



# HB 1012

## North Dakota Department of Transportation Government Operations Division



NORTH  
**Dakota** | Transportation  
Be Legendary.



January 11, 2023



NORTH  
**Dakota** | Transportation  
Be Legendary.

## MISSION

*Safely move people and goods.*

## VISION

North Dakota's transportation leader promoting safe ways, superior service & economic growth.

## VALUES | PRIDE

Professionalism | Respect | Integrity  
Dedication | Excellence

# AGENCY OVERVIEW

- NDDOT follows primarily North Dakota Century Code Chapters 24 and 39.
- Originally called the State Highway Department, the North Dakota Department of Transportation (NDDOT) was established in 1917. The NDDOT is an innovative and progressive organization that has a talented team of employees who work hard across the state to carry out the department's mission to safely move people and goods.
- The NDDOT strives to build and maintain an efficient transportation system consisting of over 106,000 miles of roadways and nearly 5,000 bridges. We oversee the development of surface transportation including highways, bridges, transit, pedestrian and bicycle paths across the state.
- We also oversee Motor Vehicle and Driver License operations for ND. We process over one million vehicle registrations every year and serve over 500,000 licensed drivers at offices located across the state.

# SUCCESS!

- Construction contracts totaling \$500M+
- 7,655 driver license online knowledge tests completed
- Completed major Motor Vehicle & Driver License System Upgrade to better serve customers (*Licensing Enterprise Gateway Endpoint for North Dakota | LEGEND*)
- \$224.5M in American Rescue Plan Act (ARPA) funds committed | \$105M spent
- \$35M bond for bridges has been committed | \$12.5M spent





# AWARDS & ACCOLADES

## *THIS BIENNIUM*

- **ND ROADS – RANKED #1** - According to the *Reason Foundation*, North Dakota leads the nation in highway performance and cost effectiveness.
- **TEAM NDDOT** – Bismarck-Mandan Young Professionals Network 2022 Best Places to Work
- **BEULAH RETROFIT ROUNDABOUT** – America’s Transportation Award for Best Use of Technology & Innovation
- **LONG X BRIDGE** – Regional American Association of Highway and Transportation Officials (AASHTO) Award
- **MOTOR VEHICLE & DRIVER LICENSE** – American Assoc. of Motor Vehicle Administrators (AAMVA) Reinventing the Customer Service Award
- **LOCAL GOVERNMENT** – Dakota Transit Association ND Friend of Transit Award
- **COMMUNICATIONS** – AASHTO Transportation Communications Award in the categories of external publication, event and crisis communications.
- **VISION ZERO** – AAMVA Public Affairs and Consumer Education Award

## CHALLENGE

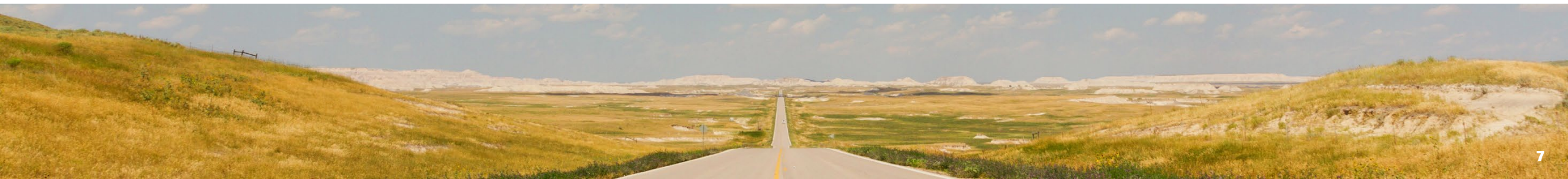
# MEET THE NEEDS OF NORTH DAKOTANS

- NDDOT is currently one of the smallest DOTs in the country. We have optimized our processes, procedures, and use of outside contracted services to achieve award winning efficiencies, unification of services, introduced new technology, and do more with fewer people (-98 FTEs since 2016).
- Infrastructure Investment and Jobs Act (IIJA) established new project demands, new funding opportunities, and expanded our existing workload (+30%).
- In addition to stopping certain tasks and transferring more tasks to consultants/contractors - some limited, additional staffing resources are needed to continue service and meet expectations of citizens, the legislature, and other agencies.

## CHALLENGE

# RE-ESTABLISH BASIC OPERATIONAL BUDGET

- ND prioritized construction over operations for the last several biennia.
- This has also led to a reduction in operational focus (buildings and equipment), services to citizens, safety programs, workforce retention/recruitment, as well as reduced chances to leverage funding and saying “yes” to emerging opportunities.



# RE-ESTABLISH BASIC OPERATIONAL BUDGET

Leverage current level of increased federal/state construction funding to begin replenishing the former, basic operational capacity of NDDOT.

- Capital Improvements
- Mobile Wallet
- UAS Program
- Vision Zero
- Transportation Technology Research Initiative (TTRI) at UND
- Equipment Backlog





# EQUIPMENT BACKLOG & BUILDING NEEDS

## *EQUIPMENT* | \$32M in equipment backlog

- There is a replacement schedule for all equipment and a base fleet inventory for all districts
- Experiencing supply chain issues and costs have increased 20-25% since last biennium

## *DISTRICT/SECTION BUILDINGS* | \$33M new \$15.5M maintenance deficiencies

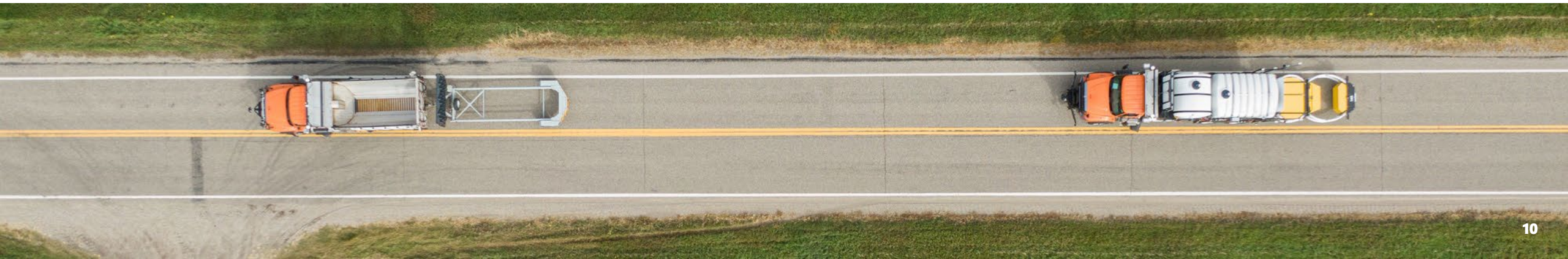
- **Capital Improvement Plan** – proactive approach that identifies capital projects based on (future) needs, necessities, and priorities within the DOT



## CHALLENGE

# INCREASE FLEXIBILITY

- Improve timely response to unanticipated local government needs, economic development support, federal grant wins, and other federal/state funding needs.
- Transition state funding policies away from “federal-connected only” policies to state transportation funding with some federal support.
- Focusing on federal discretionary and state flexible fund.



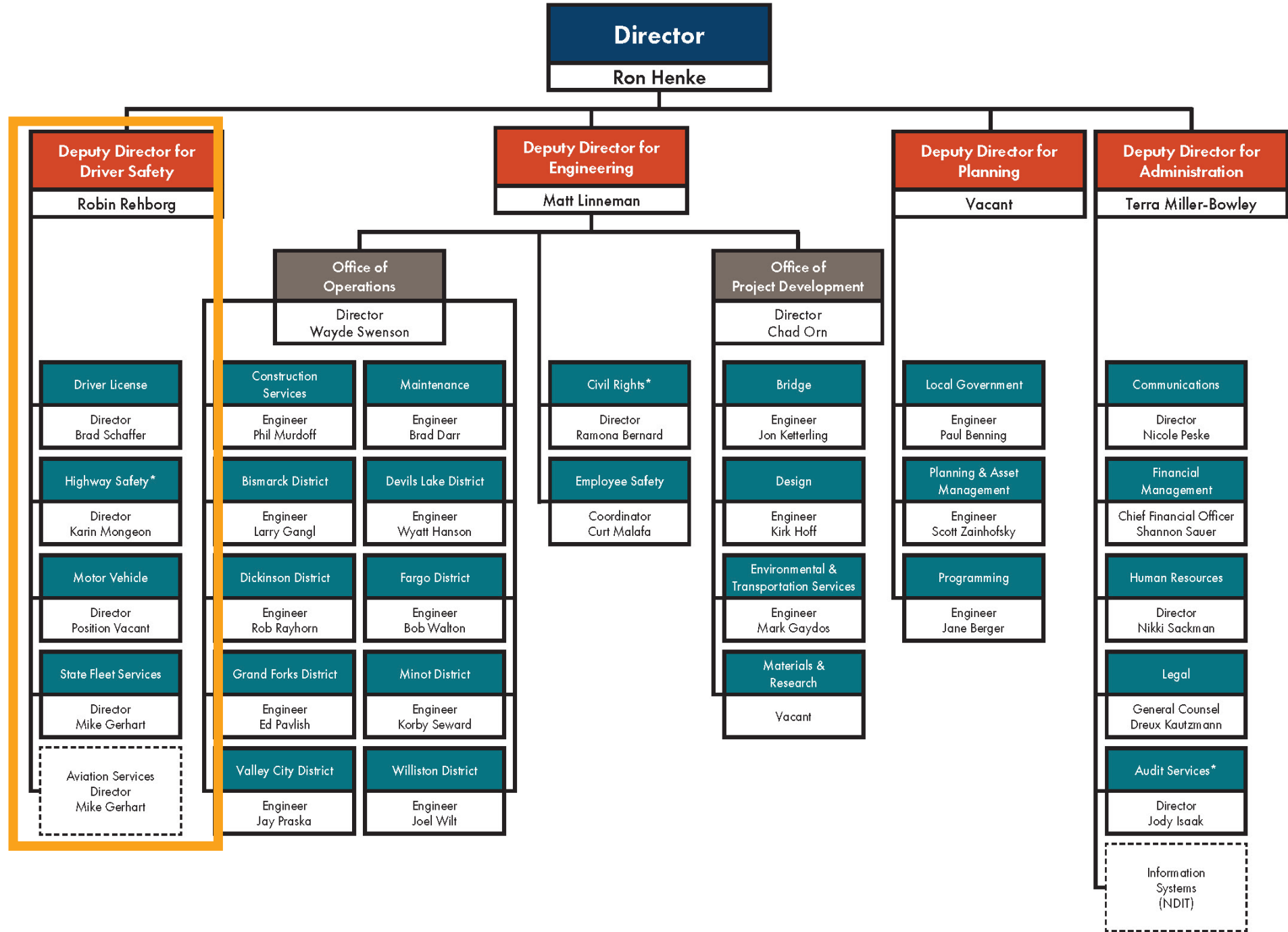


# HOW WE SERVE NORTH DAKOTA

# DRIVER SAFETY



# TEAM NDDOT



# DRIVER LICENSE



# DRIVER LICENSE | *AT A GLANCE*



- 8 Fulltime Sites
- 11 Parttime Sites



- Class D: 532K
- CDL: 49K
- Real ID: 53%



- 8 Tribal ID Days
- Assisted 160 tribal members

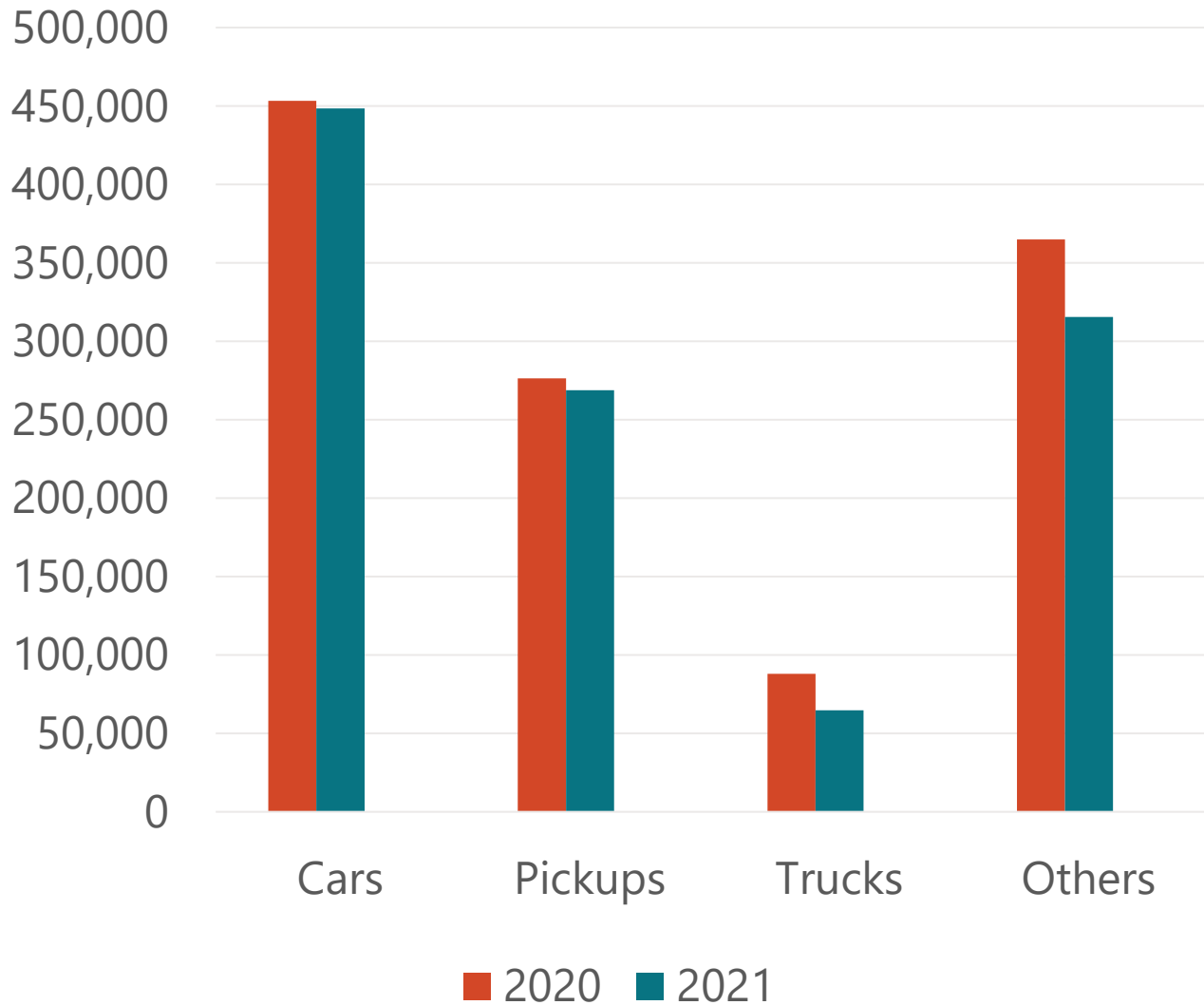


# MOTOR VEHICLE



# MOTOR VEHICLE | AT A GLANCE

## Motor Vehicle Registrations



## LOCATIONS

- 1 Central Office Site
- 18 Contracted MV Offices

## VEHICLES PROCESSED

- 1,190,787 vehicle registrations (2021)

