000	21.00
35,000	24.50
40,000	28.00
45,000	31.50
50,000	35.00
55,000	38.50
60,000	42.00
65,000	45.50
70,000	49.00
75,000	52.50
80,000	56.00
85,000	59.50
90,000	63.00
95,000	66.50
100,000	70.00
over 100,000	70.00 + 3.50 per 5,000 lbs. or part of 5,000 lbs. in excess of 100,000 lbs.

~~(4)~~(5) For purposes of subsection ~~(3)~~ (4):

(a) mileage must be rounded off in units of 25 miles and mileage in excess of a 25-mile increment must be assessed at the next higher 25-mile increment; and

(b) weight must be rounded off in 5,000-pound increments and weight in excess of a 5,000-pound increment must be assessed at the next higher 5,000-pound increment.

~~(5)~~(6) A vehicle must be licensed to the maximum allowable weight authorized under 61-10-107 before an overweight permit may be issued."

Section 2. Effective date. [This act] is effective on passage and approval.

- END -

I hereby certify that the within bill,
SB 0317, originated in the Senate.

President of the Senate

Signed this _____ day
of _____, 2019.

Secretary of the Senate

Speaker of the House

Signed this _____ day
of _____, 2019.

SENATE BILL NO. 317
INTRODUCED BY M. LANG

AN ACT CREATING A WINTERTIME 10% OVERWEIGHT PERMIT AND A DURATIONAL 10% OVERWEIGHT PERMIT; REQUIRING A FEE TO OBTAIN THE PERMIT; AMENDING SECTION 61-10-125, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.