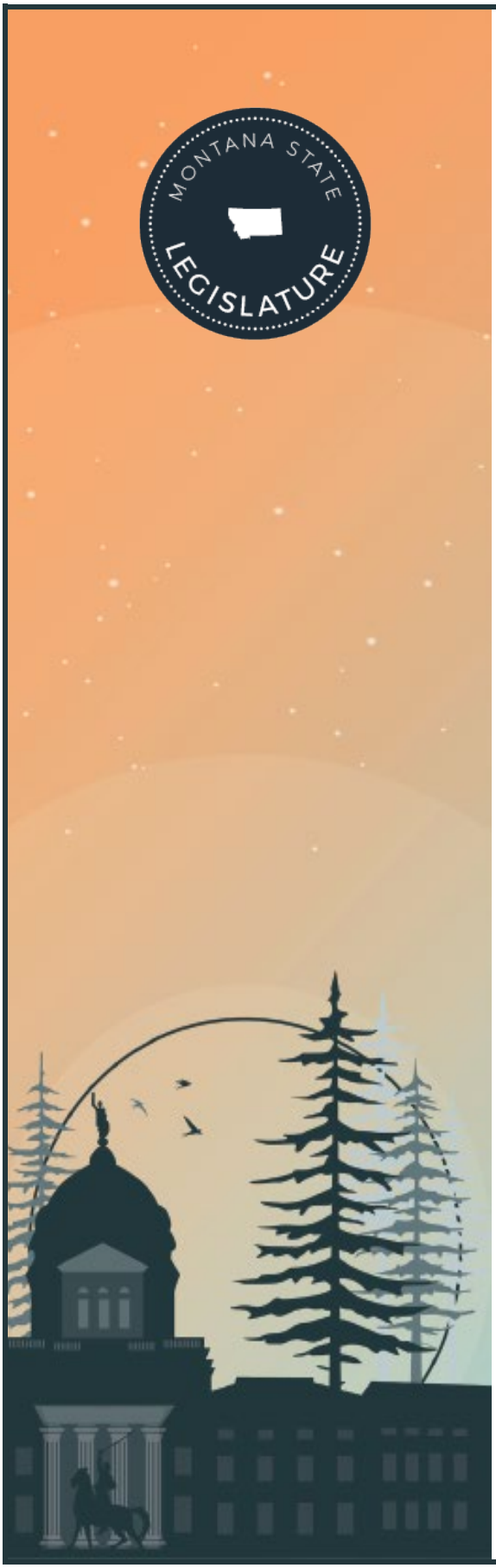

2023-2024 INTERIM SUMMARY REPORT

Transportation Interim Committee
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September 2024

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Transportation Interim Committee Staff

Joe Carroll, Attorney | Katy Callon, Legislative Research Analyst, & Sara Hess, Legislative Research Analyst| Daniel Rosenberg, Secretary, & Maddelyn Black, Secretary

OVERVIEW

This report is a summary of the work of the Transportation Interim Committee, specific to the 2023-2024 interim, as outlined in the Transportation Interim Committee's 2023-2024 work plan. Members received additional information and public testimony on the subjects, and this report is an effort to highlight key information. To review additional information, including audio minutes, and exhibits, visit the Transportation Interim Committee website: https://leg.mt.gov/committees/interim/tic/

This report covers specific work plan topics and does not include the additional statutory duties carried out by the Transportation Interim Committee during the interim, including administrative rule review and agency oversight.

2023-2024 INTERIM SUMMARY REPORT-REVISED DRAFT

COMMERCIAL DRIVER'S LICENSE REQUIREMENTS

TOPIC OVERVIEW

BACKGROUND FROM TIC WORK PLAN

Commercial driver's license (CDL) holders are held to a higher standard of knowledge and skill than noncommercial driver's license holders, evidenced by the amount of testing and regulation required for states to issue CDLs. These enhanced requirements apply only to certain motor vehicles engaged in active commercial use. Individuals operating trucks, motorhomes, and other large vehicles for personal use may do so without a CDL, even if the vehicle would otherwise qualify as a commercial motor vehicle by factors such as gross vehicle weight.

