FISCAL NOTE

Requested by Legislative Council 01/12/2017

Amendment to: HB 1288

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.

	2015-2017 Biennium		2017-2019	Biennium	2019-2021 Biennium		
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds	
Revenues				\$285,480		\$285,480	
Expenditures				\$15,000			
Appropriations							

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

	2015-2017 Biennium	2017-2019 Biennium	2019-2021 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).

This bill provides for an annual permit fee for over-length loads and increases the permit fee for over-width loads.

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.*

Section 1 increases the permit fee for over-width vehicles by an additional \$50, and provides for an annual permit costing \$150 for over-length vehicles in lieu of a \$20 per trip permit along with a \$15 service fee.

- 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.

As shown on the accompanying fiscal note support schedule, this bill would generate additional revenue for the state in the amount of \$285,480 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.

There is a one-time cost of \$15,000 to the highway patrol to design a new annual over-length permit.

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 or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.

Name: Shannon L. Sauer CPA

Agency: ND Dept of Transportation

Telephone: 328-4375 **Date Prepared:** 01/23/2017

HB1288

Fiscal Note Support

Assumptions							
Over length permits	_						
Current Single Trip Permits sold per biennium				8,560			
Trucks Involved Per Biennium				3,176			
Current Permit Fees:							
Overlength Permit (Highway Fund)	\$	20					
Motor Carrier Permit Transaction Fee							
(Motor Carrier Electronic Permit Transaction Fund)		15					
Total Single Trip Permit Fee			\$	35			
Estimated percentage of trucks currently using single trip permits that							
would switch to an annual permit				50%			
Estimated number of trucks that would							
switch to an annual permit (50%)				1,588			
Number of trucks that would continue to utilize single trip permits				1,588			
Estimated Trips under single trip permit				1,588			
Estimated Trips under annual trip permit				6,972			
Proposed Annual Permit Fees:			\$	150			
Troposed / Hillar Fermier Cess.			Ψ	130			
Over-width permits							
Current permits issued per biennium				5,826			
Current permit cost			\$	100			
Proposed permit cost			\$	150			
Fiscal Impact Calculations							
Over Width Permits	_						
Proposed permit cost			\$	150			
Current permit cost				100			
Additional revenue permit					\$ 50		
X Permits issued per biennium					5,826		
Additional over width permit revenue per biennium				•		\$ 291,300	
Over length Permits							
Proposed Law Revenue Scenario							
·							
Estimated number of annual permits that will be sold per biennium		1,588					
X Proposed annual permit fee	\$	150	_				
Biennial revenue from annual permit fee			\$	238,200			
Estimated number of Single permits that will be sold per biennium		1,588					
X Single trip permit fee	\$	35					
Biennial revenue from single trip permit fee	<u> </u>		-	55,580			
Total Biennial Revenue - Proposed Scenario				33,300	\$ 293,780		
·					,		
Current Law Revenue Scenario							
Trip permits sold per biennium				8,560			
X Single trip permit fee			\$	35			
Total Biennial Revenue - Current Scenario					\$ 299,600	-	
Over length permit revenue reduction under current scenario						\$ (5,820)	-
Total revenue increase per biennium under proposed scenario							\$ 285,480

FISCAL NOTE

Requested by Legislative Council 01/12/2017

Bill/Resolution No.: HB 1288

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.

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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.

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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 or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.

Name: Shannon L. Sauer CPA

Agency: ND Dept of Transportation

Telephone: 328-4375 **Date Prepared:** 01/23/2017

HB1288

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Fiscal Impact Calculations							
Over Width Permits	_						
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·							
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X Single trip permit fee			\$	35			
Total Biennial Revenue - Current Scenario					\$ 299,600	-	
Over length permit revenue reduction under current scenario						\$ (5,820)	-
Total revenue increase per biennium under proposed scenario							\$ 285,480

2017 HOUSE TRANSPORTATION

HB 1288

2017 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee

Fort Totten Room, State Capitol

HB 1288 2/2/2017 27826

☐ Subcommittee☐ Conference Committee

Committee Clerk Signature hillen Dachmeier

Explanation or reason for introduction of bill/resolution:

A bill relating to an annual permit for oversized vehicles; to provide for an effective date; and to provide for an expiration date.

Minutes:

Attachments #1-3

Chairman Ruby, District 38, spoke to introduce HB 1288 and support the bill. The bill sets an annual permit fee for extra width or length trucks. The substitutive changes page 2, line 27, of handout. (Attachment 1) 1:53 – 3:37 Further testimony in favor of HB 1288.

Arik Spencer, Executive Vice President of the North Dakota Motor Carriers Association, spoke in support of HB 1288 and provided written testimony. (See Attachment 1) 4:00 – 10:47 If there are any questions, I will address them. I urge a do pass on HB 1288.

A letter was provided to the committee from **Senske & Son Transfer Co**. (See Attachment 2) 10:40

Vice Chairman Rick C. Becker: On page 3, line 14, is the wording "proper lighting" adequate language? Is there a certain name, or referencing or a certain stature; you can just say "proper lighting?"

Arik Spencer: From what I've been told by the DOT, there existed a definition of "proper lighting" in the state's stature which covers this.

Rep. Paur: Do the current permits allow you to travel overnight in the state or are they from point A to point B?

Arik Spencer: When you purchase a single trip permit or an annual permit, it is for specific route. It does not give you a blanket ability to travel anywhere you want in the state. You have to identify where you're going and, based on that, they will recommend the route you need to stick to. Let us say that you are going a certain route but you have a certain height, they may require you to go a different route than say on the Interstate because of the clearance issues on overpasses. But with this bill, you will still have a specific route.

