

1999 HOUSE FINANCE AND TAXATION

HB 1216

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1216

House Finance and Taxation Committee

Conference Committee

Hearing Date January 18, 1999

Tape Number	Side A	Side B	Meter #
1	X		6.1
Committee Clerk Signature <i>Jamie Atty</i>			

Minutes:

REP. BELTER Opened the hearing.

REP. BETTE GRANDE, DIST. 41, FARGO, Introduced the bill as the prime sponsor.

She explained what the bill did. She stated the same rules applied as for ATV laws. She presented an amendment to the bill with an emergency clause to have this ready for spring.

REP. BERNSTEIN, DIST. 45, FARGO, Testified in support of the bill. Stating they were very fortunate that this company picked Fargo to locate in, this will not only affect Fargo, but the whole state of North Dakota.

SEN. TIM FLAKOLL, DIST. 47, Testified in support of the bill. Stated it will be good for the state of North Dakota. Stated that public institutions will be able to utilize these vehicles, so subsequently, there will be a secondary affect.

NEAL DOTY, PRES. OF GLOBE ELECTRIC MOTOR CARS, Testified in support of the bill.

Gave a background of the company who manufactures the vehicles and where they have plants as of this date, and what the vehicles can be used for. He also gave an account of what they are made of, the weight of the vehicles and the price for them.

REP. KIM KOPPELMAN, DIST. 13, WEST FARGO, Testified in support of the bill.

Stated it is exciting for those of us in North Dakota to have a new product that not only has some viability here which is what this bill deals with, but also is a great export product.

REP. BELTER TO NEAL DOTY You have limited these vehicles to roads that are posted at 35 miles per hour or less, was that something you negotiated with, the highway patrol, or local police authorities?

NEAL DOTY I believe that number came from other states and we just adopted it.

REP. SCHMIDT If I had this bill on my own land, page 3 says use exclusively for work, couldn't I use this for a Sunday afternoon.

NEAL DOTY I don't know if there would be work police out that day, so you could probably get away with it.

REP. WARNER Asked whether this vehicle was like a golf cart or a small jeep.

NEAL DOTY The vehicle is approximately one thousand pounds, stretched out about six feet, with a heavy duty aluminum frame on the backend. We send out a chassis at the dealer site, there they put on a variety of platform, flatbeds, stakebeds, van bodies, dump trucks, there are a number of applications which can be put on. The air force is looking for a flatbed for toolboxes on the flight line. They also really like the concept of not smelling fumes in the hangars.

KEITH KEISER, NORTH DAKOTA DEPARTMENT OF TRANSPORTATION, Appeared in support of the bill. To answer Rep. Schmidt and Rep. Belter's question regarding this slow moving vehicle on a highway, he didn't think it could be, however, possibly a farmer out looking at his crops would be permissible. He presented amendments to the committee stating on page 2, line 17, to change the word "shall" to "may". They also wanted to eliminate the rules. REP. GROSZ Was concerned about the 35 mile per hour speed limit, allowed for the vehicles, he felt it should be changed to 25 mile per hour roads.

KEITH KEISER He stated the bill contains language which will allow local government to restrict where and what streets these vehicles can be operated.

With no further testimony, the hearing was closed.

COMMITTEE ACTION 1-18-99, Tape #2, Side A, Meter #38.5

REP. GRANDE Made a motion to adopt the Grande and the Department of Transportation amendments which were submitted during testimony.

REP. CLARK Second the motion. MOTION CARRIED BY VOICE VOTE.

REP. GROSZ Felt there might be a problem with a vehicle that is allowed to drive on a 35 mile per hour road, he felt there would be accidents if they allowed this and the bill should be amended to allow these vehicles to only drive on 25 miles per hour roads.

Other committee members felt the local jurisdiction could deal with that problem.

REP. CLARK Made a motion for a DO PASS AS AMENDED.

REP. WARNER Second the motion. MOTION CARRIED.

12 Yes 1 No 2 Absent

REP. CLARK Was given the floor assignment.

