

1 HOUSE BILL NO. 517

## 2 INTRODUCED BY B. BARKER, C. HINKLE, P. TUSS, K. BOGNER

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4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING CLASSIFICATION AND MOTOR CARRIER  
5 CERTIFICATE LAWS; AMENDING SECTION 69-12-314, MCA; AND PROVIDING AN IMMEDIATE  
6 EFFECTIVE DATE."

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

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11        **"69-12-314. Class D motor carrier certificate of public convenience and necessity.** (1) Class D  
12      carriers shall conduct operations pursuant to a certificate of public convenience and necessity issued by the  
13      commission authorizing the transportation of the commodities described in 69-12-301(3). Class D carriers,  
14      when applying for a new or additional certificate of public convenience and necessity, shall file an application  
15      with the commission in accordance with the requirements of this chapter and the rules of the commission.

16 (2) A person or corporation may apply to possess a Class D motor carrier certificate of public  
17 convenience and necessity if the person or corporation intends to engage or actually engages in the  
18 transportation of garbage on a regular basis as part of the person or corporation's usual business operation.

19        (2)(3) A motor carrier may not possess a Class D motor carrier certificate of public convenience or  
20 necessity or operate as a Class D motor carrier unless the motor carrier intends to engage or actually engages  
21 in the transportation of garbage on a regular basis as part of the motor carrier's usual business operation."

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**23** **NEW SECTION.** **Section 2.** **Effective date.** [This act] is effective on passage and approval.

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