

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2012

2001 SENATE APPROPRIATIONS

SB 2012

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2012

Senate Appropriations Committee

☐ Conference Committee

Hearing Date January 10, 2001

Tape Number	Side A	Side B	Meter #
Tape #1	x		42.4 - 54.4
Tape #1		x	0.0 - 50.9
Tape #2	x		0.0 - 54.7
Tape #2		x	0.0 - 19.9
Committee Clerk Signature <i>Janice Peterson</i>			

Minutes:

Senator Nething called the hearing on SB2012 to order.

David Sprynczynatyk, Director of the North Dakota Department of Transportation, presented testimony before the Senator Appropriations Committee on Wednesday, January 10, 2001 (a copy of his written testimony is attached).

Senator Robinson: These requests over emergency relief funds? Expand on projects?

Director Sprynczynatyk: Since 1993 the state has experienced rain, snow in excess of need; we have received 150 million to help with these disasters in the past --- this is a one time basis request of funds to help us secure federal funds to address the problems.

Senator Solberg: 4 to 1 match --- could be better?

Director Sprynczynatyk : Matches depend on the project; they differ; could be 90-10 split and less. We take advantage of matching possibilities -- it is 8 million match to receive 32 million.

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Senate Appropriations Committee

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Senator Solberg: FEMA is 90-10?

Director Sprynczynatyk: Changes, 90-10 common but could be more/less. I need to check for the non-federal match split.

Senator Solberg: 40 million -- deficiency emergency for the next biennium -- to pay for work in the future or things done in the past?

Director Sprynczynatyk: We hope there will be no more emergencies -- this federal program has a certain level of work due to disasters, results identified problems, Grant Levi will explain further, lots in the Devils Lake area, granted.

Senator Solberg: Devils Lake area has a number of bridges under water -- are you now applying for match to repair the mistakes made there, for not doing what you felt right and the feds not allowing you to do as thought best?

Director Sprynczynatyk: No argument, Devils Lake may still go up -- levels have to go to 1465 at least -- a good 6 feet above natural outlet.

Senator Bowman: Relationship costs for wetlands and roads that can't be drained, what's the impact?

Director Sprynczynatyk: We haven't done a study. Since 1993 we have received 150 million emergency relief -- used to address flood, lake, and wetlands disasters. We haven't the complete data nor have we analyzed what we have.

Senator Bowman: Possible to work with other states and address federal agency requirements?

Director Sprynczynatyk: Those discussions have taken place, and we hope to continue working together, one example is Devils Lake, the interest and potential effect of places down stream, the impact on other communities when they receive the water.

Senator Tomac: 8 million? Additional from where? Where is it in the budget?

Director Sprynczynatyk: Not in the budget. \$15 fee included; needed to receive outside emergency relief. The 8 million is addressed in SB2112 (I believe that is the correct number); assume we will receive the emergency funds, we are borrowing to repay. 26 of the 32 million is now available from the federal sources.

Senator Tomac: \$15 increase -- in which bill?

Director Sprynczynatyk: SB 2159 (we think), we'll get back to you if different.

Senator Tomac: Will this committee hear that bill?

Senator Nething: Yes.

Senator Tomac: Why wouldn't you, or did you, consider gas tax increase rather than vehicle registration fee increase?

Director Sprynczynatyk: Decision made by OMB and the governor's office; both felt this was the best approach for the federal match.

Senator Heitkamp: \$5 fee for the license plate, \$15 for everyone that has a vehicle licensed (old or new, used daily or not)? So \$20 first year, then \$15 second for all?

Director Sprynczynatyk: Yes.

Senator Heitkamp: Increase fee for drivers license?

Director Sprynczynatyk: Request that you hold that question until Marsha Lembke, Director of the Drivers License and Traffic Safety Division is at the podium.

Senator Thane: Thanks for a remarkable job -- but, are you keeping up? Roads seem to deteriorate faster than you can repair them?

Director Sprynczynatyk: No we cannot keep up. A study of needs by the cities/counties indicates that cost is doubling for the cities and counties to retain roads. The state is now doing a

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needs assessment study, some deficiencies seen, the maintenance is not kept up; it's beyond the shift of demographics.

Grant Levi, Deputy Director for Engineering, North Dakota Department of Transportation, presented testimony on the department's budget (pages 3-6 of the written testimony attached).

Senator Tallackson: We heard much about the 20 year cycle plan --- are you falling behind there?

Deputy Director Levi: Years, based on today's information.

Senator Thane: Have you taken into consideration the shuttle train system that seems to be in the near future for agriculture, value-added agriculture needs?

Deputy Director Levi: We work closely with industries. Yes, we are aware and working with them on the shuttle train impact.

Senator Thane: It's a major concern, sources of deliver.

Senator Robinson: The past several sessions that department has presented a maintenance plan. It appears a minimal maintenance program on many roadways, is there more information on this?

Deputy Director Levi: State is in the process of reviewing low volume use roads; getting input from all areas -- will then formulate new plans.

Senator Solberg: 960 thousand for engineering adjustments? How many are on staff? Do you contract with private sector?

Deputy Director Levi: We are short 20 engineers/technical staff. Yes, we work with consulting firms.

Senator Solberg: By job? How do the private consulting costs relate to having an engineer on staff for full 12 month appointment?

Deputy Director Levi: We do not have a complete study which would provide such information.

Senator Nething: What percent of projects are you using consultants for?

Deputy Director Levi: Consulting used for off site projects appropriately 30-40 percent. For designs perhaps 25-30 percent.

Senator Heitkamp: We hear a lot about road restrictions -- and sometimes the lack of them --often makes for heavy use on county roads; are you coordinating with the counties when putting on restrictions?

Deputy Director Levi: We partner with local engineering staff in county etc. Try to do our best to balance things.

Senator Heitkamp: Hankinson project being put off -- or on schedule, as is?

Deputy Director Levi: Highway 13 project is on schedule.

Senator Andrist: On interstate construction -- you use split lanes for repair work -- but on Highway #83, you used pilot cars and make shift roads----why the difference?

Deputy Director Levi: We looked at the split system, but highway 83 has more accesses than the interstate system; more prone to accidents. We are in the process of reviewing such situations.

Senator Thane: Unauthorized detours, are they the department or contractor responsibility? On #210 by pass they took 2 township roads, and literally destroyed the gravel on them.

Deputy Director Levi: We work with local entities of government, but this is a gray area, we have no authorization to stop it.

Paul Feyereisen, Director of the State Fleet Services Division, Department of Transportation, presented testimony (copy of written text is attached), regarding the fleet service division.

Senator Solberg: Do you now have standard size truck boxes: Rules and regulations set?

Paul Feyereisen: Yes, we did have too many combinations; now have two styles of boxes (12 and 14 of each style); North Dakota dealers will get specs when we again purchase.

Senator Solberg: Changed the rules? Rugby manufacturing has been hurt as they have been unable to submit bids. This may also hurt the taxpayers as other firms within North Dakota may not be able to compete --- and the taxpayers are hurt because of higher prices -- changes done?

Paul Feyereisen: Yes, they are nothing out of the ordinary.

Senator Solberg: Do you still have a fuel contract with Atlanta?

Paul Feyereisen: Yes, still Petro source out of Atlanta.

Senator Solberg: This the best, most efficient?

Paul Feyereisen: Yes the contractor does not take "mark up". Only .039% taken by contractor, much less than if we were to purchase each gallon, manage the ordering, paying etc. The credit card currently has no charge, probably wouldn't be if we did it ourselves.

Senator Robinson: What is the policy on department assignments -- costs of new versus older? Mileage cost? Utility costs? Are they cost effective? And why assign new trucks to research stations for field work, for example, when an older vehicle would serve their purpose and be less costly?

Paul Feyereisen: Table 3, page 9, third line down gives detail on costs. We work with the research stations and the extension service regarding new and old vehicles -- doing the best that we can. We realize the cost of rental from state agencies has a tremendous impact on their individual budgets -- and the price of gas puts pressure on the budgets.