FISCAL NOTE

(Return original and 10 copies)

Bill/Resolution No.: HB 1216 Amendment to: _____

Requested by Legislative Council Date of Request: 1-8-99

1. Please estimate the fiscal impact (in dollar amounts) of the above measure for state general or special funds, counties, cities, and school districts. .

Narrative:

The fiscal impact of this bill will be less than \$5,000.

2. State fiscal effect in dollar amounts:

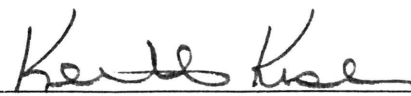
	1997-99 Biennium		1999-2001 Biennium		2001-03 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						

What, if any, is the effect of this measure on the budget for your agency or department:

- a. For rest of 1997-99 biennium: None
- b. For the 1999-2001 biennium: None
- c. For the 2001-03 biennium: None

4. County, city, and school district fiscal effect in dollar amounts:

1997-99 Biennium			1999-2001 Biennium			2001-03 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

Signed: 
 Typed Name: Keith Kiser, Motor Vehicle Director
 Department: Department of Transportation
 Phone Number: 328-2725
 Date Prepared: 1-11-99

Please type or use black pen to complete

Date 1-18-99

Roll call vote # 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. HB 1216

House HOUSE FINANCE & TAX Committee

- Subcommittee on _____
- Conference Committee

} Identify or check where appropriate

Legislative Council Amendment Number _____

Action Taken Do Pass as amended

Motion Made By Rep. Clark Seconded By Rep. Warner

Representatives	Yes	No	Representatives	Yes	No
BELTER	✓		WINRICH	✓	
RENNERFELDT	✓				
CLARK	✓				
FROELICH	A				
GRANDE	✓				
GROSZ		✓			
HERBEL	✓				
KROEBER	✓				
MICKELSON	A				
NICHOLAS	✓				
RENNER	✓				
SCHMIDT	✓				
WARNER	✓				
WIKENHEISER	✓				

Total 12 1
(Yes) (No)

Absent 2

Floor Assignment Rep. Clark

If the vote is on an amendment, briefly indicate intent:

DO NOT USE HIGHLIGHTER ON ANY FORMS

REPORT OF STANDING COMMITTEE

HB 1216: Finance and Taxation Committee (Rep. Belter, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (12 YEAS, 1 NAY, 2 ABSENT AND NOT VOTING). HB 1216 was placed on the Sixth order on the calendar.

Page 1, line 3, remove "and" and after "penalty" insert "; and to declare an emergency"

Page 2, line 17, replace "shall" with "may"

Page 3, line 6, after "low-speed" insert "vehicle"

Page 3, line 16, remove "The department shall adopt rules that except low-speed vehicles from the"

Page 3, remove lines 17 and 18

Page 3, line 19, replace "require a" with "A" and replace "to" with "must"

Page 6, after line 19, insert:

"SECTION 3. EMERGENCY. This Act is declared to be an emergency measure."

Renumber accordingly

1999 SENATE FINANCE AND TAXATION

HB 1216

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1216

Senate Finance and Taxation Committee

Conference Committee

Hearing Date 2-10-99

Tape Number	Side A	Side B	Meter #
HB 1216 #1	X		1033-4350
Committee Clerk Signature <i>Shila Wald Clerk</i>			

Minutes:

Sen Urlacher opened the hearing on HB 1216. A BILL RELATING TO THE MOTOR VEHICLE EXCISE TAX TO PROVIDE A PENALTY AND TO DECLARE AN EMERGENCY.

Repr. Bernstein - Very much in support of this bill, it is very good for ND. These cars are sublet components to all kind of towns in ND.

Sen. Flakoll - Submitted handout and testimony that is attached.

Repr Kim Koppelman- Testimony submitted and attached.

Sen Deb Mathaern - In support of this bill

Gary Pape - Global Electric Motor Cars. Handouts of new models. Cities in ND are helping with production and we would like to keep it in ND. This would be a model for other States. Brings benefit to State. we are legal in 10 States. We employ 38 people and hope to raise that to 50.

Page 2

Senate Finance and Taxation Committee

Bill/Resolution Number Hb 1216

Hearing Date 2-10-99

.Sen Wardner - Has the registration and license met Motor Vehicle standards? Is it approved for all roads or not yet?