Additionally, the 68th Legislature passed Senate Bill 47 and House Bill 904, both of which revised the requirements for obtaining a CDL and brought Montana into compliance with federal law. These bills directed the Montana Department of Transportation (MDT) to develop and implement free entry-level CDL training in each of the transportation districts and required the Motor Vehicle Division of the Department of Justice to adopt rules for checking certain applicant records before issuing or renewing CDLs.

WORK PLAN OBJECTIVES

The following were the objectives for this topic included in the Transportation Interim Committee's work plan matrix:

- Overview of relevant Montana statutes and federal regulations
- Comparative analysis of other states' CDL requirements, if different from federal
- Research into other states' incentives for commercial business requiring CDLs, if any
- Monitor implementation of relevant legislation from 2023 session (SB 47 and HB 904)
- Panel discussion
- Multiple stakeholder panels

MEETING ACTIVITIES SUMMARY

The following provides an overview of the activities and presentations for this topic at each of the Transportation Interim Committee's meetings during the 2023-2024 interim.

SEPTEMBER 13, 2023

- There was a presentation from Joe Carroll, staff attorney, "CDLs – breaking down state and federal laws and regulations": https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/September-13-2023/8.1_CDL_Presentation.pdf

This presentation included some baseline information such as the definition of CDL, the definition of commercial motor vehicle, statutory references, the types of CDLs, how much an intrastate CDL costs vs. an interstate CDL. Also, it provided a brief history of federal legislation and Montana's legislation.

JANUARY 31, 2024

- There was a presentation from, Joe Carroll, staff attorney, "State and federal CDL regulations: Comparing the Code of Federal Regulations and Montana Administrative Rules": https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/January-31-2024/2.01-Joe_C_cdl_presentation.pdf
- Key takeaways from the review included:
    - The federal rules are extremely complicated. The presentation included specific references to the CFR providing those regulations.
    - For Montana, the ARM requires the CDL test for a Type 1 endorsement to be taken in writing, whereas the federal rule allows knowledge tests to be taken orally or in writing.
- The committee members discussed requirements for campers of certain lengths or widths and regulation concerning farm vehicles and CDL requirements.

MARCH 13, 2024

- The Transportation Interim Committee heard from a panel, which included Jon Swartz, MDT's Maintenance Division administrator; Brad Marten, MDT's Motor Carrier Services administrator; Laurie Bakri, DOJ Motor Vehicle Division administrator; Duane Williams, CEO, Montana Trucking Association; and Joe Carroll, staff attorney.
- Carroll provided and reviewed two memos for the committee in follow-up to the January discussion, one entitled "Reciprocal agreements for farm vehicles within 150 miles of farm": https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/031424-March-14-2024/04.020-TIC-LSD-farm-exemption-reciprocity-compendium.pdf and the other entitled "Recreational vehicles (RVs) and commercial driver licenses (CDLs)": https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/031424-March-14-2024/04.010-TIC-RVs-CDLs-LSD-memo.pdf

MAY 8, 2024

- Brad Marten, MDT Motor Carrier Services administrator, provided an update for the committee on entry-level driver training statistics. A total of 45 students had completed the driving training.
- Marten also provided an updated on the federal Commercial Vehicle Safety Alliance re-authorization task force and its recent meeting.

