

2013 HOUSE TRANSPORTATION

HB 1189

2013 HOUSE STANDING COMMITTEE MINUTES

House Transportation Committee Fort Totten Room, State Capitol

HB 1189
01-24-13
Job #17697

☐ Conference Committee

Committee Clerk Signature

Jeanette Cook

Explanation or reason for introduction of bill/resolution:

A bill relating to alternative speeding fees for certain nonresidents; and to provide a continuing appropriation.

Minutes:

Attachment #1

Chairman Ruby opened the hearing on HB 1189.

Representative Skarphol, District 2 Tioga, introduced HB 1189. If someone is stopped with another state's license plate, the bill suggests that the appropriate fine would be the highest fine applicable in the plate's state. We are not happy with the number of out-of-state plates in our community on vehicles with owners that work in the state of North Dakota. It seems that the current statutes, based on privacy issues and the constitutional requirement that you don't have to testify against yourself, are virtually unenforceable. For that reason, I decided that we will just let those folks keep their out-of-state plates, but there should be some penalty for doing it. I would like to encourage them to register their plates in North Dakota, but not necessarily require it. There will have to be some language changes in this bill to provide for that. I am fully aware that there may be some potential issues with the ability to do this based on some suggestions that it is unconstitutional. Until someone takes it to court, it is constitutional. The bill also had an additional caveat in it, in which it calls the difference between the North Dakota fine and the fine that is applicable in the plate's state, a special fee to be deposited in a special fee fund in the State Treasurer's office. It would be returned to the law enforcement entity that issued the ticket. It is my intent to give the officer the flexibility to decide whether the tickets should be for the out-of-state fine or the in-state based on their perception of the situation. For instance, a driver might live in Moorhead and work in Fargo, or a driver may be a tourist. The officer will use his discretion. There is no intent to raise revenue on people who are enjoying visiting the state.

Representative Weisz: It doesn't seem like there is a lot of workability in this law. Did you consider the difficulty for law enforcement in trying to find what the different fines would be? Maybe they could just pay double or triple the state schedule instead. Is there is a reason you couldn't do that to make it simpler?

Representative Skarphol: I talked to the Colonel before we wrote the bill, and he saw no reason why he would not be supportive of it. He didn't express any problem with having to provide the information that the bill requests. My reason for staying with the state of origin was that the people that are driving with out-of-state plates know what the highest potential fine would be in their states. It *would* be a deterrent.

Representative Oversen: I wonder how this bill would apply to **students** from other states?

Representative Skarphol: Students are not gainfully employed, so this won't affect them.

Representative Gruchella: Why did you limit the application of this bill to just speeding violations?

Representative Skarphol: The biggest concern in my district is safety. I thought it was probably the most likely violation. If the committee wants to apply the penalty to all violations, I have no issue with that.

Chairman Ruby: How will someone prove "gainfully employed"? Isn't that going to be difficult for law enforcement to prove, and won't it be inequitable application of the law?

Representative Skarphol: I look to the committee to make changes in the bill if they think there are changes that are more suitable. There are creative ways to do this, and it was done somewhat in haste, but I do believe it is an appropriate attempt to try to get people to come into compliance with state law.

Chairman Ruby: You mentioned the difference in dollars, would go to the law enforcement agencies and their budgets. That is very different than what has been done before. As far as appropriations, how would you look at that?

Representative Skarphol: The money that would normally go to the Common Schools Trust Fund still will. Only the difference will go to the law enforcement. In Montana the sheriffs make sure that the out-of-state workers license their vehicles. The reason they do this is that the counties get the money. I believe that the enforcing entity needs to get some reward for their efforts.

Representative Delmore: I don't see a lot of flexibility in the wording in the bill. I don't see where it says in the bill that a law enforcement officer can give an exemption for one driver and not another.

Representative Skarphol: The committee can provide what language they need.

Representative Delmore: Would it be your intent for it to affect the military personnel on our bases?

Representative Skarphol: Absolutely not.

There was not further support for HB 1189.
There was no opposition to HB 1189.

