

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION  
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1295

2007 HOUSE TRANSPORTATION

HB 1295

## 2007 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1295

House Transportation Committee

Check here for Conference Committee

Hearing Date: 01-19-2007

Recorder Job Number: 1441

Committee Clerk Signature

*Lisa M Thomas*

Minutes:

**Chairman Weisz opened the hearing on HB 1295. All Representatives were present.**

**HB 1295 relates to vehicles of excessive size and weight.**

**Rep. Weisz** introduced the bill.

**Rep. Weisz:** This is a simple bill. I think it's a win-win bill. Currently, our interstate system runs under federal rules and requirements. Many of the rules have to do with the federal interstate system and some states are grandfathered in, depending on what they had done and some states weren't. Unfortunately in North Dakota was one of that states that wasn't grandfathered in. Under current law, you are allowed eighty thousand pounds on the interstate. If you get a trip permit, you are allowed to haul up to a maximum of one hundred and five thousand five hundred pounds on the interstate. Currently if you have a combination vehicle that runs three axels on the rear, if you don't do anything, you can only haul eighty thousand on our state highways, they would be allowed to haul ninety-four thousand pounds. If they get this trip permit on the interstate, they would be allowed to haul eighty-eight thousand. Well, they have to get this permit every day no matter how many times they plan to go on the interstate and it becomes a real issue for the trucking industry and it came to my attention when one of my constituents had forgot to fill out a self-issuing permit and was stopped. He was well under the

eighty-eight thousand, but well over eighty thousand, of course he received a substantial fine. He forgot, and it becomes a real problem. All this bill is doing is allowing an annual permit. They will have to have a permit, but now any trucker or any industry can say, that for three hundred bucks, I'll buy a year permit and be good for a year. That's all this bill does. It should be revenue neutral. The DOT came up with the three hundred dollars. It's not a mandate.

**Rep. Thorpe:** The fiscal note says that the result could be a sixty-seven thousand dollar decrease.

**Rep. Weisz:** That isn't the revised fiscal note.

**Rep. Dosch:** Can you tell me, what is the real reason for a permit in the first place?

**Rep. Weisz:** Good question. Some of the states don't have it. If you have what is oversized, overweight, you still have to get an individual permit. Like the wind tower blades and stuff.

**Rep. Ruby:** Is this dealing with semis or is this a tri-axel?

**Rep. Weisz:** When I said tri-axel, I was meaning the tri-axel trailers.

**Rep. Ruby:** When they consider the weight, is it just the trailer weight or is it the total weight?

**Rep. Weisz:** That's the total weight. Tractor, trailer and cargo, are limited to eighty thousand pounds. If you add the extra axel on your trailer, again, state highways bump you up to ninety-four thousand. On the interstate, they limit you to eighty thousand. If you want to get a trip permit, fine, but you have to get it every day.

**Rep. Ruby:** This is similar to when we did the ten percent over, we did an annual fee, this is the same thing, but since it dealt with the interstates, it required the approval of the feds?

**Rep. Weisz:** Similar from the standpoint that we are going to an annual permit.

**There were no further questions from the committee.**

**Darcy Rosendahl,** Department of Transportation, spoke in support of the bill.

**Rosendahl:** The department supports the change. It is one of our goals to promote effective and efficient movement of commerce and we feel that this change will do that.

**Dick Johnson,** Motor Carrier's Assoc., spoke in support of the bill.

**Johnson:** Our association supports this legislation. It gives our members the opportunity to use an annual permit and that works best for them and it is still is available to use for a single permit.

**There were no further questions from the committee. There was no further support for the bill. There was no opposition to the bill. No action was taken at this time.**

**The hearing was closed.**

**FISCAL NOTE**  
 Requested by Legislative Council  
 01/19/2007

**REVISION**

Bill/Resolution No.: HB 1295

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Expenditures</b>	\$0	\$0	\$0	\$0	\$0	\$0
<b>Appropriations</b>	\$0	\$0	\$0	\$0	\$0	\$0

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

2A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill provides the option of purchasing an interstate permit for unlimited trips at \$300 per calendar year, instead of purchasing an interstate permit at \$5 or \$10 per trip.

B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

As written, this bill will have no substantial fiscal impact.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

B. **Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

C. **Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

<b>Name:</b>	Shannon L. Sauer	<b>Agency:</b>	NDDOT
<b>Phone Number:</b>	328-4375	<b>Date Prepared:</b>	01/19/2007

# FISCAL NOTE

Requested by Legislative Council

01/10/2007

Bill/Resolution No.: HB 1295

**1A. State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	2005-2007 Biennium		2007-2009 Biennium		2009-2011 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
<b>Revenues</b>				(\$67,000)		(\$67,000)
<b>Expenditures</b>						
<b>Appropriations</b>						

**1B. County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

2005-2007 Biennium			2007-2009 Biennium			2009-2011 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

**2A. Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This bill provides the option of purchasing an interstate permit for unlimited trips at \$300 per calendar year, instead of purchasing an interstate permit at \$5 or \$10 per trip.

**B. Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

Based on the carriers purchasing permits in ND that had trip activity sufficient to warrant purchasing an unlimited trip permit, we estimate the net revenue reduction to the Highway Fund would be approximately \$67,700 per biennium.

**3. State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

**A. Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

It is estimated that the provisions could result in a \$67,700 decrease in revenue to the Highway Fund per biennium.