JULY 10, 2024

- There was a presentation of a memo written by Joe Carroll, staff attorney, concerning federal CDL exceptions based on a reference guide created by the Federal Motor Carrier Safety Administration:

https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/241007-July-10-2024/01.010-CDL-Memo-Joe-Carroll.pdf

FINDINGS/HIGHLIGHTS

The following were some of the takeaways and highlights from the presentations and information provided to the Transportation Interim Committee on this topic:

- Congress began legislating CDLs in the 1980s under Title XII of the Anti-Drug Abuse Act of 1986.
- Federal CDL rules can be found in Title 49, parts 383 and 384, of the Code of Federal Regulations.
- Montana CDL statutes can be found throughout Title 61 of the Montana Code Annotated.
- Montana CDL rules can be found in Title 23, chapter 3, subchapter 5, of the Administrative Rules of Montana.
- CDL legislation generally comes in slow waves: Congress passes a law about CDLs; the federal Department of Transportation takes several years to adopt rules; and states have several more years to adopt laws that conform to the federal requirements.
- SB 47 (2023) brings Montana into conformity with federal law and rules for CDLs.
- Except as discussed in the next bullet point, Montana's CDL laws and rules appear to be as permissive as possible while conforming to federal requirements.
- Motor Vehicle Division rules state that a CDL test must be administered in writing, but federal rules and MVD practice allow a person to take the test in writing or orally.
- Some states require their own residents to obtain a CDL or something substantially similar to a CDL for certain recreational driving—Montana could do the same thing for Montana residents—imposing such requirements on nonresidents would likely require interstate cooperation.
- Any person interested in CDL exceptions may wish to consult the Federal Motor Carrier Safety Administration reference guide—farmers and ranchers in particular may wish to consult the Montana department of transportation regarding farm fees under 61-10-206, MCA.

ELECTRIC VEHICLE FIRE RESPONSE AND SAFETY

TOPIC OVERVIEW

BACKGROUND FROM TIC WORK PLAN

As electric vehicle use grows, fires from the vehicles' high-voltage lithium-ion batteries could pose a significant safety risk to drivers, passengers, and first responders. A study of electric vehicle crashes and battery fires by the National Transportation Safety Board revealed inadequacies in emergency response guidelines and gaps in federal safety standards as some of the critical safety risks for emergency responders. Senate Bill 412 was introduced but did not ultimately pass in the 68th legislative session. The bill sought to require electric vehicles sold within the state to display a warning indicating that fumes from a vehicle fire are hazardous.

WORK PLAN OBJECTIVES

The following were the objectives for this topic included in the Transportation Interim Committee's work plan matrix:

- Panel discussion on electric vehicle battery fires and safety risks, including emergency responders
- Staff paper on lithium-ion batteries in electric vehicles and associated risks
- Review of relevant national news stories
- Comparative analysis of other states' safety laws related to electric vehicles, if any
- Additional panel or presentation from emergency responders

MEETING ACTIVITIES SUMMARY

JANUARY 31, 2024

- The Alliance for Automotive Innovation provided information about the frequency of electric vehicle fires and some of the new technology, such as phone applications, as well as response guides that are available to assist first responders with electric vehicle fires: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/January-31-2024/8.02-EV-Fisher.pdf
- There was a presentation from Ole Hedstrom of the Montana State Firefighters Association about electric vehicle fires, including about the challenges of thermal runaway and challenges with suppression: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/January-31-2024/8.01-EV-Hedstrom.pdf
- Also, a related topic that arose from the discussion around fires was the disposal and recycling of electric vehicles. The Department of Environmental Quality was present at the January meeting to discuss the status of battery recycling in Montana and the general process of recycling the batteries.

MARCH 13, 2024

- There was a presentation from committee staff about some of the challenges and approaches for first responder safety in responding to electric vehicle fires: https://storymaps.arcgis.com/stories/b3588f5ffae64f84bbe2534968b00433
- The National Conference of State Legislatures provided a written summary of other states' statutes concerning special electric vehicle license plates: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/031424-March-14-2024/06.020-Electric_Vehicle-AFV_Special_License_Plates_and_Decals_February_2024.pdf
- The committee also heard from Jeremy Virts, deputy chief of emergency medical services for the City of Great Falls Fire Rescue, on personal protection equipment and preparedness for addressing electric vehicle fires.

