

SJR 26: TRANSPORTING OVERSIZE LOADS
Study Plan
Adopted June 27, 2013

Prepared for the Revenue and Transportation Interim Committee
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Introduction and Background

Senate Joint Resolution No. 26 (SJR 26) requests an interim study of transporting oversize loads through Montana. Legislators ranked the study 13th out of the 17 study resolutions in the postsession poll of interim studies. In May 2013, the Legislative Council assigned the study to the Revenue and Transportation Interim Committee.

SJR 26 directs the interim committee to identify any impediments in Montana law that preclude or discourage transporting oversize loads through the state and options for removing or mitigating the impediments to efficiently and cost-effectively transporting oversize and other loads through Montana.

Transportation of Oversize Loads

The movement of oversize loads through Montana in 2011 and 2012 focused attention on issues related to the transportation of oversize loads through the state. SJR 26 requests that an interim committee explore how to establish a predictable, timely, and cost-effective process to allow movement of oversize loads through Montana.

Stakeholders testifying at the hearings on SJR26 suggested some areas on which the committee might focus:

- financing options for necessary improvements such as relocating power lines and traffic signals or constructing pullouts;
- the permitting process;
- the environmental review process; and
- the role of local government planning.

As stated in a "Whereas" clause, a goal of the study is to find ways to reduce project costs and expedite the movement of people and goods by eliminating delays, reducing regulatory burdens, improving agencies' work practices, lowering costs, and accelerating completion of transportation projects. The resolution also suggests that the Committee consider how the movement of oversize loads interacts with Moving Ahead for Progress in the 21st Century Act, Public Law 112-141, commonly referred to as MAP-21.

Study Tasks

For a study of transporting oversize loads through Montana, the study resolution suggests that the Committee identify:

1. any impediments in Montana law that preclude or discourage transporting oversize loads through the state; and
2. options to remove or mitigate the impediments to efficiently and in a cost-effective manner transport oversize and other loads through Montana.

The resolution also requests that the Committee look to other states or Canadian provinces for legislative methods or means enacted to foster the transport of oversize loads through various public jurisdictions, including by establishing or authorizing the establishment of commerce corridors.

Study Resources

The study resolution language requests assistance from the following stakeholders: the Montana Department of Transportation, the Montana Department of Environmental Quality, local governments, highway user groups, and the U.S. Department of Transportation.

In addition, the Legislative Fiscal Division can model revenue impacts from any change in oversize vehicle fees or other fiscal policies considered by the Committee.

Outline of Study Activities

1. Compile background information: October 2013 - February 2014. This stage includes several steps designed to provide the Committee with information about transporting oversize loads, including:
 - a. an overview of state laws governing the movement of oversize vehicles;
 - b. logistical, safety, and environmental considerations when moving oversize loads;
 - c. overview of policies of other states or Canadian provinces that address movement of oversize vehicles, including establishment of commerce corridors; and
 - d. overview of MAP-21 relevance to transporting oversize loads.
2. Identify issues: February 2014 - May 2014 . Study activities during this period will focus on identifying the issues of greatest importance to address through further analysis or legislation. Some topics raised during the hearings on SJR 26 include sources for financing, environmental considerations, and permitting.
3. Review and decide legislative options: July 2014 - September 2014. After compiling background information, identifying issues, and researching options, the Committee will decide whether to develop findings and recommendations and/or request legislation.

Member Comments About the Study Plan

During the committee's discussion of the SJR 26 study plan, members made the following comments and the committee voted to include the comments as a section in the study plan.

1. The study plan uses the term "oversize" but is actually intended to address what are often called "megaloads" and not all oversize vehicles. (Rep. Hollandsworth)
2. The study should consider federal government involvement in the movement of oversize loads, for example the U.S. Forest Service moving loads between Idaho and Montana. (Rep. Ballance)
3. The committee should focus on the process related to oversize loads and not the ultimate use of the items being moved. (Rep. Miller)
4. When considering costs to the state for improvements required to move oversize loads, the discussion should also include benefits to the state. (Sen. Wittich)
5. The study should include consideration of improvement-development provisions or payback agreements used by local governments as a framework for considering funding options. (Sen. Wittich)
6. The background information should include whether/how movement of oversize loads is included in MDT's asset management program. (Sen. Barrett)
7. The study should include consideration of issuing permits that only allow movement of oversize loads at night. (Rep. Hollandsworth)
8. The Public Service Commission should be included as a study resource as they are notified when utility lines are moved. (Sen. Jergeson)
9. When looking at "impediments that preclude or discourage transporting oversize loads," the committee should also consider the reasons for the impediments. (Rep. Hunter)

Summary of Senate Joint Resolution 26 Study Plan

Study Activity	Source	Activity	Meeting Date	Committee Time
1. Overview of state laws governing movement of oversized vehicles	Staff research, MDT	Staff materials, public comment	October 2013	1 hour
2. Logistical, safety, and environmental considerations for moving oversized vehicles	MDT, DEQ, highway user groups	Agency and stakeholder presentations, public comment	October 2013	1.5 hours
3. Overview of other state/province policies, including commerce corridors	Staff research, MDT, highway user groups	Staff materials, agency presentations, public comment	December 2013	1 hour
4. Overview of MAP-21 relevance for transporting oversized loads	Staff research, MDT, US DOT	Staff materials, agency presentations, public comment	February 2014	1 hour
5. Identify issues. Topics may include financing, environmental considerations, and permitting	Stakeholder input	Panel discussions, public comment	February and May 2014	3 hours
6. Develop findings and recommendations for final report and, if desired, request bill drafts for 2013 session	Committee members	Committee work session, stakeholder input, public comment	July 2014	2 hours
7. Review any requested legislation and draft final report	Staff, committee members	Committee work session, stakeholder input, public comment	September 2014	1.5 hours
Total				11 hours

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