## PROCESSING TIME

- Goal: 4 weeks or less

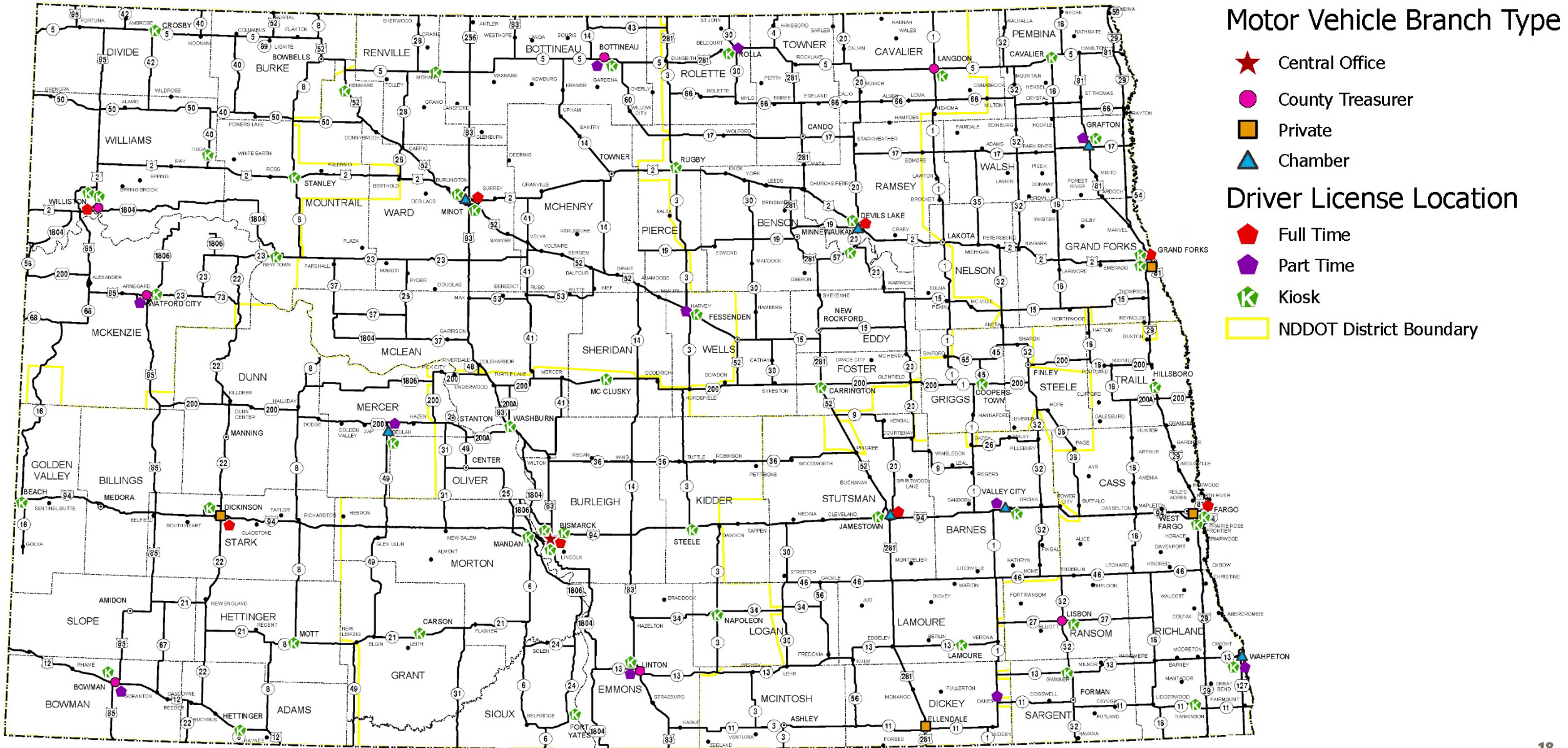
## PARTNERS

- 1048 licensed auto dealers

## ELECTRIC VEHICLES (EV)

- 558 EVs
- 468 Plug-in Hybrid
- 5K Hybrid vehicles registered (2023)

# MOTOR VEHICLE & DRIVER LICENSE LOCATIONS



# AGENCY COLLECTIONS

- The Driver's License & Motor Vehicle Divisions collect many fees in accordance with rates established by the Legislature. These fees are ultimately deposited in a wide variety of funds, both special and general, as directed in North Dakota Century Code.
- NDDOT will be providing extensive information on these fees no later than July 1, 2024 pursuant to a fee study as directed by the 2021 legislative assembly in HB1031.



# HIGHWAY SAFETY



**VISION  
ZERO**  
Zero fatalities. Zero excuses.

**What you can do to achieve Vision Zero:**

- Use seat belts and proper child restraints
- Drive sober
- Drive distraction free
- Obey the speed limits and all traffic laws

**Every trip, every time.**

# HIGHWAY SAFETY | *AT A GLANCE*

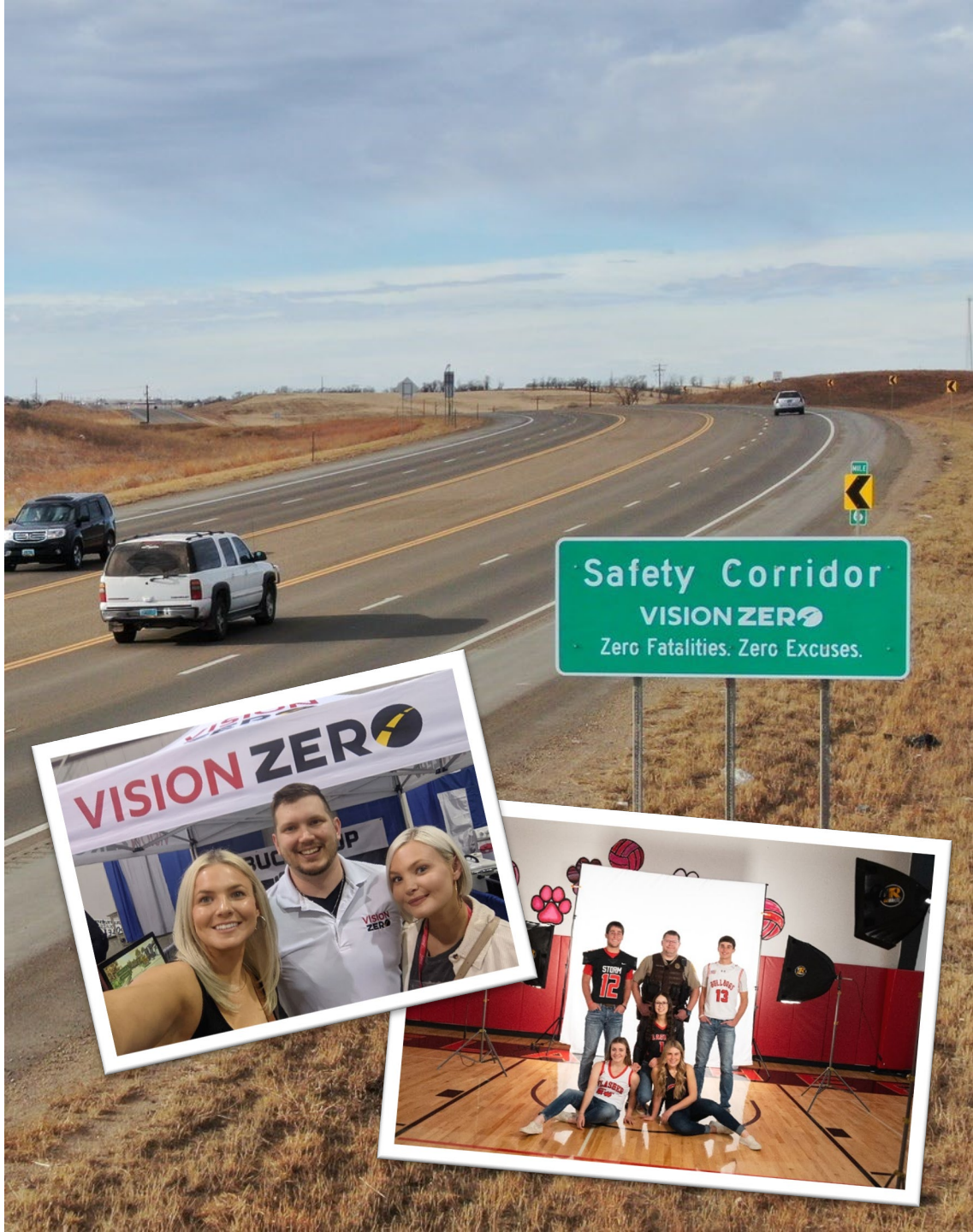


- Coordinates the development, implementation, and evaluation of the Strategic Highway Safety Plan (SHSP)– North Dakota’s Vision Zero Plan.
- Works with law enforcement statewide to collect and maintain traffic records data (primarily crash data).
- Applies for and receives annual funding through the National Highway Traffic Safety Administration (NHTSA) to develop and implement the Highway Safety Plan.

# VISION ZERO

Zero fatalities. Zero excuses.

- **Mission:** Eliminate motor vehicle crash fatalities and serious injuries in ND.
- 2022: **100 fatalities** *(preliminary)*  
2021: *101 fatalities*
- Motor vehicle crashes are largely preventable if everyone takes personal responsibility.
- **Vision Zero Schools** – 6 schools engaged (Kidder Cty., Flasher, Wing, Oakes, Killdeer, Des Lacs/Burlington).
- **Regional Coordinators** – Four across the state, extends the work of Vision Zero into the heart of the community.



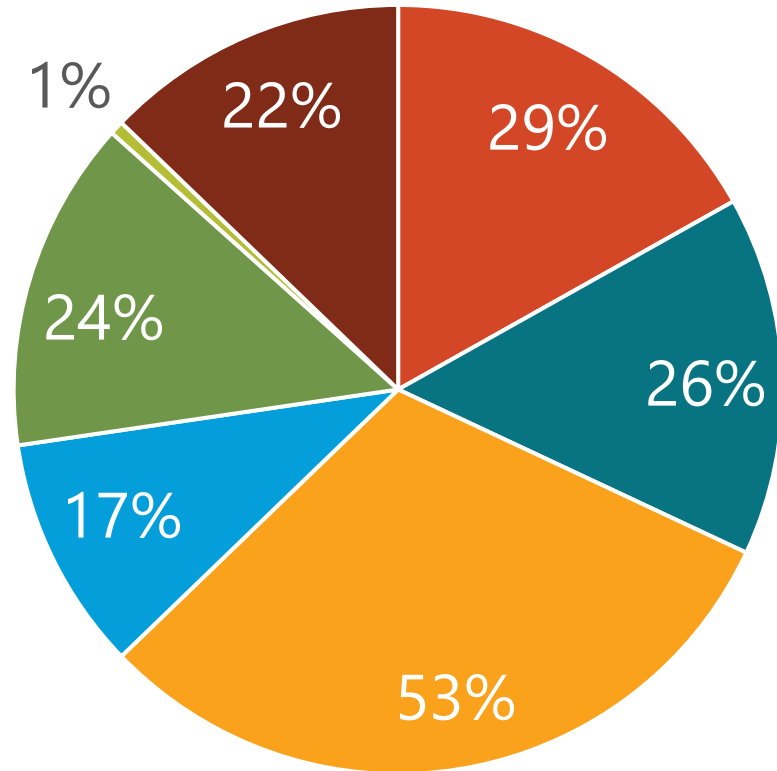
# SAFETY CORRIDORS



- A Vision Zero solution in which engineering, enforcement, emergency response and education work together.
- Total crashes **decreased by 30%**.
- Locations are selected based on highways with a higher number of vehicle crashes.
- Locations:
  - US 85 Watford City to ND 68
  - US 52 Brooks Junction to Velva
  - US 83 Bismarck to Washburn

# 2022 CRASH DATA

## FATAL CRASHES BY FACTOR



- Alcohol
- Speed/Too Fast for Conditions
- Lane Departure
- Younger Driver(s) 14-20 years old
- Older Driver(s) 65+ years old
- Train
- Commercial Motor Vehicle(s)