Marsha Lembke, Director of the Drivers License and Traffic Safety Division, Department of Transportation, presented that agency's budget (copy of written testimony is attached). She also included a brochure (copy attached) of the "1999 Executive Summary."

No, the drivers license fee will not increase, she indicated in response to Senator Heitkamp's earlier question.

Senator Lindaas: Are the licenses now digitized? Or do you still use social security numbers? Is that number printed?

Marsha Lembke: It is up to the driver, we can do either. If the individual does not want to use his/her social security number, we can use what we call the 999 system.

Senator Lindaas: Individuals feel exposed when using the social security number, not confidential?

Marsha Lembke: Yes, we have had a number of calls, we meet the needs as we can.

Senator Thane: With the aging population, driving becomes very important to them...fear of losing that privilege.. Are your testers trained to be age sensitive?

Marsha Lembke: Yes they are trained, ready to serve individuals of all ages, health concerns are not with elderly only -- our testers are trained to check all, sensitive to limitations.

Senator Schobinger: Your "do buckle, don't booze" has been used for some 3 years now -- do you have any statistics?

Marsha Lembke: We do not have complete data. But 52% of the 1999 fatalities were alcohol related; and in 2000 there were 95 fatalities and we anticipate perhaps 42-45% will be alcohol related (takes about 30 days following the end of calendar year to secure statistics. On aggregate, overall is about 40% level.

Keith Kiser, Director of the Motor Vehicle Division of the Department of Transportation, presented the division documentation (copy of written testimony, pages 12-13 is attached).

Senator Nething: In 1987 new plates were \$1, last year \$3, now \$5? Does this cover the cost of making plat?

Keith Kiser: Cost of issuing plate goes beyond cost of manufacturing it.

Senator Nething: Could you provide us with a breakdown?

Keith Kiser: Yes, information is available and we will provide it.

Senator Solberg: How are you on the IT -- Unisys says completion at the end of November.

Still 2.8 million expense? Titles take a long time to be confirmed with purchaser, longer than the office completed work by hand --- explanation?

Keith Kiser: Yes, the project cost 2.8 million, it is up and running. Bugs are being worked out, it can deliver all services to our customers; we are addressing the back log of work. The system is working, and we are learning the system -- hope to have it stay.

Senator Solberg: 97 began the project?

Keith Kiser: Originally 96.

Senator Solberg: Unisys still working with you, or have they pulled out?

Keith Kiser: Yes, we work with them daily. They have software contractors who have helped us with the relatively small problems. Perhaps much of the problem is our people having to learn the system to process the work.

Senator Solberg: When will be done? If done? How long does it take to do a title transfer?

Keith Kiser: In an ideal world, it should be 5-7 business days.

Senator Solberg: Now?

Keith Kiser: 4 to 12 weeks now.

Senator Andrist: There was a request from the government budget services that suggested you do a pilot study in 4 counties to review the possibility of the counties processing title transfers -- done?

Keith Kiser: There was a bill out of the interim studies - in fact we did the fiscal note for it -- it covered 3 counties. We understood that it would be our responsibility to endure the cost of upgrading software to be comparable to our system - so fiscal note was prepared with that in

mind. We have since learned that it would be of no cost to our department, the counties would cover costs.

Senator Kringstad: When a vehicle is purchased -- the dealer sends you the information -- you office turn around time?

Keith Kiser: from the date of purchase, depends on how long before the dealer sends the documentation to our office - should be 1-2 weeks. Now 4-8, maybe 12 week delay.

Keith Kiser: Comment: in August I purchased a care; title came in October; found out the dealership had the documentation 5 weeks!

Keith Kiser: That is not the norm.

Senator Heitkamp: delay in sending the tabs out -- do you cash the checks?

Keith Kiser: Yes, promptly.

Shannon L. Sauer, Director of the Financial Management Division of the Department of Transportation, presented the division's budget (a copy of written testimony is attached, pages 14-31).

Senator Andrist: Before you spent the money on IT, did you consult with Curtis Wolfe, director of the state technology department?

Shannon Sauer: Yes, all equipment in accordance with his department.

Senator Robinson: Where are you at with the asbestos issue

Shannon Sauer: Settlement of 2.5 million; total cost of project like 8. Million; didn't put shortfall in; to balance the books we showed 2.5 expenditure -- which we have not spent. Project is in limbo; need to determine how to proceed without the dollars required.

Senator Schobinger: Page 16: which figure do you use? 298.9? 188.3 for match?

Shannon Sauer: Some other figure, all state revenue sources are available for match, maintenance is not eligible for match.

Senator Schobinger: What's the status -- the \$1 one time, \$5 where? Part of match?

Shannon Sauer: Right now 3.5 million not in the bill, will be brought forward in another bill.

Senator Grindberg: The House heard a request for additional funds from the Highway Patrol due to increased cost of fuel. Have you thought about transferring some dollars to the Highway Patrol?

Shannon Sauer: No funds found in DOT; no to transfer.

Paul Feyereisen: The patrol asked for a deficiency sum of 1/4 million. The increase is there for all agencies. It is a concern, really difficult to meet the budget to pay the fleet.

Senator Grindberg: Numbers like the Highway Patrol?

Paul Feyereisen: Need to take some math to base. No, we will not ask for deficiency -- November 30th we had 350 thousand (negative) all -- we will need to cut back elsewhere to keep within our budget.

Senator Nething: Senator Schobinger gave you 2 options, you said # e available?

David Sprynczynatyk: Primarily 188.3 state funds, 15 fractured in, short so need the one time \$5 fee to balance.

Senator Schobinger: Why not 3.4 straight arrow up -- match?

David Sprynczynatyk: End result the same.

Senator Schobinger: Why registration tax increase: Why not gas tax increase?

David Sprynczynatyk: North Dakota is comparable with other states on the gas tax. Registration fees are much less in North Dakota.

Senator Schobinger: If you use \$5 fee as part of the match --- why \$15 fee down where?

Highway distribution?

Shannon Sauer: Statues have splits. DOT/city/county. This 1 time, 1 year fee goes only to DOT.

David Sprynczynatyk: Cities and counties are expecting more federal dollars.

Senator Bowman: 1 time fee now, then 2 years from now becomes permanent. Federal dollars strap us, have specs included. Have you surveyed tax revenues, how much less federal would we get? Would there be less miles? Can straighten out?

Shannon Sauer: We are out 3.4 million; it's 4-1 ratio.

Senator Bowman: Price of fuel goes down, some savings? Might be enough to provide match? Go along for a year?

Shannon Sauer: I've no response, it would be speculation on my part.

David Sprynczynatyk: 1 time fee, for 1 year. Additional 15 is permanent increase.

Senator Bowman: Dollars lost if we don't apply this year?

David Sprynczynatyk: If not assessed they will be redistributed to other states.

Senator Bowman: 4 to 1 match request then given to others? Able to apply next year?

David Sprynczynatyk: Appropriation to DOT is by spending authorization, based on how much we spend per year. Won't get spending authorization -- it goes to another state -- this is done on a yearly basis.

Senator Robinson: Do you have a comparison analysis on rates?

Grant Levi: 1/4 million short fall; need to cut back mileage, use same cars. Delay of purchases.

Paul Feyerisen: Yes, best for budget.

Senator Tallackson: Any experiences with ethanol? At one time there were 5 or so vehicles using ethanol?

Paul Feyereiser: Yes we do have some alternative fuel vehicles. Bismarck and Grand Forks are the only places to purchase such.

Senator Lindaas: The rest areas? Shut down some, then build 2 new ones east of Bismarck?

Financial makeup in decision? Cash-flow?

Grant Levi: For years 80% federal, 20% state; based on funds available.

Senator Lindaas: Private property?

Grant Levi: Public property; the maintenance we do; private contracts.

Senator Heitkamp: How come the big push for vehicle tax, why not gas tax and let some out of state travelers pay some?

David Spryncznatyk: States comparison shows vehicle registration much lower in North Dakota.

Senator Heitkamp: 1 cent higher in increase -- the customers fill in Minnesota?

David Spryncznatyk: Not sure, could be broken down by purchase slips.

Terry Traynor, Assistant Director, North Dakota Association of Counties, testified in support of SB2012 (a copy of written testimony is attached).