MAY 8, 2024

- The committee received a letter from Ole Hedstrom of the Montana Firefighters Association in support of the rear license plate sticker idea, similar to what Wisconsin implemented in 2024. The letter also provided a suggestion as far as revenue for a grant program to help fire departments with training and equipment to respond to electric vehicle fires: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/240508-May-08-2024/09.010-MT-professional-firefighters-ole-hedstrom-letter-to-TIC.pdf
- Troy Petersen from Montana State University's Fire Services Training School was present to provide an overview of the school and their efforts to prepare first responders for alternative fuel fires.
- The Department of Environmental Quality presented information about their draft guidance concerning electric vehicles and recycling/disposal.

JULY 10, 2024

- There was presentation from committee staff providing an overview of the junk vehicle program statutes and funding, as well as considerations for electric vehicles: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/241007-July-10-2024/04.010-LSD-junk-vehicle-summary-report-final-July-2024.pdf
- The Department of Environmental Quality provided additional information about the motor vehicle recycling and disposal program and about electric vehicle battery recycling.

SEPTEMBER 4, 2024

- Several resources were provided and reviewed concerning electric vehicle battery recycling and disposal, as well as manufacturer take-back programs. These resources are available on the TIC's webpage: https://leg.mt.gov/committees/interim/tic/meeting-info/

FINDINGS/HIGHLIGHTS

The following were some of the takeaways and highlights from the presentations and information provided to the Transportation Interim Committee on this topic:

- While currently less likely to occur than internal combustion engine vehicle fires, electric vehicle fires can present unique challenges for first responders, including potential for thermal runaway and potential for reignition and hazardous fumes.
- In 2023, Wisconsin was the first state to pass legislation required a license plate decal for electric and hybrid vehicles to help first responders identify them: https://wisconsindot.gov/Pages/about-wisdot/newsroom/news-rel/021624evsticker.aspx
- Training, response guides, and technology are increasingly becoming available to help.
- In terms of recycling and disposal, there are currently no facilities in Montana that recycle lithium-ion batteries. The Montana Department of Environmental Quality is currently directing county junk vehicle programs to not accept electric vehicles. The DEQ is working on guidance, training, and requirements to ensure that the counties can do so safely in the future.

AUTONOMOUS VEHICLE REGULATIONS

TOPIC OVERVIEW

BACKGROUND FROM TIC WORK PLAN

The 2021-2022 TIC was assigned House Joint Resolution 10, a study of autonomous vehicle use. House Bill 339 was introduced in the 68th legislative session as a result of this study but died in the process. Montana currently has no regulations for autonomous vehicle use, testing, or liability within the state.

WORK PLAN OBJECTIVES

- Review research and findings of 2021-2022 TIC
- Review of relevant legislation introduced in 2023 discussion
- Panel discussion
- Review of federal guidance on autonomous vehicle regulation, if any
- Comparative analysis of autonomous vehicle regulation in other states, if any
- Roundtable on possible legislation if wanted

MEETING ACTIVITIES SUMMARY

SEPTEMBER 13, 2023

- The committee was provided the final draft report, including the research and findings, from the 2021-2022 TIC on autonomous vehicles and Montana: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/September-13-2023/6.1_HJ_10_Final_report_AVs_V5.pdf
- There was a presentation from Joe Carroll, staff attorney, on HB 339 (2023), including questions that the committee and other state legislatures have tried to address through legislation: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/September-13-2023/6.2_AV_questions-editedHB.pdf
- An update to a memo from the 2021-2022 interim concerning liability and autonomous vehicles was provided and reviewed by Carroll: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/September-13-2023/6.4_AV_liability-edited_version.pdf

MARCH 13, 2024

- There was a presentation from committee staff providing a general overview of autonomous vehicle levels and technology and a review of other state approaches as far as rural driving issues and autonomous vehicles: https://leg.mt.gov/committees/interim/tic/meeting-info/
- There was a panel presentation including MDT's director; David Johnson, a program lead on autonomous vehicles and adverse weather from the Federal Highway Administration: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/031424-March-14-2024/05.020-AVAW3-FHWA-research-summary.pdf ; Jeff Farrah, CEO of the Autonomous Vehicle

