

FISCAL NOTE
Requested by Legislative Council
01/24/2019

Amendment to: Engrossed SB 2156

- 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.*

	2017-2019 Biennium		2019-2021 Biennium		2021-2023 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$361,800		\$371,800
Expenditures				\$10,000		
Appropriations				\$10,000		

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

	2017-2019 Biennium	2019-2021 Biennium	2021-2023 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).*

SB2156 as amended proposes an additional \$0.25 fee for every passenger car or pickup truck registration or renewal and deposits those fees in a new driver's education fund.

- 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 imposes an additional fee of \$0.25 on each registration or renewal of passenger motor vehicles or pickup trucks. This fee is to be deposited in a special driver's education fund which would be administered by the Superintendent of Public Instruction for purposes as described in the bill.

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.*

There are approximately 743,600 currently registered passenger and pickup truck vehicles. Under the provisions of this bill, the fee will generate approximately \$361,800 in revenue the first biennium (net of one time programming costs of \$10,000) and \$371,800 for each subsequent 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.*

NDDOT would incur one time computer programming costs of approximately \$10,000. These costs would be deducted from the revenue proceeds prior to distribution to the driver's education fund.

- 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.*

NDDOT would require an addition to its appropriation for the 2019-2021 biennium to cover the \$10,000 of computer programming costs. These costs are not covered under the executive recommended appropriation.

Name: Lindi Michlitsch

Agency: NDDOT

Telephone: 328-2734

Date Prepared: 01/25/2019

FISCAL NOTE
Requested by Legislative Council
01/07/2019

Bill/Resolution No.: SB 2156

- 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.*

	2017-2019 Biennium		2019-2021 Biennium		2021-2023 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				\$1,477,200		\$1,487,200
Expenditures				\$10,000		
Appropriations				\$10,000		

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

	2017-2019 Biennium	2019-2021 Biennium	2021-2023 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).*

SB2156 proposes an additional \$1 fee for every passenger car or pickup truck registration or renewal and deposits those fees in a new driver's education fund.

- 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 imposes an additional fee of \$1 on each registration or renewal of passenger motor vehicles or pickup trucks. This fee is to be deposited in a special driver's education fund which would be administered by the NDDOT for purposes as described in the bill.

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.*

There are approximately 743,600 registered passenger motor vehicles and pickup trucks at the present time. A one dollar fee on each vehicle would generate \$743,600 per year or \$1,487,200 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.*

NDDOT would incur one time computer programming costs of approximately \$10,000. These costs would be deducted from the revenue proceeds prior to distribution to the driver's education fund.

NDDOT would also incur staffing and operating costs related to the administration of the driver's education fund. At this time we don't know the level of staffing and other costs that would be necessary to support this program. Therefore, we cannot provide detail for those additional expenditures.

- 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.*

NDDOT would require an addition to its appropriation for the 2019-2021 biennium to cover the \$10,000 of computer programming costs. These costs are not covered under the executive recommended appropriation.

Name: Shannon L. Sauer

Agency: NDDOT

Telephone: 328-4375

Date Prepared: 01/11/2019

2019 SENATE EDUCATION COMMITTEE

SB 2156

2019 SENATE STANDING COMMITTEE MINUTES

Education Committee
Sheyenne River Room, State Capitol

SB 2156
1/14/2019
30747

- ☐ Subcommittee
☐ Conference Committee

Committee Clerk: Lynn Wolf

Explanation or reason for introduction of bill/resolution:

A bill relating to registration fees for motor vehicles and a driver's education fund; and to provide a continuing appropriation.

Minutes:

Att. # 1 – Senator Schaible; Att. #2 – Glenn Jackson; Att. #3 - Jim Keller

Vice-Chairman Fors: Hearing for SB 2156 is open. Senator Schaible.

Senator Schaible, District 36: I am here to introduce SB 2156. The bill provides a funding source to recruit driver's instructors and provide for equipment and supplies to maintain an effective driver's education curriculum.

Senator Davison: Is there a fiscal note that goes with this bill?

Senator Schaible: You are correct and this bill will need to be referred to the Appropriations committee.

Jim Keller: See Att. # 1. The reason the bill was drafted was we are struggling to get drivers education teachers. We want to retain and recruit teachers and one of the biggest ways to retain them is to provide for them their education when they go to conferences and some schools are having to cut budgets and instructors can only go every other year. We are struggling to get new teachers – it requires 12 more hours. It also takes time away from their family and many teachers don't feel they need the hassle of a driving with a 14-year-old kid trying to kill me. I had six kids out of 25 that didn't even know how to fill gas out of 25 or how to run the pump. We live in ND – we know the importance of driving safely – most of you probably drive here to get here. This is one life skill that we use over and over again. DOT had a survey out that requiring drivers ed for licensure and incorporating novice drivers about driving risk. That was one of the priorities for safety strategies. To get more people to get into drivers ed instructors, I thought it a good idea to pay the credit cost and they have to provide the school district five more years of instruction. If I could get 10 teachers every two years, that is a big step. We are losing about 4 teachers a year through retirement. Last year we got two new drivers ed teachers. The resources for drivers ed are not coming cheap. When a driver's ed teacher gets into the automobile with a student, there is a lot of liability there. Drivers ed cars should have cameras in them. In the last three years, we have had four

drivers ed accidents with drivers in them. One of them involving a death. Cameras won't prevent the accident, but it will help with the liability. Also, I use the video with my students so they see what they have done wrong. Everything is shown. When we stop I show the video to them. The in car camera is not just about liability, it is also education. There are a lot of other expenses - gas, brakes, signs for the car, etc. If every school is equipped with the needed materials the cost of approximately \$600 for a single car. This is what it would cost per year (he put four quarters on the table). It's less than ten cents per month. For every noncommercial driver it would actually cost about eight cents per month – but I didn't want to cut a penny in half.