House Transportation Committee HB 1288 27826 2-2-17 Page 2

Russ Hanson: **Associated General Contractor**: just wanted to express our support for HB 1288. If any questions, I will address any questions; otherwise I urge a do pass.

Brad Maier, Owner of Land Star Construction and J & S Heavy Haul (Attachment 3) 13:42 – 16:48 Information just talked about in room refers to specific routes; there are a number of combinations that I am certain will happen. Mr. Spencer commented on fees in certain states. 14:45

Vice Chairman Rick C. Becker: No further questions? Does anyone else wish to speak in support of HB1288? Anyone here speak in opposition of HB 1288? Neutral position of HB 1288?

Chairman Ruby: Did you work on the fiscal note? Could I get just a clarification?

Ron Henke: Deputy Director for Engineering, North Dakota Department of Transportation. We did put together a fiscal note. I can share with you what I recall. See Fiscal Note requested by Legislative Council. 17:40 - 18:13.

Chairman Ruby: Now these funds go to the State Highway Trust Fund?

Ron Henke: Mr. Chairman, I do not know the answer to that.

Chairman Ruby: So that just goes into the State Highway Fund and not to the distribution fund? I do need this information for appropriations. I will have to have these answers.

Captain Eldon Maier: Division Commander for Highway Patrol 18:52 It does go into the State Highway Fund.

Chairman Ruby: I know that some funds go into an initial fund and then there is a percentage of administrative costs for DOT that come off and that goes into the Highway Distribution Fund. Then the State Highway Fund is a part of that and then goes down to the cities and counties, townships and transits. Is this going to be going into of these particular funds or directly to the State Highway Fund and doesn't get put into an of the distribution?

Captain Eldon Maier: My understanding that the wording of the permit fees that we charge go into the State Highway Fund. Whatever that consists of, that is the language that I am familiar with.

Rep. Jones: When Arik was talking, he mentioned changing two fees. I am trying to understand where that is in the bill.

Captain Eldon Maier: It is my understanding that the permit fee for the annual over width was \$100.00 and that will now be going to \$150.00. That was more for consistency to offset some of these costs and spread them out.

Chairman Ruby: Are there further questions? If it goes to the State Highway Fund, which one of those is it?

House Transportation Committee HB 1288 27826 2-2-17 Page 3

Ron Henke: I don't know for sure but I will get you an answer. It is the one that is with the distribution of the one that just goes to the State Department Task Station.

Rep. Owens: This is in current law already. Permit money is appropriated on a continuous basis to the Highway Patrol to defray the costs of establishing continual online electronic permit system. It does not go near the Highway Distribution Fund. It appears that all permit money goes to the Highway Patrol. I just wanted to know where the money was going according to the bill.

Captain Eldon Maier: Two sessions ago, when we did Auto Permit Routing System, there was a service fee that was attached for each permit, that went for ongoing maintenance in IT fees to maintain automated permit routing system.

Rep. Weisz: General fund dollars account for the road system. See Page 2, line 5 of Fiscal Note for further clarification.

Captain Eldon Maier: There is a permit fee for the actual permit. Then for any voluble permits there is an additional \$15 service fee; this fee would go to the Auto Permit routing system. If the actual permit fee is \$20, that fee would go to the State Highway Fund.

Chairman Ruby: Anyone here for neutral capacity on this bill? We will close the meeting on HB 1288.

Vice Chairman Rick C. Becker: I move a Do Pass.

Chairman Ruby: As amended and referred to appropriation?

Vice Chairman Rick C. Becker: Not as amended and referred to appropriation.

Chairman Ruby: We have a motion for a Do Pass on HB 1288 from Vice Chairman Becker.

Second by Rep. O'Brien.

Roll call vote: Yes -13 No -0 Absent -1. Motion carried.

Carrier of the Bill - Rep. O'Brien

Hearing adjourned.

Date:	2	-2	-1	7
Roll Call	Vote #:			

2017 HOUSE STANDING COMMITTEE ROLL CALL VOTES BILL/RESOLUTION NO. # 12 88

House Transpo	ortation				Comr	mittee
		☐ Sub	ocommi	ttee		
Amendment LC# or	Description:					
Recommendation: Other Actions:	☐ Adopt Amendr ☐ Do Pass ☐ ☐ As Amended ☐ Place on Cons ☐ Reconsider	Do Not		☐ Without Committee Reco☐ Rerefer to Appropriations		ation
	Rep. Bec	Ken	Se	conded By Rup. O	Br	o cen
Repres	entatives	Yes	No	Representatives	Yes	No
Chairman Dan F	Ruby	V		Rep. Gretchen Dobervich	AB	
Vice Chair. Rick		V		Rep. Marvin Nelson	1	
Rep. Bert Ander	son	V				
Rep. Jim Gruene		V				
Rep. Terry Jone	S					
Rep. Emily O'Br	ien	V				
Rep. Mark Ower	าร	V				
Rep. Gary Paur		V				
Rep. Randy Sch	obinger	V				
Rep. Gary Suku	t					
Rep. Robin Weis						
Rep. Greg West	lind	/				
Total (Yes) _ Absent	13		No	0		
Floor Assignment	Rep.	C) '	Brien		

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

Com Standing Committee Report February 2, 2017 1:18PM

REPORT OF STANDING COMMITTEE

Module ID: h_stcomrep_21_020

Carrier: O'Brien

HB 1288: Transportation Committee (Rep. D. Ruby, Chairman) recommends DO PASS (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1288 was placed on the Eleventh order on the calendar.