Industry Association (AVIA); and Daniel Goff, director of external affairs for Kodiak , an autonomous vehicle trucking company: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/031424-March-14-2024/05.030-Kodiak-Montana-Transportation-Interim-Committee-March2024.pdf

MAY 8, 2024

- There was a panel presentation from experts on developments in Montana as far as autonomous vehicle technology. The panel members included Tim VanReken, executive director of Headwaters Tech Hub; Adam Gilbertson, senior vice president of field technology and innovation, RDO Equipment Co.; Sydnee Journel, senior manager, government relations, Aurora; John Suh, Hyundai; and Renee Gibson, director of government affairs, AVIA: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/240508-May-08-2024/06.000-AVIA_Presentation_Montana_May_20241.pdf
- Committee staff provided a comparison of elements in Montana's 2023 legislation to that passed and considered by Montana's neighboring states, including South Dakota, North Dakota, and Wyoming. Joe Carroll, staff attorney, also provided some additional information on liability as far as current statute and autonomous vehicles: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/240508-May-08-2024/06.010-AV-Report-LSD.pdf

JULY 10, 2024

- There was a presentation on the National Highway Traffic Safety Administration's (NHTSA) standing general order on autonomous vehicle crash reporting, provided by Kathryn Timmons, associate attorney with Venable LLP: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/241007-July-10-2024/3.05Montana-AVIA-presentation-July102024.pdf
- There was a presentation of NHTSA's autonomous vehicle crash data (Automated Driving Systems, levels 3-5) by committee staff, reviewing various aspects and characteristics of the crashes: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/241007-July-10-2024/03.020-nhtsa-av-crash-data-summary-2024-posting2.pdf

SEPTEMBER 4, 2024

- Basic autonomous vehicle level 2 crash data, as well as follow-up information to questions from July's presentation, was provided but not presented to the committee. That information is available on the committee's webpage: https://leg.mt.gov/committees/interim/tic/meeting-info/
- The committee considered two provisional drafts for potential committee legislation:
    - PD 65 concerning autonomous vehicle regulation
    - PD 66 concerning regulation of autonomous truck platooning

FINDINGS/HIGHLIGHTS

The following were some of the takeaways and highlights from the presentations and information provided to the Transportation Interim Committee on this topic:

- Currently, autonomous vehicles at higher levels of autonomy, levels 3-5, are not operating in Montana, but there are significant investments in the state and companies doing research on the LiDAR and sensing technology.
- South Dakota was the state to most recently pass autonomous vehicle legislation; key differences between that statute and Montana's legislation include liability, vehicle platooning, reporting of autonomous vehicle operations, and driving under the influence.
- Without specific legislation, liability issues are likely to be decided in court, if cases arise.
- In reviewing the crash data reported to NHTSA for levels 3-5, there have not been any crashes in Montana. Most of the crashes that have occurred are in urban areas primarily in California and Arizona, occur in areas with low posted speeds, in daylight, and on dry roads.

BICYCLE SHARED USED PATHS & TRAFFIC INCIDENTS INVOLVING BICYCLES & MOTOR VEHICLES

TOPIC OVERVIEW

BACKGROUND FROM TIC WORK PLAN

This committee decided to combine two of the work plan topics. This included elements of the House Joint Resolution 15 study from the 2023 legislative session, which failed to pass. Specifically, the HJ 15 study resolution was requested by Bike Walk Montana and was intended to build on the findings of the House Joint Resolution 45 (2019) study, with a focus on the potential development of new shared-use path routes in the state, and possible funding sources to support this infrastructure.

The topic also included elements from House Joint Resolution 16 (2023), which focused on traffic incidents involving bicycles and motor vehicles; the study resolution failed to pass, but elements of the study were included in the work plan.