Chairman Schaible: How do you see that pool of money divvied to the driver ed programs?

Jim Keller: To reimburse the schools for the equipment that is foremost. Reimbursing and retaining teachers to be able to attend conferences course fees is also important. I wasn't sure how the funding would be worked out – I don't know if it should be through Department of Public Instruction or DOT. We need about 10 teachers every two years. The costs continue to raise as we need to drive further to take the tests as the rural office have been shut down, gas prices, etc.

Chairman Schaible: Other testimony in favor of. Agency testimony.

Glen Jackson, Director of the Driver's License Division for DOT: The bill is intended to create a driver's education fund. The department does not oppose the idea, but we are concerned about the process established. The bill creates a new fund with management levied on the DOT. The department does not have the resources or manage this fund nor an understanding of the needs of the Department of Public Instruction to support these areas of instruction. We recommend the responsibility to administer the program be transferred fully to Department of Public Instruction for their use and management.

Chairman Schaible: Questions.

Senator Davison: I had some concerns with the bill and oversight. The word director in the bill refers to whom? Someone in your department or Department of Public Instruction?

Glenn Jackson: See attachment #2. The bill is in department 39, so it would be in the director of transportation.

Chairman Schaible: Other questions.

Joe Kolosky, Deputy Director of the Department of Public Instruction Office of School Approval and Opportunity: Superintendent of Public Instruction Baesler is for operating this program under our department.

Chairman Schaible: You didn't see that as a problem – how you would delegate that?

Joe Kolosky: No, that would not be an issue, we do this kind of work with several grants and programs.

Chairman Schaible: Other questions. Thank you. Any other agency testimony? Testimony in opposition to the bill? With that, we will close the hearing.

2019 SENATE STANDING COMMITTEE MINUTES

Education Committee
Sheyenne River Room, State Capitol

SB 2156
1/22/2019
31219

☐ Subcommittee
☐ Conference Committee

Committee Clerk Signature Lynn Wolf

Explanation or reason for introduction of bill/resolution:

A bill relating to registration fees for motor vehicles and a driver's education fund; and to provide a continuing appropriation.

Minutes:

Att. #1-Amendment

Chairman Schaible: SB 2156. Senator Davison you have an amendment?

Senator Davison: Yes, Mr. Chairman. LC # 19.0355.01001. The intent is to lower the fee from one dollar to twenty-five cents. It will also replace the word director to superintendent of public instruction.

Senator Davison: Motion to adopt the amendment.

Senator Fors: Second

Chairman Schaible: Other discussion.

Roll call vote 7 Yeas, 0 Nays, 0 Absent.

Amendment to SB 2156 passes.

Senator Davison: Mr. Chairman, I move to pass SB 2156 as amended and refer to Appropriations.

Senator Fors: Second.

Roll Call vote 7 Yeas, 0 Nays, 0 Absent.

Motion Carries.

Senator Davison will carry the bill.

January 16, 2019

SK
10A

PROPOSED AMENDMENTS TO SENATE BILL NO. 2156

Page 1, line 11, replace "one dollar" with "twenty-five cents"

Page 1, line 13, replace "director" with "superintendent of public instruction"

Page 1, line 21, replace "director" with "superintendent of public instruction"

Page 2, line 2, after "department" insert "of public instruction"

Renumber accordingly

Date: 1-22-19
Roll Call Vote #: 1

**2019 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2156**

Senate Education Committee

☐ Subcommittee

Amendment LC# or Description: 19.0355.01 001

Recommendation: ☒ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar
Other Actions: ☐ Reconsider ☐ _____

Motion Made By Davison Seconded By Fors

Senators	Yes	No	Senators	Yes	No
Chairman Schaible:	✓		Senator Marcellais:	✓	
Vice-Chairman Fors:	✓		Senator Oban:	✓	
Senator Davison	✓				
Senator Elkin:	✓				
Senator Rust:	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment _____

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

Date: 1-22-19
Roll Call Vote #: #2

**2019 SENATE STANDING COMMITTEE
ROLL CALL VOTES**
BILL/RESOLUTION NO. SB 2156

Senate Education Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☒ As Amended ☒ Rerefer to Appropriations
☐ Place on Consent Calendar
Other Actions: ☐ Reconsider ☐ _____

Motion Made By Sen Davison Seconded By Sen. FORS

Senators	Yes	No	Senators	Yes	No
Chairman Schaible:	✓		Senator Marcellais:	✓	
Vice-Chairman Fors:	✓		Senator Oban:	✓	
Senator Davison	✓				
Senator Elkin:	✓				
Senator Rust:	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Sen Davison

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

REPORT OF STANDING COMMITTEE

SB 2156: Education Committee (Sen. Schaible, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** and **BE REREFERRED** to the **Appropriations Committee** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2156 was placed on the Sixth order on the calendar.

Page 1, line 11, replace "one dollar" with "twenty-five cents"

Page 1, line 13, replace "director" with "superintendent of public instruction"

Page 1, line 21, replace "director" with "superintendent of public instruction"

Page 2, line 2, after "department" insert "of public instruction"

Renumber accordingly

2019 HOUSE EDUCATION

SB 2156

2019 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau A Room, State Capitol

SB 2156
3/6/2019
33332

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Bev Monroe

Explanation or reason for introduction of bill/resolution:

A bill relating to registration fees for motor vehicles and a driver's education fund; and to provide a continuing appropriation

Minutes:

Attachment 1, 2, 3

Chairman Owens: Opened the hearing on SB 2156.