James Prochniak, North Dakota Highway Patrol, spoke in a neutral capacity on HB 1189. The Highway Patrol was asked to provide a fiscal note for this bill. He explained how they reached the numbers seen on the fiscal note. ~~See attachment #1.~~ He also confirmed that speeding is the most predominant violation that they see in their line of work.

Chairman Ruby: Is that assuming that all of those violators are gainfully employed in the state?

James Prochniak: I did have visit with Representative Skarphol, and at first blush we recognize the concern and the issue when it comes to "gainful employment" and the licensing of those vehicles. Originally there had been some move to try to tighten that law up after last session. Our officers went out and enforced it. The fine was increased fine with that, up to \$100. We had no problem going after those individuals until the tickets starting showing up in court. That became a problem because the drivers couldn't incriminate themselves if they didn't want to. We were lacking evidence that they were gainfully employed. So, as we understand the language in this bill, we would still have the same problem. Law enforcement would still have to try to figure out if the person was gainfully employed in our state to apply the greater fee. There would be a lot of uncertainty and questions, and a lot of officer discretion. In our organization we have a fairly strict enforcement policy because we want to lend as much consistency to as possible.

Chairman Ruby: Would you interpret this bill to apply to over-the-road truckers?

James Prochniak: I would not.

Representative Drovdal: You stated that it is difficult for you to enforce the residential requirement on license plates. What do you see as the difference between North Dakota enforcing this and Montana, for example?

James Prochniak: I don't specifically know Montana law, except for a couple of conversations that I had with an officer over there. There are a couple of large differences. The county sheriffs can go after them. They have a mechanism for their State Patrol to be more aggressive in that manner because they have a specific division that deals more with going after registration.

Chairman Ruby: Is there an issue about applying a penalty to in-state drivers versus out-of-state drivers?

James Prochniak: Yes, there is a concern. There are some red flags with this, and we have discussed it with the attorney general and our legal staff. There are a lot of different scenarios that could come up with this bill in its present form. That makes it complicated and puts the onerous on the officer immediately at the scene. That is a tough way for law enforcement to operate, to constantly have that decision making. Our enforcement policy tries to offer a level of consistency and remove a lot of the individual decision making.

Representative Gruchella: The responsibility of licensing out-of-state vehicles belongs to the Motor Vehicle Department. Is that correct?

James Prochniak: Yes.

Representative Gruchella: So, we already have the law that says that if you are gainfully employed here, you have to license your vehicle here. The problem we have is that it is not being done. Have you or Motor Vehicle come up with any other solutions that might solve this problem?

James Prochniak: There has been discussion with lawmakers and the Department of Transportation who want to get it right. It is a problem. They may be some other avenues that can address the problem other than this mechanism.

Representative Delmore: Do you think there will be more court challenges if this bill becomes law?

James Prochniak: That is exactly the conversation that we had in law enforcement agencies. We think it will be contested.

Dave Shipman, Sherriff of Morton County, spoke in a neutral position on HB 1189. He feels that there is good and bad in this bill. He feels that if he were the officer writing a ticket under this bill, and had to determine gainfully employed, he would write all the tickets under the North Dakota statute. It would be too difficult to determine if the violator was gainfully employed. He thinks that the money coming back to Morton County would be a good thing.

There was no further neutral testimony on HB 1189.
The hearing was closed on HB 1189.

2013 HOUSE STANDING COMMITTEE MINUTES

House Transportation Committee Fort Totten Room, State Capitol

HB 1189
01-25-13
Job # 17763

☐ Conference Committee

Committee Clerk Signature

Jeannette Cook

Minutes:

Chairman Ruby brought HB 1189 back before the committee for discussion. He reviewed the bill and stated his concerns over proving "gainfully employed" and with constitutional issues of applying different fines.

Representative Becker: It seems that there is a problem in the state with trying to get people to register their vehicles, but this a really roundabout way of doing it. I don't like the bill at all.

Representative Weisz: It was last session that we made the change to temporary licenses. From the numbers I've seen, it has been somewhat successful. I think there could be constitutional issues with this bill. With the speeding bill we are trying to make the fine system simpler. Now we are thinking of adding a book with 50 different state laws to determine the maximum fine?

