

2013 HOUSE TRANSPORTATION

HCR 3031

2013 HOUSE STANDING COMMITTEE MINUTES

House Transportation Committee Fort Totten Room, State Capitol

HCR 3031
02-14-13
Job # 18933

Conference Committee

Committee Clerk Signature

Jeanette Cook

Explanation or reason for introduction of bill/resolution:

A concurrent resolution directing the Legislative Management to study special enforcement measures in high-fatality zones on highways in this state.

Minutes:

Attachment 1

Chairman Ruby opened the hearing on HCR 3031.

Representative Vickie Steiner, District 37, Dickinson, brought forward HCR 3031. She provided written testimony. See attachment #1. Representative Steiner stated that there is a big problem on the roads in the northwest, and we need to recognize that. The Highway Patrol thinks that they just need more officers, but she is not sure that is all of it. There were supposed to be 13 new officers in the area, but they did not get that many because of housing, or working conditions, or something. Now there are supposed to be getting more, but there is trouble with retaining officers in the area.

Representative Fransvog: Do you know how many Highway Patrol officers we are short now?

Vickie Steiner: I don't know for sure. I could ask Colonel Prochniak.

Representative Sukut: We were supposed to get nine Highway Patrolmen in western North Dakota after the last graduating class. We haven't gotten all nine, and I believe that housing was a large part of the problem. I don't know how many we have, and how many are left to come.

Vickie Steiner: I know that they are planning on placing a couple at Watford City because they want them to leave for the day out of Watford City. The passing on hills is really significant. I have encountered it myself personally. Many times it is a younger person, and I don't know why, but they are not afraid to pass on hills.

Representative Heller: In this Crash Report that we received from Department of Transportation, on page 28 it may have the information that you were looking for with the map of fatalities.

There was no further testimony on HCR 3031.
The hearing was closed on HCR 3031.

Representative Delmore moved a DO PASS and be placed on the Consent Calendar on HCR 3031.

Representative Schatz seconded the motion.

Chairman Ruby: I think this is pretty straight forward, and there is information that we could get from the study that will let us know the options that are out there. Then next session we may be able to use that.

Representative Drovdal: I find it ironic that this committee will not increase fines for speeding when it is the only deterrent that we have, but then wants to put in a study to find out that we should increase the fines for speeding. I also would like to point out that we increased the fines in the city, but only 12% of the fatalities across our state are in the cities. 88% are in rural areas. We wouldn't do anything decent about the fines for them. I think we are being a little hypocritical.

Representative Sukut: I would support Representative Steiner's comments. I know that we tell people when they are leaving Williston and driving to Watford City, to make sure that their life insurance is paid up. They have made some improvements, which are some passing lanes. The problem with the passing lanes is that they are one mile long. When you get behind one of the convoys of trucks, there are people that will try to pass the whole string of trucks. By the time that they get to the end of it, the passing lane is gone. There they sit with a two lane highway. There are some real dangers out there. The Highway Department is starting to address those issues. We are hopefully going to get a four lane highway between Watford and Williston, which will definitely help. But, going south that is still an issue that they are apprehensive about doing any about at this point in time. There is a lot of danger out there. I believe there is some merit in doing some studies to see if we can come up with some solutions.

Representative Drovdal: As far as the traffic goes, you have feed coming in from Belfield and Dickinson from the south, so the traffic doesn't let up south of Watford. It can be bumper to bumper. On the passing lanes it seems like that is a raceway, everyone is going to get by everyone when they get there. The speeds are 89-90 mph. One of the problems with keeping law enforcement there is safety. If anyone is trained in safety, the oil companies will pay really big bucks and take them away once they are trained.

Representative Delmore: I feel that this resolution presents us with an opportunity to look at other solutions. Fines aren't the only thing we can use. No matter how high you set fines, there are some people that don't care. Law enforcement is not going to be **everywhere**. I think it is a good resolution and worth looking at. If we can make a difference in the west, perhaps we do things across the whole state of North Dakota.