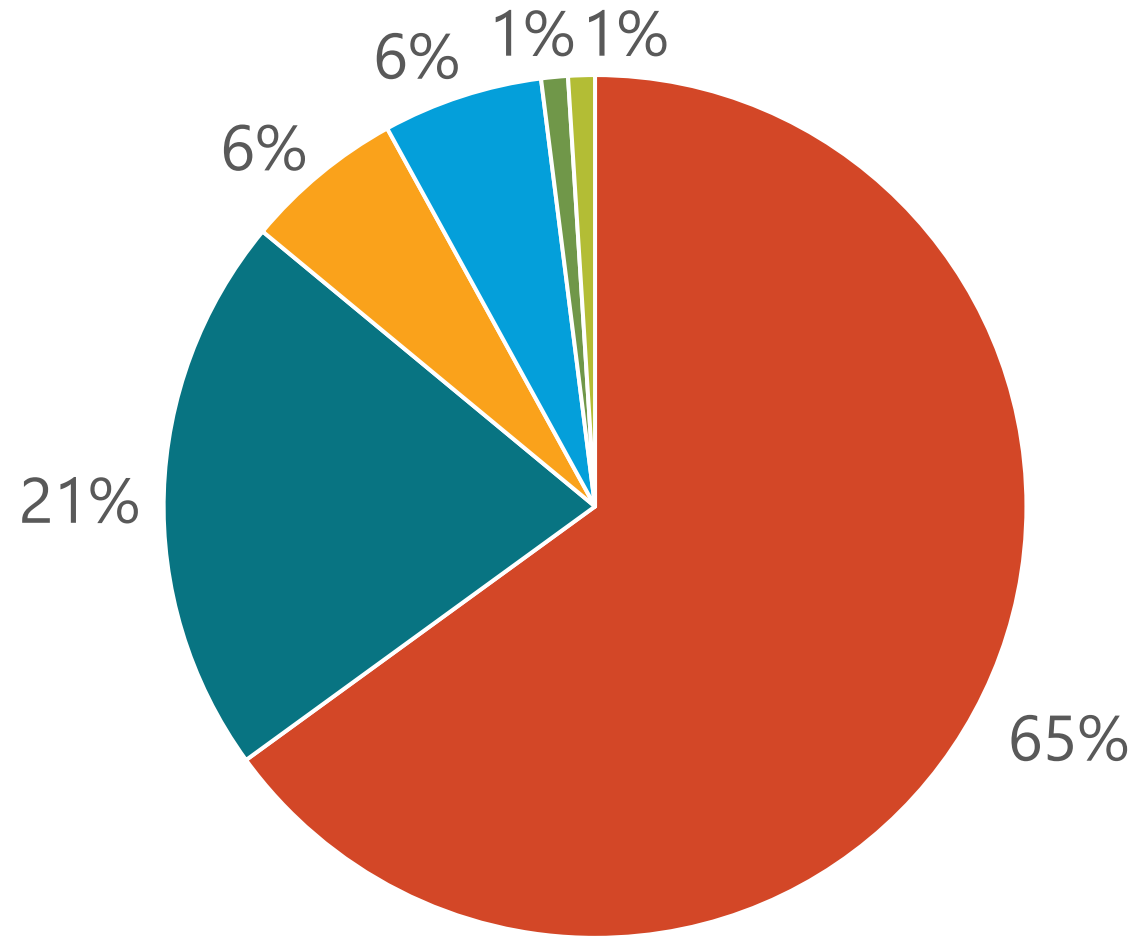
Fatal crash totals/percentages will not equal 100% due to multiple factors per crash and varying denominators. Alcohol involvement may be higher than currently reported due to pending investigations. *All 2022 data is preliminary and subject to change as additional information is received.*



# 2022 CRASH DATA

## FATAL CRASHES BY VEHICLE

- Car/Pickup/SUV/Van/CMV
- Motorcycle
- Pedestrian
- ATV/Recreational Vehicles
- Bicycle
- Other



*All 2022 data is preliminary and subject to change as additional information is received.*



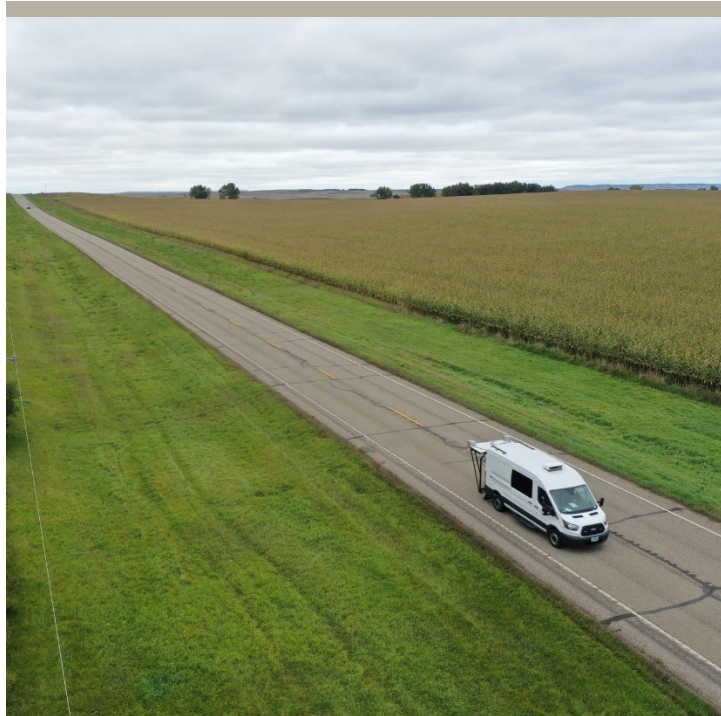
# STATE FLEET



# STATE FLEET | *AT A GLANCE*

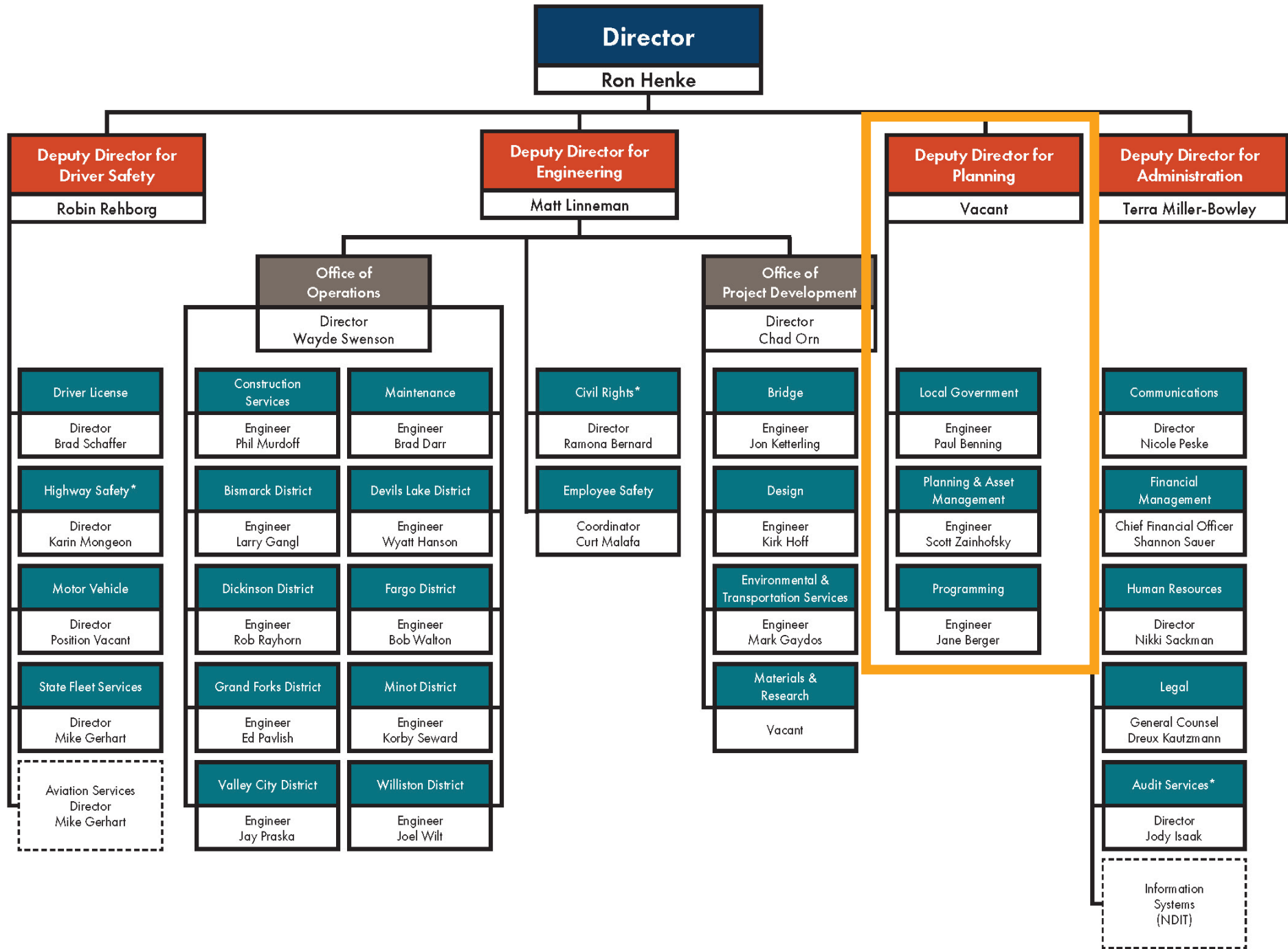
- Provides quality vehicles for all state agencies and institutions.
- Purchases and maintains vehicles.
- Operates a total of 13 state-owned fuel sites.
- Provide driver safety training.
- State Fleet Crash Review Board reviews all fleet crashes to identify trends and training needs.
- Manages flight operations and provides flight service to the NDDOT, Governor's Office, and other state agencies.