Representative Drovdal: This bill is put in because we have constituents that are complaining about this problem. It is an ugly looking bill, but we have a problem, and it is not being solved!

Chairman Ruby: In last session's discussion, we were told that we weren't getting the enforcement because the counties don't get the funds directly. Indirectly they do, through the distribution fund. That way it gets shared across the state, but it does increase for everyone. It should be an incentive for enforcement. I don't understand why law enforcement can't go to an oil site and get the out-of-state employees to register that way. They told us that they had done it that way at the refinery in Mandan. In this bill another one of my concerns is that it only goes after the ones that speed. What about the rest?

Representative Sukut: Representative Drovdal stated what I was going to say. I can honestly tell you that we have license plates in Williston from all 50 states. It is a western North Dakota problem. When we ask law enforcement to step in and do a better job in this area, the first response we get is, "We don't have the staff to do it. Do you want us to be out there looking for license plates, or out there enforcing the law where it really makes a difference?" It is better after last session's bill about temporary plates, but it is still a

problem. This is a tough bill, and I agree that it will cause a lot of problems for those who have to enforce it.

Representative Kreun: I understand the problem. We had the same problem in Grand Forks when the airbase was being built. The law is there for commercial vehicles; it says that they have to license them. I don't think this is constitutional; we can't even charge East Grand Forks and Grand Forks differently at the landfill. I believe the problem will eventually fix itself as it has in other parts of the state. It is not just a western North Dakota problem.

Representative Schatz: I can see different views of this problem.

Representative Vigesaa: Has someone researched what they do in Montana? Should be we modeling something after what they do in law?

Representative Drovdal: What I understand is that a good share of the vehicle registration is retained in the county and not sent to the state. That is a direct incentive.

Overson: If we have a law that is difficult to enforce, and we are not getting anywhere, I don't think the solution is to create another law that will be equally difficult to enforce, to fix the first problem. I agree that we need to do something.

Representative Heller moved a DO NOT PASS on HB 1189.

Representative Kreun seconded the motion.

A roll call vote was taken. Aye 12 Nay 2 Absent 2 The motion carried.

Representative Gruchella will carry HB 1189.

FISCAL NOTE
Requested by Legislative Council
01/14/2013

Bill/Resolution No.: HB 1189

- 1 A. **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.*

	2011-2013 Biennium		2013-2015 Biennium		2015-2017 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	\$0	\$0	\$0	\$7,100,000	\$0	\$7,100,000
Expenditures	\$0	\$0	\$174,000	\$0	\$0	\$0
Appropriations	\$0	\$0	\$0	\$7,100,000	\$0	\$7,100,000

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

	2011-2013 Biennium	2013-2015 Biennium	2015-2017 Biennium
Counties			
Cities			
School Districts			
Townships			

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

Speeding citations would be issued to nonresidents at an average rate much higher than the current ND statutory fee schedule for speeding violations. The difference in fees would be deposited separately in the state treasury and distributed to the state or county agency issuing the citation.

- 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.*

According to data from the National Highway Traffic Safety Administration (NHTSA), the average national maximum speeding citation fee is approximately \$287. Based on ND Highway Patrol speeding citations issued to drivers with out-of-state addresses during the most recent two calendar years, the current estimate of new revenue is \$7.1 million for the 2013-2015 biennium. It is currently unknown what the impact would be for county law enforcement agencies.

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.*

A \$287 average was calculated based on data from NHTSA Summary Table of State Speed Laws (see attached). No funding is included in the executive budget. Revenue is estimated to be \$7.1 million for the operating fund of the Highway Patrol during the 2013-2015 biennium and potentially \$7.1 million for the 2015-2017 biennium. It is currently unknown what the impact would be for county law enforcement.

- 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.*

NDHP costs for ITD reprogramming of the citation system are estimated at \$25,000. Costs for reprogramming a software interface for the Supreme Court Administrators Office are estimated at \$98,000. The ND Department of Transportation estimates \$51,000 for reprogramming citation software used by many county law enforcement agencies. A few local law enforcement agencies may be using their own software that would also need to be updated

- 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.*

Under the bill, a continuing appropriation is provided which would be based on revenues received.

