

1 HOUSE BILL NO. 596

2 INTRODUCED BY F. NAVE

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4 A BILL FOR AN ACT ENTITLED: "AN ACT EXEMPTING CERTAIN PEOPLE FROM REGULATION AS CLASS
5 D MOTOR CARRIERS; AND AMENDING SECTION 69-12-314, MCA."

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

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9 **Section 1.** Section 69-12-314, MCA, is amended to read:

10 **"69-12-314. Class D motor carrier certificate of public convenience and necessity.** (1) Class D
11 carriers shall conduct operations pursuant to a certificate of public convenience and necessity issued by the
12 commission authorizing the transportation of the commodities described in 69-12-301(3). Class D carriers,
13 when applying for a new or additional certificate of public convenience and necessity, shall file an application
14 with the commission in accordance with the requirements of this chapter and the rules of the commission.

15 (2) A motor carrier may not possess a Class D motor carrier certificate of public convenience or
16 necessity or operate as a Class D motor carrier unless the motor carrier actually engages in the transportation
17 of garbage on a regular basis as part of the motor carrier's usual business operation.

18 (3) A person or entity providing garbage cleanup and transportation service on an irregular basis in
19 which rates are set based on a one-time service agreement for transport between specific locations may
20 engage in the transportation of garbage without possessing a Class D motor carrier certificate. The person or
21 entity providing this service may not use a vehicle that requires a commercial driver's license or other special
22 driver's license."

23 - END -