Sen. Don Schaible: (Attachment 1)

Chairman Owens: Any questions from the committee?

Rep. Andrew Marschall: When it says 'equipment', what does that mean?

Sen. Don Schaible: It could be the assistant brakes on the right side, it could be the camera to record what they are doing. I think Mr. Keller will explain that. Sometimes they use records to show what they did. It could be leasing a car, paying for the car, equipment for that car, etc.

Chairman Owens: Any further questions?

Vice Chairman Cynthia Schreiber-Beck: Including the non-public schools, do we normally provide them with the driver's education course work. How does that work?

Sen. Don Schaible: Part of what we do through schools is that we have a per pupil payment that is part of the factors for driver's ed. if it's done through the school. They do get paid through the state for that. I don't think that is included in the private education. As far as the association goes, the drivers and others still can do that sort of thing.

Rep. Pat D. Heinert: What about the \$.25 charge? I don't ever recall writing a check for Motor Vehicle registration that isn't an even dollar amount.

Sen. Schaible: We thought \$1.00 was a little excessive and the fiscal note was over \$1M. This is at \$378,00. We thought \$1.00 would be excessive with the funding to start out with

and would be a deterrent in passing the bill. By lowering the price, it gives the bill a better chance of survival.

Rep. Pat D. Heinert: My concern is that people are used to writing out even dollar amounts that they will miss the \$.25 and we will cause headaches for the DOT.

Sen. Schaible: If it's a problem we will probably hear about it, if not, whatever. If it's worthy enough to move this forward and we think it's worth funding this fund, then we can amend it and we will talk about it. We thought this was important enough to move it along and keep it alive.

Chairman Owens: Anyone else in support of SB 2156?

Jim Keller, President, ND Drivers Education Instructors: (Attachment 2) I was looking at ways to keep the teachers in the program with added costs for the things that go into the driver's ed program (brakes, cameras, etc.). That would bring the cost down for the teachers, parents, etc. Right now, we are losing teachers and I am trying to find ways to reinvent the wheel and make it so smaller school programs can survive. I thought about putting it on the license plate renewal fees.

Chairman Owens: Any questions from the committee?

Rep. Daniel Johnston: How much does it cost for a parent to enroll their child?

Jim Keller: In most programs, it's \$100-\$200 in the school system. The state reimburses \$75 on \$100. They take out money because you charge for it, but there is a certain amount that they pay you back, they prorate it for that. They take it out of the funding.

Rep. Daniel Johnston: Instead of making this a collectively funded thing, should a parent be accountable for this? To raise the fees for the parent, enroll their child in?

Jim Keller: If you raise the fees, the state funding goes down. They have it prorated.

Chairman Owens: Any further questions?

Vice Chairman Cynthia Schreiber-Beck: Today, how does the non-public school drivers training work versus public school? Is there a variant?

Jim Keller: Private schools are not funded by DPI. They don't get the funding for it, but their instructors still have to go to the classes for the two credits to get it back. To date, I don't know of any private schools that actually are involved in drivers ed programs.

Rep. Michelle Strinden: I believe Oak Grove Lutheran School provides it.

Jim Keller: Yes, but they are not with our driver's education program, so I don't know how they work it.

Chairman Owens: Any questions from the committee?

Vice Chairman Cynthia Schreiber-Beck: Following up on Rep. Heinert's \$1 vs. \$.25, I am feeling the same way he is. The dollar with a sunset on the bill or how much do you think you're going to spend and keep in reserve, etc. If you could put those numbers together I think that would be helpful.

Jim Keller: I figured all the costs (brake, camera, mirror, conference costs and in-class materials) that every instructor has. It would \$1,195 per school per class. You realize that you have 100 schools involved with 125 teachers, but we have more than that in our larger cities (Fargo, Grand Forks, Dickinson, Minot and Williston). They have multiple teachers for multiple programs, but we only list them as one school. For equipment alone without the books (not including gas, car lease, etc.) is \$119,500. To enlist ten teachers in a two-year period, if you just gave them the \$3,500 to recover the cost that they would spend for the classes, that is \$35,000. Maybe you could have them say that they would work within the ND driver's education program for the next three years. That's how we thought it could be worked to have them have 'skin in the game'. They would be responsible to teach in ND whether they switch a school or not for the next three years or pay back a portion. We are looking for money to stop the deficit spending we have and the loss or recruitment of teachers.

Vice Chairman Cynthia Schreiber-Beck: Essentially the cost is approximately \$175,00/year?

Jim Keller: Without gas, vehicle and everything else, etc.

Vice Chairman Cynthia Schreiber-Beck: Would the funding listed here at \$.25/\$361,800 cover you?

Jim Keller: The car is leased every year and that is the issue with the brake. A lot of the schools buy the car if they can afford it, but not everyone does it that way. A lot of times they buy the vehicle and use it for other things within the school, i.e., students going to different programs. A lot of schools have vans and the kids drive vans.

Vice Chairman Cynthia Schreiber-Beck: That would be for a couple years. If we did this annually, there is no sunset on this particular bill? You would, in five years, have \$1.5 and spend about half of that.

Jim Keller: There are a lot of costs I didn't include like fuel costs. You would be surprised at the numbers you get back with the fuel costs.

Vice Chairman Cynthia Schreiber-Beck: Reflective in these numbers are the potential for additional funding for the schools that are providing the service.

Chairman Owens: Any further questions?