Name: James Prochniak

Agency: Highway Patrol

Telephone: 328-2455

Date Prepared: 01/18/2013

Summary Table of State Speed Laws

S T A T E	Sanctions for Exceeding the Speed Limit			Sanctions for Reckless Driving			Sanctions for Racing on the Highways		
	First Offense			First Offense			First Offense		
	Jail	Fine (\$)	Licensing Action	Jail	Fine (\$)	Licensing Action	Jail	Fine (\$)	Licensing Action
AL	NMT 10 D	NMT 100	S-NMT 1 Y ⁽¹⁾	NMT 90 D	25-500	S-NMT 6 M	5-90 D	25-500	S-6 M
AK		NMT 300	S-NMT 1 M ¹	NMT 1 Y	NMT 1,000	R-NLT 30 D		NMT 300	S-1 M ¹
AZ		NMT 250	S-NMT 1 Y ¹	NMT 4 M	NMT 750	S-NMT 90 D	NMT 4 M	NMT 750	S-NMT 90 D
AR	NMT 10 D	NMT 100	S-NMT 1 Y ⁽²⁾	5-90 D	25-500	S-NMT 1 Y ²	NMT 1 Y	NMT 1,000	S-NMT 1 Y ²
CA		NMT 100	S-NMT 30 D	5-90 D	145-1,000	S-NMT 30 D	90 D ⁽³⁾	355-1,000	S-6 M ³
CO		15-100	S-NMT 1 Y ¹	10-90 D	10-300	S-NMT 1 Y ¹		10-300	S-NMT 1 Y ¹
CT		NMT 50 ⁽⁴⁾	S-NMT 30 D ¹	NMT 30 D	100-300	S-30 to 90 D	NMT 1 Y	75-600	S-NMT 30 D ¹
DE		20	S-2 to 12 M ¹	10-30 D	100-300	S-2 to 12 M ¹	10-30 D	25-200	S-NMT 6 M
DC		15-100	S-2 to 90 D ⁽⁵⁾	NMT 3 M	NMT 250	R-6 M			
FL		25-250	S-30 D ⁽⁶⁾	NMT 90 D	25-500	S-30 D ⁶		NMT 500	S-30 D ⁶
GA	NMT 12 M	NMT 1,000	S-1 to 5 Y ⁽⁷⁾	NMT 12 M	NMT 1,000	S-1 to -5 Y ⁷	NMT 12 M	NMT 1,000	S-1 to-5 Y ⁷
		NMT 200	S-1 to 5 Y ⁽⁸⁾	NMT 30 D	NMT 1,000	S-1 to 5 Y ⁸	NMT 6 M	NMT 500	S-1 to 5 Y ⁽⁹⁾
ID		NMT 100	S-NMT 1 Y ¹	5-90 D	25-300	S-30 D	NMT 6 M	NMT 300	S-NMT 1 Y ¹
IL		NMT 1,000	S-NMT 1 Y ⁽¹⁰⁾	NMT 1 Y	NMT 2,500	S-NMT 1 Y ¹⁰	NMT 30 D	NMT 1,500	R-1 Y
IN		NMT 500	S-NMT 1 Y	NMT 180 D	NMT 1,000	S-NMT 1 Y	NMT 180 D	NMT 1,000	S-NMT 1 Y
