

HOUSE BILL NO. 764

INTRODUCED BY B. CLOSE

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING PUBLIC TRANSIT LAWS; PROVIDING THAT A COUNTY COMMISSIONER MAY FILE A PETITION TO CREATE OR EXPAND AN URBAN TRANSPORTATION DISTRICT; PROVIDING THAT A MUNICIPAL BUS SERVICE MAY EXCEED 8 MILES FROM THE LOCAL BOUNDARY UNDER CERTAIN CIRCUMSTANCES; AND AMENDING SECTIONS 7-14-203, 7-14-205, 7-14-206, 7-14-207, 7-14-4401, 7-14-4402, 7-14-4403, 7-14-4404, AND 7-14-4405, MCA."

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

Section 1. Section 7-14-203, MCA, is amended to read:

"7-14-203. Petition to create or enlarge an urban transportation district. Proceedings for creating or enlarging a transportation district may be initiated:

(1) by a commissioner making a petition singly or jointly with other commissioners; or

(2) by a an elector's petition signed by not less than 20% of the registered electors who reside within the proposed district or the area to be added to an existing district."

Section 2. Section 7-14-205, MCA, is amended to read:

"7-14-205. Petition to be filed with election administrator -- certificate. (1) The complete petition must be filed with the election administrator.

(2) The election administrator shall, within 30 days, carefully examine the petition and attach to it a certificate under the administrator's official signature and seal of office. The certificate must set forth:

(a) the total number of individuals who are registered electors within the proposed transportation district; and

(b) which and how many of the individuals whose names are on ~~the petition~~ an elector's petition are qualified to sign the petition."

1 **Section 3.** Section 7-14-206, MCA, is amended to read:

2 **"7-14-206. Effect of insufficient number of signatures.** If ~~the an~~ an elector's petition is found to contain
3 less than 20% of the signatures of the registered electors of the transportation district, the petition ~~shall~~ must be
4 declared void."

5
6 **Section 4.** Section 7-14-207, MCA, is amended to read:

7 **"7-14-207. Presentation of petition to board of county commissioners -- hearing required.** (1) If
8 ~~the an~~ an elector's petition contains the signatures of 20% of the qualified electors of the proposed transportation
9 district or the area proposed to be added to an existing district, or if a commissioner's petition is in order, the
10 county clerk shall present the petition and the county clerk's certificate to the commissioners at their first
11 meeting held after the county clerk has attached the certificate to the petition.

12 (2) ~~Upon~~ On receipt of the petition from the county clerk, the commissioners shall examine the
13 petition and shall by resolution call for a public hearing on the creation of the district or the enlargement of the
14 district."

15
16 **Section 5.** Section 7-14-4401, MCA, is amended to read:

17 **"7-14-4401. Provision of bus service.** (1) Whenever a city or town is not being served by a bus
18 company or operator operating on a regular schedule and under the jurisdiction of the public service
19 commission or if ~~such the~~ service is likely to be discontinued in the immediate future, the city or town council of
20 the incorporated city or town:

21 (4) (a) may contract an indebtedness of ~~any such the~~ city or town ~~upon on~~ the credit thereof of the city
22 or town by borrowing money or issuing bonds for the purchase, development, operation, or leasing of
23 motorbuses and buslines for the transportation of passengers within the corporate limits of ~~such the~~ cities and
24 towns and to operate the same to any point or points beyond these limits not to exceed 8 miles measured along
25 the route of the busline; and

26 (2) (b) ~~shall must~~ have the power to enter into a contract or contracts or to enter into a lease or a
27 lease and operating agreement with an independent carrier or independent carriers for the transportation of
28 passengers by bus within the corporate limits of ~~such the~~ city or town and to and from any point or points

beyond ~~said~~the limits not to exceed 8 miles measured along the route of ~~said~~the busline or buslines.

(2) The 8-mile limitation imposed by this section may be exceeded if funded by an external funding source, such as the federal or state government or a nonprofit corporation, or to fulfill an interlocal agreement for bus service."

Section 6. Section 7-14-4402, MCA, is amended to read:

"7-14-4402. Limit on indebtedness to provide bus service. The total amount of indebtedness authorized under ~~7-14-4401(1)~~ 7-14-4401 to be contracted in any form, including existing indebtedness, may not at any time exceed the debt limitation established in 7-7-4201. Money may not be borrowed or bonds issued for the purposes specified in ~~7-14-4401(1)~~ 7-14-4401 until the proposition has been submitted to the vote of the taxpayers of the city or town and a majority vote is cast in its favor."

Section 7. Section 7-14-4403, MCA, is amended to read:

"7-14-4403. Operation of municipal busline. The city or town council or commission has authority to provide for the:

(1) management and operation of the system authorized by ~~7-14-4401(1)~~ 7-14-4401(1)(a) and to do all things necessary for the successful operation of that transportation system;

(2) safe operation of the transportation system, including the adoption of ordinances or resolutions to require motor vehicles to yield the right-of-way to buses reentering the traffic flow; and

(3) enforcement of ordinances or resolutions adopted under subsection (2)."

Section 8. Section 7-14-4404, MCA, is amended to read:

"7-14-4404. Tax levy for contracts to operate bus service. For the purpose of raising the necessary money to defray the cost of the transportation service authorized by ~~7-14-4401(2)~~ 7-14-4401(1)(b) pursuant to a contract, lease, or lease and operating agreement with an independent carrier or carriers, the city or town council may annually levy a tax on the taxable value of all taxable property within the limits of the city or town. Whenever the council of the city or town considers it necessary to raise money by taxation for transportation services in excess of the levy allowed by 15-10-420, the council of the city or town shall in the

1 manner prescribed by law submit the question of the additional levy to the qualified electors of the city or town
2 at an election held pursuant to 15-10-425."

3

4 **Section 9.** Section 7-14-4405, MCA, is amended to read:

5 **"7-14-4405. Bids for bus service contracts authorized -- operation of bus service.** The city or
6 town council shall have power and authority to call for bids from independent carriers for such transportation
7 service authorized by ~~7-14-4401(2)~~ 7-14-4401(1)(b) and to do all things necessary or proper for establishment
8 and maintenance of such transportation service by contract, lease, or lease and operating agreement."

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