Rep. Ron Guggisberg: You said there are different programs within different school districts and schools like Oak Grove don't get any money currently. Would they under this

bill and how many of the programs be covered under this bill? Would it be all of them or all of them with certain exceptions?

Jim Keller: There is really not an exception. Could you help me out (referring to Rep. Strinden)?

Rep. Michelle Strinden: I don't know. I know that provide direct driver's ed in the summer, but my children have not participated in that program, but they do provide it for kids in the summertime.

Jim Keller: I'm looking to get that stuff that every school needs (brake, camera, etc.). Liability issues are so great. The in-car cameras take out the he said/she said issue and it tells you what happened. We don't have any programs within our organization in the state, but I'm not disallowing for it. If they need it, they should have it.

Chairman Owens: Any further questions from the committee? I have a small program with the \$3,500 for the teachers continuing ed, since there are 19 other certificates that are requiring continuing ed. When you said earlier that there is no other teacher that has to do that, there are 19 other certificates.

Jim Keller: We are the only ones that every two years have to have it in driver's ed credits in driver's education. We are the only ones.

Chairman Owens: Title I reading requires it, Title I math requires it, but they are five years for their certificates, but they need six hours.

Jim Keller: Every teacher needs six hours, but in driver's ed it has to be specific to driver's education.

Chairman Owens: That's what Title I math is.

Jim Keller: I believe that it is only the principals or superintendents, it is library technician or something, the computer one. They are the only ones that are required to be on the six credit hours.

Chairman Owens: It was my understanding that you needed six credit hours to maintain your teachers license and then six credit hours for Title I reading.

Jim Keller: Every teacher needs that.

Chairman Owens: I mean twice, so it would be twelve credit hours for the five years.

Jim Keller: Yes, you can call Rebecca Pitkin at ESPB and should could answer that.

Chairman Owens: Any further questions? Others in support?

Russ Ziegler, NDCEL: (Attachment 3)

Chairman Owens: Any further questions from the committee? Others in support?

ElRoy Burkle, NDSOS/Alexis Baxley, NDSBA: I am in support of this bill and also, I have permission from Alexis Baxley to support this bill. The only question I would have to research is to make sure the money that goes back to the schools does not get counted into that 'in lieu' because then you have actually defeated the purpose of the \$.25 per plate.

Chairman Owens: Any others in support? Anyone opposed? Any neutral testimony for SB 2156?

Joe Kolosky, Deputy Director of School Approval and Opportunity with DPI: During the regular school year there are 11 schools that offer drivers education, five of those offer both regular and in the summer. There are 132 programs in the summer. Summer enrollment last year was 3,763 students and during school the enrollment was 1,316 students.

Chairman Owens: You heard the question about 75/25? Is that because it is counted as tuition or do you know that?

Joe Kolosky: Adam Tescher would be able to get those figures for you.

Chairman Owens: In this program, do you currently provide anything for private schools?

Joe Kolosky: We do not provide for private schools as they are funded on their own.

Vice Chairman Cynthia Schreiber-Beck: Annually, what is spent for driver's ed by DPI?

Joe Kolosky: I'll get that information for you.

Chairman Owens: Any further questions from the committee?

Rep. Dennis Johnson: This is probably a question that is more for the department. When you register a vehicle, is there a machine set up for \$.25. It's always rounded off.

Chairman Owens: Any further questions? Any neutral testimony? We will close the hearing on SB 2156.

2019 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau A Room, State Capitol

SB 2156
3/13/2019
33649

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Bev Monroe

Explanation or reason for introduction of bill/resolution:

A bill relating to registration fees for motor vehicles and a driver's education fund; and to provide a continuing appropriation

Minutes:

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Chairman Owens: Is there any discussion on SB 2156?

Rep. Pat D. Heinert: I think we need to support driver's education. I like the idea of them talking about the new equipment in the vehicles and making sure that equipment is updated and the vehicles are being maintained so there aren't students driving with inadequate equipment. I was disappointed to hear that some schools are buying vans with their driver's education so they can utilize it for other things. I would not support this bill paying \$3,500 towards their continuing education. I think that is their own responsibility as I think Driver's Education teaching is a separate contract on top of their normal teaching contract. If they are that short on driver's ed instructors, I think that they would be covering themselves in how they are collecting their fees and making sure their education is paid for.

Chairman Owens: It says any monies deposited in the fund must be used for retaining and recruiting teachers who provide driver's ed instruction both in public and non-public schools. Reimbursed expenses incurred by public and non-public schools for necessary driver's ed curriculum, materials, supplies and equipment, purchasing equipment necessary for the public to improve and effectively maintain the curriculum. It's appropriated on a continuous basis. It was a dollar in the Senate and they passed it with a quarter.

Rep. Mary Johnson: I'd like to move a **Do Not Pass** on SB 2156.

Chairman Owens: Is there a second?

Rep. Daniel Johnston: I'll **second** it.

Chairman Owens: Any further discussion?

Vice Chairman Cynthia Schreiber-Beck: There may be the possibility to amend. If that does happen, Small Schools indicated that the tuition is now being deducted so we would want to clarify that.

Chairman Owens: The money paid by the parents is treated as tuition. It is being imputed at 75%. We can't change that because if we do that is just the state picking up the tab in a different form.

Rep. Brandy Pyle: Are school districts required to offer driver's ed?

Chairman Owens: I don't believe so, but I'm not sure.

Rep. Ron Guggisberg: One issue that someone with his own driving school deals with is helping students who can't afford this fee.