# PLANNING

# TEAM NDDOT

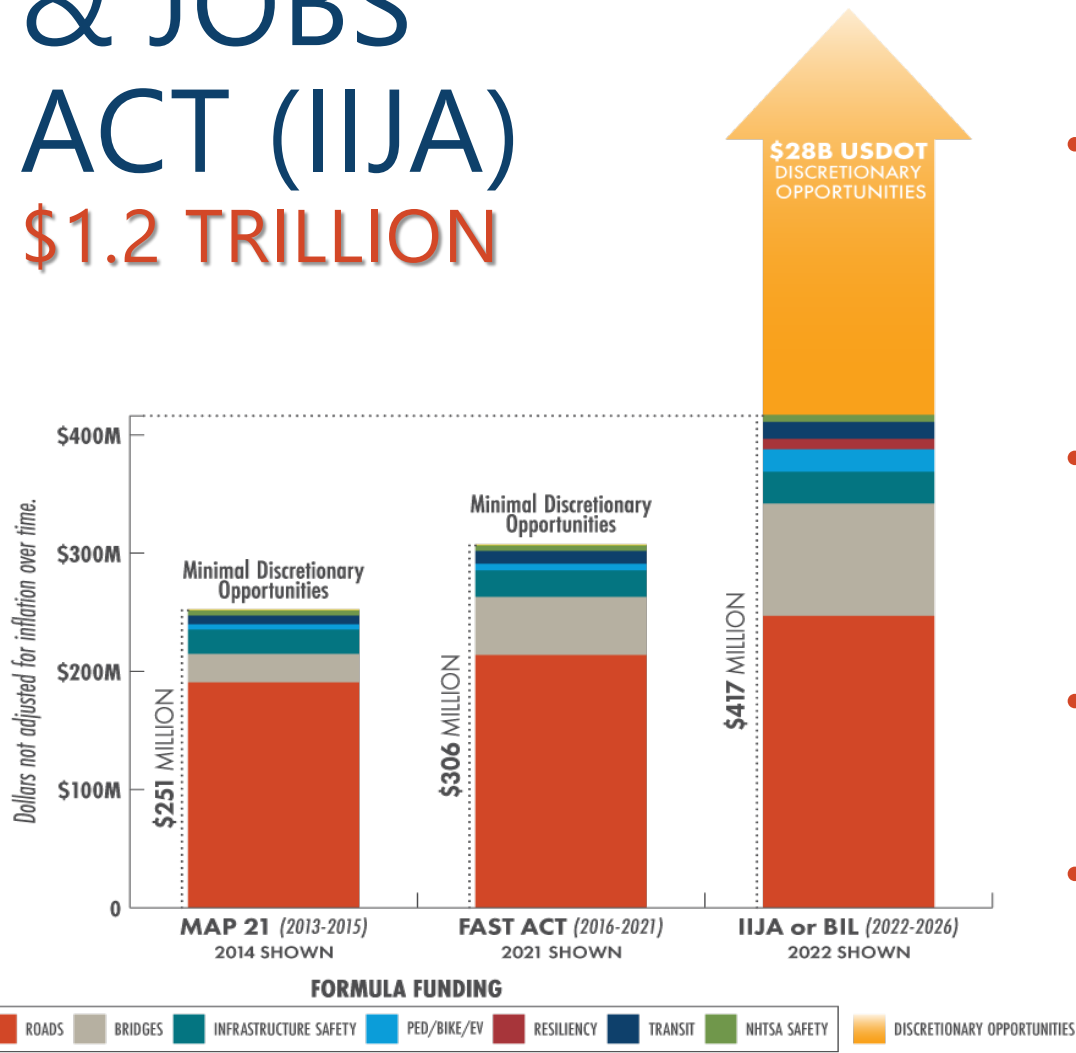


# PROGRAMMING



# INFRASTRUCTURE INVESTMENT & JOBS ACT (IIJA)

## \$1.2 TRILLION

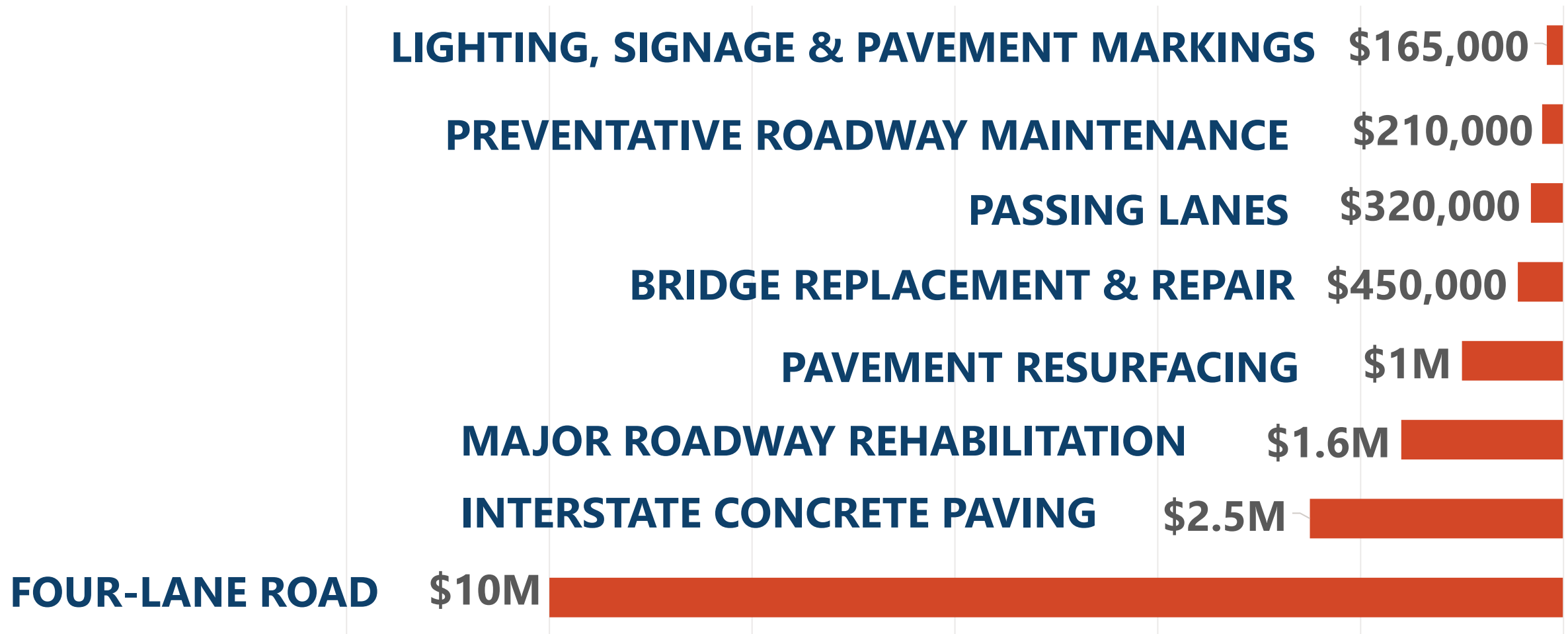


Subject to federal aid rules and regulations.

- Includes a 30% increase in total federal formula funding for the next 5 years.
- Funding amounts designated for roads is similar to previous bills. There is a 15% increase in roadway funding which is about equal to the inflation.
- The \$1.2T IIJA funding includes other items like power and grid, broadband, ports and waterways, airports, water infrastructure, and resiliency. This funding is not accessible by the NDDOT.
- Greatest increase in funding is for bridge work, as well as resources for pedestrian/bike, and electric vehicle charging stations.
- Increases much needed funding for transit and highway safety programs.
- Includes historic amount of funding for competitive discretionary programs; award success and the funding timing are unknown.

# TRANSPORTATION SYSTEM COSTS

*Per Mile*







# PLANNING & ASSET MANAGEMENT





**FUNDING  
AHEAD**

## DISCRETIONARY FUNDING

- **Awarded** \$134.7M
- **Applied** \$522M
- **Awaiting** award announcement \$350M+

*(As of Dec. 20)*

# LOCAL GOVERNMENT



# LOCAL GOVERNMENT

## Partners with Local Public Agencies (LPAs).

- 12 largest cities, +1 in 2024
- 53 counties
- 3 Metropolitan Planning Organizations (MPOs), +1 in 2024
- 30+ transit agencies/providers
- Townships
- Other small cities



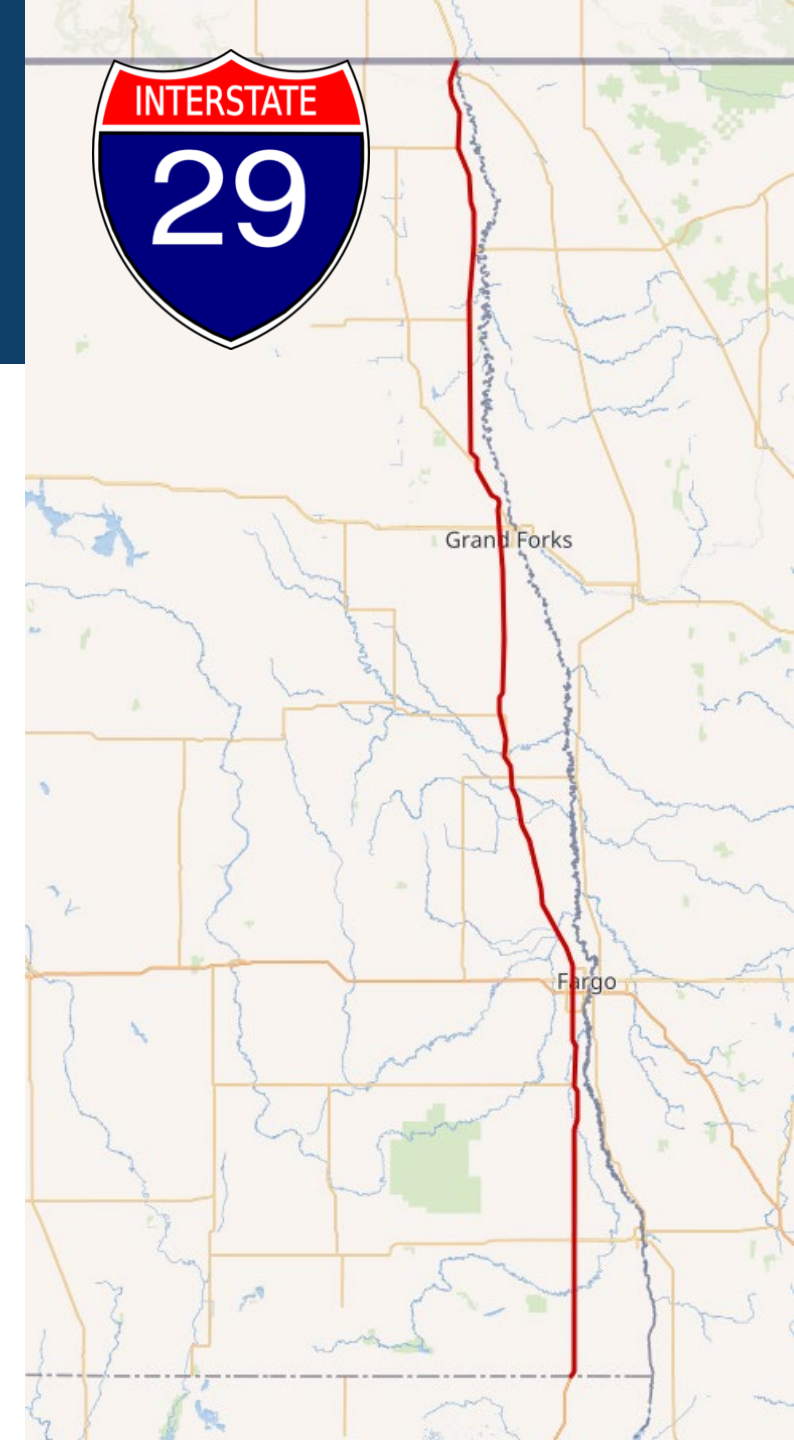
# UNCREWED AERIAL SYSTEMS (UAS)

- Key uses:
  - Construction Inspection
  - Structure Inspection
  - Emergency Response
- A lead participant in the Federal Aviation Administration UAS Beyond Program.
- UND Transportation Technology Research Initiative (TTRI) – UAS
  - Assist with designing and building sustainable and intelligent infrastructure.
  - Advance workforce development
  - Real-life student experiences



# *The FUTURE of* SMART CORRIDOR

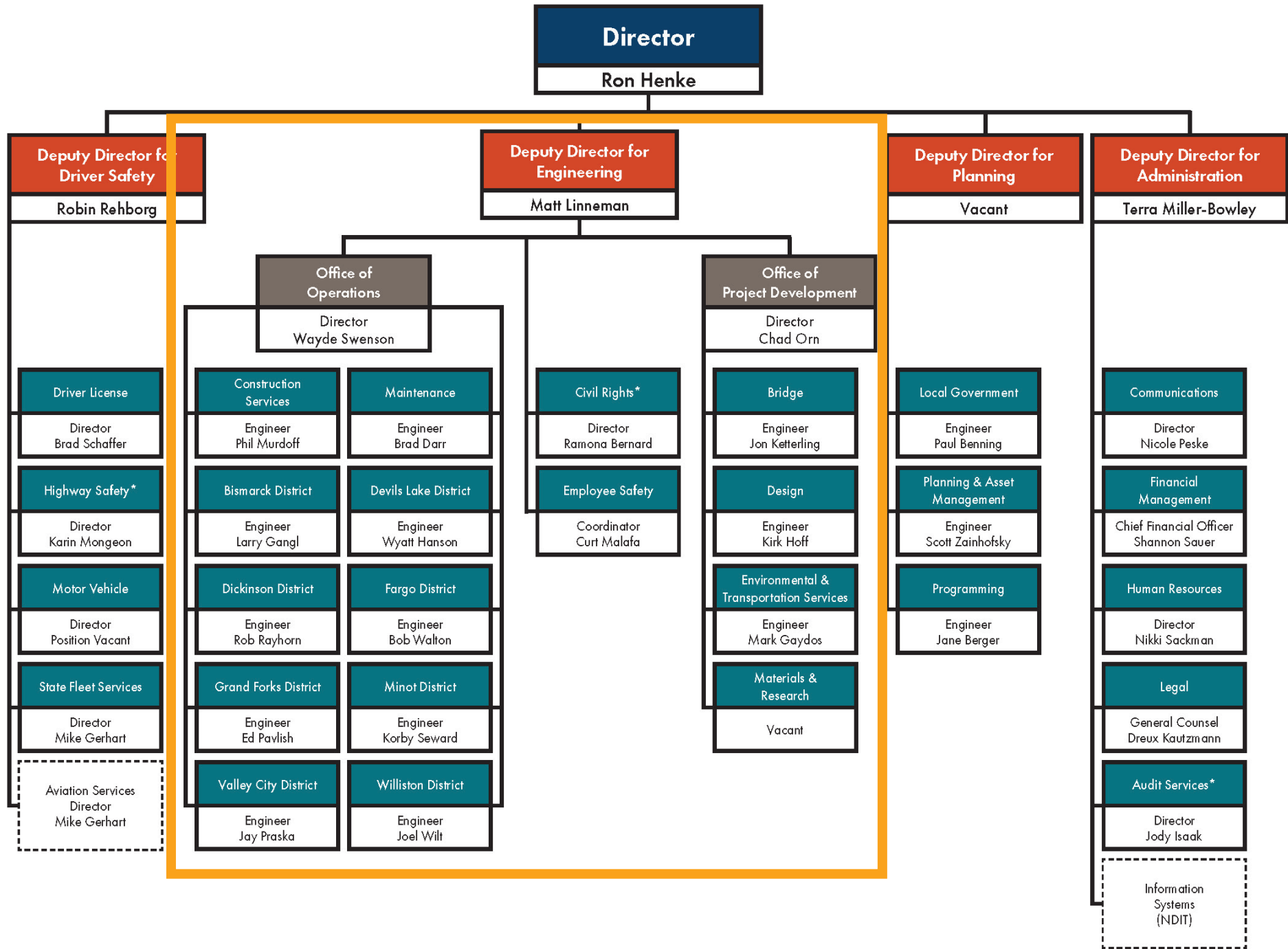
- Increase efficiency & safety of motorists & freight haulers
- Incorporate new and existing ITS devices and sensors
- Integrate operating strategies and technologies to dynamically manage traffic
- Continuously monitor traffic and roadway conditions
- Incorporate connected and automated vehicles
- Recommend new ITS devices
- Plan & implement deployment of advanced technologies
  - Variable Speed Limits
  - Automated anti-icing
- Integrate Canadian land ports of entry



