

HOUSE BILL NO. 97

INTRODUCED BY Z. WIRTH

BY REQUEST OF THE TRANSPORTATION INTERIM COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING THE PLATOONING OF ~~TRUCKS~~ VEHICLES;
PROVIDING DEFINITIONS; REQUIRING THE CONDUCTOR OF THE LEAD VEHICLE TO HAVE A
COMMERCIAL DRIVER'S LICENSE; REQUIRING PERSONS IN A POSITION TO TAKE CONTROL OF
PLATOONED VEHICLES TO HAVE A COMMERCIAL DRIVER'S LICENSE; PROVIDING FOR SPECIAL
PERMITS; PROVIDING RULEMAKING AUTHORITY; AMENDING SECTION 61-10-124, MCA; AND
PROVIDING AN A DELAYED EFFECTIVE DATE."

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

NEW SECTION. **Section 1. Definitions.** As used in [sections 1 through ~~3~~ 4], unless the context
clearly indicates otherwise, the following definitions apply:

(1) "Platoon" means a series of vehicles that are platooning.

(2) "Platooning" means operating partially or fully autonomous motor vehicles that are trailers,
trucks, or truck tractors, as defined in 61-1-101, to travel on a highway at electronically coordinated speeds in a
unified manner at a following distance that is closer than would be reasonable and prudent without the use of
the technology.

(3) "Public highways of this state" has the SAME meaning AS provided in 60-1-201.

NEW SECTION. **Section 2. Vehicle platooning by ~~C~~DL COMMERCIAL DRIVER'S LICENSE holder**
generally allowed. (1) Platooning is generally allowed on the public highways of this state, but platooning may
be restricted in actual or predicted periods of dangerous road conditions by department of transportation
rulemaking authorized in [section 3].

(2) The person conducting the leading vehicle of a platoon must have a commercial driver's
license. Any A person in a position to take control of a vehicle in a platoon must have a commercial driver's

1 license.

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3 NEW SECTION. Section 3. Rulemaking authority. (1) The department of transportation ~~may adopt~~
4 ~~rules to limit platooning in actual or predicted periods of dangerous road conditions~~ SHALL ADOPT RULES AND
5 STANDARDS FOR THE SAFETY OF OPERATIONS OF PLATOONS.

6 ~~(2) The department may exempt from limitation vehicles that are demonstrated to be~~
7 ~~capable of platooning safely during dangerous road conditions.~~

8 ~~(3)~~(2) The department shall ~~consult interested~~ ENGAGE stakeholders prior to proposing rules ON
9 PLATOONING, such as members of the transportation interim committee, representatives of law enforcement
10 AGENCIES, the trucking industry, platooning technology developers, ranchers, DRIVERS, pedestrians, ~~drivers,~~ and
11 tribal and local governments.

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13 NEW SECTION. SECTION 4. PERMITS FOR PLATOONING. UPON APPLICATION AND WITH GOOD CAUSE
14 SHOWN, THE DEPARTMENT OF TRANSPORTATION OR ITS AGENTS MAY ISSUE A SPECIAL PERMIT AUTHORIZING THE
15 APPLICANT TO OPERATE OR MOVE A PLATOON ON A HIGHWAY UNDER THE DEPARTMENT OF TRANSPORTATION'S
16 JURISDICTION. A CARRIER RECEIVING A PERMIT MUST HAVE PUBLIC LIABILITY PROPERTY DAMAGE INSURANCE FOR THE
17 PROTECTION OF THE TRAVELING PUBLIC AS A WHOLE.

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19 SECTION 5. SECTION 61-10-124, MCA, IS AMENDED TO READ:

20 **"61-10-124. (Temporary) Special permits -- fees.** (1) Except as provided in subsections (2)(d) and
21 (3), in addition to the regular registration and gross vehicle weight fees, a fee of \$10 for each trip permit and a
22 fee of \$75 for each term permit issued for size in excess of that specified in 61-10-101 through 61-10-104 must
23 be paid for all movements under special permits on the public highways under the jurisdiction of the department
24 of transportation.