**A roll call vote was taken. Aye 11 Nay 0 Absent 3
The motion carried. Representative Delmore will carry HCR 3031.**

Date: 2-14-13
 Roll Call Vote #: 1

**2013 HOUSE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 3031**

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 Delmore Seconded By Schatz
Placed on consent calendar.

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

Total (Yes) 11 No 0

Absent 3

Floor Assignment Delmore

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

REPORT OF STANDING COMMITTEE

HCR 3031: Transportation Committee (Rep. Ruby, Chairman) recommends DO PASS and BE PLACED ON THE CONSENT CALENDAR (11 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). HCR 3031 was placed on the Tenth order on the calendar.

2013 SENATE TRANSPORTATION

HCR 3031

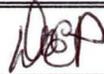
2013 SENATE STANDING COMMITTEE MINUTES

Senate Transportation Committee
Lewis and Clark Room, State Capitol

HCR 3031
3/22/2013
Recording job number 20352

Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A concurrent resolution directing the Legislative Management to study special enforcement measures in high-fatality zones on highways in this state.

Minutes:

Attached testimony: 2

Chairman Oehlke opened the hearing on HCR 3031

Representative Vicky Steiner, District 37, Dickinson The purpose of this bill is to study how state agencies can work together to reduce traffic accidents and fatalities in high-fatality zones on highways in this state. See attached testimony #1, and attachment #2 map showing 2010-2012 crash fatalities throughout the state. The lack of sufficient highway patrol staff was mentioned as part of the problem. Reducing speed limits has not been a deterrent. In line 9 "public list of violators" is meant as a way of "public shame" maybe employers will fine them or not hire them.

Senator Sitte suggested that "camera enforcement" should be struck out; it has been declared unconstitutional in some states.

Cal Klewin, Executive Director, Theodore Roosevelt Expressway Association In support of this study, not only because of the high number of accidents and fatalities but also because of the traffic backups and danger posed by accident cleanups.

No additional testimony. Hearing closed.

Senator Sitte moved to amend line 8-9 by removing the words "camera enforcement". You do not know who the driver is because all you have is the picture of the car and maybe the license plate, sometimes the photos are not completely readable.

Vice Chairman Armstrong seconded; the enforcement part of it gets to be problematic, however the information part of it probably is relevant. Maybe "camera utilization" instead of "camera enforcement" because while you can't cite somebody if you got one company and you keep getting the same name on the camera, as a law enforcement agency you can contact the employer to help solve the problem.

Senator Sinner I think we can leave it as it is because enforcement doesn't mean that you are levying fines just trying to enforce the law as it is

Chairman Oehlke I think it is okay to leave as it is because it would be part of the discussion by the interim committee. There are other things coming along with technology that will be addressed in the study.

Senator Sitte withdrew that amendment. **Vice Chairman Armstrong** withdrew the second.

Senator Sitte moved to change in line 9 "enforcement" to "utilization"

Vice Chairman Armstrong seconded

Voice vote: Yes 6 No 1 Absent not voting 0

Senator Flakoll moved do pass as amended

Vice Chairman Armstrong seconded

Senator Flakoll I hope legislative management takes a strong look at including this as part of the interim because this is important for the oil patch.

Roll call vote Yes 7 No 0 Absent not voting 0

Carrier **Senator Sitte**

13.3085.01001
Title.02000

Adopted by the Transportation Committee

March 22, 2013

PROPOSED AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3031

Page 1, line 9, replace "enforcement" with "utilization"

Renumber accordingly



Handwritten signature and date: 3/22/13

Date: 3/22/2013
Roll Call Vote #: _____

**2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES
RESOLUTION NO. 3031**

Senate _____ **TRANSPORTATION** _____ Committee

Check here for Conference Committee

Legislative Council Amendment Number Lines 8-9 remove "camera enforcement"

