

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;
DEFINING PLATOONING; 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; REQUIRING A STUDY OF PLATOONING SAFETY BY THE DEPARTMENT OF
TRANSPORTATION; PROVIDING RULEMAKING AUTHORITY; AND 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. PLATOONING -- STUDY -- RULEMAKING. (1) THE DEPARTMENT OF
TRANSPORTATION SHALL COMPLETE A FEASIBILITY STUDY TO DETERMINE WHETHER PLATOONING CAN BE SAFELY
CONDUCTED IN MONTANA. THE STUDY MUST INCLUDE CONSIDERATION OF MONTANA'S VARIOUS TERRAIN, WEATHER
EXTREMES, EFFECTIVENESS OF SUPPORTING COMMUNICATION NETWORKS, AND ANY OTHER CONSIDERATIONS
APPLICABLE TO THE SAFETY OF THE MOTORING PUBLIC.

(2) IF, UPON COMPLETION AND ANALYSIS OF THE STUDY REQUIRED IN SUBSECTION (1), THE DEPARTMENT
DETERMINES THAT PLATOONING CAN BE SAFELY CONDUCTED, IT SHALL ADOPT RULES AND STANDARDS FOR
PLATOONING. PRIOR TO PROPOSING RULES ON PLATOONING, THE DEPARTMENT SHALL ENGAGE STAKEHOLDERS SUCH AS
MEMBERS OF THE TRANSPORTATION INTERIM COMMITTEE, REPRESENTATIVES OF LAW ENFORCEMENT AGENCIES, THE
TRUCKING INDUSTRY, PLATOONING TECHNOLOGY DEVELOPERS, RANCHERS, DRIVERS, PEDESTRIANS, TRIBAL
GOVERNMENTS, AND LOCAL GOVERNMENTS.

(3) PLATOONING MAY BE ALLOWED FOLLOWING THE IMPLEMENTATION OF DEPARTMENT RULES AND
STANDARDS.

(4) FOR THE PURPOSES OF THIS SECTION, "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.

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 CDL 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 license.

NEW SECTION. Section 3. Rulemaking authority. (1) The department of transportation may adopt rules to limit platooning in actual or predicted periods of dangerous road conditions shall adopt rules and standards for the safety of operations of platoons.

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

(3)(2) The department shall consult interested engage stakeholders prior to proposing rules

on platooning, such as members of the transportation interim committee, representatives of law enforcement agencies, the trucking industry, platooning technology developers, ranchers, drivers, pedestrians, drivers, and tribal and local governments.

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

SECTION 2. SECTION 61-10-124, MCA, IS AMENDED TO READ:

"61-10-124. (Temporary) 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)(h), (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. 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

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

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

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

8 (d) A term permit may be issued for any combination of vehicles that exceeds 95 feet in length but
9 does not exceed 100 feet in combination length, except a truck-trailer-trailer or a truck tractor-semitrailer-trailer-
10 trailer combination, for travel only on interstate highways, as defined in 60-1-103, or on other highways within a
11 2-mile radius of an interstate highway interchange in order to obtain necessary services or to load or unload at
12 a terminal. When a terminal is beyond a 2-mile radius, the department may authorize travel between the
13 terminal and the interchange. The fee for this permit is \$125.

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

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

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

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

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

27 (g) A Rocky Mountain double carrying baled hay may not exceed 88 feet of combined trailer
28 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) (B) 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) (C) The department may enforce any other restrictions determined by the department to be necessary.~~

~~(b) _____ A permit is not transferable.~~

~~(c) (D) 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~~

1 separated into smaller loads or vehicles, would:

2 (i) compromise the intended use of the vehicle;

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

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

6 **61-10-124. (Effective on occurrence of contingency) Special permits -- fees.** (1) Except as
7 provided in subsections (2)(d) and (3), in addition to the regular registration and gross vehicle weight fees, a fee
8 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-
9 10-101 through 61-10-104 must be paid for all movements under special permits on the public highways under
10 the jurisdiction of the department of transportation.

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

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

26 (c) With payment of the appropriate gross weight fees required by 61-10-201 and with payment of
27 the fee prescribed in subsection (1), allowable gross weight of a five-axle combination logging vehicle is 80,000
28 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 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

1 authorize travel between the terminal and the interchange.

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

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

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

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

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

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

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

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

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

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

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

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

28 (v) (C) The department may enforce any other restrictions determined by the department to be

1 necessary.

2 ~~(b)~~ A permit is not transferable.

3 ~~(e)~~ (D) The fee for the permit is \$200 for a term permit or \$20 for each trip.

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

6 (a) the vehicle combination's overall length, inclusive of front and rear bumpers, is not more than
7 95 feet; and

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

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

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

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

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

16 ~~(5)~~(6) For the purposes of this section, a "nondivisible load" is:

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

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

21 (i) compromise the intended use of the vehicle;

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

23 (iii) require more than 8 work hours to dismantle using appropriate equipment."
24

25 **NEW SECTION. Section 3. Codification instruction.** ~~[Sections SECTION 1 through 3-4] are IS~~
26 intended to be codified as an integral part of Title 61, and the provisions of Title 61 apply to ~~[sections 1 through~~
27 ~~3-4 SECTION 1]~~.
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