IA	NMT 30 D	50-100	S-NMT 1 Y	NMT 30 D	50-100	S-NMT 1 Y	NMT 30 D	50-100	R-6 M
KS		NMT 500	S-NMT 1 Y ⁽¹¹⁾	5-90 D	25-500	R-NMT 1 Y	NMT 1 M	NMT 500	S-NMT 1 Y ¹¹
KY		NMT 100 ⁽¹²⁾	S-90 D to 2 Y ⁽¹³⁾		20-200	S-90 D to 2 Y ¹³	NMT 30 D	60-200	S-90 D to 2 Y ¹³
LA	NMT 30 D	NMT 175	S-NMT 1 Y ⁽¹⁴⁾	NMT 90 D	NMT 200	S-NMT 1 Y ¹⁴	NMT 30 D	NMT 175	S-NMT 1 Y ¹⁴
ME		25-250	S-15 D ¹	(NMT 6 M ⁽¹⁵⁾)	(NMT 1,000 ¹⁵)	(S-30 to 180 D ¹⁵)			
MD		NMT 500	S-NMT 2 Y ¹		NMT 1,000	S-NMT 2 Y ¹		NMT 500	S-NMT 2 Y ¹
MA		NLT 50 ⁽¹⁶⁾		2 W-2 Y	20-200	R-NLT 60 D	2 W-2 Y	20-200	R-NLT 60 D
MI		NMT 100	S-NMT 1 Y ¹	NMT 90 D	NMT 100	S-90 D ⁽¹⁷⁾	NMT 90 D	NMT 100	S-1 year ¹
MN		NMT 200	S-NMT 1 Y	NMT 90 D	NMT 700	S-NMT 1 Y			
MS	NMT 10 D	NMT 100	S ⁽¹⁸⁾		5-100	S ¹⁸			
MO	NMT-6 M	NMT 500	S-30 D to-1 Y ¹	(NMT 6 M ⁽¹⁹⁾)	(NMT 500 ¹⁹)	(S-30 D-1 Y ^{1&19})			
MT		10-100	S-6 M ⁽²⁰⁾	NMT 90 D	25-300	S-6 M ²⁰	NMT 6 M	50-500	S-6 M ²⁰
NE		10-200	R-6 M ¹	NMT 3 M	NMT 500	R-6 M ¹	NMT 6 M	NMT 1,000	R-6 M ¹
NV	NMT 6 M	NMT 1,000	S-NMT 1 Y ⁽²¹⁾	NMT 6 M	NMT 1,000	S-NMT 1 Y ²¹	NMT 6 M	NMT 1,000	S-NMT 1 Y ²¹
NH		NMT 1,000	S-NMT 30 D ⁽²²⁾		250-500	R-60 D		NMT 1,000	S-NMT 30 D ²²
NJ	NMT 15 D	50-200	S-30 to 180 D ¹	NMT 60 D	50-200	S-30 to 180 D ¹		25-100	S-30 to 180 D ¹
	NMT 90 D	NMT 300	S-NMT 1 Y ¹	5-90 D	25-100	S-NMT 90 D	NMT 90 D	NMT 300	S-NMT 1 Y ¹
	NMT 30 D	30-400	S/R ⁽²³⁾	NMT 30 D	NMT 200	S/R ²³	NMT 30 D	200-350	R-6 M
NC	NMT 60 D	100-1,000	NMT 1 Y ¹	1-60 D	NMT 1,000	NMT 1 Y ¹	1-60 D ⁽²⁴⁾	NMT 1,000 ²⁴	S-NMT 1 Y ²⁴
ND		5->100	S-7 D ¹	NMT 30 D	NMT 500	S-7 D ¹		50-100	S-7 D ¹
OH		NMT 100	S-6 M ¹		NMT 100	S-6 M ¹		NMT 100	S-6 M ⁽²⁵⁾