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider _____

Motion Made By Senator Sitte Seconded By Vice Chairman Armstrong

Senators	Yes	No	Senator	Yes	No
Chairman Dave Oehlke			Senator Tyler Axness		
Vice Chairman Kelly Armstrong			Senator George Sinner		
Senator Margaret Sitte					
Senator Tim Flakoll					
Senator Tom Campbell					
AFTER DISCUSSION					
MOTION WAS WITHDRAWN					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

Date: 3/22/2013
Roll Call Vote #: 2

**2013 SENATE STANDING COMMITTEE
ROLL CALL VOTES
RESOLUTION NO. 3031**

Senate TRANSPORTATION Committee

Check here for Conference Committee

Legislative Council Amendment Number 13.3085.01001

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By Senator Flakoll Seconded By Senator Sinner

Senators	Yes	No	Senator	Yes	No
Chairman Dave Oehlke	X		Senator Tyler Axness	X	
Vice Chairman Kelly Armstrong	X		Senator George Sinner	X	
Senator Margaret Sitte	X				
Senator Tim Flakoll	X				
Senator Tom Campbell	X				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Senator Sitte

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

REPORT OF STANDING COMMITTEE

HCR 3031: Transportation Committee (Sen. Oehlke, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3031 was placed on the Sixth order on the calendar.

Page 1, line 9, replace "enforcement" with "utilization"

Renumber accordingly

2013 TESTIMONY

HCR 3031

#1

Good morning Mr. Chairman and Members of Transportation

My name is Vicky Steiner, I represent District 37 Dickinson.

I manage two associations and travel often in northwest North Dakota. I have witnessed countless speeding incidents, near misses and for myself, I've almost been hit by a vehicle passing on a hill three times in the last year. I have constituents who drive that zone every day and back home every night.

The DOT says their working to improve the roads and that I should talk to Highway Patrol. Highway Patrol says hire more patrol. We hired 13 or so at the special redistricting session and that didn't work out so well. Most quit and now we're hiring more.

The NW zone- Watford City to Williston, including Crosby and east to New Town, that area has twice the number of fatalities of any other region. We need to get a handle on how we can bring that zone in line with other zones.

I see a lack of leadership to solve this unfortunate statistic. This bill is to study how state agencies can work together to solve the issue. It's probably a combination of items but a study would flesh that out and I hope you will consider this as a study.

Good morning Mr. Chairman Oehlke and Members of Senate Transportation

My name is Vicky Steiner, I represent District 37 Dickinson.

