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Revenue and Transportation Interim Committee

63rd Montana Legislature

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July 15, 2014

TO: Committee Members

FROM: Jaret Coles, Staff Attorney

RE: Supplemental Memo Regarding Administrative Rule Activity

On July 10, 2014, the Secretary of State published one notice that pertains to the Department of Revenue and two notices that pertain to the Department of Transportation. As such, this memo supplements my July 2, 2014, memo entitled "Administrative Rule Activity".

Department of Revenue

Proposal and Adoption Notices are available on the Internet at:
<http://www.revenue.mt.gov/home/rules.aspx>

Notice of Proposed Rules:

Nothing further as of the July 10, 2014, publication date.

Notice of Adopted Rules:

Housekeeping -- General Rules and Definitions -- Biennial Review of Administrative Rules. MAR 42-2-907. Adopted July 10, 2014. A public hearing was held on June 12, 2014; no one appeared at the hearing to testify and no written comments were received. The Department amended 24 rules as proposed.

Department of Transportation

Proposal and Adoption Notices are available on the Internet:

The Department of Transportation does not maintain an administrative rules website, but notices can be found on the Secretary of State's website at <http://www.mtrules.org/>. Under the Montana Administrative Register heading, type the number "18" in the "Search by Notice No." box and click on the "Go" icon.

Notice of Proposed Rules:

Housekeeping -- Junkyard Regulations -- Biennial Review of Administrative Rules. MAR 18-148. No public hearing is contemplated, and the public comment period ends August 7, 2014. The Department of Transportation proposes to repeal eight rules pertaining to junkyards. The Department states the rules are "archaic and no longer in use".

Motor Carrier Services -- Biennial Review of Administrative Rules. MAR 18-149. No public hearing is contemplated, and the public comment period ends August 7, 2014. The Department of Transportation proposes to amend six rules and repeal three rules. The proposed amendments provide more specific citations to material that is incorporated by reference in existing rules by providing the year of publication. Additionally, one proposed amendment clarifies that a driver of an overweight, overwide, or overheight vehicle is required to stop at a weigh station, regardless of the in-cab signal. The proposed repeals are identified as no longer in use or repetitious of the requirements in the Montana Code Annotated.

Notice of Adopted Rules:

Nothing further as of the July 10, 2014, publication date.

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