(1) DESK (3) COMMITTEE Page 1 h_stcomrep_21_020

2017 SENATE TRANSPORTATION

HB 1288

2017 SENATE STANDING COMMITTEE MINUTES

Transportation Committee

Lewis and Clark Room, State Capitol

HB 1288 3/16/2017 29358

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature	Mary Muxder	

Explanation or reason for introduction of bill/resolution:

Relating to the annual permit for oversized vehicles; to provide for an effective date; and to provide for an expiration date.

Minutes:

Attachments #1-3

Chairman Laffen: Opened the hearing on HB 1288. Welcome Representative Dan Ruby.

Representative Dan Ruby: This bill is easy and simple. It does two things. We currently have limits on width and length before we have to get permits. We have increased the amount of the annual fee. Also having proper lighting on night time travel. We have discussed taking out the Sunset clause and DOT didn't have a problem with that. If you want to clean that up I wouldn't have a problem with that.

Senator Campbell: Why are you increasing the over width fee from \$100.00 to a \$150.00?

Rep. Ruby: Just to make it consistent with the over length. Everybody that gets that annual permit will know that it is \$150.00.

Senator Campbell: Why didn't you just lower it?

Rep. Ruby: Good question. The issue was to get it up to the over length fee. If you wish to have it lowered I don't think there would be a problem, they were just wanting it consistent with the over length.

Senator Nelson: Page 3, #5 talks about travel day and night. What else is there? Why don't they just say travel?

Rep. Ruby: It is a wording issue that council specifies so the loads can travel day and night. Some loads can only travel in daytime.

Chairman Laffen: Questions? None. Thank you. Further testimony in favor?

(6:05) Arik Spencer, ND Motor Carriers Association: See attachment #1.

Senate Transportation Committee HB 1288 3/16/17 Page 2

Senator Nelson: My question is about pilot cars. Sometimes they are not very close to the over length trucks. Can 3 trucks use one pilot car or should they each have their own?

Arik: I would refer to DOT on that question.

Senator Clemens: What is the difference in the permits?

Arik: I refer to the highway patrol on that. I believe the long combination allows certain lengths but no night time travel. I would have to defer to them on the specifics on that.

Chairman Laffen: Questions? None. Testimony in favor?

(12:43) Russ Hanson, Associated General Contractors of ND: I am in support of this bill. I am going to pass out prepared remarks that are not mine. See attachment #2. The person is on my board of directors who works with these issues as a heavy haul company every day.

Chairman Laffen: Questions? None. Thank you. Further testimony in favor?

(13:36) Brad Maier, represents J&S Heavy Haul: We have been in business since 1994 and this is all we do. See attachment #3. Answer to Senator Campbell's question, we want continuity back, we think we are going to streamline the process, we think we can put a fair amount of money back into the state. We work in about 6 different states that have this exact proposed legislation with a separate over width and a separate over length and there are a variety of permits that go beyond that. In answer to Senator Nelson's pilot car question, ND is one of the few states where you don't have to have certified pilot cars. We do it in house which is 120' long and it is dictated by the highway patrol. They are certified and in company vehicles. One pilot car cannot pilot 3 vehicles and there is a safe distance and every load is different. Interstate is only the trail vehicle as you have no one coming head on and again it depends on the length as sometimes we need 2 in front and 2 in back. We are in favor of this bill, it is a housecleaning bill, and generates some money for the state.

Chairman Laffen: Questions? None. Thank you. Further testimony in favor of HB 1288? None. Opposition? None. Neutral? None. We will close the hearing on HB 1288.

2017 SENATE STANDING COMMITTEE MINUTES

Transportation Committee

Lewis and Clark Room, State Capitol

HB 1288 3/17/2017 29371

☐ Subcommittee☐ Conference Committee

Committee Clerk Signature Mary	Mundey
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Explanation or reason for introduction of bill/resolution:

Relating to the annual permit for oversized vehicles; to provide an effective date; and to provide for an expiration date.

Minutes:

Chairman Laffen: Reopened hearing on HB 1288.

Senator Casper: This bill is about the over length and over width and putting the fees the same. Right now you pay a \$100.00 fee for over width and for over length you pay \$150.00 fee and this bill makes them equal.

Senator Nelson: Where do you see this?

Senator Rust: Page 2, line 27 and page 3 lines 1, 2, and 3.

Senator Casper: Thank you Senator Rust.

Chairman Laffen: Is this a fee or a fine? This is the bill where we were making a yearly permit? Arik can you answer this?

Arik Spencer: Yes. The \$150.00 charge is the fee for the annual over length permit and we were matching the over width permit at the same fee level. These funds go directly into the highway trust fund.

Senator Casper: I move to remove section 2 of HB 1288.

Senator Rust: Seconded.

Chairman Laffen: We have a motion for that amendment from Senator Casper and a second from Senator Rust. Any discussion? None.

Roll call taken: Yeas-5, Nays-0, Absent-1. Motion carried.

Chairman Laffen: Discussion? None.

Senator Casper: I move for a Do Pass on HB 1288 as amended and re-referred to

appropriations.

Senator Rust: Seconded.

Roll Call taken: Yeas-5, Nays-0, Absent-1. Motion carried.

Senator Casper will carry the bill.