Gary Pape - Only a residence vehicle, not allowed on Interstate.

Sen Urlacher - Is there a market outside of ND? Why ND for your production?

Gary Pape - My home is here and we believe in ND.

Sen Schobinger - How many miles will this vehicle make.

Gary Pape - 20 miles, fully charged and it takes 8 hours to charge.

Keith Kaiser - Director of Transportation - Neutral position. This bill is workable, lic plate for vehicle, implement this with our staff.

Sen Kinnoin Could Medora do this right now?

Keith Kaiser_ They could permit but not on highways running through the city. It would be a local ordinance not the State ordinances.

Steve Strege - Testimony submitted & attached. request a DO NOT PASS

Sen Urlacher closed hearing on 1216.

DISCUSSION 2-24-99 MOTION TO DO PASS WAS MADE BY SEN. SCHOBINGER AND SECONDED BY SEN KROEPLIN. 6 - 1 - 0 CARRIER IS SEN. SCHOBINGER.

Date: 2-24-99
Roll Call Vote #: ①

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1216

Senate Senate Finance and Taxation Committee

Subcommittee on _____
or
 Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Schobinger Seconded By Kroeplin

Senators	Yes	No	Senators	Yes	No
SENATOR URLACHER	✓				
SENATOR CHRISTMANN	✓				
SENATOR SCHOBINGER	✓				
SENATOR STENEHJEM	✓				
SENATOR WARDNER	✓				
SENATOR KINNOIN		✓			
SENATOR KROEPLIN	✓				

Total (Yes) 6 No 1

Absent _____

Floor Assignment Sen. Schobinger

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
February 26, 1999 11:56 a.m.

Module No: SR-34-3655
Carrier: Schobinger
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1216, as engrossed: Finance and Taxation Committee (Sen. Urlacher, Chairman)
recommends **DO PASS** (6 YEAS, 1 NAY, 0 ABSENT AND NOT VOTING). Engrossed
HB 1216 was placed on the Fourteenth order on the calendar.

1999 TESTIMONY

HB 1216

House Bill 1216 February 10, 1999

Chairman Urlacher and member of the Finance and Tax committee. For the record, I am Senator Tim Flakoll of District 44 of Fargo.

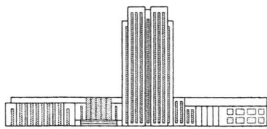
HB 1216 is a bill I support strongly. It is a sound bill, designed to help the future of our state, but it also has national implications.

Others will testify later about specifics but let me explain a few things that I feel are important:

- 1) Each political subdivision controls if they will, or will not allow vehicles of this type in their communities as provide within the law.
- 2) The cost of these vehicles can typically range in price from \$7,000-9,000 so they are relatively inexpensive to purchase.
- 3) They are relatively inexpensive to operate, compared to combustion engines.
- 4) This translates to an inexpensive vehicle to operate by not only individuals but government agencies such as: postal workers, military bases, security inspectors, construction sites, park systems and countless other uses. They are also great at docks, marines or port of calls.
- 5) These electric vehicles are good for our environment.
- 6) This type of vehicle goes a long way towards meeting Federal mandates for vehicles with alternative fuel sources.

Others will testify later and in greater detail related to this class of vehicles. It is also important to note that the major manufacturer of vehicles of this type is located here in North Dakota. This company sells vehicles throughout the world and has a long term commitment to our state and I stand to support their efforts.

This is a good bill for our state and I encourage you support.
I will be happy to answer any questions.



NORTH DAKOTA HOUSE OF REPRESENTATIVES



Representative Kim Koppelman
District 13
513 First Avenue NW
West Fargo, ND 58078-1101

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360

COMMITTEES:
Judiciary,
Vice Chairman
Political Subdivisions

Testimony on House Bill 1216
before the Senate Finance & Tax Committee
by Rep. Kim Koppelman
2-10-99

Mr. Chairman and Members of the Senate Finance & Tax Committee, I regret that I am not able to personally attend your hearing on House Bill 1216 this morning. We are acting on important legislation on the House floor, during the time of your hearing, and I must be present for those votes.