# ENGINEERING



# TEAM NDDOT





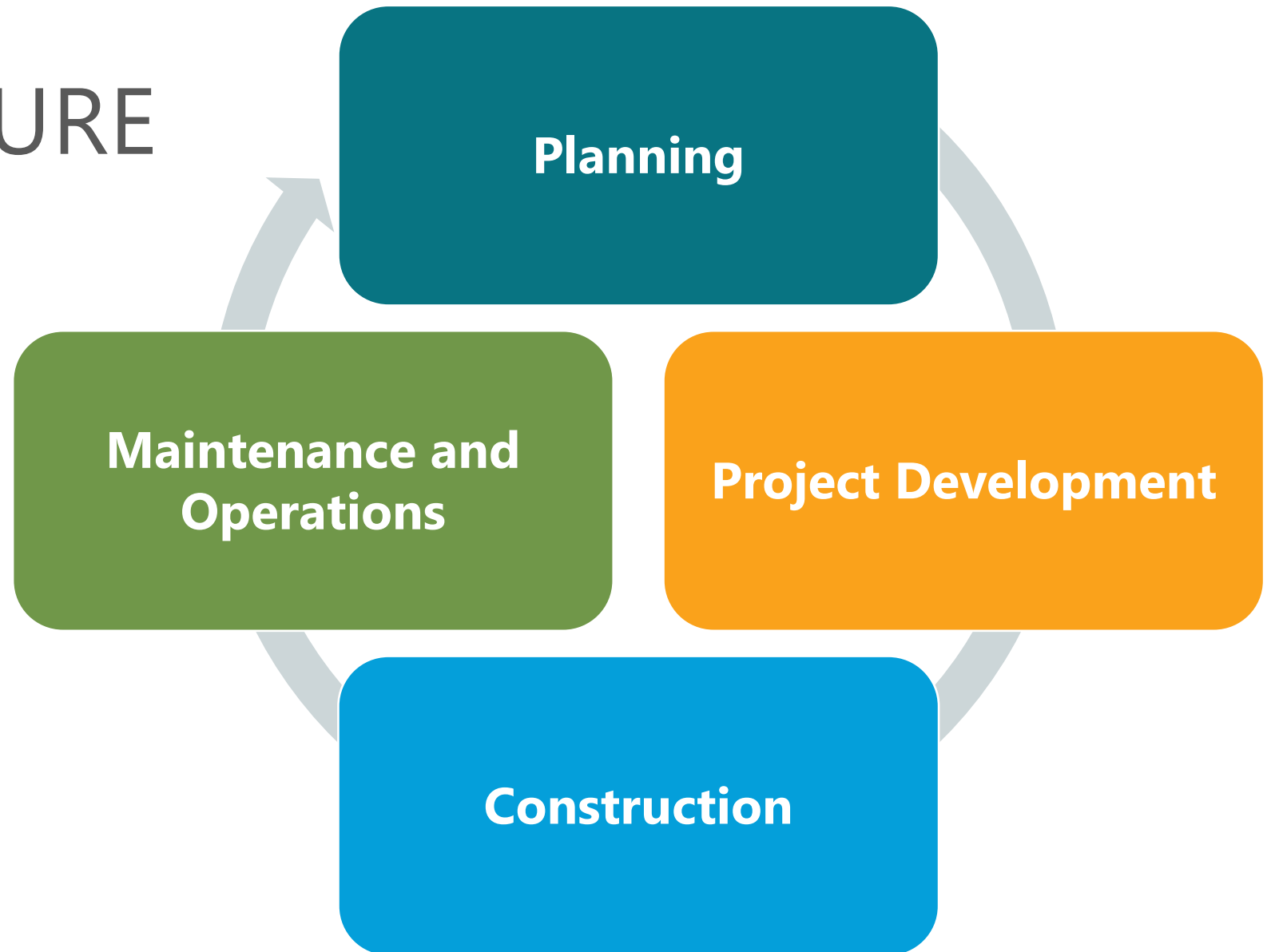
# EMPLOYEE SAFETY

**Ensure the health, safety, and wellbeing of all team members.**

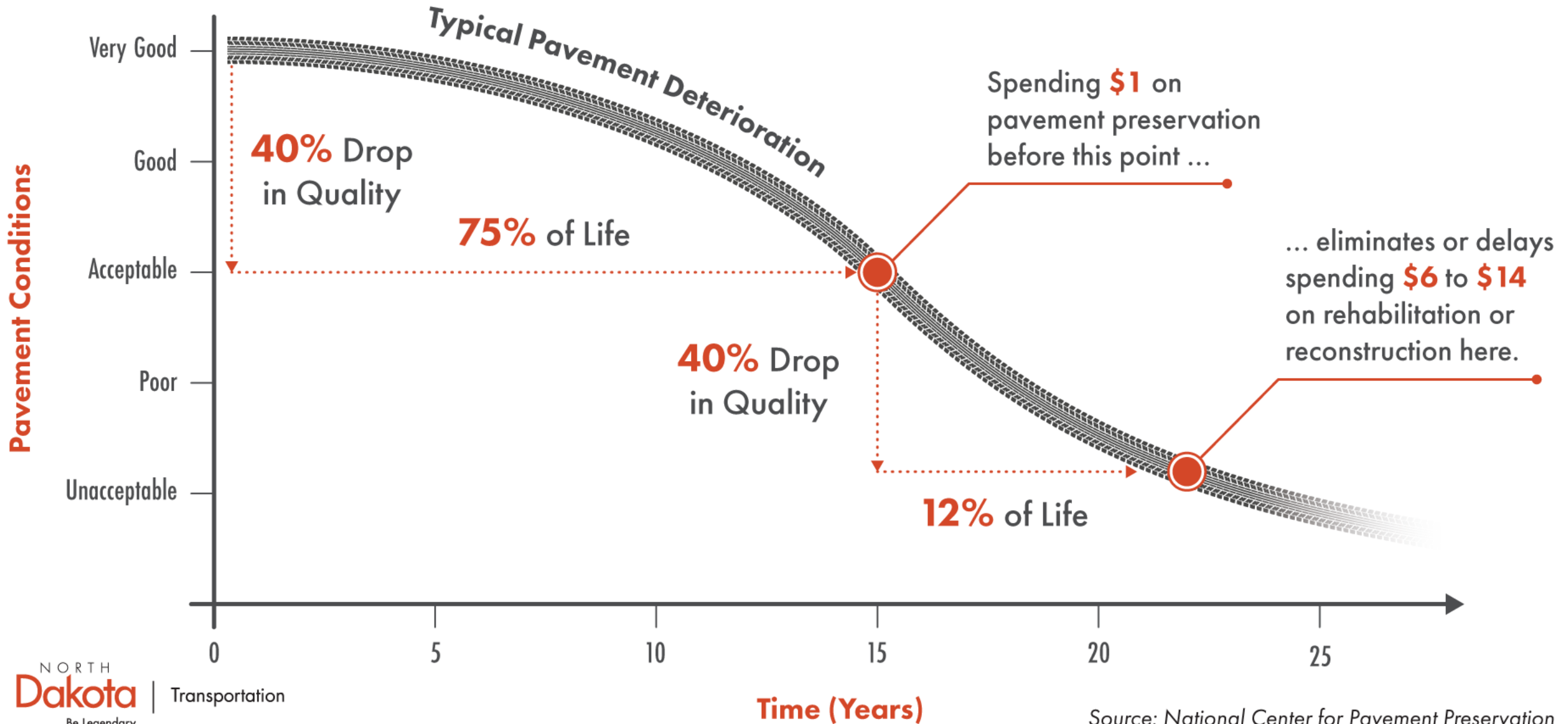
- Distracted driving is a major concern for the safety of our team.
  - Field Work/Data Collection
  - Construction Work Zones
  - Maintenance Work
  - Snow & Ice Control



# HIGHWAY INFRASTRUCTURE LIFE CYCLE



# PAVEMENT PRESERVATION IS COST EFFECTIVE



# PROJECT DEVELOPMENT

- Bridge
- Design
- Environmental & Transportation Services
- Materials & Research

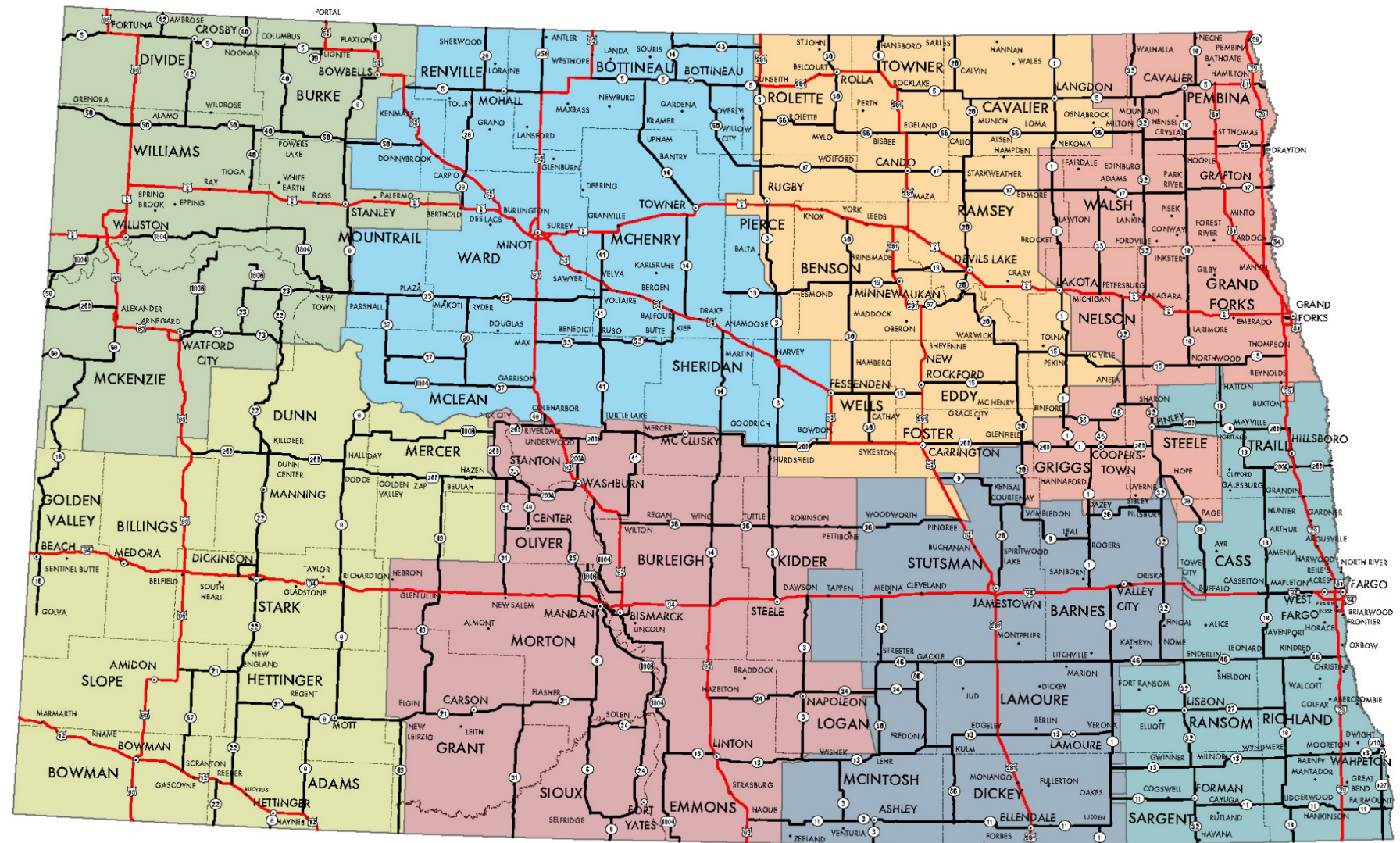


# CONSTRUCTION

- Construction Services Division
- Districts:
  - Bismarck
  - Devils Lake
  - Dickinson
  - Fargo
  - Grand Forks
  - Minot
  - Valley City
  - Williston



# NDDOT DISTRICTS

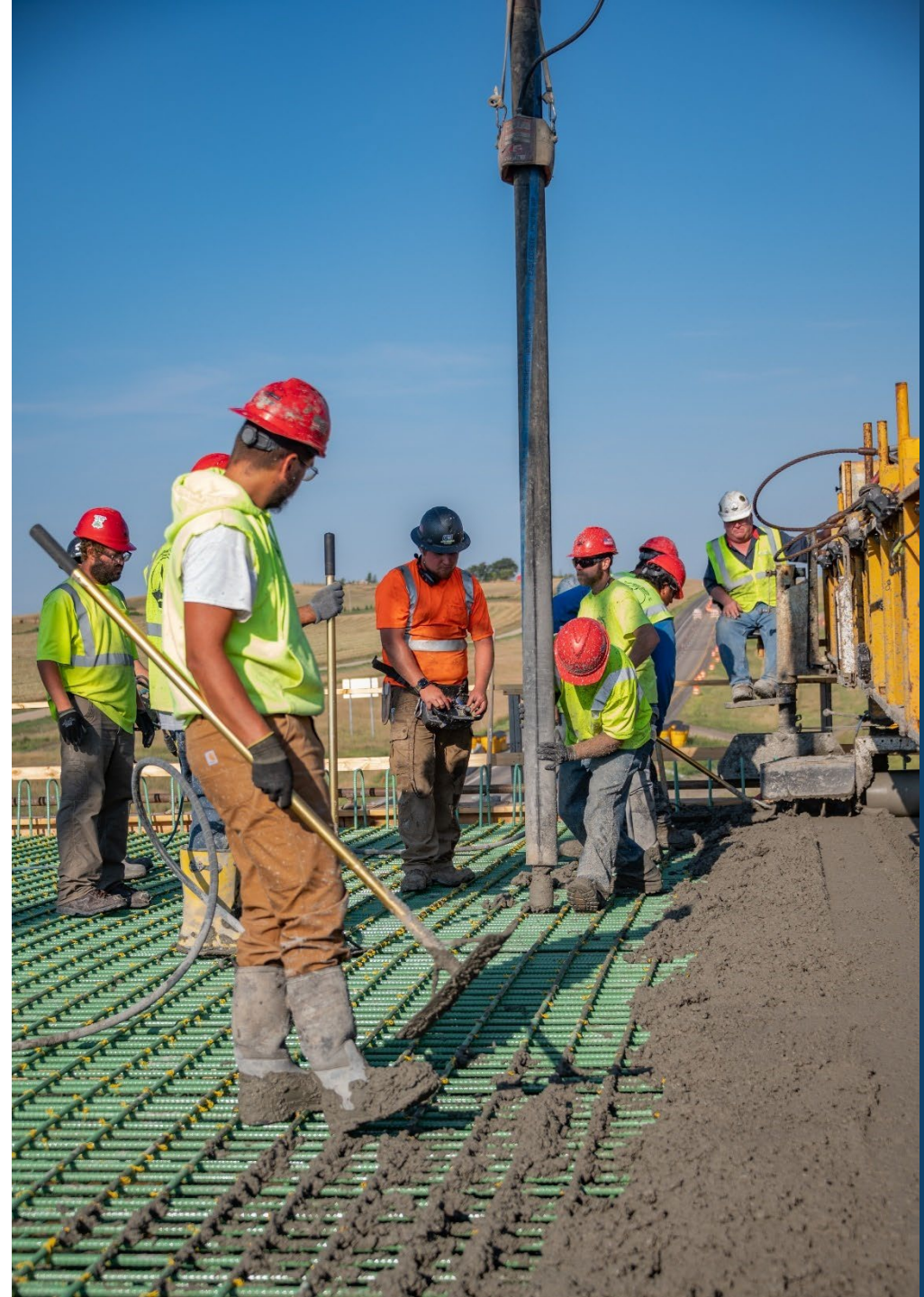


- |  |   |   |   |
|--|---|---|---|
| <p><b>District 1- Bismarck</b><br/>218 Airport Road<br/>Bismarck, ND 58504-6003<br/>701-328-6950</p>         | <p><b>District 3- Devils Lake</b><br/>316 Sixth Street SE<br/>Devils Lake, ND 58301-3628<br/>701-665-5100</p> | <p><b>District 5- Dickinson</b><br/>1700 Third Avenue West, Suite 101<br/>Dickinson, ND 58601-3009<br/>701-227-6500</p> | <p><b>District 7- Williston</b><br/>605 Dakota Parkway West<br/>Williston, ND 58801-4282<br/>701-774-2700</p> |
| <p><b>District 2- Valley City</b><br/>1524 Eighth Ave SW<br/>Valley City, ND 58072-4200<br/>701-845-8800</p> | <p><b>District 4- Minot</b><br/>1305 Highway 2 Bypass East<br/>Minot, ND 58701-7922<br/>701-857-6925</p>      | <p><b>District 6- Grand Forks</b><br/>1951 North Washington<br/>Grand Forks, ND 58203-1420<br/>701-787-6500</p>         | <p><b>District 8- Fargo</b><br/>503 38th Street South<br/>Fargo, ND 58103-1198<br/>701-239-8900</p>           |