Adopted by the Transportation Committee

3/17/17

March 17, 2017

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1288

Page 1, line 2, remove "; to provide for an effective date; and to"

Page 1, line 3, remove "provide for an expiration date"

Page 3, remove lines 25 and 26

Renumber accordingly



Date: 3./7./7 Roll Call Vote #: /

2017 SENATE STANDING COMMITTEE **ROLL CALL VOTES** BILL/RESOLUTION NO. "Enter Bill/Resolution No." /288

Senate Transpo	ortation				Com	nmittee	
		□ Su	ıbcomm	nittee			
Amendment LC# or	Description:	0606	2.02	001 Ditte , 030	00		
Recommendation: Other Actions:	Adopt Amendment Do Pass Do Not Pass Without Committee Recommendation Rerefer to Appropriations Place on Consent Calendar Reconsider						
Motion Made By Casper Seconded By Rust							
Sena		Yes	No	Senators	Yes	No	
Chairman Lonnie		V		Senator Carolyn Nelson	V		
Senator Tom Can	npbell						
Senator David Ru	st	V					
Senator David Cle	emens						
Vice Chairman Jo	nathan Casper	V					
					1		
1	5		No	0			
Total (Yes)	5		No	0			

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



Date: 3-17-17 Roll Call Vote #: 2

2017 SENATE STANDING COMMITTEE **ROLL CALL VOTES** BILL/RESOLUTION NO. "Enter Bill/Resolution No." HB 1288

Senate Transportation				Com	nmittee
	□ Su	ıbcomm	ittee		
Amendment LC# or Description:					
Recommendation: Adopt Amend Do Pass As Amended Place on Con Other Actions:	□ Do No		☐ Without Committee Red ☑ Rerefer to Appropriatio		dation
Motion Made By <u>Casper</u>		Se	conded By <u>Rust</u>		
Senators	Yes	No	Senators	Yes	No
Chairman Lonnie J. Laffen	-		Senator Carolyn Nelson	V	
Senator Tom Campbell					
Senator David Rust	V				
Senator David Clemens					
Vice Chairman Jonathan Casper	1				
				1	
Total (Yes) 5		No	<i>D</i>		
Absent					
Floor Assignment Caspen					
lf the vote is on an amendment, briefly	indicate	intent:			

Module ID: s_stcomrep_49_011 Carrier: Casper

Insert LC: 17.0602.02001 Title: 03000

REPORT OF STANDING COMMITTEE

HB 1288: Transportation Committee (Sen. Laffen, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS and BE REREFERRED to the Appropriations Committee (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1288 was placed on the Sixth order on the calendar.

Page 1, line 2, remove "; to provide for an effective date; and to"

Page 1, line 3, remove "provide for an expiration date"

Page 3, remove lines 25 and 26

Renumber accordingly

2017 TESTIMONY

HB 1288

HB 1288 2-2-17 #1 Page 1

TESTIMONY HB 1288 HOUSE TRANSPORTATION COMMITTEE FEBRUARY 2, 2017

Mr. Chairman and members of the House Transportation Committee my name is Arik Spencer, Executive Vice President of the North Dakota Motor Carriers Association. NDMCA represents the trucking and transportation industry in North Dakota and has been in existence since 1937. I am here this morning to testify in Support of House Bill 1288.

HB 1288 was drafted in partnership with the Associated General Contractors of North Dakota and in consultation with the DOT and Highway Patrol. The purpose of HB 1288 is to create an annual over-length commercial motor vehicle permit and allow night time travel, with proper lighting, of over-length loads up to 120 feet in length. This is needed to help North Dakota motor carriers more efficiently move certain kinds of freight through ND.

Background: Current North Dakota law (NDCC 39-12-04) sets the maximum length and width that motor carriers can legally haul on local, state and US highways. On state highways, US highways and the Interstate, which HB 1288 pertains to, for most vehicle types the maximum legal width is 8 feet 6 inches, with an annual permit available for up to 14 feet 6 inches wide. The maximum legal length is 75 feet for a truck and a single trailer, 95 feet or 110 feet for a truck and two trailers (depending on the road) and 100 feet of cargo length for a truck and three trailers. Any length outside of these combinations is permitted on a per trip basis. Permitted combinations beyond 120 feet require a pilot car. Current North Dakota law also prevents the nighttime movement of over-length loads.

Other States: In other states, annual over-length permits are offered with varying maximum lengths. Colorado, Idaho, Illinois, Iowa, Kansas, Minnesota, Missouri, Montana, Nevada, New Mexico, Oklahoma, South Dakota, Texas, Utah, and Washington all offer annual over-length permits with maximum lengths ranging from 85 feet to 150 feet long with permit fees ranging from \$25 to \$960 per year. Maximum permitted lengths are generally determined based on topography and engineering concerns.

Additionally, many states also allow night time movement of over-length loads including California, Iowa, Idaho, Minnesota, Montana, Nevada, and Washington.

Page 2

HB 1288 Specifics: Time and efficiency are essential in the trucking industry. HB 1288 will save motor carriers money and more importantly time throughout the course of a year by not having to purchase single trip permits for each over length load. Some companies will purchase dozens of single trip permits throughout the year depending on their business.

Time and efficiency are also why the ability to move loads at night is important. Truck drivers have a limited number of hours they can legally drive in a day. By being able to move loads at night they can better manage their own schedules and be more responsive to their customers. In addition, many truck drivers prefer to drive at night as there is less traffic, reducing the chances of an accident.

HB 1288 sets the fee for the annual over-length permit at \$150 and increases the cost of the annual over-width permit to \$150, a \$50 increase. This was done after consulting with the DOT, who had a justifiable concern about a potential loss of revenue to the state highway fund. To address their concern, we offered to increase the cost of the over-width permit and set the overlength permit at the same cost. We have no concern with the fee increase as it is a small price to pay for the benefit of the annual over-length permit.

Finally, HB 1288 includes a sunset clause, which allows the new permit to operate for two full years. Again, this was added after consulting with DOT so that we all come back together next session and can make changes if needed.

We ask that you give HB 1288 a do pass recommendation.

Mr. Chairman, this concludes my testimony. I would be happy to answer any questions.