For the record, I am Rep. Kim Koppelman and I represent District 13, which consists essentially of West Fargo and a small surrounding rural area. I was pleased to be a co-sponsor of House Bill 1216, after learning of the exciting, innovative work being done in the manufacture of electric cars by a business in our state.

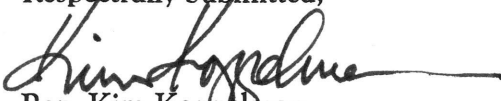
We hear a lot about economic development these days. Often, this involves the investment of state funds. House Bill 1216 is truly an economic development bill, but no one is standing with their hand out for state funds, in this legislation. Instead, we are simply being asked to pass legislation which will allow these new, innovative vehicles to operate under limited circumstances, in our state.

Electric cars which would be affected by this bill are manufactured by a Fargo firm and sold throughout the nation and are legal in many other states. Making them "street legal" in North Dakota will assist this firm in marketing its product in our state and will also place us on the cutting edge among states, in enacting legislation governing the use of these types of vehicles.

I am impressed by the fact that the Department of Transportation was consulted and, in fact, helped draft this legislation, to ensure its suitability and functionality.

Mr. Chairman and members of the Committee, I respectfully urge the passage of House Bill 1216 and thank you for your consideration.

Respectfully Submitted;


Rep. Kim Koppelman

What could
be better
than a two
passenger
GEM?

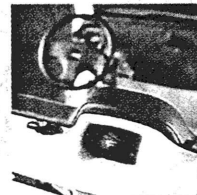


GEMTM

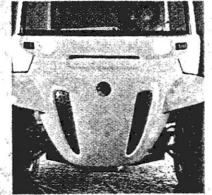
Global Electric MotorCars, LLC

Standard Features

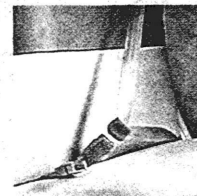
Safe – GEM is equipped with front wheel drive, four-wheel hydraulic brakes, safety glass windshield with wiper, and three-point anchored seatbelts. Standard features include headlights, high-mounted brake lights and turn signals. And GEM stands as tall as a mini-van, making it highly visible even in the busiest traffic.



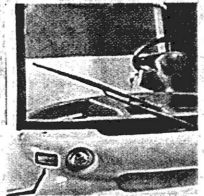
Rear Brake Lights and Backup Alarm



Automotive-Style Headlamps



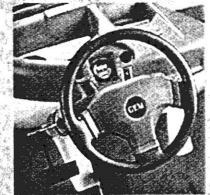
Anchored Three-Point Seatbelts



Windshield Wiper and Safety Glass Windshield

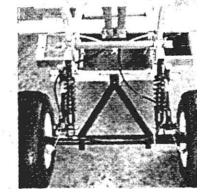


Adjustable Rear View Mirror

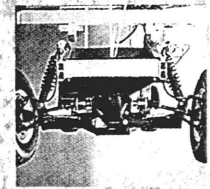


Steering Wheel and Turn Signal Control

Frame/Suspension



Rugged, Heavy-Duty Chassis

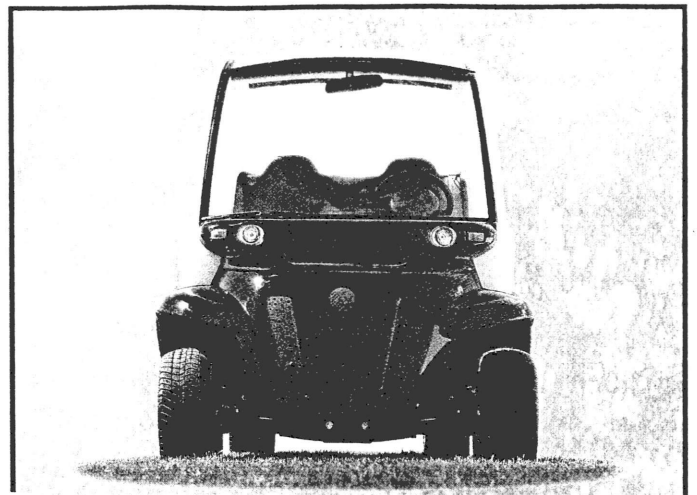


Smooth-Riding Suspension System



Global Electric MotorCars, LLC
Fargo, North Dakota

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in America.