# CONSTRUCTION RECAP

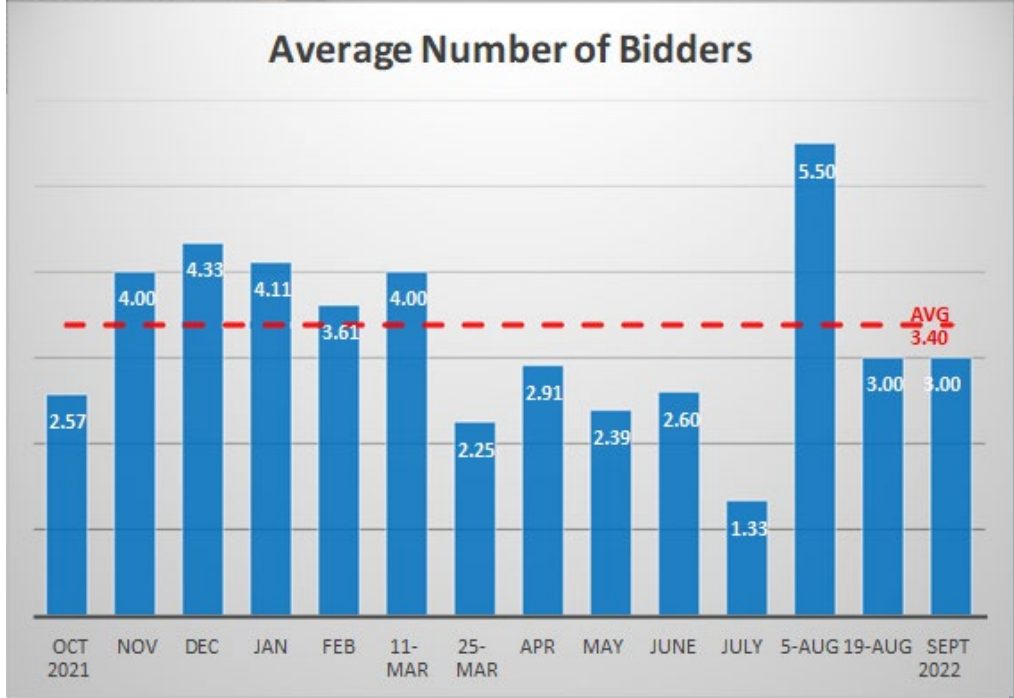
- **2021** = 182 projects and \$362M
- **2022** = 209 projects and \$564M
- Bid out 217 jobs and awarded 209 of them in 2022.



# CONSTRUCTION RECAP

- The following is a breakdown of the awarded contracts for projects bid October 2021 through September 2022

Owner	Number of Awarded Jobs	Contract Amount	Engineer's Estimate
NDDOT	151	\$443,432,777	\$418,181,792
County	40*	\$63,704,853	\$62,152,914
City	18*	\$57,119,516	\$51,921,269
<b>TOTAL</b>	<b>209</b>	<b>\$564,257,146</b>	<b>\$532,255,975</b>

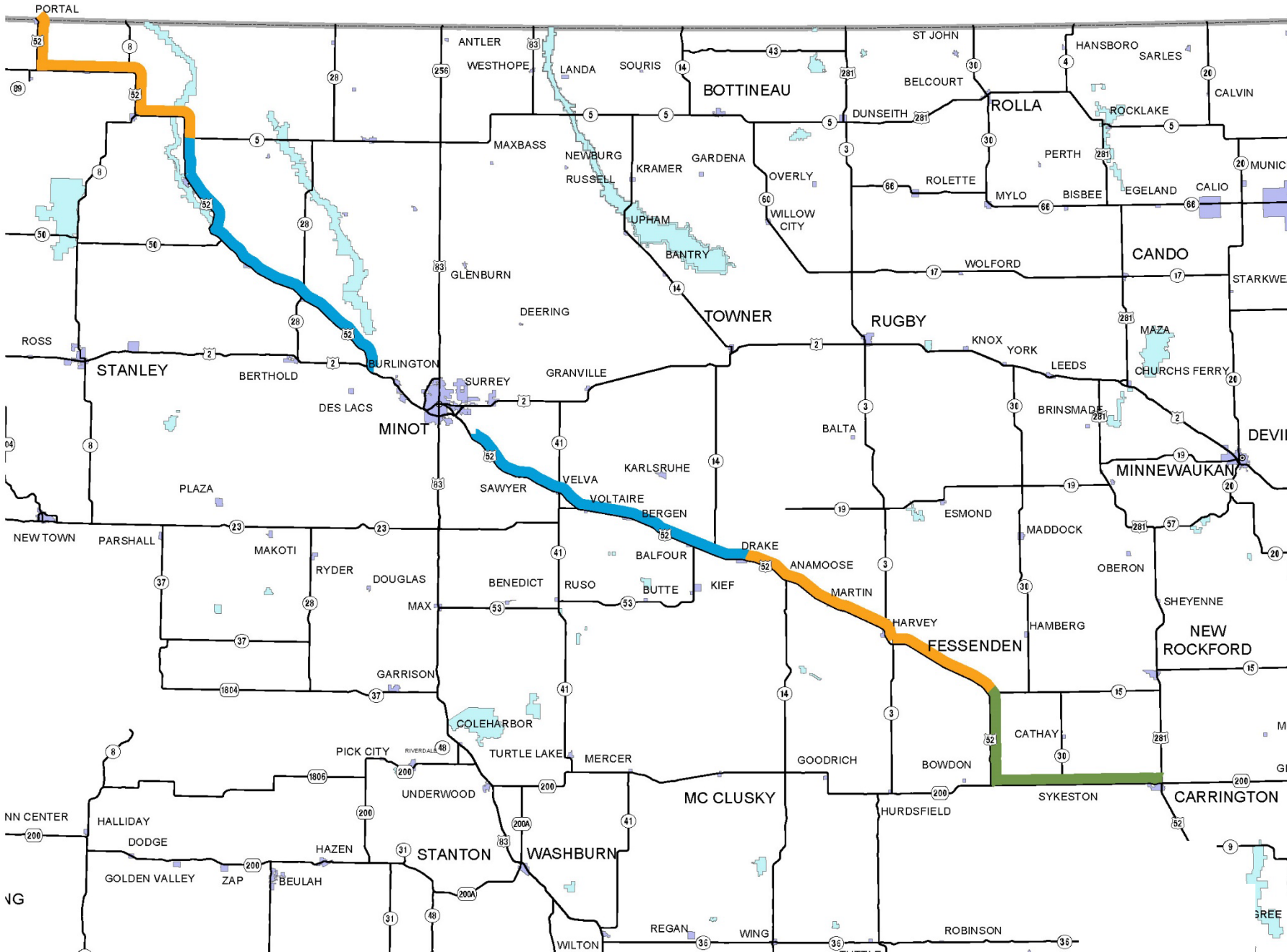




# US 52 PASSING LANE PROJECT

## Proposed Year

- 2022
- 2023
- 2024





# MAINTENANCE & OPERATIONS

- Maintenance Division
- Districts:
  - Bismarck
  - Devils Lake
  - Dickinson
  - Fargo
  - Grand Forks
  - Minot
  - Valley City
  - Williston

# CIVIL RIGHTS

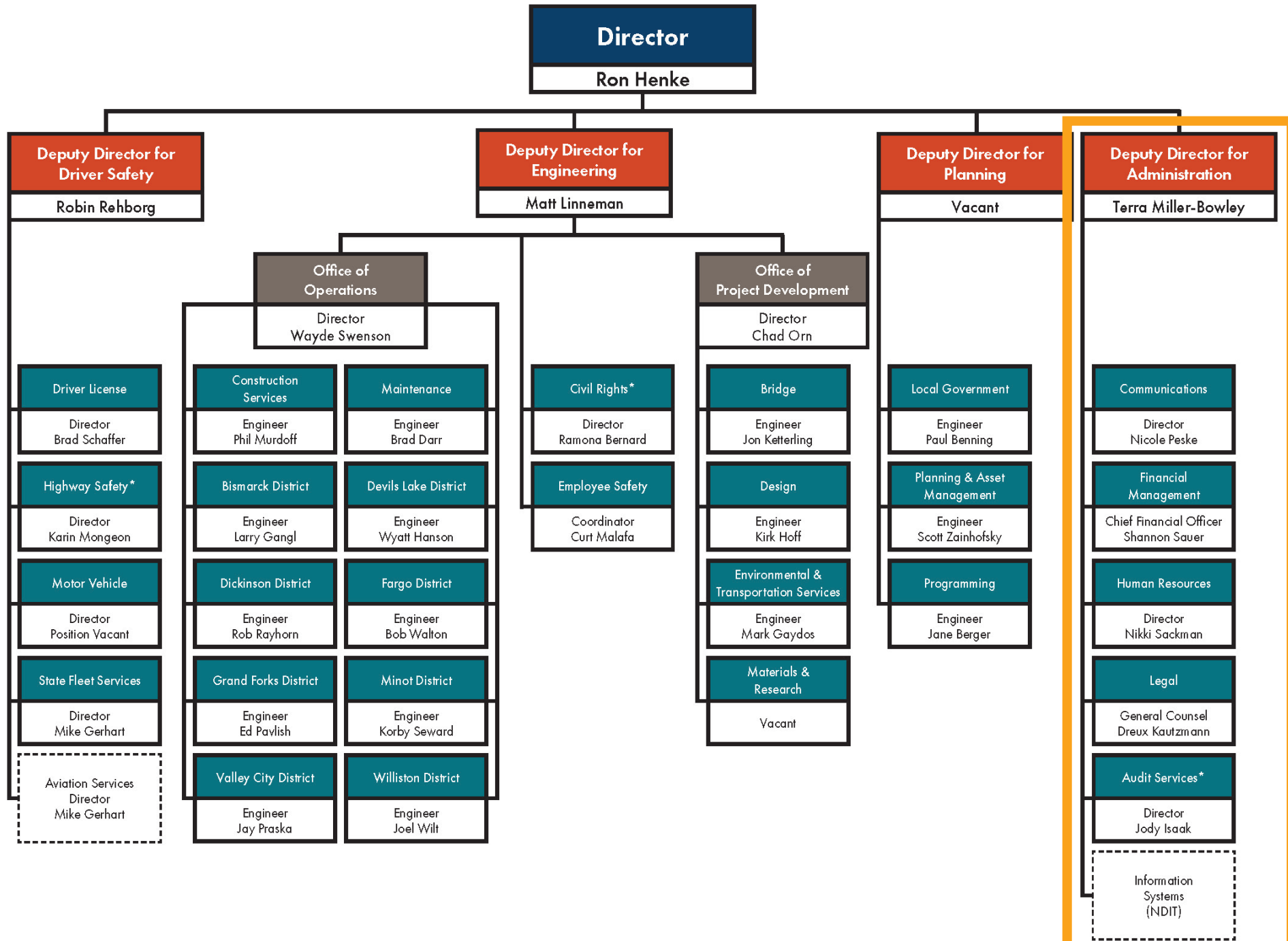
Administer and monitor all requirements of the Civil Rights Act of 1964 on all projects, programs, activities and services of the NDDOT.





# ADMINISTRATION

# TEAM NDDOT



# OPERATIONAL AUDIT FINDINGS

- Access Rights to Personal Information Not Restricted
- Lack of Monitoring for Inappropriate Access
- No Evidence of Training or Acknowledgement of Confidentiality

## KEY TAKEAWAYS

- All three findings have been reconciled and steps have been taken to fix the issue.
- Citizen information was not released to the public.
- Examiners complete background checks.
- It was determined there was no improper access.
- Every step an employee takes in the system has an audit trail and is logged by their employee ID. If there was misuse, the NDDOT would be able to identify it.

# ONE-TIME APPROPRIATED FUNDING

## AMOUNT: \$255M

- **HB 1015, Sec. 13** | 200M state and federal funding for road and bridge projects.
  - 100M general funding to match federal discretionary funds received in excess of funding amounts included in the 2021-23 biennium budget.
  - \$100M for federal discretionary funds to match \$100M in state funding.
- **HB 1015, Sec. 5** | \$55M in federal funding for matching state bond proceeds and township road and bridge projects.
  - \$35M for federal discretionary funds to match state bond proceeds appropriated in HB 1431, Sec. 10.
  - \$20M for federal discretionary funds to match funding for townships.