Senator Nething: Fair statement? That you support, favor registration fee increase as opposed to gas tax?

Terry Traynor: Favor the enhancement; will support the legislature's decision; no position taken.

Connie Spryncznatyk, Executive Director, North Dakota League of Cities, testified in support of the department's appropriation (a copy of written testimony is attached).

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Senate Appropriations Committee

Bill/Resolution Number SB2012

Hearing Date January 10, 2001

David Sprynczynatyk closed the testimony on SB2012. The department is in transition.

Hopefully all will be behind them by spring. We have a needs assessment (similar to the one done by the cities/counties) and hope to have it completed and ready to report on in 2 years.

Senator Solberg: IT requests? DOT request 15.1 --- can't seem to reconcile --can you show me where all IT dollars are?

David Sprynczynatyk: We will go over the figures with you. Believe it is (IT) a big part of our mission. We will also provide documentation on cost of new plates etc.

Senator Bowman: Can the Legislative Council do a review on the gas tax for the last few years?

Maybe 10? Also a review of the increase in license fees for same period of time?

Senator Nething: Review is requested, will be compiled.

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Senate Appropriations Committee

Bill/Resolution Number SB2012

Hearing Date ~~January 10, 2001~~

(February 19, 2001 Full Committee (Tape #3, Side A; Meter No. 50.2-54.6 and Tape #3, Side B, Meter No. 0.0-.7)

Senator Nething reopened the hearing on SB2012.

Senator Nething offered an amendment (18038.0103). Explanation and discussion followed.

Senator Kringstad moved for adoption of amendment; senator Holmberg seconded. Discussion; verbal vote - motion passed.

Discussion on the bill.

Senator Kringstad moved a DO PASS AS AMENDED; Senator Tallackson seconded.

Discussion. Roll call Vote: 13 yes; 0 no; 1 absent and not voting.

Senator Kringstad accepted the floor assignment.

Date: 2-19-01

Roll Call Vote #: _____

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. SB-2012

Senate Appropriations Committee

☐ Subcommittee on _____

or

☐ Conference Committee

Legislative Council Amendment Number 18038.0103

Action Taken Do Pass as amended

Motion Made By Sen Kringstad Seconded By Sen Tallackson

Senators	Yes	No	Senators	Yes	No
Dave Nething, Chairman	✓				
Ken Solberg, Vice-Chairman	✓				
Randy A. Schobinger	✓				
Elroy N. Lindaas	✓				
Harvey Tallackson	✓				
Larry J. Robinson	✓				
Steven W. Tomac					
Joel C. Heitkamp	✓				
Tony Grindberg	✓				
Russell T. Thane	✓				
Ed Kringstad	✓				
Ray Holmberg	✓				
Bill Bowman	✓				
John M. Andrist	✓				

Total Yes 13 No 0

Absent 1

Floor Assignment Senator Kringstad

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

REPORT OF STANDING COMMITTEE

SB 2012: Appropriations Committee (Sen. Nothing, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2012 was placed on the Sixth order on the calendar.

Page 1, line 2, after "transportation" Insert "; and to provide for a legislative council study"

Page 1, line 9, replace "99,865,107" with "99,859,596"

Page 1, line 10, replace "116,531,562" with "121,531,562"

Page 1, line 14, replace "all" with "special", after "funds" Insert "appropriation", and replace "734,571,854" with "739,566,343"

Page 1, after line 14, Insert:

"SECTION 2. LEGISLATIVE COUNCIL STUDY - FLEET SERVICES. The legislative council shall consider studying, during the 2001-02 Interim, the efficiency and effectiveness of the operations of the state fleet services program of the department of transportation."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2012 - Department of Transportation - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	\$99,865,107	(\$5,511)	\$99,859,596
Operating expenses	116,531,562	5,000,000	121,531,562
Equipment	28,251,600		28,251,600
Capital improvements	457,084,500		457,084,500
Grants	<u>32,839,085</u>		<u>32,839,085</u>
Total all funds	\$734,571,854	\$4,994,489	\$739,566,343
Less estimated income	<u>734,571,854</u>	<u>4,994,489</u>	<u>739,566,343</u>
General fund	\$0	\$0	\$0
FTE	1,041.00	0.00	1,041.00

Dept. 801 - Department of Transportation - Detail of Senate Changes

	ADJUST MARKET EQUITY SALARY INCREASE 1	FOUR BEARS BRIDGE 2	TOTAL SENATE CHANGES
Salaries and wages	(\$5,511)		(\$5,511)
Operating expenses		\$5,000,000	5,000,000
Equipment			
Capital improvements			
Grants			
Total all funds	(\$5,511)	\$5,000,000	\$4,994,489
Less estimated income	<u>(5,511)</u>	<u>5,000,000</u>	<u>4,994,489</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

REPORT OF STANDING COMMITTEE (410)
February 20, 2001 8:52 a.m.

Module No: SR-31-3948
Carrier: Kringstad
Insert LC: 18038.0103 Title: .0200

¹ This amendment reduces, from \$29,594 to \$24,083, the amount provided for market equity salary increases for the director and two deputies of the department. The amount included in the bill will provide for monthly increases of \$198.92 for the director, \$481.08 for one deputy, and \$485.83 for the other deputy, and related fringe benefits for the last 18 months of the biennium.

² Federal funds are increased for paying preliminary engineering costs on the Four Bears Bridge Project.

A section is added providing for a Legislative Council study of the efficiency and effectiveness of Fleet Services.

2001 HOUSE APPROPRIATIONS

SB 2012

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2012

House Appropriations Committee
Government Operations Division

☐ Conference Committee

Hearing Date March 5, 2001

Tape Number	Side A	Side B	Meter #
03-05-01 tape #1	0 - 6230	0 - 6230	
03-05-01 tape #2	0 - 2145		
Committee Clerk Signature <i>Kathleen Hall</i>			

Minutes:

The committee was called to order, and opened the hearing on SB 2012, the budget for the Department of Transportation.

Dave Sprynczynatyk, Director Department of Transportation: Handed out prepared written testimony. He read from his written testimony, pages 1 through 3.

Grant Levi, Deputy Director for Engineering: He read from his written testimony pages 4 through 7.

Rep. Carlisle: Where are you at with the engineering recruitment and turnover?

Grant Levi: As we started out this year we were about 10% short on engineers. We have 130 engineers on staff. We have made some recruitment efforts, and have had some success, but none have reported to work.

Chairman Byerly: Towards the end of your testimony you talked about there were \$86 million less than necessary to keep the roadway surfaces in their current condition. How much impact on the overall state system has the money spent around Devils Lake had to do with that?

Grant Levi: The funding we used in Devils Lake was not emergency relief funds. SO we have had to take considerable money to the Devils Lake basin and spend it there, and the result is that we were not able to make expenditures in other parts of the system.

Rep. Glassheim: What kind of magnitude has been diverted away from the general state to the Devils Lake area?

Grant Levi: Does not have that number, but could get it for the committee.

Paul Feyereisen, Director, State Fleet Services Division: He read his written testimony, pages 8 through 11.

Rep. Glassheim: Do you see any decrease in state travel miles given that everyone's budget is increasing to pay for these things, and supposedly more internet and IVN and stuff is going on.

Paul Feyereisen: No, it is not, the miles are increasing. Last year we showed about 1.1 million miles increased.

Rep. Glassheim: Have you done anything to look at non oil using vehicles for the state fleet, and any planning in the future?

Paul Feyereisen: We do have some alternate fuel vehicles in the fleet. We do use an 85% ethanol vehicle, and a couple propane. We do not have electric. There is technology that we have seen, but are expensive.

Rep. Carlisle: Was the recent gas drop state wide, or just in this area?

Paul Feyereisen: The fuel prices quoted in the testimony is Bismarck prices. Rack price in Fargo is just a little less.

Rep. Skarphol: There are about 8 categories in the rental rates. September figures are higher than January figures. What have you anticipated in your budget in regard to the continuing trend you see in this chart, and what are the net results if the projections are too low?

