

Summary of Transportation Legislation 2021 Legislative Session

The 2021 Legislature acted on several bills involving transportation and related issues. This summary provides an overview of major legislation, excluding the budget provisions of House Bill 2, in the following areas:

TIC Bills	Traffic Control and Safety
MDT Bills	Memorial Highways
DOJ MVD Bills	Fuel Taxation
Licensing, Insurance and Registration	Miscellaneous

The summary focuses only on legislation approved by the Legislature that has become law except for legislation requested by the previous Transportation Interim Committee.

Requested by the 2019-2020 Transportation Interim Committee

The Transportation Interim Committee requested and introduced one bill draft, [Senate Bill No. 64](#), which ultimately died on the Senate floor. The bill attempted to clean up temporary and dated language regarding REAL IDs and provided additional rule making authority to the DOJ MVD to implement fee waivers.

Requested by Montana Department of Transportation (MDT)

During the 2020-2021 interim, the MDT requested six bill drafts. Of the six requested, five were drafted, introduced, and approved:

- ✓ [HB 20](#) Permits the department to provide grants to third parties for courtesy cars at municipal and state-owned airports.
- ✓ [HB 55](#) Allows snow-removal equipment to use all colored lights except blue lights.
- ✓ [HB 56](#) Increases penalties for failure to use tire chains or traction devices when required.
- ✓ [HB 75](#) Permits the department to conduct online sales of real property and revises the notice requirements for such a sale.
- ✓ [HB 77](#) Revises laws related to motor carriers, including increasing the maximum length of a boat trailer, allowing trucks with administrative rule exemptions to bypass weigh scales, and clarifying the marking of commercial vehicles.

Requested by Department of Justice Motor Vehicle Division

During the 2020-21 interim, the DOJ MVD requested and introduced two bill drafts. House Bill No. 84 proposed several changes to driver's licenses and the licensing procedure. The bill was tabled in the House Transportation Committee. The other bill draft request was approved:

- ✓ [HB 83](#) Revises the expiration date of special parking permits, revises certain vehicle definitions, and revises the odometer disclosure requirements on certain vehicles when transferred.

Licensing, Insurance, and Registration

- ✓ [HB 117](#) Revises claims history information that an insurer may consider when transacting automobile insurance policies and allows discounts based on a favorable claims history.
- ✓ [HB 141](#) Allows for the transfer of a vehicle and vessel title to a beneficiary at time of death of the owner.
- ✓ [HB 247](#) Provides that the DOJ shall determine the number of vehicles needed to constitute a fleet and allows the department to issue certain fleet licenses that do not need to be affixed.
- ✓ [HB 266](#) Requires the highway patrol to issue a certificate of waiver after inspection of a vehicle with a body construction that does not allow for the display of a front license plate.
- ✓ [HB 383](#) Clarifies that a motorcycle driver's license endorsement is not required to operate a three-wheeled motorcycle.
- ✓ [HB 438](#) Provides that persons with certain military experience are not required to complete the skills or knowledge tests to receive a commercial driver's license.
- ✓ [HB 445](#) Creates processes for mediation and possible administrative hearings between a motor vehicle dealer and manufacturers, persons, or entities. Establishes standing necessary to bring action and allows a motor vehicle dealer to issue loaner plates upon the payment of a fee.
- ✓ [HB 462](#) Allows a learner's permit to be supervised by a licensed driver who is at least 18 years old or older if the licensee is a ward of the state, and allows a responsible adult to present written certification to allow a minor to apply for and receive a driver's license.
- ✓ [HB 482](#) Allows a license plate issued to a disabled veteran to be replaced every 10 years.
- ✓ [HB 586](#) Allows an applicant who is not able to provide the certificate of title for a vehicle that is 30 years old or older and valued at less than \$1,000 to provide the bill of sale and a notarized document attesting to the value of the vehicle.
- ✓ [SB 79](#) Provides that an insurer shall provide a claim release statement to an auto action dealer if the auto auction dealer was not provided a salvage certificate.
- ✓ [SB 300](#) Allows a driver's education course to be taught using online or distance learning and allows the DOJ to approve an alternative traffic education course available to drivers impacted by the Covid-19 pandemic.
- ✓ [SB 336](#) Extends the time allowed to renew a driver's license from 3 months to 1 year after expiration. Extends the term of a driver's license renewed by mail or online from 8 to 12 years and a REAL ID-compliant driver's license to 8 years.
- ✓ [SB 372](#) Allows personal communication limitations and other medical information that may be helpful to a peace officer to be included as a restriction on a license.

Traffic control and safety

- ✓ [HB 207](#) Authorizes the use of additional red flashing lights on the front and rear of school busses.
- ✓ [HB 264](#) Mandates that vehicles approaching and passing stationary emergency vehicles, law enforcement vehicles, or tow trucks must do so in a cautious and careful manner and follow all flagger instructions on sign boards. Provides for the offense of reckless endangerment of emergency personnel and provides penalties.
- ✓ [HB 267](#) Prohibits a motor vehicle from passing a school bus on the right, requires drivers to slow or stop when a school bus engages red flashing lights while dropping off or picking up students, requires extended stop arms in certain circumstances, and provides penalties.
- ✓ [SB 3](#) Allows the department of transportation to enter into an agreement with a tribal government to exercise the authority to issue certain citations.
- ✓ [SB 9](#) Allows for motorcycle lane filtering.

Memorial Highways

- ✓ [HB 610](#) Establishes the Terry Spotted Wolf Sr. memorial highway in Big Horn County. Directs the MDT to install signs.
- ✓ [SB 5](#) Establishes the Otto Fossen Memorial Highway in Liberty County. Directs the MDT to install signs.
- ✓ [SB 96](#) Establishes the Helen Clarke Memorial Highway in Glacier County. Directs the MDT to install signs.

Fuel Taxation

- ✓ [HB 464](#) Repeals the local option motor fuel excise tax.
- ✓ [SB 34](#) Transfers the biodiesel blending and storage tax credit report from the transportation interim committee to the revenue interim committee.
- ✓ [SB 285](#) Allows an agricultural use of gasoline to be considered in the estimate allowed for a refund of applicable tax on off-highway use.

Miscellaneous

- ✓ [HB 133](#) Creates an antilittering sign special revenue account funded by donation and allows for the installation of antilittering signs.
- ✓ [HB 306](#) Provides that certain types of recreational and tourism transportation are exempt from public service commission regulation.
- ✓ [HB 309](#) Authorizes a tribal law enforcement agency to take an abandoned vehicle into custody in certain circumstances. Provides that the owner, lienholder, or person entitled to possession of a vehicle taken into custody as a result of the arrest of the

driver has 60 days after notice to reclaim the vehicle or the vehicle may be considered abandoned.

- ✓ [HB 494](#) Provides that the MDT keep a list of entities working to deploy broadband in the state and include the installation of broadband conduit when planning a highway construction project.
- ✓ [HB 598](#) Renames "disability" parking space to "accessible" parking space and "special" license and parking permit to "disability" license and parking permit. Clarifies the requirements and maintenance of an accessible parking space.
- ✓ [SB 392](#) Allows the MDT to grant a right-of-way agreement along an interstate highway for pipeline, fiber optic, or other communications-type infrastructure projects that will provide a significant investment, are in the public interest, and are approved by the federal highway administration.