WORK PLAN OBJECTIVES

- Review research and final report from HJ 45 (2019) study
- Analysis of possible new funding sources
- Panel discussion and/or stakeholder presentation
- Panel and/or presentation from MDT on traffic incidents involving bicycles
- Review of annual traffic safety report and vulnerable road user assessment trends and recommendations
- Summary of bicycle legislation
- Roundtable on possible legislation

MEETING ACTIVITIES SUMMARY

JANUARY 31, 2024

- MDT provided a presentation for the committee on its vulnerable road user safety assessment: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/January-31-2024/4.01-VRU-MDT.pdf
- Committee staff provided a review of recent bicycle legislation and trends: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/January-31-2024/6.01-Bicycles_5_Session_Summary.pdf

MARCH 13, 2024

- MDT provided a presentation on how Montana plans for and funds pedestrian and bicycle paths, including funding for maintenance of paved paths: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/031424-March-14-2024/03.010-2024-MAR_TIC_B-P_Plan-Fund.pdf
- Committee staff provided an overview of costs for bicycle infrastructure and a review of how other states provide funding to construct and maintain this infrastructure: https://storymaps.arcgis.com/stories/fd906d381d6847acb0e189045523ca48
- Bike Walk Montana presented their perspective in relation to bike infrastructure policy and funding: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/031424-March-14-2024/03.030-2024-TIC-BWMT-Handout.pdf

MAY 8, 2024

- MDT presented an overview of the Bicycling the Big Sky map, which provides information for cyclists on routes, shoulder widths, and grades of routes throughout the state: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/240508-May-08-2024/10.010-bike-map.pdf

SEPTEMBER 4, 2024

- Committee staff reviewed information concerning the National Park Service authority and other state laws to limit or restrict bicycling on specific routes at certain times or seasons. This information is available on the committee's webpage: https://leg.mt.gov/committees/interim/tic/meeting-info/

FINDINGS/HIGHLIGHTS

- As required under the federal Infrastructure Investment and Jobs Act, the MDT developed its vulnerable road user safety assessment, looking specifically at nonmotorists, crashes, and strategies for mitigation.
- Of the total crashes between 2017 and 2021, 1,384 involved nonmotorists. Of total fatalities, 9% were bicyclists and pedestrians.
- MDT works with communities to support their planning in developing bicycle/pedestrian infrastructure.
- There are funding options for construction and maintenance of bicycle infrastructure, but it is limited, especially as Montana's transportation funding is primarily state special revenue (gas tax) and federal special revenue (gas tax).
- Other states have different funding mechanisms, primarily general fund and fees, to construct and maintain bicycle and pedestrian infrastructure.

FEDERAL AND REGIONAL PASSENGER RAIL INITIATIVES

TOPIC OVERVIEW

BACKGROUND FROM TIC WORK PLAN

Passenger rail service throughout southern Montana largely ceased with the discontinuation of Amtrak's North Coast Hiawatha train route in 1979. Twelve Amtrak stations currently exist in northern, mostly rural Montana, connecting few major population centers. Organizations like Big Sky Passenger Rail Authority have the goal of establishing intercity, long-distance passenger rail service throughout southern Montana to connect communities and expand options for passenger transportation. Big Sky Rail recently submitted a proposal to the Federal Railroad Administration's Corridor Identification and Development Program that, if chosen, may establish a passenger rail route to connect some of Montana's largest cities.

WORK PLAN OBJECTIVES

- Presentation from Big Sky Rail and MDT

MEETING ACTIVITIES SUMMARY

MAY 8, 2024

- The committee heard from a panel of presenters, including David Strohmaier, chair, Big Sky Passenger Rail Authority (BSPRA); Chase Kitchen, government affairs manager, Amtrak; Matt Jones, external director of public affairs, BNSF; Samantha Beyl, BSPRA Rosebud County director and MSU Extension; Rob Stapley, administrator, MDT Rail, Transit, and Planning Division.
- The panelists provided presentations to the committee including:
    - An overview of the Big Sky Passenger Rail Authority, proposed routes, and the FRA Corridor ID program: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/240508-May-08-2024/02.010-TIC_BSPRA_2024.pdf
    - An overview of BNSF and passenger rail options: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/240508-May-08-2024/02.011-BNSF-Network-and-Pass-Overview-May2024.pdf
    - Current efforts and MDT's role in passenger rail: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/240508-May-08-2024/02.020-TIC_2024_Rail_RS.pdf

