

1 SENATE BILL NO. 234
2 INTRODUCED BY B. USHER

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO THE INSTALLATION OF
5 VENDING MACHINES ON STATE HIGHWAY RIGHTS-OF-WAY; AUTHORIZING THE DEPARTMENT TO
6 ISSUE AN INVITATION FOR BID; AND AMENDING SECTION 60-5-110, MCA."

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

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10 **Section 1.** Section 60-5-110, MCA, is amended to read:

11 **"60-5-110. Commercial enterprise or structure prohibited -- exceptions.** (1) Except as provided in
12 60-5-505 and subsections (2) and (3) of this section, a commercial enterprise or structure may not be operated
13 on the publicly owned or leased right-of-way of a controlled-access highway or controlled-access facility.

14 (2) The department may, under the terms and conditions that it considers appropriate, install or
15 allow others to install electronic communication equipment or electronic informational kiosks on the right-of-way
16 of any state highway, including a controlled-access facility. The department may charge a fee for the use of the
17 equipment or kiosk. The fees must be deposited in the highway nonrestricted account provided for in 15-70-125
18 to be used for highway purposes.

19 (3) (a) The department may, under terms and conditions that it considers appropriate, contract with
20 a blind vendor certified pursuant to Title 18, chapter 5, part 4, or issue an invitation for bid subject to the
21 preference to blind persons set forth in 18-5-502 for the installation of vending machines on the right-of-way of
22 any state highway, including a controlled-access facility.

23 (b) A blind vendor installing a vending machine pursuant to this subsection (3) is subject to the
24 applicable provisions of Title 18, chapter 5, part 4."

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