25 (2) (a) Except as provided in subsections (2)(b), (2)(d), (2)(f), (2)(h), (3), and (4) ~~(5)~~, term or
26 blanket permits may not be issued for an overwidth vehicle, combination of vehicles, load, or other thing in
27 excess of 15 feet; an overlength vehicle, combination of vehicles, load, object, or other thing in excess of 95
28 feet; or an overheight vehicle, combination of vehicles, load, or other thing in excess of 14 feet or of a limit

determined by the department. A vehicle, combination of vehicles, load, or other thing in excess of these dimensions is limited to trip permits. Except as provided in subsection (2)(g), a Rocky Mountain double may not exceed 81 feet in combined trailer length. A Rocky Mountain double is not subject to a combination length limit. Special permits for vehicle combinations of more than two trailers or more than two units designed for or used to carry a load are not permitted except as provided in subsections (3) and ~~(4)~~ (5). Special permits for vehicle combinations may specify and special permits under subsections (3) and ~~(4)~~ (5) must specify highway routing and otherwise limit or prescribe conditions of operation of the vehicle or combination, including but not limited to required equipment, speed, stability, operational procedures, and insurance.

(b) A term permit may be issued to a dealer in implements of husbandry and self-propelled machinery for an overwidth or overlength vehicle referred to in subsection (2)(a). This permit expires on December 31 of each year, with no grace period.

(c) With payment of the appropriate gross weight fees required by 61-10-201 and with payment of the fee prescribed in subsection (1), allowable gross weight of a five-axle combination logging vehicle is 80,000 pounds.

(d) A term permit may be issued for any combination of vehicles that exceeds 95 feet in length but does not exceed 100 feet in combination length, except a truck-trailer-trailer or a truck tractor-semitrailer-trailer-trailer combination, for travel only on interstate highways, as defined in 60-1-103, or on other highways within a 2-mile radius of an interstate highway interchange in order to obtain necessary services or to load or unload at a terminal. When a terminal is beyond a 2-mile radius, the department may authorize travel between the terminal and the interchange. The fee for this permit is \$125.

(e) A term permit may be issued for a truck tractor-semitrailer combination when the semitrailer exceeds 53 feet in length but does not exceed 57 feet in length.

(f) (i) An annual permit may be issued for nondivisible loads up to 120 feet in length. The fee for this permit is \$125.

(ii) Portions of a nondivisible load hauled on a public road off of the interstate highway may be detached and reloaded on the same hauling unit if the separate pieces are necessary to the operation of the machine or equipment that is being hauled and if the arrangement does not exceed limits for which a permit may be issued.

(iii) An applicant for a nondivisible load permit for use as provided in subsection ~~(5)(b)~~ (6)(b) is responsible for providing information regarding the number of work hours required to dismantle the load.

(iv) For use as provided in subsection ~~(5)(b)~~ (6)(b) and for the purposes of this section, emergency response vehicles and casks designed and used for the transport of spent nuclear materials are considered nondivisible loads.

(g) A Rocky Mountain double carrying baled hay may not exceed 88 feet of combined trailer length.

(h) A term permit may be issued for an overlength vehicle moving a mobile home or a manufactured home, as defined in 15-24-201, when the vehicle does not exceed 110 feet in length or 16 feet in width.

(3) The department of transportation may issue special permits to the operating company for a truck-trailer-trailer or truck tractor-semitrailer-trailer-trailer combination of vehicles under the following conditions:

(a) the combination may be operated only on interstate highways, as defined in 60-1-103, and on other highways within a 2-mile radius of an interstate highway interchange only in order to obtain necessary services or to load or unload at a terminal. When a terminal is beyond a 2-mile radius, the department may authorize travel between the terminal and the interchange.

(b) a combination of vehicles powered by a cab-over or tilt-cab truck tractor or a truck may not exceed an overall length of 105 feet, inclusive of front and rear bumpers and overhang;

(c) a combination of vehicles powered by a conventional truck tractor may not exceed an overall length of 110 feet, inclusive of the front and rear bumpers and overhang;

(d) an individual cargo unit of the combination may not exceed 28 1/2 feet in length and 102 inches in width;

(e) gross weight fees under 61-10-201 must be paid on the truck or truck tractor for the declared registered gross weight of the special vehicle combination, but not to exceed the formula in 61-10-107;

(f) the combination must have a special overlength permit issued at a fee of \$200 for a term permit or \$20 for each trip permit;

(g) travel of the combination may be restricted to specific routes, hours of operation, specific days,

or seasonal periods; and

(h) the department may enforce any other restrictions determined by the department to be necessary. The permit is not transferable, and the fee for the permit is \$200.

(4) (a) The department of transportation may issue special permits to the operating company for a platoon operation, with the following restrictions:

(i) The combination may be operated only on interstate highways, as defined in 60-1-103, and on other highways within a 2-mile radius of an interstate highway interchange only in order to obtain necessary services or to load or unload at a terminal. When a terminal is beyond a 2-mile radius, the department may authorize travel between the terminal and the interchange.