Chairman Owens: At a quarter, they still get more money than he claimed they needed and what the expenses were, and that it was a continuing basis. You could also put a sunset on it to get them the equipment and then back it off. You could restrict it from being used for continuing education, you could insert in there that it would supplement low income. We can't right now because we have a Do Not Pass on the bill. No one can look at amendments right now until we get past this motion, unless the motion gets withdrawn.

Rep. Mary Johnson: I feel like the state doesn't have the obligation to teach kids to drive. It came about decades ago because it helped teachers who had nothing to do in the summer do something.

Rep. Dennis Johnson: That was my error. With regulation you cannot get your driver's license till you have had driver's ed and have to be a certain age to be able to take driver's ed. There are other laws we have passed to put us in a situation where driver's ed is required to get a driver's license.

Rep. Mary Johnson: Aren't there private companies that offer driver's education too?

Rep. Dennis Johnson: Maybe in the larger cities, but in the country I know students having to go thirty miles or more to another school or get in with someone else to get it out of the way because of their age to get their license.

Rep. Pat D. Heinert: If the person is under eighteen years of age they have to have driver's ed to get their license.

Representative Denton Zubke: Where I live everyone is driving before they are eighteen. The other thing that happens is our school no longer provided driver's ed so I had to take my last student 45 miles to a private individual to get driver's ed and he made exceptions where we could come and my son could drive eight hours in a day instead of the typical couple hours so we didn't have to drive the 45 miles quite so many times. I don't think this is a bad program process to go through and put some funding out there so that they have some money for this equipment.

Chairman Owens: When I went to driver's ed it was a half semester during the school year and all the students went through it.

Rep. Pat D. Heinert: This would be an ideal study resolution but I don't think it is one for us to worry about. It's an ideal study resolution for the group of driver's ed instructors that they have their own committee on for them to study and come back with a solid bill next time, not just an adventure bill. They are just throwing things out to see what sticks.

Rep. Daniel Johnston: I'd like to ask Rep. Heinert that under eighteen years old it is mandatory or is it under sixteen that it's mandatory if you want to get your license.

Rep. Pat D. Heinert: There are two sections to it. Under sixteen it is mandatory classroom and driving and under eighteen it is either classroom or driving. I know under sixteen it is mandatory for both and under eighteen it is mandatory for one of them.

Chairman Owens: Any further questions?

Rep. Brandy Pyle: I think this is a great idea for innovation education to do it during the school year. Those that turn fourteen earlier in the year can take it at a certain point. They can co-op with other schools. I think instead of throwing money at it we have to start thinking creatively.

Rep. Pat D. Heinert: We do have a bill coming forth this afternoon that I am carrying that changes driver's ed for those fourteen years of age. They can be part of it as long as they turn fourteen prior to the completion of the course.

Chairman Owens: Any further discussion?

Rep. Andrew Marschall: Having the driver's education class benefits individuals in a variety of ways, i.e. insurance premium deductions, etc. In the bigger cities it is beneficial to have these programs,

Rep. Daniel Johnston: It is a really good program and I think parents should do it. I question as to whether we should ask the people at large to fund the opportunity to attend it for kids that aren't theirs. I think it is a parental obligation and parents should step up to the plate on this.

Chairman Owens: We have before us SB 2156 for a **Do Not Pass** motion.

A **Roll Call Vote** was taken: **Yes 7, No 7, Absent 0**. The **Do Not Pass** motion **fails**.

Vice Chairman Cynthia Schreiber-Beck: Before we make another motion we should see if there are some people that want amendments before we build directly onto this bill.

Chairman Owens: We will close this session of committee work.

2019 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau A Room, State Capitol

SB 2156
3/19/2019
33943

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Bev Monroe

Explanation or reason for introduction of bill/resolution:

A bill relating to registration fees for motor vehicles and a driver's education fund; and to provide a continuing appropriation

Minutes:

--

Chairman Owens: What is the committee's desire?

Representative Denton Zubke: I will move a **Do Not Pass** on SB 2156.

Rep. Mary Johnson: **Seconded.**

Chairman Owens: Is there any discussion?

Rep. Ron Guggisberg: Driving is a necessity, especially in our state and might be the way to go, but eventually putting something in the formula to help with the driving school may be a good idea.

Chairman Owens: What we were told was not only for the equipment - but didn't receive information regarding fuel - and fuel, and it was used for the continuing education requirements. All of our teachers have certain amounts on continuing education requirements. Why are we singling them out to help them? I don't think this is the vehicle. Any further discussion?

Rep. Dennis Johnson: There is monies in foundation aid for a summer approved driver's ed program.

Chairman Owens: Any further discussion?

A **Roll Call Vote** was taken: **Yes, 14, No 0, Absent 0.** A **Do Not Pass** motion carries.
Rep. Guggisberg will carry SB 2156.

Date: 3-13-19
Roll Call Vote #: I

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2156

House Education Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☐ Do Pass ☒ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar
Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. M. Johnson Seconded By Rep. Johnston

Representatives	Yes	No	Representatives	Yes	No
Chairman M. Owens	✓	✓	Rep. Guggisberg		✓
V. Chair. Schreiber-Beck	✓		Rep. Hager		✓
Rep. Heinert		✓			
Rep. Hoverson	✓				
Rep. D. Johnson	✓				
Rep. M. Johnson	✓				
Rep. Johnston	✓				
Rep. Longmuir	✓				
Rep. Marschall		✓			
Rep. Pyle		✓			
Rep. Strinden	✓				
Rep. Zubke		✓			

Total (Yes) 7 No 7

Absent 0

Floor Assignment _____

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

MOTION FAILS

Date: 3-19-19
Roll Call Vote #: 1

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 2156

House Education Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☐ Do Pass ☒ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar
Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. Zubke Seconded By Rep. M. Johnson

