

WRITTEN TESTIMONY OF:

**Trooper Jacob Jones, North Dakota Highway Patrol**

Good morning, Chairman Ruby and members of the House Transportation committee. My name is Jacob Jones and I serve as a trooper and crash reconstructionist for the North Dakota Highway Patrol. I am here to provide testimony in support of Senate Bill 2169.

This bill amends NDCC 39-06.1-06 by adding a \$100 fine for repeat offenders. The sections of law identified in this bill, such as drag racing, texting while driving, speeding, and disregarding stop signs are all serious in nature and can have devastating consequences.

According to Insurify, a car insurance comparison website, North Dakota has the highest amount of repeat driving offenses in the United States, with an over eight percent higher re-offending rate than the next leading state. Insurify noted that 16 percent of North Dakota drivers who caused a crash and 29 percent with a speeding ticket will go on to commit a second offense of the same type.

This bill addresses the choices of those repeat offenders to encourage safe driving with the ultimate goal of reducing serious injury and fatal crashes on our roadways.

I researched recent cases from the past few years that demonstrate repetitive risk-taking behavior that ultimately led to a serious crash or the same behavior that continued after a serious crash occurred. I did not include names in these examples, but they are real people who committed these violations. This is not a comprehensive list, just a very small sample taken from many of the cases I have worked on. I am sure there are many more examples from across the state and from other agencies.

In June 2021, a 48-year-old male was found to be traveling 78 mph to 96 mph in a 55-mph zone, he lost control, crashed, and fatally injured the passenger in his vehicle. While previous violations were outside a 5-year window, this individual had prior violations such as reckless endangerment; fleeing law enforcement; driving while suspended; driving without a license; driving without insurance etc.

In July 2021, a 27-year-old female struck and killed a pedestrian. She had a prior conviction for speeding in March 2020 and disregarding a stop sign in February 2021.

In March 2022, a 30-year-old female struck another vehicle and killed the driver. Just prior to the crash, this female had been traveling 20 mph over the posted speed limit. This driver had a prior conviction in August 2020 for a red-light violation and seat belt violation. This driver also had a prior conviction in January 2022, approximately 2 months before the fatal crash, for a stop/yield sign violation.

Also in March 2022, a 23-year-old female was charged with DUI, fleeing, reckless endangerment and obstructing a government function after fleeing a traffic stop and crashing a vehicle into a house. In May 2019, this same driver was convicted of DUI. In November 2019, this same driver was convicted of being an unqualified driver and in September 2021, this same driver was convicted of texting and driving. Luckily, she was the only person injured in this incident.

In July 2022, a 26-year-old male driver struck another vehicle causing it to overturn; killing one of the occupants and injuring two others. This driver then fled the scene. This driver did not have traffic violations that are on the list within this bill, but had prior convictions for window tint, no front plate, and seatbelt violations. This driver also had a criminal history prior to this crash.

In September 2022, a 50-year-old male motorcycle driver lost control and crashed his motorcycle, fatally injuring his passenger. This driver was cited with failure to maintain control and operating without a license. Since that fatal crash, this driver has been convicted of 2 speeding citations, 6-10 mph over and 16-20 mph over the posted speed limit.

Finally, some examples to demonstrate how dangerous and prevalent distracted driving is and how quickly it can go from a \$100 dollar ticket to the death of a loved one. We all drive around and see others next to us scrolling on their phones, it is certainly not a rare occurrence. This increase in technology is matched with increased investigative technology. In many cases, investigators can forensically collect digital evidence from vehicles, phones, and cellphone company records.

In July 2020, a 24-year-old male was driving a commercial motor vehicle while watching pornography on his cellphone. In fact, he had been on and off his phone nearly continuously for about 136 miles while driving on the interstate. There had been an unrelated crash and motorists were being cautious and slowing down while passing the initial crash scene. This driver, distracted on his phone for nearly 8 minutes, crashed into the rear of a slower moving vehicle near the crash scene. He didn't even hit the brakes, killing the 52-year-old female passenger in the first vehicle. She was on her way to Yellowstone National Park for a summer vacation with her husband.

In April 2021, an 18-year-old female was on her way to school with about a month to graduation. Evidence indicates she was scrolling through Facebook when she rear-ended an off-highway vehicle killing the driver and injuring the passenger.

In September 2021, a 43-year-old male rear-ended a mother and her two children on a two-lane highway. The mother's vehicle was pushed head-on into an SUV occupied by two adults who were killed in the crash. The 43-year-old male who initiated the crash had been on social media apps on his phone prior to the crash.

Senate Bill 2169 would increase penalties for those who have shown a pattern of violating North Dakota's traffic laws which are in place to keep everyone safe. People do make mistakes but mistakes in vehicles can be deadly. If drivers continuously violate the traffic statutes outlined in the bill, the added level of deterrence will be enough to make them choose more responsible, safer decisions when driving.

This concludes my testimony. I am happy to answer any questions you may have.