JULY 10, 2024

- David Strohmaier, BSPRA chair, provided an update for the committee on the status of BSPRA efforts and work with Amtrak and FRA on proposed routes: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/241007-July-10-2024/02.010-TIC_BSPRA_Update_240710.pdf

- MDT provided an update on the Federal Railroad Administration's service study, including results and conclusions: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/241007-July-10-2024/02.030-MDT-FRA-Long-Distance-Service-Study-Update.pdf

FINDINGS/HIGHLIGHTS

- Big Sky Passenger Rail Authority is a regional rail authority, established pursuant to Title 7, chapter 14, part 16, MCA. Its focus is on supporting existing freight and passenger operations and expanding passenger rail.
- As provided for under the federal Bipartisan Infrastructure Law, the Federal Railroad Administration is conducting an Amtrak long-distance service study to evaluate the restoration of daily intercity passenger rail service and the potential for new Amtrak long-distance routes. Various routes, including two that move through Montana, are included.
- The Bipartisan Infrastructure Law also established a new Corridor ID program to facilitate the development of intercity passenger rail corridors. The BSPRA was awarded a $500,000 grant under this program for scoping and plan development of the North Coast Hiawatha route.

HIGHWAY SAFETY

TOPIC OVERVIEW

BACKGROUND FROM TIC WORK PLAN

This topic included two areas of study in the work plan:

(1 OF 2) The intersection of Highway 93 and Bell Crossing has grown dangerous with increased traffic flow, resulting in increased crashes and fatalities. The committee may choose to study the merits, cost, and feasibility of constructing roundabouts or traffic lights at this intersection and others like it that may be dangerous for Montana travelers.

(2 OF 2) Additionally, the TIC discussed safety issues related to Highway 212 and possible legislative solutions during the 2021-2022 interim and may want to review and consider legislation to address highway safety in this area.

WORK PLAN OBJECTIVES

- Presentation from MDT on locations with greatest highway safety concerns, project prioritization and funding, and cost of mitigation projects.

MEETING ACTIVITIES SUMMARY

SEPTEMBER 13, 2023

- Patricia Burke, PE, safety engineer with the MDT's Traffic and Safety Bureau provided a presentation on MDT's infrastructure safety engineering program: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/September-13-2023/3.3_2023_Sept_TIC_MDT_HSIPsummary.pdf
  This presentation included an overview of the department's highway safety plan, a review of how safety projects are identified and prioritized, and an overview of types of projects to improve highway safety and the costs associated with them.

MAY 8, 2024

- The committee heard an overview from the MDT on the proposed roundabout at the intersection of U.S. 93 and Bell Crossing and received public comment on the project.

JULY 10, 2024

- The MDT provided the committee with updates on safety studies at Lolo, Bell Crossing, St. Regis, and other areas of interest.
- MDT provided updated information and additional details on the U.S. 93 Bell Crossing project.

SEPTEMBER 4, 2024

- In July and August, the MDT held three open houses for the public on the U.S. 93 Bell Crossing project. For this meeting, the MDT presented additional details and updates on the project. The MDT has a webpage that includes its intersection study and open house resources: https://www.mdt.mt.gov/pubinvolve/bellcrossing/

FINDINGS/HIGHLIGHTS

- The MDT has a highway safety engineering program, which uses data from a variety of sources to select and prioritize projects for safety improvements.
- The MDT notes that roadway safety needs far exceed available funding and so must be prioritized with a data-driven approach.