Paul Feyereisen: We did our best to come up with a guideline. Our shortages are substantial in the state fleet today. WE ran out of gas money in October. Gas and diesel are \$1 million short today, and will be about \$2 million short at the end of the biennium. We are covering that within our fleet budget by not purchasing as many new vehicles that are scheduled. It is very difficult for us, but they affect the agency budgets they know. If rates continue to go up, we will have to raise our rates to the agencies.

Rep. Koppelman: To what degree do state employees use personal vehicles and mileage reimbursement vs. Using state vehicles?

Paul Feyereisen: There is a report that shows personal use of vehicles. This last 6 month period cost just under \$400,000 for 6 months. They will encourage personal use only in some instances. The agencies individually make the decisions on allowing personal use of vehicles.

Chairman Byerly: We had a few sessions ago asked the department to have car auction sales on weekends, did you hold any weekend sales during the last biennium?

Paul Feyereisen: Yes we did, last spring. WE had a Saturday sale, and it was really not good, and not as good as the weekday sales.

Marsha Lemble, Director Drivers License & Traffic Safety Division: She read from her written testimony, page 12.

Rep. Koppelman: Wonders where the picture came from on the 1999 executive summary handed out with the testimony.

Rep. Byerly: Says the pictures will probably be as bad as ever.

Keith Kiser, Director Motor Vehicle Division: Read from his written testimony, pages 13 and 14.

Rep. Huether: Will the new plates be that Lewis and Clark plate?

Keith Kiser: That will be the decision made by the DOT director and the governor.

Rep. Koppelman: What is driving the need for a new license plate, that we haven't had a new one in a while?

Keith Kiser: That is probably it in a large part. The plates we have now were first issued in 1992. There is some age factor, and also a need at Roughrider Industries.

Rep. Carlisle: Regarding the conversion of the new system, Mr. Sprynczynatyk says that employees are working nights and weekends. Can you get us a memo of what that is costing? And is there any recoupment of costs from the designer? Does the highway patrol check the tags on the cars in the parking lot? Comments on the media coverage of this issue.

Keith Kiser: We have been billing the vendor for costs associated with not having the system up and functioning properly. He does not have an immediate number of the additional costs, but will provide a memo. He will check on parking tags, but the system is very backlogged.

(The committee had more comments, questions and discussions with Keith Kiser as to the problems associated with the new system, and requested further information from the department as to the reasons for and chronology of events associated with the computer application problems).

Rep. Glassheim: Question as to why the decrease of trucking fees? How many larger trucks?

Keith Kiser: Recalls the trucking industry coming to the legislature to reduce fees. As a comparison to neighboring states, our license fees across the board are lower than most other states except South Dakota, particularly on larger trucks. There are two categories of those trucks, those engaged in interstate commerce (about 10,000) and they pay a percentage of fees based on miles in each state. There are about 5,000 to 10,000 other trucks that only operate within the state of ND.

Rep. Glassheim: What would those fees be after the reduction in 1983.

Keith Kiser: Fees for trucks and cars are based upon age and weight of a vehicle. The maximum is about \$1,036.

Rep. Skarphol: Wants a comparison of our personal property taxes and fees with other state fees. What would be the dollar increase necessary to make us more comparable.

Keith Kiser: The comparison is not apples to apples. The most comparable would be South Dakota. Sometimes South Dakota's fees are less than ours, but the money stays in the counties.

Chairman Byerly: You said the governor would be the one making the license plate design decision. Hopefully we could not have an ugly plate this time.

Shannon Sauer, Director, Financial Management Division: Has written testimony on pages 15 through end of the packet. He is giving an overview of the budget and highlighting the areas of substantial increase or decrease. Flowcharts are on pages 17 and 18 on how the revenue is generated, and the other that shows how the revenue is spent.

Page 6
Government Operations Division
Bill/Resolution Number SB 2012
Hearing Date March 5, 2001

Chairman Byerly: Cities and counties get 37% of just the gas taxes or registration taxes, or what?

Shannon Sauer: Go to the top left of the chart, revenues that go into the distribution fund. There is gas taxes and taxes on special fuels, and special fuels excise tax and motor vehicle registration fees. Those 5 items are what makes up the distribution fund. Those get split between the DOT and cities and counties. The city and county share is \$103.2 million.

Chairman Byerly: They get nothing if don't do an excise tax, and get nothing off the license plate issue if we do that. Is there any way for the state of ND because of timing to use the entire proceeds to make the federal match before we do the distribution to the cities and counties?

Shannon Sauer: Doesn't really understand the question. Upon explanation, he states on a short term basis it may work. On a long term basis no. One problem is that only one of the factors is the federal aid match. Equally important factors are nonfederal portions of the budget. Would check this out more and get back to the committee.

Rep. Glassheim: He asks wouldn't we need to spend money to make a match? Can't just put it into a fund can we?

Dave Sprynczynatyk: State law requires that when money is deposited into the highway distribution fund we have to immediately distribute it to the cities and counties. That's in statute. Delaying distribution of those funds would not help us, because the money the state uses from the distribution fund is used in large part to allow us to obligate contracts which require match of the federal money. Its really the total amount of dollars we need in order to access the federal money, it's not a timing factor.

Rep. Huether: The 1 cent gas tax what does that raise again?

Shannon Sauer: The 1 cent gas tax generates about \$10 million per biennium for the distribution.

Rep. Glassheim: These licensing fees and permits and highway fund revenue from the right hand side of the chart, they all go into what is available for matched federal match.

Shannon Sauer: That is correct. They all go into the highway fund.

Rep. Skarphol: On the right side of the sheet you have asbestos abatement, what is that?

Shannon Sauer: We were involved in a lawsuit with the asbestos manufacture and settled out of court, and that is the settlement of the lawsuit. We show it here, because we also have abatement expenses in the headquarters building.

Chairman Byerly: On the distribution of funds to the cities and counties, do they also have requirements for federal matches, and no matter what the state does, will they have enough money under the governor's plan?

Dave Sprynczynatyk: As the governor's budget was being developed we looked at was necessary to access the federal funds that we expect in the next biennium that would be available to the state. That amount was about \$12.5 million more than what we have in the current biennium. The \$12.5 million was used as the amount of additional money we expect to come from the highway distribution fund to the state. So the amount was actually calculated backward.

Shannon Sauer: continued with his presentation from the written testimony, page 18.

Chairman Byerly: Can we also pick off the income for licensing fees and permits on page 17, and equate that to the income received for your department 3000 license program?

Shannon Sauer: No. The 2000 program will correlate, but not really true for the others.

Rep. Glassheim: We need to match \$428 in federal money, and we are roughly at 20% range. How much do we need to raise to come up to the amount we are short?

Shannon Sauer: The general rule of matches is 80-20%. Some are 100% matches. The \$12 million is arrived at by working backward.

Rep. Carlisle: Is Minnesota going to change their gas tax this session?

Dave Sprynczynatyk: Yes, Minnesota is meeting right now, and they look like they will increase their gas tax, and it may go from somewhere between 20 - 26.8 cents.

Allen, LC: When this bill was before the Senate, they did some checking and found out that Minnesota LC counterparts were unaware of any potential gas tax increases.

Rep. Carlisle: On page 19, line #1002, is there any other temporary and overtime in this line item due to the computer program problems.

Shannon Sauer: Actually, the motor vehicle program, line #1002, has a decrease in budget. Pages 20 through 22 explain the line increases and decreases.

Rep. Carlisle: On the issue of engineers, what is the plan for recruitment and retention of engineers, and is there anything in place now. Is that going to help?

Allen, LC: The DOT for this biennium received \$800,000 for market equity for engineers, and the proposed budget has \$960,000 of next biennium.

Dave Sprynczynatyk: There was additional money this biennium and we utilized that to both recruit and retain people. We have most recently increased the starting salary. We really are not getting a lot of takers. We are pretty close to Minnesota wages, and the national demand for engineers is very high. Retention is going better.

Rep. Skarphol: Under professional services, is that for contract engineers? If you can hire additional engineers, would we see a reduction in that amount?

Dave Sprynczynatyk: Probably not. This is for special needs that our staff would not be able to provide.

