

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 67th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TRANSPORTATION

Call to Order: Chair Denley M. Loge, on February 24, 2021 at 2:52 PM, in Room 455
Capitol

ROLL CALL

Members Present:

Rep. Denley M. Loge, Chair (R)
Rep. Frank Smith, Vice Chair (D)
Rep. Jeremy Trebas, Vice Chair (R)
Rep. Julie Dooling (R)
Rep. Dave Fern (D)
Rep. Frank Fleming (R)
Rep. Derek J. Harvey (D)
Rep. Jedediah Hinkle (R)
Rep. Ron Marshall (R)
Rep. Rynalea Whiteman Pena (D)
Rep. Kathy Whitman (R)

Members Excused:

Rep. Kim Abbott (D)
Rep. Wylie Galt (R)
Rep. Casey Knudsen (R)
Rep. Barry Usher (R)

Members Absent: None

Staff Present:

Jordee Bomgardner, Committee Secretary
Joe Carroll, Legislative Branch
Karli Kusler, Remote Meeting Coordinator

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 462, 2/19/2021; HB 476, 2/19/2021; HB 488, 2/19/2021;
HB 545, 2/22/2021; HB 562, 2/23/2021; HB 586, 2/23/2021;
HB 595, 2/23/2021; HB 598, 2/23/2021; HB 605, 2/24/2021;
HB 608, 2/24/2021; HB 610, 2/24/2021

Executive Action: HB 247, HB 264, HB 350, HB 438, HB 462, HB 476, HB 482, HB
488, HB 562, HB 586, HB 598, HB 608, HB 610, HB 595, HB 420,
HB 545, HB 605

14:53:44 Rep. Fleming left the meeting.

14:54:23 Rep. Harvey

14:54:30 Chair Loge

14:55:11 Rep. J. Hinkle left the meeting.

HEARING ON HB 595

Opening Statement by Sponsor:

14:54:44 Rep. Joe Read (R), HD 93, opened the hearing on HB 595, Revise laws related to salvage vehicles.

14:58:40 Vice Chair Trebas assumed the Chair.

14:59:00 Rep. Loge left the meeting.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

14:59:16 Rep. Read

14:59:45 Chair Trebas

HEARING ON HB 562

Opening Statement by Sponsor:

15:01:35 Rep. Julie Dooling (R), HD 70, opened the hearing on HB 562, Generally revise highway encroachment laws.

Proponents' Testimony:

15:03:44 Edward Keith Howick Jr., Townsend Hardware

15:11:03 Joel Peden, Montana Association for Centers for Independent Living (MTCIL)

Opponents' Testimony:

15:12:27 Dwane Kailey, Montana Department of Transportation (MDT)

[EXHIBIT\(trh39a01\)](#)

Informational Testimony: None

Questions from Committee Members and Responses:

15:18:07 Vice Chair Smith

15:19:00 Dwane Kailey, MDT

15:19:17 Rep. Fern

15:21:04 Dwane Kailey, MDT

15:22:04 Rep. Marshall

15:24:18 Dwane Kailey, MDT

Closing by Sponsor:

15:24:36 Rep. Dooling

HEARING ON HB 586

Opening Statement by Sponsor:

15:27:26 Rep. Steven Galloway (R), HD 24, opened the hearing on HB 586, Revise motor vehicle laws related to missing titles.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony:

15:31:13 Laurie Bakri, Motor Vehicle Division (MVD)

Questions from Committee Members and Responses: None

Closing by Sponsor:

15:31:52 Rep. Galloway

HEARING ON HB 608

Opening Statement by Sponsor:

15:32:38 Rep. Steven Galloway (R), HD 24, opened the hearing on HB 608, Revise commercial driver licenses.

Proponents' Testimony:

15:34:54 Brad Marten, Motor Carrier Services Division of the Montana Department of Transportation (MDT)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

15:37:28 Rep. Fern
15:38:08 Brad Marten, MDT
15:38:29 Rep. Dooling
15:38:50 Brad Marten, MDT
15:39:07 Rep. Whiteman Pena
15:39:48 Brad Marten, MDT
15:40:10 Rep. Galloway

Closing by Sponsor:

15:41:02 Rep. Galloway

HEARING ON HB 462

Opening Statement by Sponsor:

15:41:48 Rep. Mallerie Stromswold (R), HD 50, opened the hearing on HB 462, Revise driver license laws for foster children.

