

HOUSE BILL NO. 386

INTRODUCED BY W. STAHL

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A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE MANAGEMENT OF STATE-OWNED OR STATE-LEASED MOTOR VEHICLES; REQUIRING CERTAIN STATE ENTITIES TO RENT OR LEASE ALL VEHICLES FROM THE DEPARTMENT OF TRANSPORTATION; PROVIDING CERTAIN MILEAGE REQUIREMENTS FOR PERMANENTLY LEASED VEHICLES; AND AMENDING SECTIONS 2-17-411, 2-17-412, 2-17-414, 2-17-416, 2-17-417, 2-17-418, AND 2-17-422, MCA."

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

Section 1. Section 2-17-411, MCA, is amended to read:

"2-17-411. Motor pool -- department of transportation -- exceptions. (1) The department of transportation's motor pool is responsible for the acquisition, operation, maintenance, repair, and administration of all motor vehicles in the custody of the motor pool.

(2) Unless otherwise provided by this part, a department, agency, institution, office, board, or commission of the executive, legislative, or judicial branch of state government or a state institution of higher education may rent or lease motor pool vehicles only from the department of transportation.

~~(2)~~(3) Except as provided in 2-17-425, this part does not apply to a motor vehicle used in the service of the governor or the attorney general.

~~(3)~~(4) This part does not apply to a motor vehicle used in the service of the highway patrol."

Section 2. Section 2-17-412, MCA, is amended to read:

"2-17-412. Assignment and transfer. (1) The department of transportation may assign the use of state-owned or ~~leased~~ state-leased motor vehicles under its control to state officers, state agencies, or employees of state agencies.

(2) The department of transportation may not permanently assign a state-owned or state-leased motor vehicle to a state officer or employee of a state agency if the motor vehicle is driven less than 10,000 miles in a fiscal year.

~~(2) All motor vehicles in the custody of the department of transportation that are not placed under custody~~

1 of the department by 2-17-411 must be equitably transferred to the custody of those agencies that have need of
2 vehicles as demonstrated by use records."

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4 **Section 3.** Section 2-17-414, MCA, is amended to read:

5 **"2-17-414. State vehicles to use ethanol-blended gasoline -- definition.** (1) A department, agency,
6 institution, office, board, and commission of the executive, legislative, and judicial branches of state government
7 and a state institution of higher education ~~owning or~~ operating a motor vehicle capable of burning ethanol-blended
8 gasoline shall take all reasonable steps to ensure that the operators of those vehicles use ethanol-blended
9 gasoline in the vehicles if ethanol-blended gasoline is commercially available within the operating area of the
10 vehicle and is priced competitively with the gasoline otherwise used by the vehicle.

11 (2) For purposes of this section, "ethanol-blended gasoline" means a fuel mixture of gasoline and ethanol
12 produced from agricultural products, including grain and wood or wood products, and that is used for the purpose
13 of effectively and efficiently operating internal combustion engines.

14 (3) An entity subject to the requirements of subsection (1) may not take any disciplinary, judicial,
15 administrative, or other adverse action against the operator of a motor vehicle for failing to purchase
16 ethanol-blended gasoline for the operation of the motor vehicle."

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18 **Section 4.** Section 2-17-416, MCA, is amended to read:

19 **"2-17-416. Fuel economy standards -- exceptions.** (1) The department shall, in coordination with a
20 designated representative ~~in each agency that purchases new vehicles~~ of the department of transportation,
21 develop a plan to ensure that each vehicle purchased on or after January 1, 2008, meets or exceeds the CAFE
22 standard.

23 (2) The director may exempt certain vehicles from the CAFE standard that meet any one of the following
24 conditions:

25 (a) vehicles that are used primarily in off-road use;

26 (b) vehicles used for road construction and maintenance;

27 (c) vehicles used for maintenance, construction, or groundskeeping;

28 (d) vehicles used primarily for moving and distributing large items or a large quantity of items;

29 (e) vehicles with a manufacturer-stated seating capacity of more than six persons; or

30 (f) vehicles using alternative fuels."