Rep. Skarphol: Regarding your IT costs, and associated IT expenses, do you tell them what your needs are, and they tell you the costs? Do you prioritize your needs?

Dave Sprynczynatyk: Yes, over the last several years, ITD has become more aware of the users needs, and communication has greatly improved. We develop out annual ITD plan, and prioritize our needs as we see them.

Rep. Skarphol: Do you transfer to them what you think your costs should be, or do they transfer to you the anticipated costs?

Dave Sprynczynatyk: In the budget development process we submit our budget based upon our needs. ITD has reviewed the budgets and provided input to OMB and back to the agency.

Rep. Carlisle: On the IT costs, do you know what South Dakota pays in T-1 lines in comparisons to ND's t-1 line?

Dave Sprynczynatyk: He has no idea, and has not researched this.

Shannon Sauer: continues his written testimony page 20 - 22, object codes in detail.

Rep. Carlisle: On the pink sheet under #2, extra funding for IT, and object code 1900. Where are the engineer salary market adjustment.

Response: That would be in object code 1900.

Rep. Glassheim: Why is there such a significant increase in insurance?

Response: In the current biennium there is no budgeted state risk management insurance. They are in a new biennium, and we have a large increase. They were in OMB's budget before, and were not billed the last few bienniums.

Grant Levi, DOT: Explains what are maintenance and repairs to roadways, and why they now appear in road maintenance, and not reconstruction projects.

Rep. Skarphol: Why do they not appear in construction and reconstruction of the highways. Why wouldn't it fit in there?

Response: Those are major projects. The others are smaller projects and more of a repair nature.

Rep. Glassheim: Where did that money come from, two years ago where was it? And is this totally state and not matched money?

Response: The money came out of the improvements line item, and it is all state funds.

Rep. Skarphol: Did you have leftover carryover money left in that category or do you anticipate any in the grants?

Shannon Sauer: We may have small amounts not spent, but those funds would be available for use generally. Generally the traffic safety funds cannot be transferred into production categories.

Chairman Byerly: Are these grant programs are these the kinds of things we always hear about, because we don't do this we have to set aside that amount of money for some other thing - like the rest stops, bike paths. Do we have a breakdown of different funds that fall under this grants item?

Shannon Sauer: When you hear about the sanctions, this is the area that would be the recipient of those funds. If we were truly sanctioned for those things, they may be transferred. We have a breakdown of each category.

Rep. Skarphol: If we were truly sanctioned? I understand we lost a million or two in the last two years because of some sanction the government put on us.

Shannon Sauer: That was with the repeat offender and we were able to transfer those dollars into the safety program, and a certain percentage of those dollars had to be spent on safety programs, but a great percentage could be spent on hazard elimination, just not the same program we would have done otherwise.

Rep. Skarphol: I understand we had legislation on inter link device for DUI offenders. A few of us still resent federal mandates. If it fails, this money would have to be transferred. That is why I have asked for the listing.

Shannon Sauer: I will provide that.

Rep. Carlisle: The blood alcohol issues does not come up this year, does it? Will we loose any funds?

Response: No, that will come up in 2004.

Dave Sprynczynatyk: Summarizes, we have hit on the important issues, the engineers and IT people, and the budget does give us the means to address these issues. Secondly, we are concerned with fleet services, and the Senate did amend the bill that recommends that the Legislative Council consider reviewing the efficiency and effectiveness of the state fleet service program, and we welcome that opportunity. WE also talked at length about the license issue and motor vehicle registration. Explained that this was the worst time they could have switched from the old system to the new system, in hind sight. We are current on renewals and handicap stickers. We do get the new issues out as soon as possible. We hope to be all caught up by June 1. Does welcome a performance audit at this time, to understand what they can do to improve. We also discussed the revenue needs for the next two years, and the impact of Devils Lake on the rest of the state. The Devils Lake forecast has gotten worse since we last talked just two weeks or so ago. Explained the impact. For a fee they can digitally enhance your drivers license photo.

Rep. Skarphol: Asks about the ownership of the 4 Bears Bridge after it is built. The state currently owns it, but who will own the new bridge?

Dave Sprynczynatyk: The state will own the new one.

Rep. Skarphol: Asks about handicapped signs in front of businesses.

Dave Sprynczynatyk: The requirement is based upon the size of the business, and he would have to get the information to you.

Rep. Skarphol: Regarding an item on the pink sheet saying includes funding for bond proceeds for letting project to be paid from future energy cost savings in future bienniums. I would like to know how you are going to substantiate that, because we haven't been able to find anyone who could substantiate those energy savings.

Dave Sprynczynatyk: I don't have a copy, but will get that to you also.

Rep. Skarphol: The anticipated \$40 million in Devils Lake, how much is to come out of your budget?

Dave Sprynczynatyk: The \$40 million would require about \$31 million in federal money, over and above what is available now, so there is about \$9 million of match required, and of that I believe we will need about \$5 - 7 million. And the balance would come from the counties. We do have a breakdown of that. The pink sheet reference has to do with the changing of the lighting system to a more energy efficient system. In order to document it, we will have to show what past use has been and what future use will be. We also have some asbestos problem.

Rep. Carlisle: I mentioned the fuel tax question came up relative to Wisconsin and Minnesota.

Dave Sprynczynatyk: The question related to what was being discussed in Minnesota, and I referenced an article from the Fargo Forum, February 15, where a panel had made recommendations to the legislature to address their future highway needs. Presently Minnesota's fuel tax is 20 cents per gallon, and the panel recommendation was that they increase that to something closer to Wisconsin's which is 26.8 cents per gallon. Allen (LC) found out in conversations with LC in Minnesota, that there was nothing in the plan right now.

Rep. Byerly: Asks Allen (LC) to follow up with both Minnesota and Montana because those are the two neighboring states. What rate is Montana?

Allen, LC: We did check with both those states when the bill was in the Senate, and there was no proposed legislation in place at that time, but we will check again.

Dave Sprynczynatyk: Montana gas is 27 cents per gallon. South Dakota is 22 cents per gallon.

Terry Traynor, ND Association of Counties Assistant Director: Had prepared written testimony, and read from it. Supports the budget.

Chairman Byerly: You heard me state my concern about how the bill came out of the Senate, and I have a gut feeling that the cities and counties are going to have a hard time matching the federal dollars. Can you quantify that.

Terry Traynor: Correct. It is difficult to quantify, some of the more urban counties may be able to generate the property tax. That's the only other source they have to make the match. The way the highway department has handled federal funds coming to the counties has been like a central bank, they allocate so much to each county based upon a formula of road miles and population and such. They hold that until the county has enough money and match to do a project. The larger counties are doing projects every year. The rural counties are maybe three or

four years before they have sufficient funds to do a project. Those rural counties are the greatest concern and their ability to generate the match and continue making those projects happening.

As far as naming which counties couldn't do it I don't have that detail.

Rep. Skarphol: Are there a number of townships out there that owe the counties a substantial amount of money that is creating this problem for the counties?

Terry Traynor: It is his understanding that in 1997 there was a lot of county financing dealing with snow removal and road repair after that heavy snow winter. I don't think that is the case anymore. That has been pretty well cleared up.

Rep. Glassheim: What would a typical or average county or city match be?

Terry Traynor: Basically what we are matching is federal funds. With the exception of emergency relief type projects generally it runs 80-20%. The counties use a combination of highway distribution funds and local tax dollars to come up with their 20% match of federal dollars.

Rep. Glassheim: You don't get any state component of the 20%?

Terry Traynor: Yes, unless there is a special project. However, the 20% is largely made up of the highway distribution funds.

Connie Sprynczynatyk, ND League of Cities: Had prepared written testimony. She answers Rep. Glassheim's question about the match, and she says that there are some urban projects that are 10-90% match. Most of the cities have been trying to live within their allocation from the distribution fund. But the needs are becoming so great that they cannot just use that money for the 20% or 10% match. So in cases of the larger cities there has been an increasing emphasis that if it doesn't come from property tax there may have to be sales tax allocations. In Bismarck, for example, we can't keep up, and have been spending \$1.5 million per year from

sales tax collections on road and street projects. The question about handicap spaces is in SB 2289, and that hearing was on Friday. The federal law requires handicap spaces to be signed, but in state law there has been no penalty. She explained what the proposed changes would be.