Proponents' Testimony:

15:42:23 Laurie Bakri, Motor Vehicle Division (MVD)
15:43:37 Alan Doane, Montana Department of Justice (DOJ)
15:43:58 Beth Brennehan, Disability Rights Montana
15:45:05 Derek Hitt, self

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

15:46:13 Rep. Stromswold

HEARING ON HB 545

Opening Statement by Sponsor:

15:47:00 Rep. Andrea Olsen (D), HD 100, opened the hearing on HB 545, Establish public transportation commission to study passenger transportation.

Proponents' Testimony:

15:51:16 Joel Peden, Montana Association for Centers for Independent Living (MTCIL)
15:52:40 Karli Kusler, Remote Meeting Coordinator (RMC)
15:52:47 Chair Trebas
15:52:59 Rep. Fern
15:53:28 Rep. Dooling
15:53:57 Chair Trebas
15:54:08 Travis Hoffman, Summit Independent Living
15:54:42 Chair Trebas
15:54:52 Shyla Patera, self

Opponents' Testimony: None

Informational Testimony:

15:56:50 Gina Lytle, self
15:57:24 Rep. Loge joined the meeting.

Questions from Committee Members and Responses:

15:58:00 Rep. Fern
15:58:49 Rep. Olsen

Closing by Sponsor:

16:03:53 Rep. Olsen

HEARING ON HB 476**Opening Statement by Sponsor:**

16:06:03 Rep. Kathy Whitman (R), HD 96, opened the hearing on HB 476, Generally revise commercial tow truck classification standards.

Proponents' Testimony:

16:07:23 Bob Gilbert, Montana Tow Truck Association (MTTA)
16:08:12 Spence Hanser, Montana Tow Truck Association (MTTA)
16:11:38 Terry Morrison, Montana Tow Truck Association (MTTA)

EXHIBIT(trh39a02)

16:14:29 Jim Dusenberry, Montana Tow Truck Association (MTTA)

Opponents' Testimony: None**Informational Testimony:**

16:15:57 Brad Marten, Motor Carriers Services Division of the Montana Department of Transportation (MDT)

Questions from Committee Members and Responses:

16:16:52 Rep. Loge
16:17:25 Brad Marten, MDT
16:17:56 Rep. Marshall
16:18:22 Brad Marten, MDT
16:18:51 Rep. Dooling
16:19:37 Jim Dusenberry, MTTA

Closing by Sponsor:

16:20:25 Rep. Whitman

HEARING ON HB 605**Opening Statement by Sponsor:**

16:21:25 Rep. Neil Duram (R), HD 2, opened the hearing on HB 605, Generally revise equestrian laws.

Proponents' Testimony: None**Opponents' Testimony:** None**Informational Testimony:**

16:27:06 Dwane Kailey, Montana Department of Transportation (MDT)

Questions from Committee Members and Responses:

16:27:52 Rep. Loge
16:28:11 Rep. Duram
16:28:34 Vice Chair Smith
16:28:53 Rep. Duram
16:30:00 Chair Trebas

16:30:12 Rep. Duram

Closing by Sponsor:

16:30:47 Rep. Duram

16:31:52 Rep. Loge assumed the Chair.

16:32:07 Rep. Trebas left the meeting.

HEARING ON HB 598

Opening Statement by Sponsor:

16:33:16 Rep. Kathy Whitman (R), HD 96, opened the hearing on HB 598, Generally revise disability parking laws.

Proponents' Testimony:

16:35:17 Joel Peden, Montana Association for Centers for Independent Living (MTCIL)

[EXHIBIT\(trh39a03\)](#)

[EXHIBIT\(trh39a04\)](#)

16:39:20 Beth Brenneman, Disability Rights Montana

16:40:29 Jed Barton, Living Independently for Today & Tomorrow (LIFTT)

16:42:30 Travis Hoffman, Summit Independent Living

16:48:01 Grayce Holzheimer, Living Independently for Today & Tomorrow (LIFTT)

16:56:06 Kelly Lynch, Montana League of Cities and Towns (MLCT)

16:58:14 Gina Lytle, self

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

17:03:10 Vice Chair Smith

Closing by Sponsor:

17:03:51 Rep. Whitman

17:05:20 Chair Loge

HEARING ON HB 488

Opening Statement by Sponsor:

17:05:26 Rep. Julie Dooling (R), HD 70, opened the hearing on HB 488, Revise license plate laws.