ELIGIBILITY CRITERIA FOR MEMORIAL HIGHWAYS

TOPIC OVERVIEW

BACKGROUND FROM TIC WORK PLAN

Montana has more than 30 roadways designated as memorial highways, a number that has been increasing with each legislative session. Currently, nothing in statute provides criteria for a memorial highway such as designating the type of action or historical event that can be memorialized or the number or location of memorial highways.

WORK PLAN OBJECTIVES

- Review of memorial highway map and existing research
- Discussion with MDT and possibly other stakeholders as requested by TIC

MEETING ACTIVITIES SUMMARY

SEPTEMBER 13, 2023

- The committee was provided with a memorial highways timeline that was created for the 2021-2022 TIC: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/September-13-2023/4.1_MemorialHwysTimeline.pdf
- Committee staff reviewed a whitepaper looking at the number and categories of memorial highways, as well as current statute in terms of requirements or criteria for memorial highways: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/September-13-2023/4.2_Memorial_Highways_White_paper.pdf
  As well as a map of Montana's memorial highways and other special designations: https://mdt.mt.gov/other/webdata/external/planning/Special_Designations/memorial-special-designations.pdf

JANUARY 31, 2023

- The committee heard from Transportation Commission Chair Loran Frazier and Chris Nygren, MDT's chief legal counsel, about the authority and duties of the commission, including pertaining to memorial highways.

FINDINGS/HIGHLIGHTS

- As of 2023, the Legislature has designated approximately 40 memorial highways throughout Montana, which are listed in Title 60, chapter 1, part 2, MCA.
- Current statute does not contain requirements or criteria for designating memorial highways. A challenge of trying to provide statutory limits or criteria is that future legislatures can provide exceptions to those limitations in statute.
- The Transportation Commission does not currently have the authority to designate memorial highways.

EMERGING ISSUES: HYDROGEN FUEL AND VEHICLES

TOPIC OVERVIEW

Requested but not included in the workplan was the topic of hydrogen fuel taxes and infrastructure development. House Bill 823 (2023), passed by the 68th Legislature, included hydrogen in the provision for alternative fuel taxation.

The committee did, however, hear more about hydrogen fuel and vehicles during the 2023-2024 interim.

MEETING ACTIVITIES SUMMARY

JANUARY 31, 2023

- The committee heard from a panel about the Pacific Northwest Hydrogen Hub and funding awarded. The panel included Matt Morrison, executive director, Pacific NorthWest Economic Region (PNWER); George Bailey, associate managing member, St. Regis Solar Hydrogen; Bruce Agnew, director, PNWER Regional Infrastructure Accelerator; and Shane Getson, member of the Alberta Legislative Assembly.
  This included a presentation from the partners involved in the Pacific Northwest Hydrogen Hub: https://leg.mt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/January-31-2024/9.01_Pacific_Northwest_H2Hub_Briefing.pdf

SEPTEMBER 4, 2024

- Jackie Birdsall, senior engineer from Toyota, provided an overview of hydrogen vehicle technology and fueling for the committee; presentation materials can be found on the committee's webpage: https://leg.mt.gov/committees/interim/tic/meeting-info/

FINDINGS/HIGHLIGHTS

- Pacific NorthWest Economic Region (PNWER) is a public-private partnership chartered by Alaska, Idaho, Montana, Oregon, and Washington, as well provinces in Canada. It has a focus on economic growth and partnership.
- One priority of PNWER is a Pacific Northwest regional clean hydrogen hub; the federal Office of Clean Energy Demonstrations has provided funding for the creation of these hubs.
- St. Regis Solar Hydrogen has been selected to take part in the project.

APPENDIX A: TRANSPORTATION INTERIM COMMITTEE MEMBERS

Before the close of each legislative session, House and Senate leadership appoint lawmakers to interim committees. The members of the Transportation Interim Committee, like most other interim committees, serve one 20-month term. Members who are reelected to the Legislature, subject to overall term limits and if appointed, may serve again on an interim committee. This information is included in order to comply with 2-15-155, MCA.

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