69th Legislature 2025 HB 773.1

1	HOUSE BILL NO. 773
2	INTRODUCED BY B. CARTER, S. KLAKKEN, C. SPRUNGER, D. LOGE, D. BAUM, N. DURAM
3	
4	A BILL FOR AN ACT ENTITLED: "AN ACT ESTABLISHING NOAH'S ACT; REVISING LAWS RELATED TO
5	TRANSPORTATION PLANNING; ELIMINATING THE NEED FOR DUPLICATIVE TRANSPORTATION
6	COMMISSION REVIEW OF CERTAIN PLANS AND PROJECTS APPROVED BY METROPOLITAN
7	PLANNING ORGANIZATIONS; PROVIDING RULEMAKING AUTHORITY; DEFINING "METROPOLITAN
8	PLANNING ORGANIZATION"; AND AMENDING SECTIONS 60-2-110 AND 60-2-111, MCA."
9	
10	WHEREAS, metropolitan planning organizations (MPOs) are essential for coordinating transportation
11	planning in urban areas with populations exceeding 50,000 residents; and
12	WHEREAS, MPOs already comply with federal and state regulations, include the Montana Department
13	of Transportation as representatives on their boards, and obtain full review and approval of MPO plans from the
14	Department of Transportation and the Montana Transportation Commission; and
15	WHEREAS, duplicative reviews and redundant efforts by the Transportation Commission and the
16	Department of Transportation consume valuable time and resources, hindering efficient transportation planning
17	and project implementation; and
18	WHEREAS, allowing localized decisionmaking for certain nonoperational safety improvements and
19	urban street projects will enhance the ability of municipalities and MPOs to address local transportation needs
20	effectively.
21	
22	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
23	
24	NEW SECTION. Section 1. Short title. [Sections 1 through 3] may be cited as "Noah's Act".
25	
26	NEW SECTION. Section 2. Purpose. The purpose of [sections 1 through 3] is to streamline
27	transportation planning processes by reducing redundant reviews while maintaining compliance with federal
28	and state standards for safety and efficiency.



coth I amialatura 2026

69th Legislature 2025 HB 773.1

NEW SECTION. Section 3. Metropolitan planning organizations -- transportation plans. (1)

Long-range transportation plans adopted by metropolitan planning organizations and approved by the department and commission must be recognized by the department and commission as fulfilling state transportation review requirements for projects that are implementing the approved long-range transportation plan.

- (2) When a transportation project aligns with a long-range transportation plan that was adopted by a metropolitan planning organization and that was previously approved and reviewed by the commission, further review of the transportation project by the commission may not be required provided that the long-range transportation plan adopted by the metropolitan planning organization has been reviewed and approved by the department.
- (3) An urban street and department roadway project within a metropolitan planning organization district may not require commission review if:
- (a) the project implements a state-reviewed plan adopted by a metropolitan planning organization; and
 - (b) the project is approved by the relevant department district administrator.
- (4) Nonoperational safety improvements on urban streets and department roadways included in city, county, or metropolitan planning organization plans must be approved by the department district administrator rather than the commission or other department personnel.
- (5) In communities without a metropolitan planning organization, department district administrators must have the authority to review and approve projects below a specified scale, as determined by the department in rule, without obtaining approval from the commission.
- (6) As used in this section, "metropolitan planning organization" means a cooperative transportation policymaking organization that is composed of representatives from local government and transportation professionals, that is required by Title 23 of the United States Code for an area with a population greater than 50,000, and that carries out transportation planning and programming.

Section 4. Section 60-2-110, MCA, is amended to read:



69th Legislature 2025 HB 773.1

"60-2-110. Setting priorities and selecting projects. (1) Except as provided in 60-2-133 and [section 3], the commission shall establish priorities and select and designate segments for construction and reconstruction on the national highway system, the primary highway system, the secondary highway system, the urban highway system, and state highways.

- (2) The Except as provided in [section 3], the commission shall consult with the board of county commissioners of the county in which a highway is located when establishing priorities and when selecting and designating segments on the secondary highway system for construction and reconstruction.
- (3) The Except as provided in [section 3], the commission shall consult with the appropriate local government authorities when establishing priorities and selecting and designating segments on the urban highway system for construction and reconstruction.
- (4) The commission shall use information gathered or discovered by and documents prepared by the department, and department officials and employees shall provide assistance and advice.
- (5) The commission shall establish and determine priorities and projects for rail and transit programs and, to the extent possible, coordinate intermodal transportation within the state.
 - (6) In carrying out the requirements of this section, the department shall:
 - (a) make recommendations to the commission;
 - (b) establish the requirements and procedures for administering this section; and
- 18 (c) take all reasonable steps to ensure the integrity and viability of agricultural and rural 19 transportation and related needs."

Section 5. Section 60-2-111, MCA, is amended to read:

"60-2-111. Letting of contracts on state highways and commission-designated highway systems. (1) Except as provided in subsection (2) and subject to the provisions of [section 3], all contracts for the construction or reconstruction of the highways located on commission-designated highway systems and state highways, including portions in cities and towns, and all contracts entered into under 7-14-4108 must be let by the commission. Except as otherwise specifically provided, the commission may enter the types of contracts and upon terms that it may decide. All contracts must meet the requirements of Title 18, chapter 2, part 4. When there is no prevailing rate of wages set by collective bargaining, the commission shall determine



2

3

69th Legislature 2025 HB 773.1

1	the	prevailing	rate	to be	stated	in	the	contract

(2) The commission may delegate the authority, with all applicable statutory restrictions, to award any contract covered by this section to the department or to a unit of local government.

- 4 (3) The commission may award contracts for projects that the department has determined are part of the design-build contracting program authorized in 60-2-137.
- 6 (4) The commission may award contracts using alternative project delivery methods in accordance 7 with 60-2-120."

8

9

10

11

NEW SECTION. Section 6. Codification instruction. [Sections 1 through 3] are intended to be codified as an integral part of Title 60, chapter 2, part 1, and the provisions of Title 60, chapter 2, part 1, apply to [sections 1 through 3].

12 - END -