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Makes You Smile

Practical

GEM is "practical" because it goes "practically" anywhere. It's inexpensive to operate, reduces traffic congestion, and there are no exhaust emissions. GEM is quiet and quick. It's great for neighborhood residents, vacationers and professional people. GEM makes it easy to run errands. Pick up the kids. Zip to the store, to meetings, to job sites. GEM creates a new life-style of function and convenience!

Affordable

GEM keeps cost down with low-maintenance batteries and an on-board charger that plugs into any 110-volt outlet to fully charge GEM in just 12 hours. The GEM has an operating cost of about a penny per mile and delivers plenty of value because it's built to last.

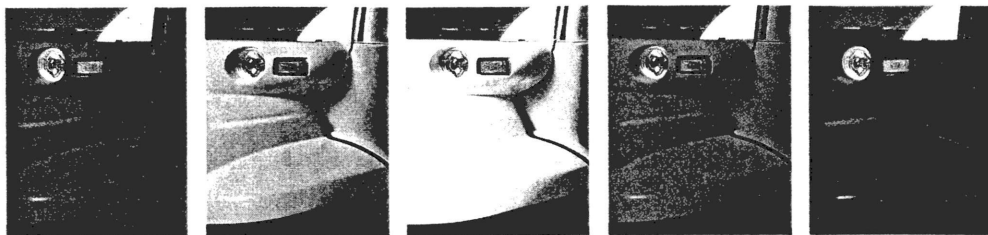
Functional

GEM seats two or four passengers comfortably. Drive at street speed up to 25 m.p.h.

- Ask us about federal and state tax credits available to you and your company
- Complies to all safety standards established by the Department of Transportation for street use in most states. Check your state and local laws.

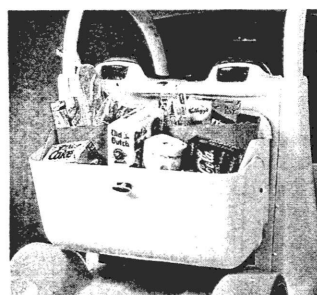
Colors

GEM is available in a varied, vivid palette of hues: green, yellow, white, blue and red. GEM – it's the NEW that's colorful and cute!



Attachments

GEM's Changeable Modular Cargo Packs let you carry just about anything – from groceries to grips to golf gear – and these handy units install in no time at all!