Proponents' Testimony: None

Opponents' Testimony:

17:07:39 Jessie Luther, Association of Montana Troopers (AMT)

Informational Testimony: None

Questions from Committee Members and Responses:

17:10:10 Rep. Fern
17:10:49 Rep. Dooling
17:11:24 Vice Chair Smith
17:12:14 Jessie Luther, AMT
17:12:50 Vice Chair Smith
17:13:24 Rep. Dooling

Closing by Sponsor:

17:14:22 Rep. Dooling

HEARING ON HB 610**Opening Statement by Sponsor:**

17:15:28 Rep. Rynalea Whiteman Pena (D), HD 41, opened the hearing on HB 610, Establish the Terry Spotted Wolf, Sr. memorial highway.

17:17:32 Rep. J. Hinkle joined the meeting.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

17:19:49 Rep. Whiteman Pena
17:20:34 Recess
17:39:19 Reconvened

EXECUTIVE ACTION ON HB 247

17:39:52 **Motion:** Rep. Trebas moved that **HB 247 DO PASS.**

Discussion:

17:40:11 Chair Loge
17:40:23 Joe Carroll, Legislative Services Division (LSD)
17:41:07 Vice Chair Trebas
17:41:14 Rep. Harvey
17:41:49 Joe Carroll, LSD
17:42:27 Chair Loge
17:42:32 Joe Carroll, LSD

17:42:39 **Motion/Vote:** Rep. Trebas moved that **HB 247 BE AMENDED.** Motion carried unanimously by voice vote. Rep. Abbott, Rep. Fleming, Rep. Galt, Rep. C. Knudsen and Rep. Usher voted by proxy.

EXHIBIT(trh39a05)

17:43:51 **Motion/Vote:** Rep. Trebas moved that **HB 247 DO PASS AS AMENDED**.
Motion carried unanimously by voice vote. Rep. Abbott, Rep. Fleming, Rep. Galt,
Rep. C. Knudsen and Rep. Usher voted by proxy.

17:44:40 Chair Loge

EXECUTIVE ACTION ON HB 264

17:45:03 **Motion/Vote:** Rep. Trebas moved that **HB 264 BE REMOVED FROM TABLE**.
Motion carried 10-0 by voice vote.

17:45:27 Chair Loge
17:46:25 Joe Carroll, LSD
17:46:40 Vice Chair Trebas
17:46:49 Chair Loge
17:46:58 Joe Carroll, LSD
17:47:18 Chair Loge

17:47:22 **Motion/Vote:** Rep. Trebas moved to **RECONSIDER THE MOTION** on **HB 264**.
Motion carried unanimously by voice vote. Rep. Abbott, Rep. Fleming, Rep. Galt,
Rep. C. Knudsen and Rep. Usher voted by proxy.

17:48:17 **Motion/Vote:** Rep. Trebas moved that **HB 264 BE AMENDED**. Motion carried
unanimously by voice vote. Rep. Abbott, Rep. Fleming, Rep. Galt, Rep. C.
Knudsen and Rep. Usher voted by proxy.

EXHIBIT(trh39a06)

17:49:03 **Motion:** Rep. Trebas moved that **HB 264 DO PASS AS AMENDED**.

Discussion:

17:49:16 Rep. J. Hinkle
17:49:28 Chair Loge

17:50:11 **Vote:** Motion carried unanimously by voice vote. Rep. Abbott, Rep. Fleming,
Rep. Galt, Rep. C. Knudsen and Rep. Usher voted by proxy.

EXECUTIVE ACTION ON HB 350

17:50:51 **Motion:** Rep. Trebas moved that **HB 350 DO PASS**.

Discussion:

17:50:57 Chair Loge
17:51:00 Joe Carroll, LSD
17:52:35 Chair Loge
17:52:45 Rep. Harvey
17:53:03 Joe Carroll, LSD
17:53:12 Chair Loge
17:53:21 Joe Carroll, LSD
17:53:34 Rep. Fern
17:54:14 Rep. Putnam

17:55:29 Rep. J. Hinkle
17:55:43 Chair Loge
17:55:51 Rep. Fern
17:56:20 Rep. Whiteman Pena
17:56:35 Chair Loge
17:56:58 Rep. Whiteman Pena

17:57:07 **Motion/Vote:** Rep. Harvey moved that **HB 350 BE AMENDED**. Motion carried unanimously by voice vote. Rep. Abbott, Rep. Fleming, Rep. Galt, Rep. C. Knudsen and Rep. Usher voted by proxy.