Senske & Son Transfer Co 4375 24th Ave N Grand Forks ND 58203 701.746.6472

HB1288 2-2-17 #2 Pages 1-10

RE: HB 1288

Dear members of the House Transportation Committee,

I am writing today requesting the updating of some of our state's regulations regarding overlength permitting. Changes in the current regulations would allow Commercial Motor Carriers, like myself, to utilize resources more effectively and decrease economic impact, by allowing our drivers to maximize their hours of service.

We are currently working on a large contract hauling electric trollies to the west coast, specifically, San Francisco, CA and Seattle, WA. These loads are legal height, slightly overweight (which we purchase annual permit for), 9' wide, and 95' long.

To San Francisco, we travel 2000 miles and through 6 states. Seattle is 1850 miles and 4 states. Other than MN and ND, we are able to travel around the clock, including MT, ID, WA, NV and CA.,

Having to stop at dark in our own state is frustrating as it typically results in an extra day of time spent on each load. Once we get out of ND, we have continuous travel for the duration of these trips.

In ND, overweight already has continuous travel. As for length, doubles and triples go up and down the roads every night, longer than 95'. Why are we considered "oversize", at the same length or less, and prohibited from the same hours of operation as doubles or triples?

Another consideration is for the annual overlength permit itself. Currently, our neighbors to the west all offer annual permits for overwidth as we do, but they also offer overlength. These permits save us a lot of time obtaining permits and then trying to get them to the driver. Additionally, ND annuals always expire on Dec 31st, so you may not actually get a whole year out of them, although you pay for an entire year. Other states start annual permits on any day, and they are good for an entire year from that date.

I'm not asking for anything that doesn't already exist in other jurisdictions. These states and the permits they offer are much more CMV friendly than what is available in our own state.

I have attached various permit issued by other states so you can see how they differ from our own state. I believe ND has room make changes to the current legislation and allow Commercial Motor Carriers the opportunity to get our job done in an expeditious manner and allow our work force more home time and less time on the road. Help me, help them to work smarter, not harder. Please pass HB 1288.

Attached:

- 1. MT annuals IS'W 95'L 15'6H and continuous travel
- 2. ID annuals 12-6/16-0W depending on the road, 12-6H IIOL and continuous travel. Good for a year from date of purchase.
- 3. NV annuals 12W 15H IIOL, continuous travel and good for 1 year from date of purchase.
- 4. CA is not an annual, but does allow continuous travel as long as a pilot car is not required.
- 5. WA is not an annual, but again, does allow continuous travel

Thank you for your consideration!

Sincerely,

Jodi Senske



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Non-reducible loads/vehicles are not permitted to use any preclearance bypass systems and MUST report to

LANCE GR By: Date: 01/20/2016

Tim

Signature of Applicant

PERMIT

Idaho Over Legal Permit: 1-800-852-7133

Trucking Idaho.C



NEVADA DEPARTMENT OF TRANSPORTATION 1263 South Stewart Street, Carson City, Nevada 89712, 800-552-2127/775-888-7410

Permit# NDOT89989

OVER-DIMENSIONAL VEHICLE PERMIT

Permit Type: Al	NNUAL @ \$60	GENERAL	CREDIT CARI)	
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Authorized:	✓ Weekend ✓	Night Holiday	Workday	Commute Hour	
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Dimensions: Wid	th: 12' 0" Height:	15' 0" Length:	110' 0"		
Axle Spacing 1 18' Wheels 2 Wgt 13,200 (Steer we) Pilot Cars Required	2 3 4 4 2 46,550	4 46,813 QUIRED			
Transmitted By:	EMAIL				
	i@sensketransfer.com	Requested	By: JODI SENSKE		
	NSKE & SON TRANSFER	СО	City: GRAND FORKS	3	Stat
Tractor:					
evada Department of udy Malfabon, P.E., resecution of this permit, the remises the State of Nevada, process to the State of the State o		event laws, letters of instruction, rest from any liability, damages, claims or d whether caused by the permittee	PERMIT MUST BE SIGN	shall defend, indemn	ify a
Signed		Date			

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Special Wotor venicle Permit Regulations and Conditions

A signed permit must be carried in the power unit at all times.

Pilot/Escort Vehicle Requirements

A pilot/escort vehicle and operator must comply with the requirements of WAC 468-38-100 Escort vehicle requirements. Pilots/Escort vehicles are required when:

Vehicle(s) or load exceeds [1] feet in width; escort vehicles (both front and rear) are required on all two-lane highways.

Vehicle(s) or load exceeds 14 feet wide; one rear escort vehicle is required on multiple-lane

highways.

Trailor length including load exceeds 105 ft., of a tractor/traileer combination, requires a rear escort vehicle on all two-lane highways.

4. Trailer length including load exceeds 125 ft., of a tractor/trailer combinatio, requires a rear escort vehicle on multiple-lane highways.

Rear overhang of a tractor/trailer or truck/trailer combination exceeds 1/3 of the trailer length including load, requires one rear escort vehicle on two-lane highways.

Rear overhang exceeds 20 feet on a single unit vehicle, requires one rear escort vehicle on twolane

highways.

Loads exceed 14 feet and 6 inches high, one escort vehicle is required in front equipped with a height pole. Manufactured housing requires front escort with height pole when exceeding 15 feet in height. The Department does not guarantee height clearances; therefore, on any route where the height is in question, a front escort vehicle equipped with a height pole should be used

In the opinion of the Department of Transportation, escort vehicles are necessary to protect the traveling public, for any overdimensional and/or overweight move, either across, upon, or along a highway Holidays and Related Times on which Permit Movements are Prohibited (WAC 468-38-175) Overweight vehicles that cannot maintain the

of the surrounding traffic flow, and all over dimensional vehicles/loads are prohibited on the holidays of New Year's Day, Memorial Day,

Independence Day, Labor Day, Thanksgiving Day, day after Thanksgiving Day, Christmas Day, and during the afternoon of the day preceding said holidays.