Keith Kiser: Responds to the handicap signs issue and SB 2289.

Rep. Skarphol: Explains his dissatisfaction with the whole issue of handicap parking.

Rep. Koppelman: In the federal requirement is there a penalty for states non complying?

Connie Sprynczynatyk: She would assume that this is an ADA issue. If someone with a disability would sue, it would be under the ADA.

Keith Kiser: Refers to the testimony he heard on the bill and states that the ADA only requires the parking spots be marked with blue paint. State law requires they be signed, because of the weather and snow covering the blue paint. The question is now about how high the sign has to be.

Connie Sprynczynatyk: The ND League of Cities has always supported the DOT budget. She explained how the funds are handed down to the Cities, and the formula used to distribute money. She read from her written testimony. The cities work closely with all the various departments.

Chairman Byerly: Reminds the committee that they received written testimony from Tex Hall, Chairman of the Three Affiliated Tribes, and encourages the committee to read that testimony. He brings up some valid points, and it will be interesting to see how that project works out.

Rep. Glassheim: Wants to know how much is coming from federal funds, and how much is matched total, and can you use any of the federal funds for administration or non construction costs, or are all of those federal funds only for construction projects pass-through?

Dave Sprynczynatyk: On page 17 we showed the total federal aid, \$428 million. That is used primarily for construction but we are able to use a portion of that for some of the administration costs, engineering and design. All of those costs are eligible for the required match.

Rep. Glassheim: If you use that for administration, the cities and counties don't have to match that, do they? What is passed through, so what do they need to match? And of the \$428 million, if you take for state costs, you would have to match that but the cities and counties wouldn't?

Dave Sprynczynatyk: Most of that goes to the state system. There there is no city and county match. The cities and counties will use their funds for their projects.

Rep. Glassheim: How much needs to be matched by cities and counties of the \$428 million?

Dave Sprynczynatyk: To begin with, that \$428 million, about 25% does go on to counties and cities. The problem is that there isn't a hard and fast rule that applies to the money that is passed on. There are different rules for county roads, in terms of cost share. There are different rules for urban roads, and there are different rules for roads where the states have an interest. We can try to work out a showing of this for you.

The chairman closed the hearing on this bill.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2012

House Appropriations Committee
Government Operations Division

☐ Conference Committee

Hearing Date March 12, 2001

Tape Number	Side A	Side B	Meter #
03-12-01 tape #1	590 - 1595		
Committee Clerk Signature <i>Patricia Hall</i>			

Minutes:

The committee was called to order, and opened committee work on SB 2012.

Chairman Byerly: Rep. Carlisle has a memo drawn up for us that deals with what we realize from different things, the excise tax on motor vehicles, gas tax, registration, etc. We don't directly have the bill that deals with this, but if history has any indication, we will be involved in the negotiation that settles how we meet the federal match. That's why Rep. Carlisle had this drawn up. Remember, excise tax as it currently exists goes into the general fund. The excise tax the counties and cities get no proceeds from that.

Rep. Glassheim: Was playing with some numbers, and only about a quarter of the state highway moneys go back to the cities and counties. It's nice for them to get the money, but they really need to get the money to match the increase money they get for the whole deal. If we gave them about a quarter of the bump, that would allow them to use it to match the increased money.

Chairman Byerly: They get 37% now of gas tax and registration. Cities and counties to be made whole whatever we come up with, will be expecting their 37% of that money to make that match.

Rep. Glassheim: Thinks the 37 gives them more than match, it lets them buy something else too sometimes.

Rep. Koppelman: What is the bottom line we need to raise for that?

Chairman Byerly: \$13.2 million, he thinks. It is in the testimony previously provided. With the proposed excise tax they would come up short a million and some.

Rep. Carlisle: 1 of 15 dollars, that's Gov. Hoeven's way of paying for that. Now there are other proposals. Also have the issue of new license plates.

Rep. Skarphol: On the county/city match, they get federal dollars at the same ratio? Is that what they are matching?

Chairman Byerly: It depends on the project. I think an emergency is different than a regular project. It's probably safe to say that most of the money is probably an 80-20 match.

Rep. Skarphol: If the state gets \$51,600,000 more, is there a commensurate increase in what the cities and counties get that they have to match?

Chairman Byerly: Believes so.

Rep. Glassheim: Is guessing \$10-12 million more will go out to cities and counties.

Rep. Skarphol: Wants to know that for sure. Is that for always?

Rep. Glassheim: I asked them that, and he said about 25%.

Rep. Skarphol: They might have been estimating.

Chairman Byerly: I don't know if anybody knows down to the nickel.

Rep. Skarphol: The question becomes if we increase the excise tax to make the match for state dollars, if there is no corresponding increase in federal dollars that the counties are going to get, why are they so bothered.

Chairman Byerly: That's what they use for road maintenance and trucks.

Rep. Skarphol: So to this point we have always used a matching fund source to match the highway dollars we get from the federal government, every fund source we use to leverage our federal dollars, the counties and cities get a part of, is that correct?

Chairman Byerly: Correct.

Rep. Skarphol: He's trying to say that the gas tax they get a portion of the license vehicle fees, they get a portion of, and that's the only funding sources we've ever made to used to make federal dollars.

Rep. Byerly: Well not never. Back in 1989 the excise tax was raised, and that was referred. The excise tax has been as high as 6%.

Rep. Huether: In the 1989 session we were at 5 ½ %. That had a sunset. We raised it to 6%. Another referral came, and then we went back to 5%. On sales and excise tax.

Rep. Carlisle: We could be at any combination of these by the time we're done.

Chairman Byerly: The general question could be why the cities and counties should get 37% versus some other number. That was worked out years and years ago.

Rep. Huether: Gave some history on how they arrived at the rate.

(General discussion on the history and percentage rate).

Rep. Glassheim: I don't see how to do this with these numbers. Gives some calculations.

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Government Operations Division

Bill/Resolution Number SB 2012

Hearing Date March 12, 2001

Rep. Koppelman: We seem to deal with this all the time. Why in order to get the federal funds for highways, do we need to continually raise taxes? Understands there is a match, but do they offer the carrot of more and more all the time and we seek to match that, or ?

Chairman Byerly: The real question is why is there a match?

The chairman closed the committee work on this bill.

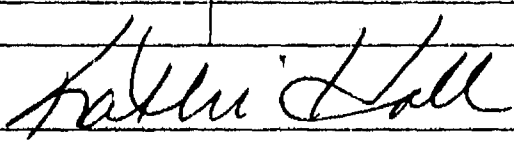
2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2012

House Appropriations Committee
Government Operations Division

☐ Conference Committee

Hearing Date March 15, 2001

Tape Number	Side A	Side B	Meter #
03-15-01 tape #1		2206 - 5804	
03-15-01 tape #2	3120 - 6220	0 - 1740	
Committee Clerk Signature 			

Minutes:

The committee was called to order, and opened committee work on SB 2012.

Chairman Byerly: We are going to skip the funding formula and just talk about the money and the bill. There were some significant increases in here. This is one of those budgets where there are significant increases in technology. There are moneys being taken from the DOT to go to some of the other projects, see the pink sheets, like electronic data management system, and e-commerce. There are a couple projects unique to the DOT, see c and d. They also have an FTE, if you remember from State Radio, who will be taking over the maintenance of the mobile data terminals.

Allen, LC: Tries to explain the exchange from state radio and DOT.

Chairman Byerly: The funding is in here for license plates, even though amended on the Senate side to be \$3 instead of \$5, at \$3.2 million.

Rep. Carlisle: When was the last time we had a license plate issue. What is the life span of a license plate?

Allen, LC: The last issue was in 1992. The life span is quoted differently from different people.

Chairman Byerly: Going over the pink sheets, second page. The bill has increased the renewal rates for drivers licenses, and added money for a new automated drivers license testing system.

Rep. Skarphol: What ability does DOT have to transfer?

