62nd Legislature HB0386.01

1	HOUSE BILL NO. 386
2	INTRODUCED BY W. STAHL
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4	A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE MANAGEMENT OF STATE-OWNED OR
5	STATE-LEASED MOTOR VEHICLES; REQUIRING CERTAIN STATE ENTITIES TO RENT OR LEASE ALL
6	VEHICLES FROM THE DEPARTMENT OF TRANSPORTATION; PROVIDING CERTAIN MILEAGE
7	REQUIREMENTS FOR PERMANENTLY LEASED VEHICLES; AND AMENDING SECTIONS 2-17-411,
8	2-17-412, 2-17-414, 2-17-416, 2-17-417, 2-17-418, AND 2-17-422, MCA."
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10	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
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12	Section 1. Section 2-17-411, MCA, is amended to read:
13	"2-17-411. Motor pool department of transportation exceptions. (1) The department of
14	transportation's motor pool is responsible for the acquisition, operation, maintenance, repair, and administration
15	of all motor vehicles in the custody of the motor pool.
16	(2) Unless otherwise provided by this part, a department, agency, institution, office, board, or commission
17	of the executive, legislative, or judicial branch of state government or a state institution of higher education may
18	rent or lease motor pool vehicles only from the department of transportation.
19	(2)(3) Except as provided in 2-17-425, this part does not apply to a motor vehicle used in the service of
20	the governor or the attorney general.
21	(3)(4) This part does not apply to a motor vehicle used in the service of the highway patrol."
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23	Section 2. Section 2-17-412, MCA, is amended to read:
24	"2-17-412. Assignment and transfer. (1) The department of transportation may assign the use of
25	state-owned or leased state-leased motor vehicles under its control to state officers, state agencies, or employees
26	of state agencies.
27	(2) The department of transportation may not permanently assign a state-owned or state-leased motor
28	vehicle to a state officer or employee of a state agency if the motor vehicle is driven less than 10,000 miles in a
29	fiscal year.
30	(2) All motor vehicles in the custody of the department of transportation that are not placed under custody
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of the department by 2-17-411 must be equitably transferred to the custody of those agencies that have need of vehicles as demonstrated by use records."

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- Section 3. Section 2-17-414, MCA, is amended to read:
- "2-17-414. State vehicles to use ethanol-blended gasoline -- definition. (1) A department, agency, institution, office, board, and commission of the executive, legislative, and judicial branches of state government and a state institution of higher education owning or operating a motor vehicle capable of burning ethanol-blended gasoline shall take all reasonable steps to ensure that the operators of those vehicles use ethanol-blended gasoline in the vehicles if ethanol-blended gasoline is commercially available within the operating area of the vehicle and is priced competitively with the gasoline otherwise used by the vehicle.
- (2) For purposes of this section, "ethanol-blended gasoline" means a fuel mixture of gasoline and ethanol produced from agricultural products, including grain and wood or wood products, and that is used for the purpose of effectively and efficiently operating internal combustion engines.
- (3) An entity subject to the requirements of subsection (1) may not take any disciplinary, judicial, administrative, or other adverse action against the operator of a motor vehicle for failing to purchase ethanol-blended gasoline for the operation of the motor vehicle."

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- **Section 4.** Section 2-17-416, MCA, is amended to read:
- **"2-17-416. Fuel economy standards -- exceptions.** (1) The department shall, in coordination with a designated representative in each agency that purchases new vehicles of the department of transportation, develop a plan to ensure that each vehicle purchased on or after January 1, 2008, meets or exceeds the CAFE standard.
- (2) The director may exempt certain vehicles from the CAFE standard that meet any one of the following conditions:
 - (a) vehicles that are used primarily in off-road use;
 - (b) vehicles used for road construction and maintenance;
- (c) vehicles used for maintenance, construction, or groundskeeping;
- (d) vehicles used primarily for moving and distributing large items or a large quantity of items;
- (e) vehicles with a manufacturer-stated seating capacity of more than six persons; or
- 30 (f) vehicles using alternative fuels."



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2 **Section 5.** Section 2-17-417, MCA, is amended to read:

"2-17-417. Vehicle fleet energy conservation plan. (1) Before January 1, 2008, each agency The
department shall develop and implement a program to reduce the fuel consumption of any agency state vehicle,
other than those vehicles listed in 2-17-416(2), including:

- (a) fuel consumption, miles traveled, and vehicle fleet fuel economy;
- (b) car pooling and van pooling requirements for state employees when feasible; and
- 8 (c) options for cost-effective use of technologies that allow for a reduction in the number of car and van 9 trips.
 - (2) Each agency The department shall include materials relating to travel conservation measures in new employee orientation and training materials."

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- **Section 6.** Section 2-17-418, MCA, is amended to read:
- "2-17-418. Agency records Records on fuel efficiency measures. Each agency The department of transportation and the highway patrol shall keep adequate records to demonstrate compliance with the provisions of 2-17-416 and 2-17-417."

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- **Section 7.** Section 2-17-422, MCA, is amended to read:
- "2-17-422. Operating history. Each state agency The department of transportation and the highway patrol shall maintain motor vehicle operating history records for motor vehicles under their control of the agency. These records must show the purchase price of the vehicle and the items of expense incurred in the operation of the vehicle, including the expenses of gas, oil, repairs, labor, storage, and service. A complete summary of the operating cost and history record of all state-owned or leased state-leased vehicles and trucks must be prepared for each fiscal year."

25 - END -