Nighttime Movements (WAC 468-38-075)

A vehicle or vehicle combinations not exceeding the defined envelope of 12 feet wide, 14 feet 6 inches high and 105 feet long, including legal overhang(s), may move at night. A vehicle or vehicle combination which exceeds the defined envelope may also be permitted to move at night on state highways subject to Department preferred hours/routes of travel, and must have "Nighttime movement approved" stated on permits. All night moves must comply with published curfew restrictions. Night means one-half hour after sunset to one-half hour before sunrise. Vehicle and load must have proper lighting (49 CFR 393.11).

Winter Road Restrictions

Movement by permit is prohibited in areas where any of the following signs are displayed: "TRACTION ADVISORY OVERSIZE VEHICLI PROHIBITED", VEHICLES OVER 10,000GVW CHAINS REQUIRED", and "ALL VEHICLES CHAINS REQUIRED EXCEPT ALL-WHEEL DRIVE" except as specified in WAC 468-38-075

Railroad Crossing Emergencies Call 1-888-877-7267

Other Regulations relating to the movement of permitted loads are printed in Chapter 468-38 W. (Washington Administrative Code).

THE USE OF COUNTY ROADS OR CITY STREETS is subject to approval by the jurisdic that maintains those roadways. This permit from the State of Washington does not authorize the

use of roadways under local jurisdiction. Commuter Curfew Hours (see page 2)

Warning: Rules are subject to change. Hold of extended permits (monthly, annual) are subject to current rule. Rules, as described herein, should be periodically reviewed for updates to insure compliance.

DOT Form 560-002 Revised 06/2015













HB1288 212-17 43

HB 1288

February 2, 2017

House Transportation Committee

Mr. Chairman and members of the House Transportation Committee, my name is Brad Maier, and I own & operate Land Star Construction, an erosion control company, and J&S Heavy Haul, a heavy haul service carrier, both based out of Bismarck. We are also members of the Associated General Contractors of North Dakota, and I am a past president of the board of directors. We are also members of the North Dakota Motors Carriers Association.

I am here today to support HB 1288. Our businesses, like many others in the industry, are frequent users of the various special use permits. Many states, including the surrounding states we do business in offer an annual Over Length permit option, and my hope is that ND passes HB 1288 to allow industry to utilize this option. I, as well as the AGC of ND and the ND Motor Carriers Association have had numerous meetings with the ND Highway Patrol and the ND Department of Transportation over the past few years to discuss our interest in getting this policy enacted. Both of these departments are to be commended for their excellent exchanges we've had as this bill was crafted.

Please keep in mind as we move forward, this bill in no way allows any carrier to operate outside of the legal axle or gross weight limits per North Dakota law, and will not replace the current permitting process with regard to excess weight or lengths over 120 feet.

As a matter of convenience, we believe this good policy for the business environment. In addition to convenience, the annual over length permit option will generate \$285,000. of additional revenue for the Highway Fund, which is very timely given the fact that the one time spending state funding of infrastructure could be substantially less in the 2017-2019 biennium than the previous two biennium.

Surrounding States fee structures:

South Dakota (3 Part)

\$180.00

Wyoming (Very Complicated)

\$50.00

Montana - \$200.00

Colorado - \$250.00

I share these fees to illustrate the annual Over Length fee outlined in this bill is very much in line, and in most cases, more reasonable than we pay in the above listed states.

Again, thank you for the opportunity to testify today. We urge your favorable consideration of HB 1288 and urge a "Do Pass" recommendation. If you have any questions, I will attempt to address them.

Again, thank you for your time.

Brad Maier

Attachment # 1 pg/ HB1288 3.16.17

TESTIMONY HB 1288 SENATE TRANSPORTATION COMMITTEE MARCH 16, 2017

Mr. Chairman and members of the Senate Transportation Committee my name is Arik Spencer, Executive Vice President of the North Dakota Motor Carriers Association. NDMCA represents the trucking and transportation industry in North Dakota and has been in existence since 1937. I am here this morning to testify in Support of House Bill 1288.

HB 1288 was drafted in partnership with the Associated General Contractors of North Dakota and in consultation with the DOT and Highway Patrol. The purpose of HB 1288 is to create an annual over-length commercial motor vehicle permit and allow night time travel, with proper lighting, of over-length loads up to 120 feet in length. This is needed to help North Dakota motor carriers more efficiently move certain kinds of freight through ND.

Background: Current North Dakota law (NDCC 39-12-04) sets the maximum length and width that motor carriers can legally haul on local, state and US highways. On state highways, US highways and the Interstate, which HB 1288 pertains to, for most vehicle types the maximum legal width is 8 feet 6 inches, with an annual permit available for up to 14 feet 6 inches wide. The maximum legal length is 75 feet for a truck and a single trailer, 95 feet or 110 feet for a truck and two trailers (depending on the road) and 100 feet of cargo length for a truck and three trailers. Any length outside of these combinations is permitted on a per trip basis. Permitted combinations beyond 120 feet require a pilot car. Current North Dakota law also prevents the nighttime movement of over-length loads.

Other States: In other states, annual over-length permits are offered with varying maximum lengths. Colorado, Idaho, Illinois, Iowa, Kansas, Minnesota, Missouri, Montana, Nevada, New Mexico, Oklahoma, South Dakota, Texas, Utah, and Washington all offer annual over-length permits with maximum lengths ranging from 85 feet to 150 feet long with permit fees ranging from \$25 to \$960 per year. The maximum permitted lengths are generally determined based on topography and engineering concerns.

