



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2025 Biennium

Bill information:	
HB0470 - Revise yield -- slow down -- move over laws (Fitzgerald, Ross H)	
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 2024 Difference</u>	<u>FY 2025 Difference</u>	<u>FY 2026 Difference</u>	<u>FY 2027 Difference</u>
Expenditures:				
General Fund	\$0	\$0	\$0	\$0
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Description of fiscal impact: HB 470 has no fiscal impact to the state.

FISCAL ANALYSIS

Assumptions:

Montana Department of Transportation (MDT)

1. HB 470 revises laws regarding the moving over and yielding to emergency and highway vehicles, as well as revises the definition of reckless endangerment.
2. MDT's Motor Carrier Services Division (MCS) would fall under the umbrella of law enforcement and drivers would be required to pull over for MCS patrol vehicles.
3. MCS has no statutory authority to enforce the new or amended sections in HB 470.

Technical Notes:

1. When defining “Highway maintenance vehicle” under Section 2 of HB 470, it does not include all highway worker vehicles, which would also meet the requirements of displaying flashing lights.
2. Also, under Section 2, it defines a “Highway Worker” as a person operating or working within a 100 feet of a highway maintenance vehicle. This could cause confusion to the traveling public as they may not be able to determine the difference between a highway maintenance vehicle or highway worker vehicle.
3. The changes to Section 8 dealing with highway workers and removal of the reckless endangerment of a highway worker create conflicts between HB 470 and what is currently in 61-8-301, MCA.
4. Section 61-8-301(4), MCA, currently defines a highway worker as “an employee of the department of transportation, a local authority, a utility company, or a private contractor” as it pertains to reckless endangerment in a work zone.
5. The conflicting definitions of highway workers, along with the removal of “convicted of reckless endangerment of a highway worker under 61-8-301(4)”, MCA, in section 8 (1), page 5 (lines 6-8), impacts enforcement authority for the reckless endangerment of a highway worker currently defined in statute.



Sponsor's Initials

2-15-23

Date



Budget Director's Initials

2-15-23

Date