Swivel Pack



Utility Pack



Golf Pack



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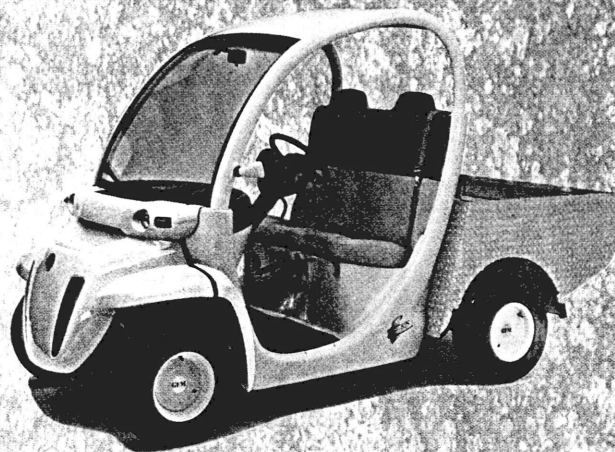
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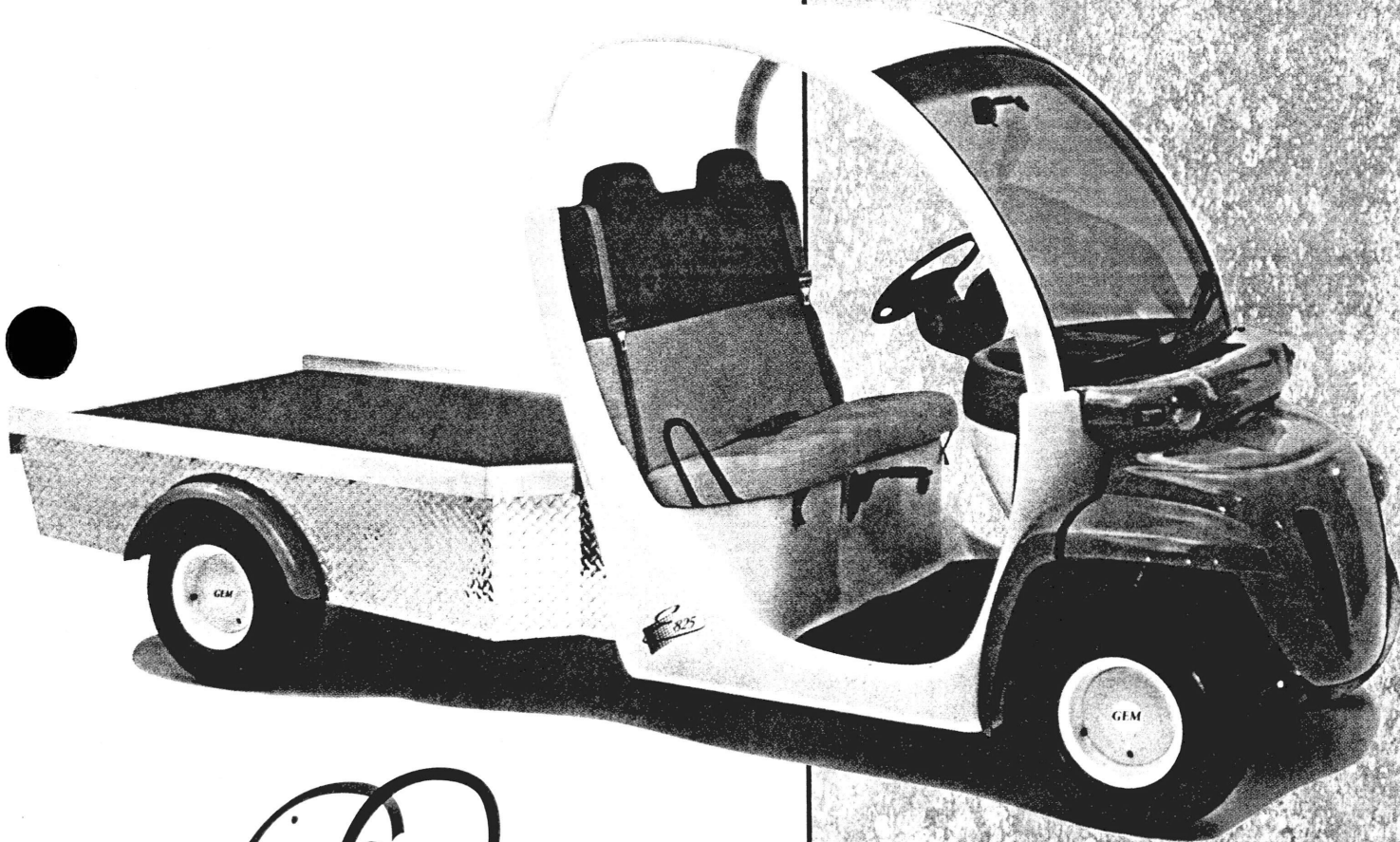
11/2 2/0

GEM's Utility Vehicles

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**Safe • Affordable
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Practical

GEM is "practical" because it goes "practically" anywhere. It is inexpensive to operate, reduces traffic congestion, and there are no exhaust emissions. GEM is quiet and quick.

Affordable

GEM keeps cost down with low-maintenance batteries and an on-board charger that plugs into any 110-volt outlet to fully charge GEM in just 8 to 12 hours. The GEM has an operating cost of about a penny per mile and delivers plenty of value because it's built to last.

Functional

Everything from golf course maintenance to industrial facilities to construction sites, the GEM is there to handle the load in an environmentally friendly manner.