Summary Table of State Speed Laws

OK	5-30 D	10-200	S-NMT 1 Y ¹	5-90 D	25-500	S-NMT 1 Y ¹			
OR		75-600	..(26)	NMT 1 Y	NMT 5,000	S-90 D		NMT 600	.. ²⁶
		35 ⁽²⁷⁾	S-NMT 1 Y ¹		200	S-6 M		200	S-6 M
		50	S-NMT 1 Y ⁽²⁸⁾	NMT 1 Y	NMT 500	S-NMT 1 Y ²⁸	NMT 1 Y	NMT 500	S-NMT 1 Y ²⁸
SC	NMT 30 D	15-200	S-3 to 6 M ¹	NMT-30 D	25-200	S-3 to 6 M ¹	2-6 M	200-600	R-1 Y
SD	NMT 30 D	NMT 200		NMT 1 Y	NMT 1,000	S-NMT 1 Y ¹	NMT 30 D	NMT 200	S-NMT 1 Y ¹
TN	NMT 30 D	NMT 50	S-6 M ¹	NMT 6 M	NMT 500	S-6 M ¹	NMT 6 M	NMT 500	R-1 Y
TX		1-200	S-NMT 1 Y ⁽²⁹⁾	NMT 30 D	NMT 200	S-NMT 1 Y ²⁹		1-200	S-NMT 1 Y ²⁹
UT	NMT 90 D	NMT 750	S-NMT 1 Y ¹	NMT 6 M	NMT 1,000	S-NMT 1 Y ¹	NMT 90 D	NMT 750	S-NMT 1 Y ¹
VT		NMT 175	S-30 D ¹	(NMT 1 Y ⁽³⁰⁾)	(NMT 1,000 ³⁰)	(S-30 D ³⁰)	(NMT 3 M ⁽³¹⁾)	(NMT 300 ³¹)	(S-30 D ^{1&31})
VA		NMT 200	S-90 D ¹	NMT 12 M	NMT 2,500	S-90 D ⁽³²⁾	NMT 12 M	NMT 2,500	S-6 M to 2 Y
WA		NMT 250	S-NMT 1 Y ⁽³³⁾	NMT 1 Y	NMT 5,000	S-30 D to 1 Y	NMT 1 Y	NMT 5,000	S-30 D to 1 Y
WV		NMT 100	S-NMT 1 Y ³³	5-90 D	25-500	S-NMT 1 Y ³³		50-100	R-6 M
WI		30-300 ⁽³⁴⁾	S/R-NMT 1 Y ⁽³⁵⁾		25-200	S/R-NMT 1 Y ⁽³⁶⁾		20-400	S/R-NMT 1 Y ³⁶
WY	NMT 30 D ⁽³⁷⁾	NMT 200	S-NMT 12 M ³³	NMT 6 M	NMT 750	S-90 D	NMT 10 D	10-100	S-NMT 12 M ³³
UVC		NMT 200	S-NMT 1 Y ¹	5-90 D	25-500	S-NMT 1 Y ¹		NMT 200	S-NMT 1 Y ¹

D = Day(s) M = Month(s) S = Suspension R = Revocation W = Week(s) Y = Year(s) NLT = Not Less Than NMT = Not More Than UVC = Uniform Vehicle Code

1. 1. Licensing action is via a point system. Under this system a person's license is not usually suspended for just one offense. However, only when they have committed numerous traffic violations are they subject to licensing action.

2. 2. Suspension via the courts is for not more than 1 year. Suspension via the Point System is 3 to 6 months.

The jail sanction is 24 hours to 90 days and the license suspension is 90 days to 6 months.

4. 4. I. For driving >55 MPH, the fine \$35 to \$90. However, for driving >70 MPH on multiple lane limited access highways, the fine range is between \$100 and \$150. II. For persons operating trucks the following fines apply. If driving >55 MPH on multiple lane limited access highways, the fine is between \$100 and \$150. Driving in >70 MPH limit on multiple line limited access highways, the fine amount is \$100 to 200.

5. 5. A person's license can also be revoked for 6 months. Licensing action (suspension or revocation) is via a point system.

6. 6. The suspension is via a Point System. The suspension period could be 1 year depending upon the number of points that have been accumulated.

7. 7. The licensing sanctions given are via a point system and apply (1) to persons over 21 years old and (2) to persons under such age who only commit either a 2 or 3 point speeding violation. However, persons under 21 years old who are convicted of either (1) a speeding offense requiring 4 or more points, (2) racing on the highways or (3) reckless driving are subject to license revocation. For a 1st offense, there is a 6 month mandatory revocation. And, for a subsequent offense, there is a mandatory 12 month revocation.

8. 8. Suspension is via a court order. Note: The Point System has been repealed.

9. 9. Suspension is via court order.

10. 10. License suspension or revocation is based upon the frequency of traffic law violations. A Point System is used to assist the licensing agency in determining frequency of violations. Using this system, a person's license can also be revoked for 1 year.

11. 11. The licensing agency has the authority to either suspend a person's license based on the frequency of traffic law violations.

12. 12. Fines are determined via a matrix.

13. 13. Suspension is via a Point System. If the requisite number of points are accumulated, a person's license can be suspended from 90 days to 2 years.