Additionally, many states also allow night time movement of over-length loads including California, Iowa, Idaho, Minnesota, Montana, Nevada, and Washington.

Attachment #1 pg2 NB1288 3.16.17

HB 1288 Specifics: Time and efficiency are essential in the trucking industry. HB 1288 will save motor carriers money and more importantly time throughout the course of a year by not having to purchase single trip permits for each over length load. Some companies will purchase dozens of single trip permits throughout the year depending on their business.

Time and efficiency are also why the ability to move loads at night is important. Truck drivers have a limited number of hours they can legally drive in a day. By being able to move loads at night, they can better manage their own schedules and be more responsive to their customers. In addition, many truck drivers prefer to drive at night as there is less traffic, reducing the chances of an accident.

HB 1288 sets the fee for the annual over-length permit at \$150 and increases the cost of the annual over-width permit to \$150, a \$50 increase. This was done after consulting with the DOT, who had a justifiable concern about a potential loss of revenue to the state highway fund. To address their concern, we offered to increase the cost of the over-width permit and set the overlength permit at the same cost. We have no concern with the fee increase as it is a small price to pay for the benefit of the annual over-length permit.

Finally, HB 1288 includes a sunset clause, which allows the new permit to operate for two full years. This provision was added after consulting with DOT when there was a concern about HB 1288 resulting in a negative fiscal note, adversely impacting DOT's budget. With HB 1288 resulting in a positive fiscal note, we request removal of the sunset clause to provide better certainly to the trucking industry. Should issues arise from this bill, changes can still be made in future legislative sessions.

We ask that you give HB 1288 a do pass recommendation.

Mr. Chairman, this concludes my testimony. I would be happy to answer any questions.

Attachment # 2 pg 1 HB 1288 3.16.17

Senske & Son Transfer Co 4375 24th Ave N Grand Forks ND 58203 701.746.6472

RE: HB 1288

Dear members of the Senate Transportation Committee,

I am writing today requesting the updating of some of our state's regulations regarding overlength permitting. Changes in the current regulations would allow Commercial Motor Carriers, like myself, to utilize resources more effectively and decrease economic impact, by allowing our drivers to maximize their hours of service.

We are currently working on a large contract hauling electric trollies to the west coast, specifically, San Francisco, CA and Seattle, WA. These loads are legal height, slightly overweight (which we purchase annual permit for), 9' wide, and 95' long.

To San Francisco, we travel 2000 miles and through 6 states. Seattle is 1850 miles and 4 states. Other than MN and ND, we are able to travel around the clock, including MT, ID, WA, NV and CA.,

Having to stop at dark in our own state is frustrating as it typically results in an extra day of time spent on each load. Once we get out of ND, we have continuous travel for the duration of these trips.

In ND, overweight already has continuous travel. As for length, doubles and triples go up and down the roads every night, longer than 95'. Why are we considered "oversize", at the same length or less, and prohibited from the same hours of operation as doubles or triples?

Another consideration is for the annual overlength permit itself. Currently, our neighbors to the west all offer annual permits for overwidth as we do, but they also offer overlength. These permits save us a lot of time obtaining permits and then trying to get them to the driver. Additionally, ND annuals always expire on Dec 31st, so you may not actually get a whole year out of them, although you pay for an entire year. Other states start annual permits on any day, and they are good for an entire year from that date.

I'm not asking for anything that doesn't already exist in other jurisdictions. These states and the permits they offer are much more CMV friendly than what is available in our own state.

I have attached various permit issued by other states so you can see how they differ from our own state. I believe ND has room make changes to the current legislation and allow Commercial Motor Carriers the opportunity to get our job done in an expeditious manner and allow our work force more home time and less time on the road. Help me, help them to work smarter, not harder. Please pass HB 1288.

attachment#2 pg2 HB1288 3.16.17

Attached:

- 1. MT annuals IS'W 95'L 15'6H and continuous travel
- 2. ID annuals 12-6/16-0W depending on the road, 12-6H IIOL and continuous travel. Good for a year from date of purchase.
- 3. NV annuals 12W 15H IIOL, continuous travel and good for 1 year from date of purchase.
- 4. CA is not an annual, but does allow continuous travel as long as a pilot car is not required.
- 5. WA is not an annual, but again, does allow continuous travel

Thank you for your consideration!

Icali Senske

Sincerely,

Jodi Senske



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RAILPOAD ENERGENCYS PERMITTED LOADS CALL UP 1-868-877-7257 BNSF 1-806-802-5452

valid for easier highways and Ada county other face course subject to local approval. Permitted is responsible to rentical clear prices and any diamagerical to traffic lossing devices. Applicant's acceptance of permit certifies vertical fine been reduced to practice minimum schellerged and they shall comply with all applicable state and Indexed laws, runs, and regulations.

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LANCE GR By Chanse: 01/20/2019

Tim

Signature of Applicant

PERMIT

Idaho Civer Legal Permit: 1-800-882-7133

Trucking Idaho, G



NEVADA DEPARTMENT OF TRANSPORTATION

1263 South Stewart Street, Carson City, Nevada 89712, 800-552-2127/775-888-7410

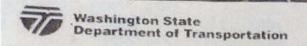
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AHACh #2 P95 HB 1288 3.16.17

OVER-DIMENSIONAL VEHICLE PERMIT

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Special Wiotor venicle Permit

A signed permit must be carried in the power unit at all times.

Pilot/Escort Vehicle Requirements

A pilot/escort vehicle and operator must comply with the requirements of WAC 468-38-100 Escort vehicle requirements. Pilots/Escort vehicles are required when:

Vehicle(s) or load exceeds 11 feet in width; escort vehicles (both front and rear) are required on all two-lane highways.