# ONE-TIME APPROPRIATED FUNDING

## **AMOUNT: \$50M**

- **SB 2012, Sec. 6**
  - \$50M in contingent loan authorization authority allowing the NDDOT to borrow from the Bank of North Dakota to match federal funds available in the 2021-23 biennium for US 85.

## **AMOUNT: \$70M**

- **HB 1431, Sec. 10**
  - \$70M in state bond proceeds for state bridge projects and to match federal funds for state road and bridge projects.



# ONE-TIME APPROPRIATED FUNDING

## AMOUNT: \$498.5M

- **HB 1395, Sec. 2 (Unfunded) then HB 1505, Sec. 7 (Passed) | \$317M** American Rescue Plan Act (ARPA). Not funded. How it was allocated:
  - \$200M to NDDOT for state road and bridge projects.
  - \$24.5M to NDDOT for county bridge projects.
  - \$75.3M to counties for county road and bridge projects.
  - \$17M to townships for township road and bridge projects.
- **HB 1395, Sec. 2 | \$1.6M** ARPA dollars for grants to transit providers.
- **SB 2012, Sec. 1 | \$45M** in federal discretionary for US 85.
- **HB 1505, Sec. 8 | \$135M** to defray expenses of road and bridge projects.

# ONE-TIME APPROPRIATED FUNDING

## **AMOUNT: \$5M**

- **SB 2018, Sec. 3**
  - Received by the Department of Commerce to the NDDOT to defray infrastructure construction expenses for the Beyond the Visual Line of Sight unmanned aircraft system program. The NDDOT opted not to request the funding.

## **AMOUNT: \$9.66M**

- **SB 2012, Sec. 1**
  - State highway funds for construction and materials management system to replace the Roadway Information Management System (RIMS).

# ONE-TIME APPROPRIATED FUNDING

**AMOUNT: \$750,000**

- **SB 2012, Sec. 4**
  - State disaster relief fund to provide grants to townships for emergency township road repairs.



# FISCAL RECOVERY FUNDING UPDATE

*PASSED DURING THE 2021 SPECIAL LEGISLATIVE SESSION*

## **AMOUNT: \$255M**

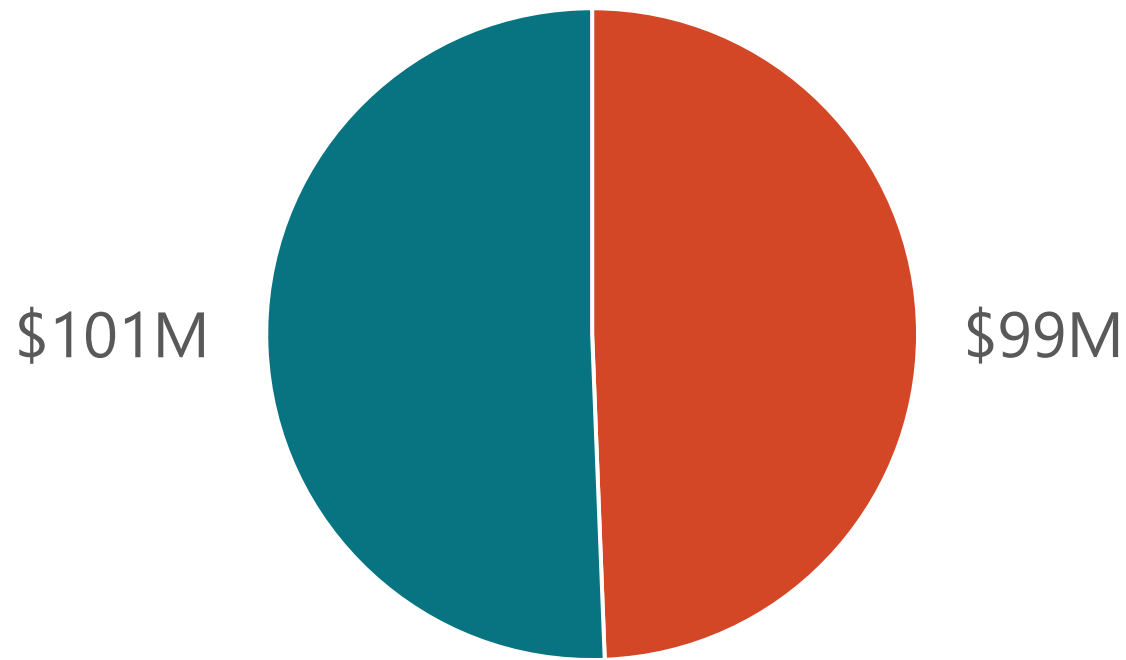
- **HB 1505, Sec. 7** | **\$317M** American Rescue Plan Act (ARPA) funds
  - **\$200M** to NDDOT for state road and bridge projects.
  - **\$24.5M** to NDDOT for county bridge projects.
  - **\$75.3M** to counties for county road and bridge projects
  - **\$17M** to townships for township road and bridge projects



# \$224.5M FOR NDDOT | \$75.4M SPENT

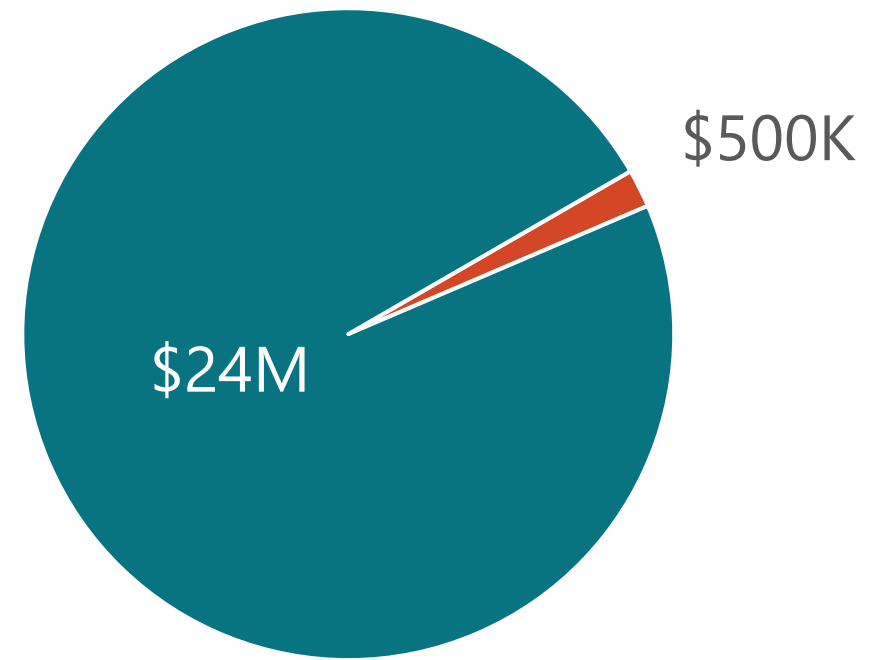
*PASSED DURING THE 2021 SPECIAL LEGISLATIVE SESSION*

## \$200M FOR **STATE** ROADS AND BRIDGES



- Obligated in 2022
- Will be Obligated in 2023 & 2024

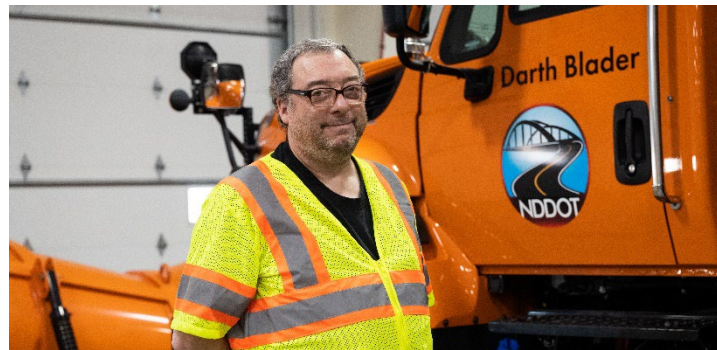
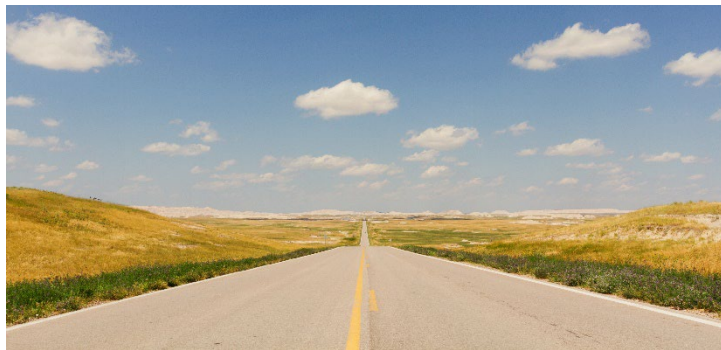
## \$24.5M FOR **COUNTY** ROADS AND BRIDGES



- Obligated in 2022
- Will be Obligated in 2023

2023-2025

# BUDGET REQUEST



# 2023-25 EXECUTIVE BUDGET RECOMMENDATION

Object/Revenue		2021-23 Biennium Appropriations	2023-25 Base Budget Recommended	2023-25 Optional Budget Changes Recommended	2023-25 Total Budget Recommended
Description	Code				
		2,249,534,084	932,782,909	1,424,977,662	2,376,161,670
<b>TOTAL BY APPROPRIATIONS ORGS</b>		<b>2,249,534,084</b>	<b>932,782,909</b>	<b>1,424,977,662</b>	<b>2,376,161,670</b>
Salaries and Wages	80110	204,109,585	214,013,309	5,801,241	238,215,649
Operating Expenses	80130	280,548,188	253,017,962	83,057,856	336,075,818
Capital Improvements	80150	1,227,431,344	405,696,035	1,275,483,610	1,681,179,645
Construction Carryover	80151	-	-	-	-
COVID19 - Capital Assets	80152	317,000,000	-	-	-
HB 1015 Discretionary Match	80153	100,000,000	-	-	-
Enhanced State Highway Invest	80155	-	-	-	-
Grants	80160	118,085,610	60,055,603	60,634,955	120,690,558
Short Line Railroad Program	80162	-	-	-	-
COVID-19 Transportation Grants	80164	-	-	-	-
Grants to Township	80167	750,000	-	-	-
COVID19 - Grants	80168	1,609,357	-	-	-
<b>TOTAL BY OBJECT SERIES</b>		<b>2,249,534,084</b>	<b>932,782,909</b>	<b>1,424,977,662</b>	<b>2,376,161,670</b>
General	GEN	-	-	134,125,000	134,125,000
Federal	FED	1,355,876,156	347,057,090	870,051,421	1,219,302,445
Special	SPEC	893,657,928	585,725,819	420,801,241	1,022,734,225
<b>TOTAL BY FUNDS</b>		<b>2,249,534,084</b>	<b>932,782,909</b>	<b>1,424,977,662</b>	<b>2,376,161,670</b>
Full Time Equivalent Positions			982	29	1011

# FEDERAL FUNDING AVAILABLE

## *2023-25 BUDGET REQUEST*

### **\$1.15B | Federal Highway Administration**

- Roadway projects and related items such as consultant engineering and NDDOT support costs.

### **\$20M | Missile Road Funds**

- Maintenance of missile roads for the US Air Force.

### **\$12.2M | National Highway Traffic Safety Administration**

- Funds North Dakota's traffic safety program. Majority of funds are passed to local entities to support traffic safety initiatives.

### **\$32M | Federal Transit Administration**

- Passed through to transit providers to fund local transit programs.



# FEDERAL AID PROGRAM

- Funding used to construct and maintain roadways and bridges on the state highway system.
- Federal aid formula funding is distributed based off a formula determined by Congress and is favorable to rural states.
- Used to fund our 10-year Infrastructure Plan.

**BUDGET REQUEST: \$174M** (\$100M General Funding / \$74M SIIF)

# FEDERAL AND STATE DISCRETIONARY PROGRAM



- Discretionary funding is larger than it has ever been.
- Funds additional transportation needs in North Dakota.
- Without additional state resources, the department will not be able to accept discretionary dollars.
- Allows flexibility.