EXHIBIT(trh39a07)

17:57:55 **Motion:** Rep. Trebas moved that **HB 350 DO PASS AS AMENDED**.

Discussion:

17:58:44 Rep. Fern
17:58:55 Chair Loge
17:58:59 Rep. J. Hinkle
17:59:07 Chair Loge
17:59:12 Rep. J. Hinkle
18:00:03 Chair Loge

18:00:31 **Vote:** Motion carried 8-7 by roll call vote with Rep. Galt, Rep. J. Hinkle, Rep. C. Knudsen, Rep. Marshall, Rep. Trebas, Rep. Usher and Rep. Whitman voting no. Rep. Abbott, Rep. Fleming, Rep. Galt, Rep. C. Knudsen and Rep. Usher voted by proxy.

EXECUTIVE ACTION ON HB 420

18:01:43 **Motion:** Rep. Trebas moved that **HB 420 DO PASS**.

18:01:59 **Substitute Motion/Vote:** Rep. Fern made a substitute motion that **HB 420 BE TABLED**. Substitute Motion carried 10-0 by voice vote.

EXECUTIVE ACTION ON HB 438

18:02:31 **Motion:** Rep. Trebas moved that **HB 438 DO PASS**.

Discussion:

18:02:46 Chair Loge

18:03:06 **Vote:** Motion carried unanimously by voice vote. Rep. Abbott, Rep. Fleming, Rep. Galt, Rep. C. Knudsen and Rep. Usher voted by proxy.

EXECUTIVE ACTION ON HB 462

18:03:46 **Motion/Vote:** Rep. Trebas moved that **HB 462 DO PASS**. Motion carried unanimously by voice vote. Rep. Abbott, Rep. Fleming, Rep. Galt, Rep. C. Knudsen and Rep. Usher voted by proxy.

EXECUTIVE ACTION ON HB 476

18:05:08 **Motion/Vote:** Rep. Trebas moved that **HB 476 DO PASS**. Motion carried unanimously by voice vote. Rep. Abbott, Rep. Fleming, Rep. Galt, Rep. C. Knudsen and Rep. Usher voted by proxy.

EXECUTIVE ACTION ON HB 482

18:06:10 **Motion/Vote:** Rep. Trebas moved that **HB 482 DO PASS**. Motion carried unanimously by voice vote. Rep. Abbott, Rep. Fleming, Rep. Galt, Rep. C. Knudsen and Rep. Usher voted by proxy.

EXECUTIVE ACTION ON HB 488

18:07:11 **Motion:** Rep. Trebas moved that **HB 488 DO PASS**.

Discussion:

18:07:32 Rep. J. Hinkle
18:07:44 Rep. Dooling
18:08:30 Chair Loge
18:08:59 Joe Carroll, LSD
18:09:46 Chair Loge

18:09:53 **Vote:** Motion carried unanimously by voice vote. Rep. Abbott, Rep. Fleming, Rep. Galt, Rep. C. Knudsen and Rep. Usher voted by proxy.

EXECUTIVE ACTION ON HB 545

18:10:21 **Motion:** Rep. Trebas moved that **HB 545 DO PASS**.

Discussion:

18:10:48 Rep. Marshall
18:11:09 Rep. Dooling
18:11:40 Chair Loge
18:12:57 Rep. Fern
18:13:52 Chair Loge
18:14:32 Rep. Dooling
18:14:49 Vice Chair Smith
18:15:11 Rep. Whitman
18:15:35 Rep. J. Hinkle

18:16:15 **Substitute Motion/Vote:** Rep. Dooling made a substitute motion that **HB 545 BE TABLED**. Substitute Motion carried unanimously by voice vote. Rep. Abbott, Rep. Fleming, Rep. Galt, Rep. C. Knudsen and Rep. Usher voted by proxy.

EXECUTIVE ACTION ON HB 562

18:17:01 **Motion:** Rep. Trebas moved that **HB 562 DO PASS**.