Vehicle(s) or load exceeds 14 feet wide; one rear escort vehicle is required on multiple-lane

highways.

3 Trailor length including load exceeds 105 ft., of a tractor/traileer combination, requires a rear escort vehicle on all two-lane highways.

Trailer length including load exceeds 125 ft., of a tractor/trailer combinatio, requires a rear escort

vehicle on multiple-lane highways.

Rear overhang of a tractor/trailer or truck/trailer combination exceeds 1/3 of the trailer length including load, requires one rear escort vehicle on two-lane highways.

Rear overhang exceeds 20 feet on a single unit vehicle, requires one rear escort vehicle on twolane

highways.

Loads exceed 14 feet and 6 inches high, one escort vehicle is required in front equipped with a height pole. Manufactured housing requires front escort with height pole when exceeding 15 feet in height. The Department does not guarantee height clearances; therefore, on any route where the height is in question, a front escort vehicle equipped with a height pole should be used.

In the opinion of the Department of Transportation, escort vehicles are necessary to protect the traveling public, for any overdimensional and/or overweight move, either across, upon, or along a highway. Holidays and Related Times on which Permit Movements are Prohibited (WAC 468-38-175) Overweight vehicles that cannot maintain the

of the surrounding traffic flow, and all over dimensional vehicles/loads are prohibited on the holidays of New Year's Day, Memorial Day,

Independence Day, Labor Day, Thanksgiving Day, day after Thanksgiving Day, Christmas Day, and during the afternoon of the day preceding said holidays.

Nighttime Movements (WAC 468-38-075)

A vehicle or vehicle combinations not exceeding the defined envelope of 12 feet wide, 14 feet 6 inches high and 105 feet long, including legal overhang(s), may move at night. A vehicle or vehicle combination which exceeds the defined envelope may also be permitted to move at night on state highways subject to Department preferred hours/routes of travel, and must have "Nighttime movement approved" stated on permits. All night moves must comply with published curfew restrictions. Night means one-half hour after sunset to one-half hour before sunrise. Vehicle and load must have proper lighting (49 CFR 393.11).

Winter Road Restrictions

Movement by permit is prohibited in areas where any of the following signs are displayed: "TRACTION ADVISORY OVERSIZE VEHICLI PROHIBITED", VEHICLES OVER 10,000GVW CHAINS REQUIRED", and "ALL VEHICLES CHAINS REQUIRED EXCEPT ALL-WHEEL DRIVE" except as specified in WAC 468-38-075

Railroad Crossing Emergencies Call 1-888-877-7267

Other Regulations relating to the movement of permitted loads are printed in Chapter 468-38 W (Washington Administrative Code).

THE USE OF COUNTY ROADS OR CITY

STREETS is subject to approval by the jurisdic that maintains those roadways. This permit fron the State of Washington does not authorize the use of roadways under local jurisdiction.

Commuter Curfew Hours (see page 2) Warning: Rules are subject to change. Hold of extended permits (monthly, annual) are subject to current rule. Rules, as described herein, should be periodically reviewed for updates to insure compliance.

DOT Form 560-002 Revised 06/2015 Regulations and Conditions

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AGREE

Day, Labor Day, Thanksgiving Day,
r Thanksgiving Day, Christmas Day, and
he afternoon of the day preceding said

3.16-17



AHARL. #2 pg.8 HB 1288 3.16.17



4HACL# 2 PJ9 HB 1288 3.16.17



Attach. #2 pg. 10 NB1288 S. 16.17

attachment # 3 pg 1 HB 1288 3.16.17

HB 1288

March 16, 2017

Senate Transportation Committee

Mr. Chairman and members of the Senate Transportation Committee, my name is Brad Maier, and I own & operate Land Star Construction, an erosion control company, and J&S Heavy Haul, a heavy haul service carrier, both based out of Bismarck. We are also members of the Associated General Contractors of North Dakota, and I am a past president of the board of directors. We are also members of the North Dakota Motors Carriers Association.

I am here today to support HB 1288. Our businesses, like many others in the industry, are frequent users of the various special use permits. Many states, including the surrounding states we do business in offer an annual Over Length permit option, and my hope is that ND passes HB 1288 to allow industry to utilize this option. I, as well as the AGC of ND and the ND Motor Carriers Association have had numerous meetings with the ND Highway Patrol and the ND Department of Transportation over the past few years to discuss our interest in getting this policy enacted. Both of these departments are to be commended for their excellent exchanges we've had as this bill was crafted.

Please keep in mind as we move forward, this bill in no way allows any carrier to operate outside of the legal axle or gross weight limits per North Dakota law, and will not replace the current permitting process with regard to excess weight or lengths over 120 feet.

As a matter of convenience, we believe this good policy for the business environment. In addition to convenience, the annual over length permit option will generate \$285,000. of additional revenue for the Highway Fund, which is very timely given the fact that the one time spending state funding of infrastructure could be substantially less in the 2017-2019 biennium than the previous two biennium.

Wachment #3 pg2 HB 1288 3.16.17

Surrounding States fee structures:

South Dakota (3 Part) - \$180.00

Wyoming (Very Complicated) - \$50.00

Montana - \$200.00

Colorado - \$250.00

I share these fees to illustrate the annual Over Length fee outlined in this bill is very much in line, and in most cases, more reasonable than we pay in the above listed states.

Again, thank you for the opportunity to testify today. We urge your favorable consideration of HB 1288 and urge a "Do Pass" recommendation. If you have any questions, I will attempt to address them.

Again, thank you for your time.

Brad Maicr