Representatives	Yes	No	Representatives	Yes	No
Chairman M. Owens	✓		Rep. Guggisberg	✓	
V. Chair. Schreiber-Beck	✓		Rep. Hager	✓	
Rep. Heinert	✓				
Rep. Hoverson	✓				
Rep. D. Johnson	✓				
Rep. M. Johnson	✓				
Rep. Johnston	✓				
Rep. Longmuir	✓				
Rep. Marschall	✓				
Rep. Pyle	✓				
Rep. Strinden	✓				
Rep. Zubke	✓				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep. Guggisberg

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

REPORT OF STANDING COMMITTEE

SB 2156, as engrossed: Education Committee (Rep. Owens, Chairman) recommends
DO NOT PASS (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
Engrossed SB 2156 was placed on the Fourteenth order on the calendar.

2019 TESTIMONY

SB 2156

NORTH DAKOTA SENATE

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Senator Donald Schaible

District 31
9115 Highway 21
Mott, ND 58646-9200
R: 701-824-3168
dgschaible@nd.gov

COMMITTEES:
Education, Chairman
Energy and Natural Resources

January 14, 2019

SB 2156

Good morning Senate Education Committee. For the record I am Senator Donald Schaible from District 31. I am here to introduce SB 2156 that provides for a funding source to recruit driver instructors and equipment or supplies to maintain an efficient driver's education curriculum.

This bill has come to my attention from a patron in my district that is the President of the ND Drivers Education Instructors and will testify after me and will be able to provide much more information. I will try to answer any of your questions if I can.

SB2156
1-14-19
AA.#2
PI

SENATE EDUCATION COMMITTEE
January 14, 2019; 10:00 AM; Sheyenne River Room

North Dakota Department of Transportation
Dr. Glenn Jackson, Director, Driver's License Division
SB2156

Mr. Chairman and members of the Committee, good morning, my name is Glenn Jackson, Director of the Driver's License Division for the North Dakota Department of Transportation (DOT).

Senate Bill 2156 is a bill to create a driver education fund. The department does not oppose the idea; however, we are concerned about the process established.

The bill creates a new fund with management of the uses of the fund levied on the NDDOT. The department does not have resources to monitor or manage this fund, nor an understanding of the needs of the Department of Public Instruction (DPI) to support these areas of instruction.

We recommend that the responsibility to administer this program be transferred fully to DPI, for their use and management.

Mr. Chairman, that concludes my testimony, I would be happy to answer any questions you may have.

SB 2156
1-14-19
Att. #3
p-1 of 3

Jim Keller notes on senate bills 2156, 2157, and 2158.

Senate bill 2158

We have 100 public schools in the state of ND and we have about 125 Driver's Education Teacher's Licensed in ND. Not all of them teach. We have several teachers who are retired, teaching drivers education to help out their local community. We have teacher's because of lack of funding that are allowed to go to conference every 2 years. To gain credit for conference you have to be there Thursday night, Friday all day, and Saturday morning until noon, plus write a paper for that one credit. Some teachers have to travel after school Thursday and others have commitment Saturday, such as coaching baseball, track, golf, AAU wrestling, rodeo and other family commitments. We are getting to be a grey haired society. New teachers don't want to take on Driver's Education because of summer activities, stress of young driver's, extra work load to get accredited, etc. "Amend it to, and attend one driver's education conference every three years."

I am asking for this as a way to help retain highly qualified teachers that have a wealth of knowledge and expertise in Drivers Education.

Senate bill 2157

Explain the Flasher situation after the teacher had died in an accident with student drivers. Her class was in June and she was going to drive with two students when they turned 14 in August. That is simply too much time between the classroom and behind the wheel to retain the information learned and practice it. Graduate 8th grade, how old 12-16 yrs. of age. Let us make it simple. They must be 14 yrs. of age by the completion of the classroom instruction, before the behind the wheel. This allows for the student who may turn 14 in the 1st few weeks of June but puts a cut-off that is identified by age, not the completion of 8th grade.

Senate bill 2156

Explain what will this actually cost, \$1.00, 4 quarters per year, less than \$.10 per month, actually \$.083 cents per month. Less than the cost of a cup of coffee from Mcdonalds per year. Who will manage the money, DPI. Driving is one life skill that most of us use consistently in ND . You probably drove here today.

Less and less schools are providing the resources to go to training opportunities and this expense is becoming more of an out-of-pocket expense for the teacher. Liability is an issue, without updating safety features for the driver's ed. cars. Simple things such as the newer brake on the passenger side. It allows for easier installment into newer models of cars. (2000+). It takes one mechanic about 45 minutes to put it in where the older brakes take 2 mechanics about 2 hrs. Plus it is considered a safer brake with newer models and does less damage to the vehicle if a leased unit. One bolt is all that is required for the foot pedal of the brake. Cameras to not only record what is done in and out of the car, but also can be used for teachable moments with the students. It allows instant playback so the student driver can actually see what they did wrong. Signage for the vehicle. Extra mirrors for the teacher. Not only expenses for the car but classroom expenses to update DVD's, in-class instructional materials. Gaining new teachers to replace those that retire or move. It costs about \$3500 just for the credits to be able to teach driver's education. Not including registration and University fees. I would like to see 10 new teachers in two years. Pay for their credits and then get a 5 year dedicated contract to teach at least that long in Driver's education. In the past year alone we had 4 teachers retire and only added 2 new teachers. We are deficit spending if we were a fiscal account.

So what are the actual costs.