Discussion:

18:17:53 Rep. Fern
18:18:37 Vice Chair Trebas
18:19:08 Rep. Dooling

18:20:34 **Vote:** Motion carried 14-1 by voice vote with Rep. Fern voting no. Rep. Abbott, Rep. Fleming, Rep. Galt, Rep. C. Knudsen and Rep. Usher voted by proxy.

EXECUTIVE ACTION ON HB 586

18:21:11 **Motion:** Rep. Trebas moved that **HB 586 DO PASS.**

Discussion:

18:21:32 Vice Chair Trebas
18:21:50 Joe Carroll, LSD
18:22:51 Chair Loge

18:23:14 **Vote:** Motion carried unanimously by voice vote. Rep. Abbott, Rep. Fleming, Rep. Galt, Rep. C. Knudsen and Rep. Usher voted by proxy.

EXECUTIVE ACTION ON HB 595

18:23:41 **Motion:** Rep. Trebas moved that **HB 595 DO PASS.**

18:24:04 **Substitute Motion/Vote:** Rep. Harvey made a substitute motion that **HB 595 BE TABLED.** Substitute Motion carried 14-1 by voice vote with Rep. F. Smith voting no. Rep. Abbott, Rep. Fleming, Rep. Galt, Rep. C. Knudsen and Rep. Usher voted by proxy.

EXECUTIVE ACTION ON HB 598

18:25:33 **Motion:** Rep. Trebas moved that **HB 598 DO PASS.**

Discussion:

18:25:50 Rep. Fern
18:26:05 Chair Loge

18:26:23 **Vote:** Motion carried unanimously by voice vote. Rep. Abbott, Rep. Fleming, Rep. Galt, Rep. C. Knudsen and Rep. Usher voted by proxy.

EXECUTIVE ACTION ON HB 605

18:26:55 **Motion:** Rep. Trebas moved that **HB 605 DO PASS.**

Discussion:

18:27:11 Rep. Fern
18:27:30 Rep. J. Hinkle
18:27:37 Rep. Fern
18:27:44 Rep. Dooling

18:28:02 Chair Loge
18:28:10 Rep. Fern
18:28:29 Chair Loge
18:28:32 Joe Carroll, LSD
18:29:47 Rep. J. Hinkle
18:30:02 Chair Loge
18:30:27 Vice Chair Trebas
18:30:38 Rep. Harvey
18:31:26 Rep. Whitman
18:31:40 Rep. Whiteman Pena
18:32:13 Rep. Dooling

18:33:30 **Vote:** Motion failed 7-8 by roll call vote with Rep. Abbott, Rep. Dooling, Rep. Fern, Rep. Fleming, Rep. Loge, Rep. F. Smith and Rep. Trebas voting aye. Rep. Abbott, Rep. Fleming, Rep. Galt, Rep. C. Knudsen and Rep. Usher voted by proxy.

18:34:40 **Substitute Motion/Vote:** Rep. Dooling made a substitute motion that **HB 605 BE TABLED**. Substitute Motion carried 14-1 by voice vote with Rep. F. Smith voting no. Rep. Abbott, Rep. Fleming, Rep. Galt, Rep. C. Knudsen and Rep. Usher voted by proxy.

EXECUTIVE ACTION ON HB 608

18:35:22 **Motion/Vote:** Rep. Trebas moved that **HB 608 DO PASS**. Motion carried unanimously by voice vote. Rep. Abbott, Rep. Fleming, Rep. Galt, Rep. C. Knudsen and Rep. Usher voted by proxy.

EXECUTIVE ACTION ON HB 610

18:35:56 **Motion:** Rep. Trebas moved that **HB 610 DO PASS**.

Discussion:

18:36:13 Rep. Harvey
18:36:52 Rep. J. Hinkle
18:36:59 Vice Chair Smith

18:37:22 **Vote:** Motion carried unanimously by voice vote. Rep. Abbott, Rep. Fleming, Rep. Galt, Rep. C. Knudsen and Rep. Usher voted by proxy.

18:37:59 Chair Loge
18:39:08 Rep. Whiteman Pena
18:39:19 Chair Loge
18:40:13 Rep. J. Hinkle

ADJOURNMENT

Adjournment: 18:40:41

Jordee Bomgardner, Secretary

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Additional Documents:

EXHIBIT([trh39aad.pdf](#))