(ii) A platoon operation must be restricted to three platooning vehicles. Combination vehicles must be limited to a single trailer.

(iii) Gross vehicle weight fees under 61-10-201 must be paid on each truck or truck tractor operating in a platoon operation.

(iv) Travel of a platoon operation may be restricted to specific routes, hours of operation, specific days, or seasonal periods.

(v) The department may enforce any other restrictions determined by the department to be necessary.

(b) A permit is not transferable.

(c) The fee for the permit is \$200 for a term permit or \$20 for each trip.

(5) The department of transportation may issue special permits under subsection (3) for vehicle combinations that consist of a truck-trailer-trailer if:

(a) the vehicle combination's overall length, inclusive of front and rear bumpers, is not more than 95 feet; and

(b) the person, firm, or corporation applying for the permit:

(i) restricts truck-trailer-trailer operations authorized by the permit to the hauling of talc ore, chlorite, dolomite, limestone, and custom combine equipment;

(ii) operated the truck-trailer-trailer combination before July 1, 1987;

(iii) restricts the truck-trailer-trailer operations authorized by the permit to the specified routes that

those vehicles used before July 1, 1987; and

(iv) provides the department of transportation with an affidavit confirming the routes used before July 1, 1987, for truck-trailer-trailer operations.

~~(5)~~(6) For the purposes of this section, a "nondivisible load" is:

(a) on public roads off of interstate highways, a load that cannot be readily or reasonably dismantled and that is reduced to a minimum practical size and weight;

(b) on interstate highways, a load or vehicle exceeding applicable length or weight limits that, if separated into smaller loads or vehicles, would:

(i) compromise the intended use of the vehicle;

(ii) destroy the value of the load or vehicle; or

(iii) require more than 8 work hours to dismantle using appropriate equipment. (Void on occurrence of contingency--sec. 2, Ch. 285, L. 2003.)

61-10-124. (Effective on occurrence of contingency) Special permits -- fees. (1) Except as provided in subsections (2)(d) and (3), in addition to the regular registration and gross vehicle weight fees, a fee of \$10 for each trip permit and a fee of \$75 for each term permit issued for size in excess of that specified in 61-10-101 through 61-10-104 must be paid for all movements under special permits on the public highways under the jurisdiction of the department of transportation.

(2) (a) Except as provided in subsections (2)(b), (2)(d), (2)(f), (2)(g), (3), and ~~(4)~~ (5), term or blanket permits may not be issued for an overwidth vehicle, combination of vehicles, load, or other thing in excess of 15 feet; an overlength vehicle, combination of vehicles, load, object, or other thing in excess of 95 feet; or an overheight vehicle, combination of vehicles, load, or other thing in excess of 14 feet or of a limit determined by the department. A vehicle, combination of vehicles, load, or other thing in excess of these dimensions is limited to trip permits. A Rocky Mountain double may not exceed 81 feet in combined trailer length. A Rocky Mountain double is not subject to a combination length limit. Special permits for vehicle combinations of more than two trailers or more than two units designed for or used to carry a load are not permitted except as provided in subsections (3) and ~~(4)~~ (5). Special permits for vehicle combinations may specify and special permits under subsections (3) and ~~(4)~~ (5) must specify highway routing and otherwise limit or prescribe conditions of operation of the vehicle or combination, including but not limited to required

equipment, speed, stability, operational procedures, and insurance.

(b) A term permit may be issued to a dealer in implements of husbandry and self-propelled machinery for an overwidth or overlength vehicle referred to in subsection (2)(a). This permit expires on December 31 of each year, with no grace period.

(c) With payment of the appropriate gross weight fees required by 61-10-201 and with payment of the fee prescribed in subsection (1), allowable gross weight of a five-axle combination logging vehicle is 80,000 pounds.

(d) A term permit may be issued for any combination of vehicles that exceeds 95 feet in length but does not exceed 100 feet in combination length, except a truck-trailer-trailer or a truck tractor-semitrailer-trailer-trailer combination, for travel only on interstate highways, as defined in 60-1-103, or on other highways within a 2-mile radius of an interstate highway interchange in order to obtain necessary services or to load or unload at a terminal. When a terminal is beyond a 2-mile radius, the department may authorize travel between the terminal and the interchange. The fee for this permit is \$125.

(e) A term permit may be issued for a truck tractor-semitrailer combination when the semitrailer exceeds 53 feet in length but does not exceed 57 feet in length.