SB 2156
1-14-19
AH. #3
P. 3 of 3

100 schools, 125 teachers

Brake-\$350 each

Camera-\$200 each

Mirror and Signage- \$75

Conference Costs- \$125 registration, motel \$175, meals \$70, credit \$50,
travel varies \$25-\$75

In class materials \$100

Plus the book or course-on-line fee.

How can we figure gas expense it will cost according to how close you are to a major town in ND that has DMV testing, so that your students can practice in that place.

This is not looking at the 6 hrs. driving time, 6 hrs. observation time, and 30 hrs. of classroom time and the prep time that is required to prepare for the classes.

Without these and only doing the top 6 lines with pricing include it comes to \$1195 multiplied by 100 schools that is \$119,500 and that isn't including the bigger schools that have multiple teachers and cars.
10 new teachers times \$3500 =\$35000

How many non-commercial vehicles are licensed each year in ND?
466,614 in 2018 according to NDDOT website.

Driver's education in the summer is pro-rated by reimbursement from the state. Most driver education programs do not recover the costs. The schools have the programs to help our students learn this important life skill and try to promote safer communities. What value are you going to place on a life saved by defensive driving learned in driver's education.

PROPOSED AMENDMENTS TO SENATE BILL NO. 2156

Page 1, line 11, replace "one dollar" with "twenty-five cents"

Page 1, line 13, replace "director" with "superintendent of public instruction"

Page 1, line 21, replace "director" with "superintendent of public instruction"

Page 2, line 2, after "department" insert "of public instruction"

Renumber accordingly

NORTH DAKOTA SENATE

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360

SB 2156
3-6-19
#1



Senator Donald Schaible

District 31
9115 Highway 21
Mott, ND 58646-9200
R: 701-824-3168
dgschaible@nd.gov

COMMITTEES:

Education, Chairman
Energy and Natural Resources

March 6, 2019

Good afternoon Chairman Owens and House Education Committee members. For the record I am Senator Donald Schaible from District 31. I am here to introduce SB 2156 that provides for a funding source to recruit driver education instructors and equipment and/or supplies to maintain an efficient driver's education curriculum.

This bill in its original form ask for \$1 added to the motor vehicle registration and that a fund be established in the DOT. The Senate Education Committee thought this was a little too excessive and reduced the amount to \$.25 per registration and suggested that the Department of Public Instruction would be a better home to place this fund.

The fiscal note estimates 743,600 vehicles would generate \$371,800 with \$10,000 of that being used the first year to provide for software updates to address this fund.

Again, this bill came to my attention from the President of the ND Drivers Education Instructors, a constituent of my district, and will testify after me and will be able to provide much more information. I will try to answer any of your questions if I can.

Senate bill 2156

Explain what will this actually cost, \$1.00, 4 quarters per year, less than \$.10 per month, actually \$.083 cents per month. Less than the cost of a cup of coffee from Mcdonalds per year. Who will manage the money, DPI. Driving is one life skill that most of us use consistently in ND . You probably drove here today.

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Be seen. Be heard.

Driver and Traffic Safety Education

Requirements to Certify in ND

Licensure requirements for driver education teachers in the state of North Dakota

The Education Standards and Practices Board is the agency that is responsible for teacher licensing in North Dakota. To get a driver education minor equivalency endorsement on your teaching license visit this page and print a copy of the application form: [Drivers Education Minor Equivalency Endorsement form](#)

*For information in regard to teacher licensure in any state other than North Dakota, contact the Department of Public Instruction in that state.

Recommended Courses

The driver education teacher requirements vary from state to state. We recommend the following block consisting of ten semester hours. This block will meet the credential requirements in most states.

DTS 230 - Driver and Traffic Safety Education (3 semester hours)

DTS 230 is an introduction to driver and traffic safety education. This course trains the prospective instructor to teach the classroom portion of driver education.

DTS 350 - Advanced Driving (3 semester hours)

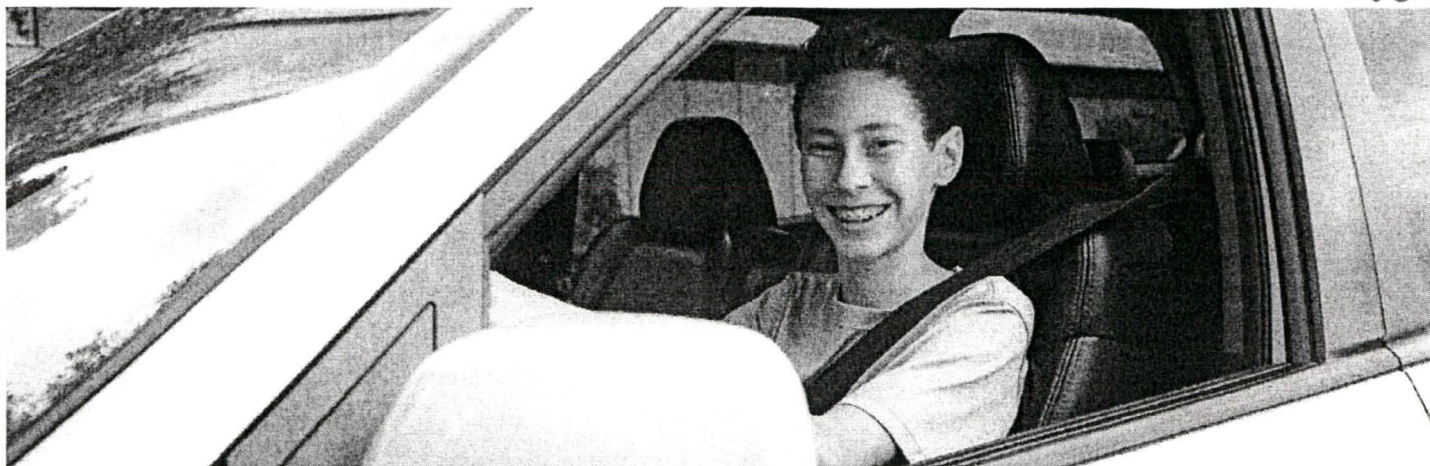
This course trains the prospective instructor to develop and teach in-car lessons. Advanced driving teaches prospective teachers how to improve the driving skills, perception, decision-making skills, and general driving ability of their students.