- Complies to all safety standards established by the Department of Transportation for street use in most states. Check your state and local laws.

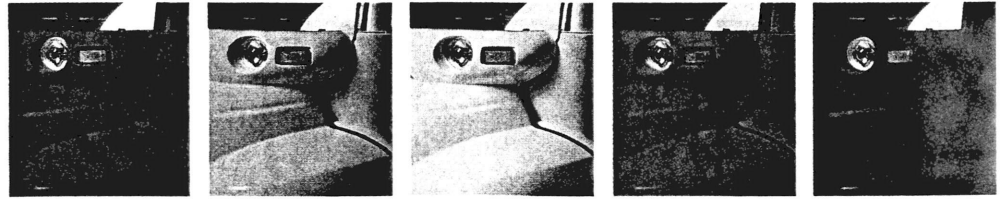
Not all accessories pictured or described herein are standard equipment. Options and features are subject to change without notice.



Global Electric MotorCars, LLC
Fargo, North Dakota

Colors

GEM is available in a varied, vivid palette of hues: green, yellow, white, blue and red.



GEM E825 Utility Specifications

LONG BOX:

Curb Weight: 1200 lbs. with batteries
GVW: 2300 lbs. (Gross Vehicle Weight)
Width: 55 inches
Wheelbase: 101 inches
Length: 144 inches
Height: 69.5 inches
Turning Radius: 12 feet 3 inches
Front Track: 52.5
Rear Track: 52.5
Payload: 800 lbs.

SHORT BOX:

Curb Weight: 980 lbs. with batteries
GVW: 1850 lbs. (Gross Vehicle Weight)
Width: 55 inches
Wheelbase: 71.1 inches
Length: 116 inches
Height: 69.5 inches
Turning Radius: 12 feet 3 inches
Front Track: 52.5
Rear Track: 52.5
Payload: 250 lbs.

Standard Equipment

POWER TRAIN

Motor: 72-volt shunt GE motor

Transmission: Front wheel drive direct-coupled Dana Spicer differential.

Speed Controller: GE solid state controller with:

- Key switch input
- High pedal disable
- Under voltage detector
- Regenerative braking
- Zero speed detect "Anti-Runaway"
- Thermal sensor protection

Tire: 4 ply street and turf rated tires.

Battery Pack: Six 12-volt deep-cycle batteries.

On-Board Charger: Proprietary 72 volt DC charger / using 110V AC house current.

CHASSIS

Brakes: 4-wheel automotive-style hydraulic brakes. Parking brake.

Front Suspension: Independent front wheel suspension, with two coil spring/shock units.

Rear Suspension: Trailing arm with four coil spring/shock units.

Steering: Automotive rack and pinion with permanently sealed tie rod ends.

Frame: Aluminum welded space frame using custom aluminum-alloy extrusions.

BODY

Seating: Seats two occupants. Bench seat – using a molded foam cushion covered by marine grade UV stable Vinyl coverings.

Passenger Restraints: Automotive-design safety belts.

Lighting: Quartz halogen headlights, front and rear turn signals, high mount rear brake lights.

Windshield: Laminated tinted automotive safety glass with wiper.

Body: Structural composite and thermo-plastic panels. **Horn:** Standard.

Rubber Floor Mat: Standard. **Safety Handles:** Passenger side hand and seat rail.

Reflector: Rear and Side. **Mirror:** Rearview and Driver's Side Exterior.

PERFORMANCE

Speed: Dual Controllable – Turf: 12-15 m.p.h. Street: 20-23 m.p.h.

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TESTIMONY OF STEVE STREGE ON HB 1216 – Feb 10, 1999
NORTH DAKOTA SENATE FINANCE AND TAXATION COMMITTEE
SENATOR HERB URLACHER, CHAIRMAN

Good morning Mr. Chairman and members of the Committee. I'm Steve Strege, a resident of West Fargo, ND and a ND-licensed driver since hauling pickup loads of grain to town off the farm in the 1960's. I'm here to speak against HB 1216 on my own behalf, not as representing any organized group.

