

VSW

Certification Review

Montana

2023

Statement

I, Brad Marten, Motor Carrier Services Division Administrator, as designated by Greg Gianforte, Governor of the State of Montana, do hereby certify: 1. That all State laws and regulations governing commercial vehicle size and weight are being enforced on those highways which, prior to October 1, 1991, were designated as part of the Federal-aid Primary, Federal-aid Secondary, or Federal-aid Urban Systems; 2. That the State is enforcing the freeze provisions of the Inter-modal Surface Transportation Efficiency Act of 1991 (23 U.S.C. 127(d) and 49 U.S.C. 31112; and 3. That all State laws governing vehicle weight on the Interstate System are consistent with 23 U.S.C. 127(a) and (b)

Copy of the document authorizing the designated official, which has been signed by the Governor (if this statement is made by an official other than the Governor)

2022-01-04_SIZE&WEIGHT_GOV-DIRECTOR_DESIG is attached, 2022-01-12_S&W_DIRECTOR_DESIGNATION is attached

Copy of any State law or regulation pertaining to vehicle size and weight adopted since the State's last certification

On October 21, 2023 Administrative Rule of Montana (ARM) 18.8.513 was amended and went into immediate effect. The amendment to ARM 18.8.513 is necessary to define maximum permitted width for Divisible Loads, to reflect changes with House Bill 26 (2023). HB26 made amendments to 61-10-102, Montana Code Annotated, which removed the restriction for commercial movement of round bales up to 144 inches traveling only during daylight hours, as well as removing restrictions for other shipments of baled hay travelling day or night, loaded or empty. ARM 18.8.513 now reads that a single trip or term permit may be issued for the maximum dimensions up to 9 feet wide for all general loads, up to 9 1/2 feet wide for small square baled hay, up to 10 feet wide for large square baled hay without a hay rack, up to 12 feet wide for large square baled hay with a hay rack, or up to 12 feet wide for large round baled hay or empty trailers with a hay rack.

Analysis of the changes made

Previous to the changes within HB 26 in the 2023 legislature, under 61-10-102 MCA commercial movements of hay in Montana were restricted to 144 inches wide and could not travel during the hours of darkness. Meanwhile, other similar loads such as agricultural hay movement or equipment were unrestricted. The intent of the change to 61-10-102 was to remove the restriction for daylight travel only, however by removing this law the maximum dimension of 144 inches for baled hay was also removed from the law. Changes were needed within the ARM's to define what the maximum single trip or term permit dimensions for baled hay would be. The ARM's were changed to define the maximum permitted dimensions for all general loads, small square bales, large square bales, large round bales, and trailers with hay racks. By removing the law for daylight travel only of baled hay, the current ARM's will be used to define the nighttime restrictions in Montana for baled hay or hay racks. All loads, including baled hay, are allowed to travel during the hours of darkness up to a maximum width of 16 feet on the Interstate system or 10 feet on the non-Interstate highways. The changes to the Montana Code Annotated and to the Administrative Rules of Montana has leveled the playing field and allowed the commercial hay haulers to use the same restrictions as all other loads in Montana.

Actual operations as compared with those forecasted by the plan

Scale Types	Forecasted Number	Actual Number
Fixed Scales	32	32
WIM Scales	41	38
Portable Scales	258	257
Semi-portable Scales	0	0

Impacts of the process as actually applied

Violation Type	Current Year	Last Year
Oversize	457	497
Overweight	629	660

Measures of activity

1. Vehicles weighed

Scale Type	Number of vehicles weighed
Fixed scales	410671
WIM scales	1064832
Portable scales	7053
Semi-portable scales	

2. Penalties

Violation Type	Number of Citations or Civil Assessments
Axle	423
Gross	0
Bridge formula	132

Number of vehicles whose loads are either shifted or offloaded

Load shifting	1168
Offloading	360

3. Number of permits issued for overweight loads

Permit Type	Number of Citations or Civil Assessments Number Issued
Non-divisible trip permits	22989
Non-divisible annual permits	2058
Divisible trip permits	1680
Divisible annual permits	475

Documents

Name	Description	Type	Size	Created By	Created On
2022-01-12_S&W_DIRECTOR_DESIGNATION.pdf	Director Designation	.pdf	165125	RCHRISTOFERSON	11/14/2023 2:56:21 PM