

Testimony Prepared for the
House Transportation Committee

January 27, 2023

By: Nick West, Grand Forks County Engineer



RE: Opposition for HB 1253 – Relating to Transportation of Aggregate Material

Chairman Ruby and members of the House Transportation Committee, thank you for the opportunity to provide testimony on HB 1246⁵³. I am Nick West, the Grand Forks County Engineer, and I also serve as the past president and a member of the legislative committee for the ND Association of County Engineers (NDACE).

The NDACE is opposed to HB 1253. Damage to vehicles from a passing loaded truck, particularly windshields is an issue, however our experience is that it is infrequent, minor in comparison and the magnitude of the issue doesn't justify a change in law. Current law (NDCC 39-21-44.1) states "no vehicle may be driven on any highway unless it is so constructed or loaded as to prevent its contents from dropping, sifting, leaking, or otherwise escaping therefrom". If a truck violates this, they can be cited.

If HB 1253 is enacted, it will have a cost to the taxpayer, in this case would take funds away from a county project. In the 9-years I've been at Grand Forks County I can't think of a time where tarping could have prevented a claim.

Approximate initial estimates are in the \$4000 range per truck to add a tarping system, plus ongoing maintenance. Grand Forks County alone has 15 trucks that this law would apply to, equating to an upfront cost of \$60,000.

Chairman Ruby and committee members, the NDACE and Grand Forks County Highway Dept would ask for a Do Not Pass committee recommendation.

Thank you for your time and service to ND.