(f) (i) An annual permit may be issued for nondivisible loads up to 120 feet in length. The fee for this permit is \$125.

(ii) Portions of a nondivisible load hauled on a public road off of the interstate highway may be detached and reloaded on the same hauling unit if the separate pieces are necessary to the operation of the machine or equipment that is being hauled and if the arrangement does not exceed limits for which a permit may be issued.

(iii) An applicant for a nondivisible load permit for use as provided in subsection ~~(5)(b)~~ (6)(b) is responsible for providing information regarding the number of work hours required to dismantle the load.

(iv) For use as provided in subsection ~~(5)(b)~~ (6)(b) and for the purposes of this section, emergency response vehicles and casks designed and used for the transport of spent nuclear materials are considered nondivisible loads.

(g) A term permit may be issued for an overlength vehicle moving a mobile home or a manufactured home, as defined in 15-24-201, when the vehicle does not exceed 110 feet in length or 16 feet in

1 width.

2 (3) The department of transportation may issue special permits to the operating company for a
3 truck-trailer-trailer or truck tractor-semitrailer-trailer-trailer combination of vehicles under the following
4 conditions:

5 (a) the combination may be operated only on interstate highways, as defined in 60-1-103, and on
6 other highways within a 2-mile radius of an interstate highway interchange only in order to obtain necessary
7 services or to load or unload at a terminal. When a terminal is beyond a 2-mile radius, the department may
8 authorize travel between the terminal and the interchange.

9 (b) a combination of vehicles powered by a cab-over or tilt-cab truck tractor or a truck may not
10 exceed an overall length of 105 feet, inclusive of front and rear bumpers and overhang;

11 (c) a combination of vehicles powered by a conventional truck tractor may not exceed an overall
12 length of 110 feet, inclusive of the front and rear bumpers and overhang;

13 (d) an individual cargo unit of the combination may not exceed 28 1/2 feet in length and 102 inches
14 in width;

15 (e) gross weight fees under 61-10-201 must be paid on the truck or truck tractor for the declared
16 registered gross weight of the special vehicle combination, but not to exceed the formula in 61-10-107;

17 (f) the combination must have a special overlength permit issued at a fee of \$200 for a term permit
18 or \$20 for each trip permit;

19 (g) travel of the combination may be restricted to specific routes, hours of operation, specific days,
20 or seasonal periods; and

21 (h) the department may enforce any other restrictions determined by the department to be
22 necessary. The permit is not transferable, and the fee for the permit is \$200.

23 (4) (a) The department of transportation may issue special permits to the operating company for a
24 platoon operation, with the following restrictions:

25 (i) The combination may be operated only on interstate highways, as defined in 60-1-103, and on
26 other highways within a 2-mile radius of an interstate highway interchange only in order to obtain necessary
27 services or to load or unload at a terminal. When a terminal is beyond a 2-mile radius, the department may
28 authorize travel between the terminal and the interchange.

(ii) A platoon operation must be restricted to three platooning vehicles. Combination vehicles must be limited to a single trailer.

(iii) Gross vehicle weight fees under 61-10-201 must be paid on each truck or truck tractor operating in a platoon operation.

(iv) Travel of a platoon operation may be restricted to specific routes, hours of operation, specific days, or seasonal periods.

(v) The department may enforce any other restrictions determined by the department to be necessary.

(b) A permit is not transferable.

(c) The fee for the permit is \$200 for a term permit or \$20 for each trip.

(5) The department of transportation may issue special permits under subsection (3) for vehicle combinations that consist of a truck-trailer-trailer if:

(a) the vehicle combination's overall length, inclusive of front and rear bumpers, is not more than 95 feet; and

(b) the person, firm, or corporation applying for the permit:

(i) restricts truck-trailer-trailer operations authorized by the permit to the hauling of talc ore, chlorite, dolomite, limestone, and custom combine equipment;

(ii) operated the truck-trailer-trailer combination before July 1, 1987;

(iii) restricts the truck-trailer-trailer operations authorized by the permit to the specified routes that those vehicles used before July 1, 1987; and

(iv) provides the department of transportation with an affidavit confirming the routes used before July 1, 1987, for truck-trailer-trailer operations.

~~(5)~~(6) For the purposes of this section, a "nondivisible load" is:

(a) on public roads off of interstate highways, a load that cannot be readily or reasonably dismantled and that is reduced to a minimum practical size and weight;

(b) on interstate highways, a load or vehicle exceeding applicable length or weight limits that, if separated into smaller loads or vehicles, would:

(i) compromise the intended use of the vehicle;

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