14. 14. The licensing agency has the authority to either suspend, revoke or cancel a person's license based on the frequency of traffic law violations.

15. 15. This State does not have a per se reckless driving law. The sanctions given are for the offense of Driving to Endanger.

16. 16. The fine is not less than \$50. If a person was driving >10 MPH over the speed limit, there is an additional fine of \$10 for every MPH over such limit.

17. 17. This State also provides for a suspension of not more than 1 year via the Point System.

18. 18. The law does not specify either a minimum or a maximum period of suspension.

19. 19. This State does not have a per se reckless driving law. The sanctions given are for a violation of the Basic Speed Rule which in this State includes driving at a rate of speed so as to endanger the life, limb or property of another person.

20. 20. The State regulations limit the suspension period to 6 months. However, the law allows for a suspension period for not more than 1 year.

21. 21. Suspension is via a Point System. A person's license can be suspended from 6 months to 1 year.

22. 22. This suspension is via court order.

Summary Table of State Speed Laws

23. 23. Suspension or revocation based upon a Point System. The law does not provide for specific periods of license suspension or revocation.
24. 24. The sanctions listed apply to the offense of Willful Speed Competition which is racing which has not been prearranged.
25. 25. The 6 month suspension is via a Point System. However, the court is authorized to suspend a person's license from 30 days to 3 years.
26. 26. License suspension for 30 days via the Driver Improvement Program. A person has to commit numerous traffic law violations before licensing action is taken.
27. 27. The fine is \$42.50 for exceeding the 65 MPH speed limit.
28. 28. A person may also be subjected to a license revocation which has an indeterminate period.
29. 29. A person's license may also be revoked for an indefinite period.
30. 30. This State does not have a per se reckless driving law. The sanctions listed are for the offense of negligent motor vehicle operation.
31. 31. This State does not have a law directly pertaining to racing on the highway. The sanctions listed are for the offense of excessive speeding.
32. 32. This 90 day suspension is via a Point System. However, the courts can also suspend a person's license from 10 days to 6 months.
33. 33. The suspension is based on the frequency of traffic law violations.
34. 34. For violating the 65 MPH speed limit, the fine is \$50 to \$300. For violating other speed limits, the fine is \$30 to \$300.
35. 35. Fifteen (15) day suspension or revocation via court action for driving 25 MPH over either the 55 or 65 MPH speed limit. For other speeding violations, the court can suspend or revoke a person's license for not more than 1 year. In addition, a person's license is subject suspension or revocation via a Point System from 2 months to 1 year.
36. 36. The court can suspend or revoke a person's license for not more than 1 year. In addition, a person's license is subject suspension or revocation via a Point System from 2 months to 1 year.
37. 37. There are no imprisonment sanctions either (1) for exceeding the 65 MPH speed but >66 MPH but <74 MPH or exceeding the 75 MPH speed limit.

Date: 1-25-13
Roll Call Vote #: _____

2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1189

House Transportation Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: ☐ Do Pass ☒ Do Not Pass ☐ Amended ☐ Adopt
Amendment

☐ Rerefer to Appropriations ☐ Reconsider

Motion Made By Heller Seconded By Kreun

Representatives	Yes	No	Representatives	Yes	No
Chairman Dan Ruby	X		Rep. Lois Delmore	X	
Vice Chairman Mark Owens	X		Rep. Edmund Gruchalla	X	
Rep. Rick Becker	X		Rep. Kylie Oversen	X	
Rep. David Drovdal		X			
Rep. Robert Frantsvog	X				
Rep. Brenda Heller	X				
Rep. Curtiss Kreun	X				
Rep. Mike Schatz	X				
Rep. Gary Sukut		X			
Rep. Don Vigesaa	X				
Rep. Robin Weisz	X				

Total (Yes) 12 No 2

Absent 0

Floor Assignment Gruchalla

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

REPORT OF STANDING COMMITTEE

HB 1189: Transportation Committee (Rep. Ruby, Chairman) recommends **DO NOT PASS** (12 YEAS, 2 NAYS, 0 ABSENT AND NOT VOTING). HB 1189 was placed on the Eleventh order on the calendar.