**B. Expenditures:** *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

**C. Appropriations:** *Explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation is also included in the executive budget or relates to a continuing appropriation.*

<b>Name:</b>	Shannon L. Sauer	<b>Agency:</b>	NDDOT
<b>Phone Number:</b>	328-4375	<b>Date Prepared:</b>	01/17/2007

Date: 2-1-07  
Roll Call Vote #: 1

2007 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1295

House Transportation Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Owens Seconded By Delmore

Representatives	Yes	No	Representatives	Yes	No
Chairman Weisz	✓		Rep. Delmore	✓	
Vice Chairman Ruby	✓		Rep. Gruchalla	✓	
Rep. Dosch	✓		Rep. Myxter	✓	
Rep. Kelsch	✓		Rep. Schmidt	✓	
Rep. Owens	✓		Rep. Thorpe	✓	
Rep. Price	✓				
Rep. Sukut	✓				
Rep. Vigasaa	✓				

Total Yes 12 No 0

Absent 1

Floor Assignment Schmidt

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



**REPORT OF STANDING COMMITTEE**

**HB 1295: Transportation Committee (Rep. Weisz, Chairman) recommends DO PASS**  
(12 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1295 was placed on the  
Eleventh order on the calendar.

2007 SENATE TRANSPORTATION

HB 1295

## 2007 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1295

Senate Transportation Committee

Check here for Conference Committee

Hearing Date: February 22, 2007

Recorder Job Number: 3707

Committee Clerk Signature

*John Hauge*

Minutes:

**Senator Gary Lee** opened the hearing on HB 1295 relating to permits for vehicles of excessive size and weight. There were 5 committee members present and one absent.

**Representative Weisz** introduced and testified in favor of HB 1295. He said the bill allows for the transportation industry to purchase an annual permit to run up to 105,500 lbs. on Interstate. Currently the law allows the industry to purchase a trip permit. This bill will make things easier for the trucking industry to travel on Interstate. He also asked the committee to consider an emergency clause so the annual permits could be in place immediately and not have to wait until August to purchase an annual permit. He respectfully asked support of HB 1295.

**Senator Lee** asked why there was no Fiscal Note.

**Rep. Weisz** said that he worked with DOT and based on their analysis and predictions they believe that the annual permits will balance out the one trip permits. He said that they can't be sure but this is an estimate.

**Tom Balzer**, North Dakota Motor Carriers Association testified in favor of HB 1295. He said they support this piece of legislation and thank Rep. Weisz for his leadership on this bill.

**Senator Lee** asked Tom if this was just for the Interstate permits.

**Mr. Balzer** replied, "Yes".

**Senator Potter** had some question whether this would be revenue positive.

**Mr. Balzer** answered that many companies will take the annual permit on all their trucks even if they know that some of their trucks will not make very many loads. They will purchase the annual permit to just have it as a security blanket to protect them from being overweight.

**Darcy Rosendahl** of the NDDOT testified in support of HB 1295. They believe the three hundred dollars is fair and the bill will not require a fiscal note.

**Senator Bakke** asked if the emergency clause was acceptable to the DOT.

**Mr. Rosendahl** answered, "Yes, it would be."

**Senator Lee** closed the hearing on HB 1295.

**Senator Nething** moved to amend HB 1295 to declare an emergency.

**Senator Fiebiger** seconded the motion.

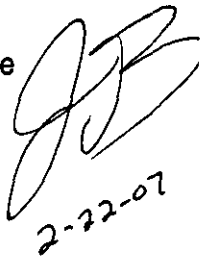
The clerk called the roll 5-0-1.

**Senator Bakke** moved a Do Pass as amended on HB 1295.

**Senator Potter** seconded the motion.

The clerk called the roll 5-0-1.

**Senator Fiebiger** will carry the bill.



Handwritten signature and date: 2-22-07

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1295

Page 1, line 2, after "weight" insert "; and to declare an emergency"

Page 2, after line 27, insert:

**"SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 12 95

Senate Transportation Committee

Check here for Conference Committee

Legislative Council Amendment Number Amendment - Emerging Clause

Action Taken Do Pass

Motion Made By Senator Nothing Seconded By Senator Fiebiger

Senators	Yes	No	Senators	Yes	No
Chairman Gary Lee	✓		Senator JoNell Bakke	✓	
V Ch John Andrist			Senator Tom Fiebiger	✓	
Senator Dave Nothing	✓		Senator Tracy Potter	✓	

Total (Yes) 5 No 0

Absent 1

Floor Assignment \_\_\_\_\_

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

2007 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1295

Senate Transportation Committee

Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass w Amendment

Motion Made By Senator Bakke Seconded By Senator Potter

Senators	Yes	No	Senators	Yes	No
Chairman Gary Lee	✓		Senator JoNell Bakke	✓	
V Ch John Andrist			Senator Tom Fiebiger	✓	
Senator Dave Nething	✓		Senator Tracy Potter	✓	

Total (Yes) 5 No 0

Absent 1

Floor Assignment Senator Fiebiger

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

**REPORT OF STANDING COMMITTEE**

**HB 1295: Transportation Committee (Sen. G. Lee, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1295 was placed on the Sixth order on the calendar.**

Page 1, line 2, after "weight" insert "; and to declare an emergency"

Page 2, after line 27, insert:

**"SECTION 2. EMERGENCY.** This Act is declared to be an emergency measure."

Renumber accordingly