I do believe however, that if all ND drivers were aware of this bill's impact, you'd be hearing much more opposition. To test that assumption you could conduct your own survey by asking drivers in your district if they would like to be delayed on 30 or 35 mph streets behind low-speed vehicles which take a mile to reach 20 mph and have a maximum speed of 25 mph. That is precisely what HB 1216 provides.

This bill will delay commerce and ND citizens' personal lives, and create traffic hazards. An example we can all relate to is coming up behind a payloader on a city street. On a two lane street you're stuck there until oncoming traffic clears. On a four lane street you may be able to get in the other lane and around the payloader. Chances are though that drivers behind you have already gotten over there and you're still stuck. These low speed vehicles will create even worse problems because they are not up high with flashing lights on them. I'm not suggesting a ban on payloaders on city streets. But there's likely to be many more of these low-speed vehicles than payloaders, and the street will be their only place of operation. Payloaders are on off-street job sites most of the time. It's realistic to expect more rear-end collisions and other accidents caused by numerous lane changes if HB 1216 becomes law.

I recently conducted my own experiment by driving 20 to 25 mph on some Fargo streets with a posted speed limit of 30 or 35 mph. Other drivers were almost on my rear bumper; there was some horn honking, many lane changes, and maybe a few obscene gestures as well. After just a few blocks I decided it wasn't worth it and that I could cause an accident, so I speeded up to normal traffic flow. You may want to conduct your own experiment here in Bismarck and/or in a city in your district.

While you're doing that, you could also check your acceleration to 20 mph. My modestly-powered family car and small pickup reach that speed in less than a couple hundred feet, without a jackrabbit start. But, according to the this bill, if you are behind one of these low-speed vehicles it can take a mile to reach 20 mph. Chances are you'll come to another light or stop sign before that. You may never reach more than 10 or 15 mph. We spend millions of dollars trying to expedite traffic flow and to make our roads safer. Why then would we allow such low speed vehicles on our streets and roadways?

Delaying commerce and drivers doesn't sound like economic development to me. It is not economic development to slow down parcel deliveries and increase workers' commuting time. I tested my drive to work at various speeds, and estimate that this bill will cost me time equivalent to more than one extra workweek per year on the road to and from work. That makes this a work productivity and family life issue. Thousands of drivers should not have to make such sacrifices for the benefit of this one car maker.

A newspaper article said these low speed vehicles are popular in retirement communities of Arizona and Florida. Good. I wish this manufacturer all the best in getting its product into that market. But cruising around a retirement community in a warm weather climate is a whole lot different than putting slowly-accelerating 20 or 25 mph vehicles on the 35 mph roadways of ND. I corresponded with a friend of mine who is retired and spends winters in Arizona. He told me this type of vehicle is great, quiet, and a good way to get around there. But, he said, the speed limit is 10 mph in his community and many others, or else there are speed bumps. With the voice of experience he said these vehicles do not belong out in regular traffic.

Let's not kid ourselves that HB 1216 is permissive legislation. Immediately upon enactment, allowing these vehicles will be mandatory for all North Dakota cities and towns on their streets and roadways with speed limits up to 35 mph. It will be only through specific action by the local jurisdiction, I'm guessing by city ordinance, that the vehicles can be prohibited or restricted. Rather than being permissive, it's more like being guilty until you prove yourself innocent, the opposite of the norm. True local control would be for these vehicles to remain prohibited unless a local jurisdiction, by specific ordinance, allows them. That way local drivers would have their say. This bill pushes these vehicles onto every community, rather than giving every community the right to invite these vehicles in, based solely on that community's initiative to do so.

Besides the traffic delays and safety aspects there's the licensing. HB 1216 says these vehicles will be licensed for ten bucks a year. Meanwhile, the drivers of standard cars who will be delayed and have their safety compromised by these vehicles, pay hundreds of dollars per year in license fees and gas taxes to keep up our roads. That doesn't seem fair.

I am not against electric cars or alternative means of transportation, at such time as they measure up to the standards of the vehicles driven by everyone else. I strongly recommend to you a Do Not Pass on HB 1216 because the vast majority of North Dakotans are not well-served by it.

I'll try to answer any questions of the committee.