DTS 260 - Teenage Driving Behavior Problems (2 semester hours)

This is a course that examines current literature on teenage driving behavior in order to prepare potential driver education teachers to teach good decision-making skills to young drivers.

DTS 450 - Organization, Administration, & Supervision of Traffic Safety Education (2 semester hours)

This course covers how to organize and schedule a driver education class. It also includes study in the history of the automobile and driver education. The course examines current driver education problems. Topics include: reporting procedures as required by state offices. Prerequisite: DTS 230. This prerequisite can be waived with the permission of the instructor.



YOUNG DRIVERS

In the United States, the fatal crash rate per mile driven for young drivers 16 to 19 years of age is nearly 3 times the rate for drivers 20 years old and older (Insurance Institute for Highway Safety Highway Loss Data Institute, 2018). Motor vehicle crashes are a leading cause of teen death with the highest risk during the first 6 months of licensure. Young drivers are over-represented in serious crashes because of their lack of maturity leading to risky driving habits and their inexperience in recognizing and skillfully responding to hazards. Young drivers tend to overestimate their driving ability and underestimate the dangers on the road.

On North Dakota roadways, there were 480 serious crashes resulting in 601 serious injuries between 2012 and 2016 in which the crash involved a driver between the ages of 14 and 20. This is an average of 120 serious injuries per year and accounted for nearly 18% of all serious injuries during the 5-year study period.

Highlights from the most recent crash data (2012-2016) (NDDOT, 2017) include:

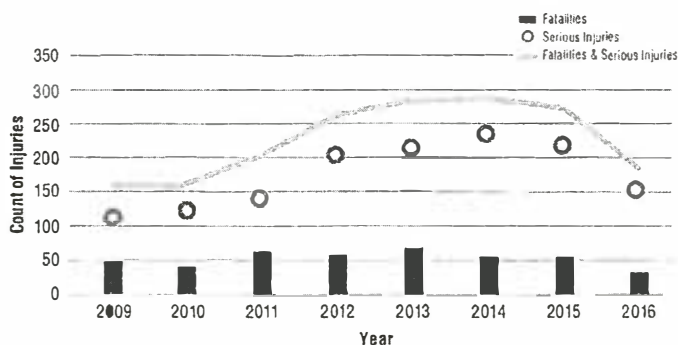
- Majority of serious injuries involving a young driver occurred on rural roads (68%) on state (32%) and local road (36%) systems.
- Half of young driver-related serious injuries are single-vehicle type (51%) and more often involved a vehicle rollover (55%) and an angle crash (27%).
- Young drivers ages 14, 15, 16, and 17 accounted for 38% of young driver serious injuries. Drivers 18, 19, and 20 were involved in the largest number of crashes at 62%.
- Young driver serious injuries more often occurred during the summer months (34%) on dry roads (78%) and during daylight conditions (60%).
- Unbelted occupants (48%), speeding (42%), and driver impairment (24%) were key contributors to the seriousness of young driver injuries.

Priority Safety Strategies

To increase safety measures to reduce Young Driver crashes, the following strategies should be implemented:

- Enforce seat belt use for all passengers in all seating positions.
- Enact primary seat belt legislation that includes primary enforcement of seat belt use for all passengers, of all ages, in all seating positions (*Policy*).
- Strengthen fines/penalties for speed violations (*Policy*).
- Strengthen enforcement of underage drinking and driving.
- Implement hands-free cell phone law to aid in the detection and enforcement of distracted driving (*Policy*).
- Restrict passengers for 6 months for all novice drivers under the age of 18 (*Policy*).
- Extend nighttime driving restriction to 6 months for all novice drivers under the age of 18 (*Policy*).
- Implement a policy requiring a minimum age of 15 (or 16) for learner's permit (*Policy*).
- Implement a policy requiring a minimum age of 17 to qualify for a full, unrestricted license (*Policy*).
- Require parent education as a driver education classroom component (*Policy*).
- Require classroom education for licensure and incorporate educating novice drivers about driving risks (*Policy*).

Figure 5-6. Young Driver Fatality and Serious Injury History



Source: NDDOT, 2017



SB 2156
3-6-19
#3

SB 2156 – Testimony in Support

Good afternoon Chairman Owens and members of the House Education Committee, I stand before you today in support of SB 2156.

We feel that utilizing a \$.25 fee on passenger motor vehicles and pickup truck registrations is a wonderful way of supporting the Driver's Education courses in North Dakota's public and non-public institutions. We also supported this legislation with the initial figure of \$1/ passenger motor vehicle and pickup truck registrations. Utilizing these funds for retaining and recruiting teachers, reimbursing expenses incurred to schools for Driver's Education, and for the purchasing of necessary equipment would take some of the financial burden off of the schools and local tax-payers. As written this bill would bring in approximately \$361,800. These funds would be granted to public and non-public schools for their Drivers Education programs. Having these funds available will help keep the price down for the parents/guardians of the students involved in the program.

We recommend a Do Pass on SB 2156 and I will stand for any questions.