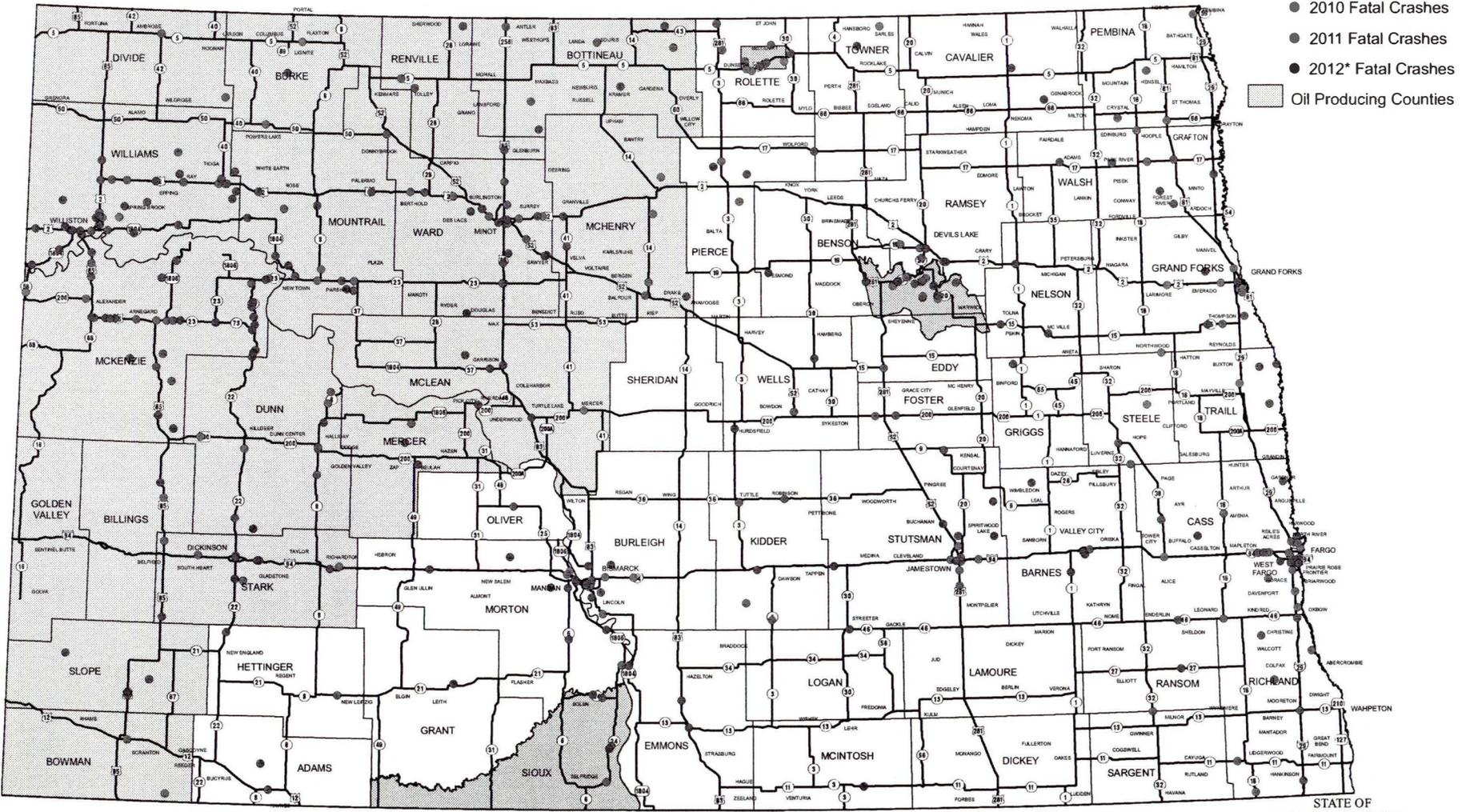
I manage two associations and travel often in northwest zone in North Dakota. I have witnessed countless speeding incidents, near misses and for myself, I've almost been hit by a vehicle passing on a hill three times in the last year. I have constituents who drive that zone every day and back home every night.

The DOT says their working to improve the roads and that I should talk to Highway Patrol. Highway Patrol says hire more patrol. The legislature appropriated dollars for 13 or so more positions at the special redistricting session and that didn't work out so well. Most quit and now the state is working to replace them.

The NW zone- Watford City to Williston, including Crosby and east to New Town, that zone area has twice the number of fatalities of any other region. We need to find some solutions on how we can bring that zone fatality rate down to the other levels in other zones.

This bill is to study how state agencies can work together to solve the issue. The legislature can solve this issue if it requires combinations of solutions from state agencies. We need to attack this with vigor during the interim to improve the safety of roads for our citizens and visitors traveling in Northwestern North Dakota.

2010 - 2012* Fatal Crashes



- 2010 Fatal Crashes
- 2011 Fatal Crashes
- 2012* Fatal Crashes
- ▨ Oil Producing Counties

23 USC § 409 Documents
 NDDOT Reserves All Obligations

*2012 crash data is preliminary and is based on best information available at the time the map is created. There are 143/147 fatal crashes displayed for 2012.

STATE OF
 NORTH DAKOTA

PREPARED BY THE
 NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
 SAFETY DIVISION
 IN COOPERATION WITH THE
 U.S. DEPARTMENT OF TRANSPORTATION
 FEDERAL HIGHWAY ADMINISTRATION
 01/24/13

ATTACHMENT #2