

## 1 HOUSE BILL NO. 172

2 INTRODUCED BY Z. WIRTH, S. GIST, L. JONES, R. MARSHALL, K. WALSH, R. MINER, B. MITCHELL, G.  
3 PARRY

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5 A BILL FOR AN ACT ENTITLED: "AN ACT ADDING TO THE DUTIES OF THE TRANSPORTATION INTERIM  
6 COMMITTEE, THE TRANSPORTATION COMMISSION, AND THE DEPARTMENT OF TRANSPORTATION  
7 REGARDING CONSTRUCTION PROJECT PRIORITIZATION; REQUIRING THE TRANSPORTATION  
8 INTERIM COMMITTEE TO PREPARE FOR PREINTRODUCTION A JOINT RESOLUTION RECOMMENDING  
9 THAT THE COMMISSION PRIORITIZE CERTAIN CONSTRUCTION AND RECONSTRUCTION PROJECTS;  
10 REQUIRING THE COMMISSION TO REPORT BIENNIALY TO THE TRANSPORTATION INTERIM  
11 COMMITTEE ON THE STATUS OF PROJECTS RECOMMENDED BY THE LEGISLATURE; REQUIRING  
12 THE DEPARTMENT TO ASSIST THE COMMISSION IN CONSIDERING PROJECTS RECOMMENDED BY  
13 THE LEGISLATURE; ESTABLISHING REPORTING REQUIREMENTS; AND AMENDING SECTIONS 5-5-233  
14 AND 60-2-110, MCA."

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16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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18 **Section 1.** Section 5-5-233, MCA, is amended to read:

19 **"5-5-233. Transportation interim committee.** (1) The transportation interim committee has  
20 administrative rule review, draft legislation review, program evaluation, and monitoring functions for the  
21 department of transportation, the motor vehicle division of the department of justice, and the entities attached to  
22 the department of transportation for administrative purposes.

23 (2) (a) The committee shall prepare for preintroduction into each regular session of the legislature  
24 a joint resolution of the legislature recommending to the transportation commission construction and  
25 reconstruction projects for prioritization pursuant to 60-2-110.

26 (b) The committee may prepare for preintroduction additional legislation to facilitate the prioritizing  
27 of projects previously recommended by the legislature but not subsequently prioritized by the transportation  
28 commission."

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2           **Section 2.** Section 60-2-110, MCA, is amended to read:

3           **"60-2-110. Setting priorities and selecting projects -- reporting.** (1) Except as provided in 60-2-  
4 133, the commission shall establish priorities and select and designate segments for construction and  
5 reconstruction on the national highway system, the primary highway system, the secondary highway system,  
6 the urban highway system, and state highways.

7           (2) The commission shall consult with the board of county commissioners of the county in which a  
8 highway is located when establishing priorities and when selecting and designating segments on the secondary  
9 highway system for construction and reconstruction.

10          (3) The commission shall consult with the appropriate local government authorities when  
11 establishing priorities and selecting and designating segments on the urban highway system for construction  
12 and reconstruction.

13          (4) (a) The commission shall report biennially to the transportation interim committee in  
14 accordance with 5-11-210 on the status of construction and reconstruction projects recommended for  
15 prioritization by joint resolution of the legislature. The report must be delivered in May of even-numbered years,  
16 unless a different time is agreed to by the committee and the commission.

17          (b) If a project recommended by the legislature has not been prioritized, the commission shall  
18 include in its report the technical, financial, and other factors that influenced its decision.

19          (4)(5) The commission shall use information gathered or discovered by and documents prepared by  
20 the department, and department officials and employees shall provide assistance and advice, including the  
21 preparation of documents necessary to help the commission to consider projects recommended by the  
22 legislature.

23          (5)(6) The commission shall establish and determine priorities and projects for rail and transit  
24 programs and, to the extent possible, coordinate intermodal transportation within the state.

25          (6)(7) In carrying out the requirements of this section, the department shall:

26           (a) make recommendations to the commission;

27           (b) establish the requirements and procedures for administering this section; and

28           (c) take all reasonable steps to ensure the integrity and viability of agricultural and rural

1 transportation and related needs."

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