



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2023 Biennium

Bill #	HB0712	Title:	Generally revise transportation laws
---------------	--------	---------------	--------------------------------------

Primary Sponsor:	Whiteman Pena, Rynalea	Status:	As Introduced
-------------------------	------------------------	----------------	---------------

- Significant Local Gov Impact
 Needs to be included in HB 2
 Technical Concerns
 Included in the Executive Budget
 Significant Long-Term Impacts
 Dedicated Revenue Form Attached

FISCAL SUMMARY

	<u>FY 2022</u> <u>Difference</u>	<u>FY 2023</u> <u>Difference</u>	<u>FY 2024</u> <u>Difference</u>	<u>FY 2025</u> <u>Difference</u>
Expenditures:				
General Fund	\$1	\$1	\$1	\$1
State Special Revenue	\$0	\$0	\$0	\$0
Revenue:				
General Fund	\$0	\$0	\$0	\$0
State Special Revenue	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	<u>(\$1)</u>	<u>(\$1)</u>	<u>(\$1)</u>	<u>(\$1)</u>

Description of fiscal impact: HB 712 has no fiscal impact to the Montana Department of Transportation (MDT). The bill does appropriate \$1 from the general fund to MDT.

FISCAL ANALYSIS

Assumptions:

Montana Department of Transportation (MDT)

1. HB 712 expands the ability of "local authorities" to alter speed limits for roadways within its jurisdiction to also allow tribal governments to alter speed limits within its jurisdiction.
2. The process for local governments is already in place and in use under 61-8-310, MCA, and will not be changed by the addition of tribal government authority to do the same.
3. The bill does not expand local authority or tribal government jurisdiction to allow them to establish special speed limits on state highways or Transportation Commission designated highways.
4. Jurisdiction over those highways and thus the ability to set special speed limits remains under the authority of the Transportation Commission under 61-8-309, MCA, regardless of coincidental location within a local

government or tribal area. Jurisdiction does not alter or change from milepost to milepost. Once Commission designated, or state maintained, the jurisdiction remains throughout the entire length of the highway.

- 5. Section 61-8-310 (5), MCA, clarifies if a state highway or Transportation Commission designated highway runs through a municipality or urban area, the commission has exclusive authority to set special speed limits in accordance with the process defined in 61-8-309, MCA.
- 6. This statutory language is not being amended by HB 712.
- 7. The bill contains a general fund appropriation of \$1 for implementation.

Technical Notes:

- 1. HB 712 Section 1 (4) (c) requires that “If a local authority and tribal government determine different speed limits in the same area, the local authority shall report the different determinations to the Department of Transportation, and the lower speed limit must prevail.” The purpose of this “reporting” is unclear.
- 2. The roadways on which different speed limits may be set are outside the Transportation Commission jurisdiction, and therefore not under MDT’s review or safety evaluations, so no “reporting” would be necessary.

NOT SIGNED BY SPONSOR

	4/7/21	KA	4.5.21
<i>Sponsor’s Initials</i>	<i>Date</i>	<i>Budget Director’s Initials</i>	<i>Date</i>