

STATE OF MONTANA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER 8-2012

**EXECUTIVE ORDER EXCEPTING THE TRANSPORT OF BALED LIVESTOCK FEED
FROM CERTAIN TIME, SIZE, AND WEIGHT RESTRICTIONS ON ALL HIGHWAYS
IN MONTANA, EXCEPT THOSE THAT ARE PART OF THE FEDERAL AID
INTERSTATE SYSTEM, EFFECTIVE UNTIL NOVEMBER 30, 2012**

Whereas, large areas of Montana, particularly in the eastern part of the state, have experienced devastating damages from fire and drought; and

Whereas, Montana livestock producers are in need of feed for their animals; and

Whereas, § 61-10-102(2)(c)(i), MCA, limits the travel for an oversize shipment of baled livestock hay to daylight hours; and

Whereas, § 61-10-107, MCA, sets gross weight limitations for vehicles and § 61-10-145, MCA, imposes penalties for violations of the statutory limits; and

Whereas, under § 61-10-111, MCA, upon a request by the Director of the Department of Transportation, the Governor may through an executive order, for a specific period of time, during emergency circumstances and to meet unusual conditions to ensure the welfare of the public, exempt vehicles from the statutory size and weight limits imposed under Title 61, chapter 10, part 1, MCA; and

Whereas, in order to respond to this emergency situation, the Director of the Department of Transportation has requested me to issue an Executive Order to allow baled livestock feed with a destination in Montana to be transported during daylight hours and at night two hours before sunrise and two hours after sunset, in vehicles up to 12 feet in width and 15 feet in height and that exceed the statutory limits of weight by 20 percent, provided that the manufacturers' rated capacity for the vehicle, axle, or tires is not exceeded, on all highways in the state except those that are part of the federal aid interstate system; and require that such vehicles driven during nighttime hours either have a flag vehicle or flashing amber lights, visible front and rear, a minimum of five inches in diameter, 50 candlepower, 60 to 90 flashes per minute, placed on the load's widest extremity. A revolving or strobe light may be substituted for flashing lights. The flashing amber lights, or revolving or strobe lights, must be visible to motorists approaching from the front and rear.

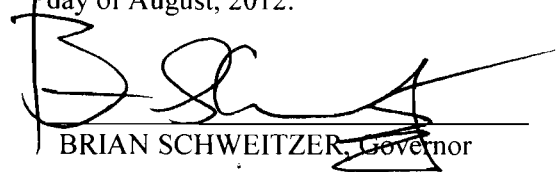
NOW, THEREFORE, I, Brian Schweitzer, Governor of the State of Montana, by virtue of the authority vested in me under the laws and Constitution of the State of Montana, due to the emergency circumstances above-described, do hereby:

- 1) allow baled livestock feed with a destination in Montana to be transported during daylight hours and at night two hours before sunrise and two hours after sunset, in vehicles up to 12 feet in width and 15 feet in height and that exceed the statutory limits of weight by 20 percent, provided that the manufacturers' rated capacity for the vehicle, axle, or tires is not exceeded, on all highways in the state except those that are part of the federal aid interstate system; and
- 2) require that such vehicles driven during nighttime hours either have a flag vehicle or flashing amber lights, visible front and rear, a minimum of five inches in diameter, 50 candlepower, 60 to 90 flashes per minute, placed on the load's widest extremity. A revolving or strobe light may be substituted for flashing lights. The flashing amber lights, or revolving or strobe lights, must be visible to motorists approaching from the front and rear.

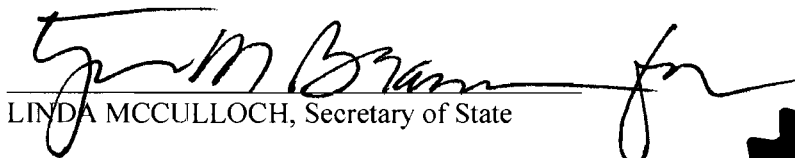
These exemptions shall remain in effect through November 30, 2012, unless otherwise ordered. All other applicable laws and regulations remain in effect.

This Order is effective immediately.

Given under my hand and the GREAT
SEAL of the State of Montana, this 28th
day of August, 2012.


BRIAN SCHWEITZER, Governor

ATTESTED:


LINDA MCCULLOCH, Secretary of State