**BUDGET REQUEST: \$226.3M**  
(SIIF Funding)

# NEW FLEXIBLE TRANSPORTATION FUND

- Establish a new, more flexible fund to:
  - Improve transportation infrastructure off the state highway system, including within townships
  - Provide match for federal funding
  - Provide for support costs including staffing, facilities, and operational expenditures
  - Provide sustainable flexibility to augment traditional funding and deliver projects of significance in a timely manner
- In the last year alone, the NDDOT was asked to fund more than \$2B in requests not currently in the State Transportation Improvement Program

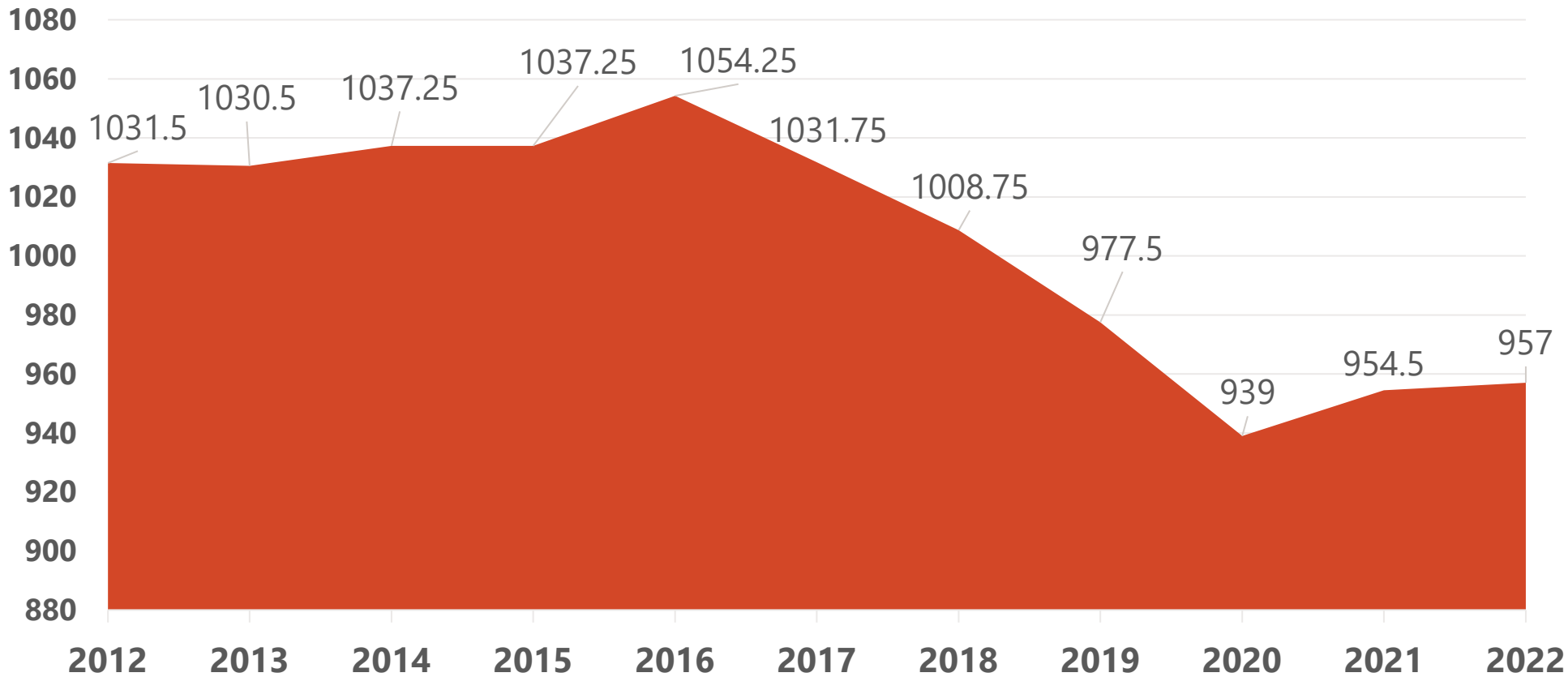
**BUDGET REQUEST: \$140M**

(General funding and motor vehicle excise tax)

# TEAM NDDOT WORKFORCE

**982**  
FTEs

## FULL TIME ACTUAL EMPLOYEE COUNT | 10 Year Look



**12.4%**  
Turnover  
Ratio

**29**  
FTEs  
Requested

# FULL TIME EMPLOYEE (FTE) REQUEST

- 4 International Fuel Tax Agreement (IFTA)/International Registration Plan (IRP) Auditors
  - Meet regulatory compliance requirements and avoid being sanctioned
- 3 Financial Staff
  - Meet federal aid accounting and reporting requirements
  - Meet increased procurement demands
  - Assistant division director for succession planning
- 14 Equipment Operators
  - Allows for extended hours of service for snow and ice control
- 8 Driver License Examiners
  - Allows for reprioritizing existing temporary staff needs
  - Reduce temporary turnovers, hiring and training



# LARGE IT PROJECT REQUESTS

## Construction and Materials Management System (RIMS)

- Currently approved project in progress that requires additional funding

## ETS Continuum Upgrade (Door Security System)

- Current security hardware and software are outdated and will no longer be supported

## AVL

- Allows the NDDOT to track and the public to see all 369 snowplows

**BUDGET REQUEST: \$9.2M** (General Funding)



```
***** NDDOT RIMS PROJECTS - MILESTONE *****
Oct  7,22      - ACTIVITY MAINTENANCE FOR A PROJECT -
PCN 22785 SERP-6-029(156)141      JUNCTION US 2
DESCRIPTION      EST. PROJECTED ACTUAL PROJECTED %
#DAYS START DATE END DATE END DATE COM DIV
MILESTONE COMMITTEE REVIEW      35
TRAFFIC DATA      17
FIELD REVIEW      91
BRIDGE PRELIMINARY CONCEPT      25
SOLICITATION OF VIEWS      91
WETLAND DELINEATION-FIELD      19
WETLAND JURISDICTIONAL REQUEST      19
JURISDICTIONAL DETERMINATION      19
SECTION 106 COMPLIANCE (CULTURA      19
ENDANGERED SPECIES ACT CONSULT      19
DRAFT PROGRAMMATIC CATEX      91
PROGRAMMATIC CATEX      91
ASSIGN PROJECT DESIGNER      20
GROUND SURVEY      20
Enter-PF1---PF2---PF3---PF4---PF5---PF6---PF7---PF8---PF9---PF10--PF11--PF12---
HELP  RETEN  QUIT  UPDAT      BKWRD  FWRD
```

January 20, 2023

# HB 1012 REQUESTED AMENDMENTS



The following sections are NDCC 54-44.1-11 exemptions which continue state and federal funding appropriated in the 21 – 23 biennium:

## **SECTION 4. EXEMPTION – EMERGENCY ROAD REPAIR GRANTS.**

Section 54-44.1-11 does not apply to the \$750,000 in section 4 of chapter 40 of the 2021 Session Laws and any unexpended funds must be continued into the biennium beginning July 1, 2023, and ending June 30, 2025, and may be expended only for the purpose of providing grants to townships for emergency township road repairs.

## **SECTION 5. EXEMPTION – TRANSPORTATION GRANTS.**

Section 54-44.1-11 does not apply to the \$1,609,357 in subdivision 10 of section 2 of chapter 28 of the 2021 Session Laws and any unexpended funds must be continued into the biennium beginning July 1, 2023, and ending June 30, 2025, and may be expended only for the purpose of COVID-19 grants.

**SECTION 6. EXEMPTION – DISCRETIONARY MATCH.** Section 54-44.1-11 does not apply to the \$100,000,000 in section 13, subsection 2, of chapter 15 of the 2021 Session Laws and any unexpended funds must be continued into the biennium beginning July 1, 2023, and ending June 30, 2025, and may be expended only for the purpose of matching federal discretionary funds.

**SECTION 7. EXEMPTION – INFRASTRUCTURE PROJECTS.** Section 54-44.1-11 does not apply to the \$100,000,000 in section 13, subsection 3, of chapter 15 of the 2021 Session Laws and any unexpended funds must be continued into the biennium beginning July 1, 2023, and ending June 30, 2025, and may be expended only for the purpose of defraying the expenses of road and bridge construction projects.

**SECTION 8. EXEMPTION – INFRASTRUCTURE PROJECTS.** Section 54-44.1-11 does not apply to the \$55,000,000 in section 5 of chapter 15 of the 2021 Session Laws and any unexpended funds must be continued into the biennium beginning July 1, 2023, and ending June 30, 2025, and may be expended only for the purpose of road and bridge projects.

**SECTION 9. EXEMPTION – INFRASTRUCTURE PROJECTS.** Section 54-44.1-11 does not apply to the \$70,000,000 in section 10 of chapter 80 of the 2021 Session Laws and any unexpended funds must be continued into the biennium beginning July 1, 2023, and ending June 30, 2025, and may be expended only for the purpose of state highway bridge projects and for matching federal funds for state highway projects.



**SECTION 10. EXEMPTION – INFRASTRUCTURE PROJECTS.** Section 54-44.1-11 does not apply to the \$317,000,000 in section 7 of chapter 548 of the 2021 Session Laws and any unexpended funds must be continued into the biennium beginning July 1, 2023, and ending June 30, 2025, and may be expended only for the purpose of road and bridge projects.

**SECTION 11. EXEMPTION – TRANSPORTATION GRANTS.** Section 54-44.1-11 does not apply to the \$61,700,060 in subdivision 10 of section 1 of chapter 27 of the 2021 Session Laws and any unexpended funds must be continued into the biennium beginning July 1, 2023, and ending June 30, 2025, and may be expended only for the purpose of COVID-19 surface transportation grants.

**SECTION 12. EXEMPTION – INFORMATION TECHNOLOGY PROJECTS.** Section 54-44.1-11 does not apply to the \$13,660,000 in the operating expenses line item relating to the information technology projects in section 1 of chapter 40 of the 2021 Session Laws and any unexpended funds must be continued into the biennium beginning July 1, 2023, and ending June 30, 2025, and may be expended only for the construction and materials management system, traffic counting and data estimating and analysis program, and the website drupal uplift.

**SECTION 13. CONTINGENT LOAN AUTHORIZATION – CONTINGENT APPROPRIATION – HIGHWAY IMPROVEMENT PROJECTS.** The department of transportation may borrow from the Bank of North Dakota, \$50,000,000, or so much of the sum as may be necessary, to match \$50,000,000 of federal funds that may become available, for the biennium beginning July 1, 2023, and ending June 30, 2025. The funds borrowed under this section from the Bank of North Dakota and the federal funds are appropriated to the department of transportation. The department of transportation shall request from the sixty-ninth legislative assembly an appropriation to repay any outstanding loans authorized in this section.

**SECTION 14. ESTIMATED INCOME – STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The estimated income and the capital assets line items in section 1 of this Act include the sum of \$300,000,000 from the strategic investment and improvements fund for infrastructure projects and matching federal formula and discretionary grants.

**SECTION 15. CONSTRUCTION OF REST AREA AND VISITOR CENTER.** Notwithstanding any other provision of law, the director of the department of transportation may enter into a cooperative agreement with a public or private entity and may expend moneys from the state highway fund or any moneys within the limits of the legislative appropriations for the purpose of constructing a rest area and visitor center in western North Dakota, for the biennium beginning July 1, 2023, and ending June 30, 2025.

The following section allows the NDDOT to utilize bond proceeds for state highway road and bridge projects by amending 2021 session law:

**SECTION 16. AMENDMENT.** Section 10 of chapter 80 of the 2021 Session Laws is amended and reenacted as follows:

**SECTION 10. APPROPRIATION - HIGHWAY FUND - ~~CONTINGENT TRANSFER.~~** There is appropriated out of any moneys in the highway fund in the state treasury, not otherwise appropriated, the sum of \$70,000,000, or so much of the sum as may be necessary, derived from bond proceeds to the department of transportation for state highway road and state highway bridge projects and for matching federal funds that may become available, for the biennium beginning July 1, 2021, and ending June 30, 2023. ~~Of the \$70,000,000, \$35,000,000 is designated for state highway bridge projects, and \$35,000,000 is designated for matching federal funds that may become available for state highway projects in excess of the federal funds appropriated to the department of transportation as part of its 2021-23 biennial budget. By October 1, 2022, the director of the department of transportation shall certify to the office of management and budget the amount of funding committed to matching excess federal funds from the \$35,000,000 provided under this section. If the amount committed is less than \$35,000,000, the office of management and budget shall transfer any uncommitted amounts to the infrastructure revolving loan fund under section 6-09-49.~~

**SECTION 17. AMENDMENT.** Section 57-40.3-10 of the North Dakota Century Code is amended and reenacted as follows:

**57-40.3-10. TRANSFER OF REVENUE.** Seventy-five percent of all ~~All~~ moneys collected and received under this chapter during the period of July 1, 2023, through June 30, 2024, and fifty percent of all moneys collected and received under this chapter thereafter must be transmitted monthly by the director of the department of transportation to the state treasurer to be transferred and credited to the general fund. Twenty-five percent of all moneys collected and received under this chapter during the period of July 1, 2023, through June 30, 2024, and fifty percent of all moneys collected and received under this chapter thereafter must be transmitted monthly by the director to the department of transportation highway fund. Upon the creation of a flexible transportation fund, the director of the department of transportation shall transfer all moneys collected and received from motor vehicle excise tax from the department of transportation highway fund to the flexible transportation fund.



# AGENCY BILLS

# AGENCY BILLS

- ~~**HB 1078 | Urban Area Exemption**~~ – Exempts urban areas from requirements regarding sign obstruction set forth under 24-17-12
- **HB 1079 | Reciprocal Agreements for Inspection of Fabricated Products** – Would allow for reciprocal agreements between ND and other states on inspection services for products produced in ND.
- **HB 1080 | Registration Card** – Allows for a mobile e-registration card to be carried in a mobile wallet, similar to the mobile ID card.
- **HB 1081 | User Fees from Out-of-State EV Drivers** – Allows for the collection of user fees from out-of-state drivers.

# AGENCY BILLS

- **HB 1102 | Private/Public Partnerships on Federal Grant Applications** – Allows the NDDOT the authority to enter into agreements necessary to effectively administer grant projects. **Fiscal note provided.**
- **HB 1103 | Certification Extension** – Updates HB 1431, Section 10 to extend the timeframe NDDOT must certify commitment of bond proceeds to match excess federal funding to June 30, 2023.
- **SB 2063 | Public/Private Partnerships for EV Charging** – Allows the NDDOT to engage in public/private partnerships in the construction, operation and maintenance of EV charging infrastructure. **Fiscal Note: \$16.2M/per biennium**

# AGENCY BILLS

- **SB 2110 | Road Maintenance on National Park Service Roads** – Allows the NDDOT to support roadway maintenance and/or snow removal in the national park. *Fiscal note provided.*
- **SB 2111 | Electronic Title Issuance (Red Tape)** – Transitions titles from paper to electronic vehicle titles, saving time for lenders/lienholders.
- **SB 2112 | Drug and Alcohol Clearinghouse** – Allows NDDOT to comply with a Nov. 2021 federal rule change in the Federal Motor Carrier Safety Regulations requiring states to use the federal Drug and Alcohol Clearinghouse.
- **SB 2113 | Flexible Transportation Fund** – Allows the NDDOT a flexible funding source to improve timely response to unanticipated local government needs, economic development support, federal grant wins, and other state/federal funding needs. *Fiscal note provided.*



# QUESTIONS?

NORTH  
**Dakota** | Transportation  
Be Legendary.