Chairman Byerly: Thinks they have to come to the budget section to transfer between line items.

Rep. Skarphol: On the first page of the pink sheets, line 7 under administration, includes funding for bond proceeds. He asked for verification of savings to repay that, and doesn't remember getting anything. They promise to pay on energy savings, but does that really happen.

Rep. Huether: What are the lighting projects?

Chairman Byerly: No, it's lights for the DOT building. Question to Allen, LC: Are there any of the bills, other legislation pending, have any of those bills gone by the wayside since our hearing?

Allen, LC: Believes there were a couple that have failed, but can't remember. Knows there were no big bills done yet.

Chairman Byerly: The Senate changes some money for the 4 Bears bridge, when they get to that point of construction, money will be transferred from capital improvements. It concerns him that by placing all the money there that it could be used incorrectly. Is fairly sure the federal government is watching this closely though. We can only appropriate for this biennium, and

they won't be ready to spend all the money in this biennium. Fleet services were cut back this current biennium on purchases to make up fuel costs. There is money budgeted now for fuel.

Rep. Glassheim: Regarding fleet services, what are the two increases?

Chairman Byerly: The one is for replacement vehicles and the other for gasoline, etc.

Rep. Skarphol: Calculated the average cost per vehicle. Seemed somewhat high to him.

Chairman Byerly: If the committee wants to put more into asphalt, then they could cut back on the dollars allowed for new vehicle purchases.

Rep. Skarphol: Sees funds listed for IT, is this to finish the existing program?

(The committee discusses this amount as being e-commerce. The numbers on page 1 are for their e-commerce part of the total state plan. The numbers on page 2 are some of their own e-commerce applications. Rep. Skarphol asked about new governors getting to pick out a new license plate. Some discussion on license plates in general).

Rep. Glassheim: Looking at the breakdown of the highway program, and there is a \$10 million increase in building grounds, vehicle maintenance, and supplies. What does this correspond to? Reading from page 30 of the testimony.

Chairman Byerly: Is that some transfer of money that we can't use for asphalt but can use for rest areas, etc.

Allen, LC: That's the road maintenance money that used to be in capital improvements.

Rep. Skarphol: Why is there a \$6 million increase in travel? Is that money for fuel costs?

Chairman Byerly: Use of state vehicles, increased fleet rates, making up for past deficiencies. Asks LC if the approval for the license plate issuance does not make it, do they have to do anything to this bill?

Allen, LC: The authorization for the license plates is in this bill, and the money is in also. The operating fund in the motor vehicle division has the funds. A separate bill SB 2159 has the fees for the license plate issuance. This budget has the authorization. SB 2159 would provide the revenue that would have to go into this budget, to fund the license plate issuance.

Chairman Byerly: Reminds the committee that they are not concerned about the revenue, just the spending.

The chairman closed the committee work on this bill.

Later in the afternoon:

Chairman Byerly: Handed out a memo from the DOT to Rep. Byerly.

Celeste, OMB: Has a correction to the memo, on page 8. During the meeting, the DOT brought up a new, revised memo with the changes made to it.

(The committee read through the memo, and informally discussed various issues, including the deal with Unisys, and the budget not being balanced.)

Celeste, OMB: Requested that the committee allow the DOT to come and testify regarding the need to relocate the building in Devils Lake, because that was not in the original budget plan. She just became aware of this problem a couple days ago.

Chairman Byerly: Looking at page 19 of the testimony, which is the overall summary. The numbers are big. The travel item is a \$6 million increase. Has a hard time believing there that large of an increase.

Celeste, OMB: Explains that the department hasn't been paying all that maybe they should have been in the last few years. This is a way to bring them up to the correct level of their share.

Chairman Byerly: This works if the other agencies get some benefit.

Rep. Koppelman: Looking at salaries and temporary overtime. Are the increases new FTE's.

Celeste, OMB: There are a couple things affecting salaries in DOT. Last biennium they received some money for salary increases of engineers, and there is money in this budget to again bring that up. There is only one new FTE dealing with state radio. The increase also has to do with increased road construction, snow removal, etc.

Rep. Skarphol: Would like to have the increased IT equipment line item explained.

Celeste, OMB: Do notice that office equipment is reduced by \$1.3 million, and IT equipment is going up by \$1.7 million. Most of this is probably just a difference of object codes.

Chairman Byerly: Has a big concern about them undertaking another IT project, the digital drivers license system, and on-line testing. Hopes this is better than the last project, and hopes that IT is helping them this time.

Rep. Skarphol: There is \$309,000 in the ITD budget for the DOT, and 2 new FTE's. Is there funding in the department's budget for the 2 new FTE's?

Celeste, OMB: No.

Chairman Byerly: The was funds sent to ITD, the special fund money in ITD is realized from the highway department. ITD is spending it, and the highway department is collecting it.

(Some more general discussion as to what they might do, what they could do, where it comes from, where it goes, and the ability the department has to transfer between line items).

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2012

House Appropriations Committee
Government Operations Division

☐ Conference Committee

Hearing Date March 16, 2001

Tape Number	Side A	Side B	Meter #
03-16-01 tape #1	0 - 4230		
Committee Clerk Signature <i>Kristen Hall</i>			

Minutes:

The committee was called to order, and opened committee work on SB 2012, the DOT budget.

Rep. Skarphol: Would like to make some amendments, and deal with it at conference committee. He moves to amend the bill to change the speed limits to 75 mph on interstate highways, and remove the night time speed limit reductions. Seconded by Rep. Koppelman.

Rep. Glassheim: Opposes this motion, because he believes that the speeds will get too fast, that people will now go to 80.

(Discussion as to speed limits vs. enforcement practices. Some believe that by increasing speed limits, everyone will go faster than the limit. Others have said the key is to enforce the limits, not allow the increasing speeds above the limits. The committee discussed other state limits and enforcement, and fine amounts.)

Vote on motion to amend: 6 yes, 1 no, 0 absent. Motion passes.

Rep. Carlisle: Verifies that the department needs the money in the budget for the engineers.

Chairman Byerly: We need to decide if we are going to do something with this license plate money. Scuttlebutt is that the Transportation committee is not going to pass out a new issue for license plates. Asks if we need to do something in the budget if the new issue is not approved.

Celeste, OMB: You may want to put in language that states if the legislature does not pass providing for the license plates, the department shall not issue the plates.

Rep. Koppelman: Moves to amend the bill to include the language. Seconded by Rep. Carlisle.

Voice vote on motion: 7 yes, 0 no, 0 absent. Motion passes.

Rep. Byerly: Not sure how this will work out, but he wanted to discuss the drivers license issuance with an anonymous number instead of your social security number. There is a section of code that deals with commercial drivers license (CDL), and it is a state requirement that the CDL must have a social security number. This has nothing to do with the feds, and it is purely a ND thing. He would like to amend this bill to deal just with the CDL portion of the code. The other bill deals only with general drivers licenses, and not CDL's.

(The committee discussed various personal situations and experiences with this issue).

Rep. Koppelman: He discussed a situation regarding renewing a drivers license and the requirement of having to have a social security card if the drivers license has an alternate number. He made a motion to amend the bill to allow alternate numbers on CDL licenses, and that license renewals do not need to produce original social security cards. Seconded by Rep. Thoreson.

(General discussion on the issue of drivers license numbers and the examples of various frustrated people this has happened to).

Vote on motion to amend: 7 yes, 0 no, 0 absent and not voting. Motion passed.

Chairman Byerly: Now we have to discuss the automated drivers testing system. The funds for this are almost a half a million dollars. The argument to be made on the whole things is we would be more efficient and the test takers would be more secure. They say there will be better photos.

(Discussion as to the pros and cons of replacing the automated license testing system. Celeste from OMB states that the old system is not being supported anymore. The chairman admitted his personal fears are of the DOT computer program they are currently having problems with, and doesn't want them to do this again.)

Rep. Skarphol: Moves a DO PASS AS AMENDED. Rep. Koppelman seconded.

Vote on Do Pass as Amended: 7 yes, 0 no, 0 absent and not voting. Motion passes.

Rep. Koppelman is assigned to carry this bill to full committee.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2012

House Appropriations Committee

☐ Conference Committee

Hearing Date March 30, 2001

Tape Number	Side A	Side B	Meter #
03-30-01 tape #1		5575 - 6240	
03-30-01 tape #2	0 - 3262		
Committee Clerk Signature <i>Kathleen Hall</i>			

Minutes:

The committee was called to order, and opened committee work on SB 2012, the appropriation bill for the Department of Transportation (DOT).

Rep. Koppelman: Goes through the amendment 18038.0201, the amendment passed by the subsection. There are several small amendments on the bill. One is to allow individuals to request a unique identity number other than a social security number for a CDL (commercial drivers license). Right now it is required that only social security numbers be used on the CDL. Another amendment allows that individuals not be required to produce their social security cards when reinstating their drivers license. The second proposed amendment will clarify this provision, and clear up the first proposed amendment. This also increases the speed limit on the interstates to 75 mph and removes the provision for night speed limits. Moves the amendment .0201. Rep. Skarphol seconded.

Rep. Monson: He remembers that we killed a bill like this a couple times with the speed limit changes. Is against the changing of limits at night. He will oppose the bill.

Rep. Koppelman: The discussion we had in subcommittee is that the main reason that particular bill was defeated was not because of the speed limit, but because of the points on licenses and fine increases.

Rep. Aarsvold: Disagrees, and says that it was because of the speed limit that killed it. Hopes to reject the amendment.

Rep. Monson: Can't divine the intent of why the bill died. We killed it and it should stay that way.

Rep. Glassheim: I agree. But procedurally we ought to adopt the amendments for the other reasons, and then further amend to take out the speed limit.

Rep. Kempenich: Would like to separate out g and h of the amendment.

Rep. Delzer: Has a question on section 3. How is that working, are we getting rid of the license plate reissuance? Is in favor of that.

Rep. Byerly: This says that if the money is not authorized in the other bill, they cannot do a general issue within their existing budget. They can only do a general issue if in the funding bill it is dictated in there.

Rep. Delzer: What bill, and where is it? Are we going to get that bill?

Rep. Byerly: Not sure which committee (the committee thinks its in Finance and Tax) and its SB 2159, and still floating around there. In this budget we made the assumption that the money was there someplace, somehow, not dealing with where the money is coming from. We wanted to make sure that if there was not authorization in SB 2159 to do a general issue, the department would not do a general issue.

Chairman Timm: Does not think we will get that bill.

Voice vote on motion to adopt amendment passes.

Rep. Koppelman: Explains amendment 18038.0203. He explains the problems of producing social security cards when renewing drivers licenses. He gave examples, and the reason the DOT has been requiring them. This amendment would only deal with those cases where people are renewing their drivers license, and requesting for the first time that their social security number be on the license. Moves to adopt amendment .0203. Seconded by Rep. Thoreson.

Chairman Timm: Are you saying right now if you go in and your social security number is on the license you still have to produce the card?

Rep. Koppelman: No. Not if it's on your license already. If it is, you already have had to produce the card.

Rep. Wald: Gave a personal example of numbers following in sequence.

Chairman Timm: How long has this been in the law, that you have to produce your card?

Rep. Koppelman: Providing your card has never been in law. That's what has caused some of the problems. The only thing that is in the law is that the department has to collect the numbers. The department took it upon themselves to request the card, to positively identify the correct number.

Voice vote adopted motion to adopt amendment.

Rep. Glassheim: Moved to further amend by deleting the changes in section 6 of the amendment .0201. Seconded by Rep. Aarsvold. He was particularly interested in the increase on the interstate. Feels that the changes were done willy-nilly. He feels that there would be \$1 million worth of changes on the highway required to do this. This would not be general fund

money, but would be special funds not used for highway projects. He thinks every exit ramps would need to be lengthened. One reason given for this change is because the truckers would not go through ND with the lower speed limits. But in fact the trucking speeds in Montana are lower than car speeds, and this would not make a difference. He also believes that no one asked for this. Accident data is a mixed bag, with some reports saying higher speeds are more dangerous, other reports are not conclusive. He also believes that the speeds will not be increased to more than 75 mph. Enforcement will probably not change. He does not think this is a good idea.

Rep. Kempenich: People use Montana as an example for speed limits, and SD has a 75 mph speed limit, but their fines are pretty high for speeding, and the points are very high. Will support Rep. Glassheim's amendment.

Rep. Skarphol: Will resist Rep. Glassheim's amendment. He has a brother-in-law that is an over-the-road truck driver and they frequently discuss that the truckers will not drive where the limits are less than 75 mph. He even suggests that the tourists go where the speeds are higher, through SD. In regard to the nighttime speed limits, the cars are better now, and the speed limits do not require that you drive that fast if you are not comfortable. The studies are not conclusive that higher speeds cause more accidents.

Rep. Vald: Hope the committee recommendation is supported. He remembers when the first stretch of the interstate was built, and the original speed limit was 75 mph. Can't understand why now the offramps would have to be changed, since they were built when the speed limit was 75. The cars are in so much better shape now than they were years ago.

Rep. Koppelman: Speaks on the issue of enforcement. He would like to see the speed limit to be more closely enforced. The speed limit we have now was not set legislatively, it was

an administrative decision. Therefore, it is not unreasonable that this committee take a look at this issue, and are not out of line as the policy making branch of government.

Rep. Monson: States that the interstate has deteriorated in quality over the years. His big problem is that the change is substantive, and secondly that the nighttime speed limits on back roads are for safety. He hit two deer this year himself, and he wasn't going that fast. Brings up that the snowmobiles also go the posted speed limit. That is too fast for them.

Rep. Aarsvold: Does remember that the original speed limits were 75. But now it is the differential in vehicle size that creates many accident problems, and fatalities.

Roll call vote on motion to further amend: 9 yes, 12 no, 0 absent. Motion fails.

Rep. Koppelman: Moves DO PASS AS AMENDED. Seconded by Rep. Thoreson.

Rep. Glassheim: Requests a minority report on the last amendment that failed.

Rep. Delzer: Has some questions on the bill. The section buildings. Where are they at with the section buildings, and there is money in here to build them. How many did they build this current biennium, and how many do they expect to do next? Appears at number 4 of the pink sheets.

Rep. Byerly: We have all seen the information on the one in Devils Lake, delivered to our desks. The six section buildings planned on are not all done. Some money was diverted for emergency money used around Devils Lake. There is money in this budget to increase this amount for a total of nine buildings.

Rep. Delzer: Asks about funding for permanent weigh scale buildings.

Rep. Byerly: There are no additional funds for permanent weigh stations.

Rep. Skarphol: Had a discussion with them about the permanent weigh stations. It is the intention of the department to do away with those over a period of seven to eight years, and go to

all portable weigh stations. They did not want us to do anything in the bill to deal with this, they will do it within the department.

Chairman Timm: This \$5 per vehicle license plate increase, now at \$3, will it stay on?

Rep. Byerly: Our amendment states that if the increase is not authorized in SB 2159, they are not allowed to issue new license plates.

Rep. Gulleson: In the budget hearings what was the discussion regarding the computer system?

Rep. Byerly: Basically there was a report requested by Rep. Weiss regarding the status. Basically, the program was bad, and the system is finally working, they are working on the backlog, and they are billing Unisys for some damages, but there is no lawsuit. They should be caught up late this spring. He read a memo/letter with all the numbers regarding the Unisys dispute to the committee.

Rep. Delzer: At 5 on the pink sheets, there is more technology projects. Do these come out of the highway distribution funds, or do they match federal, or are they moneys if they aren't done could match?

Rep. Byerly: Everything in here, if we aren't spending it for something else, could go for asphalt.

Rep. Delzer: Are these projects part of what they have been doing, or are these new projects?

Rep. Byerly: The drivers license system is even older than the vehicle registration system was. They felt they need to go to a new drivers license system that encompasses all the way from testing to issuance. They feel that way because we have allowed this to become an instant issue license. Because of some federal requirements, there are numerous things we never

anticipated having to do, like with child support enforcement, NCIC checks to be done, etc. That is one of the reasons that system needs to be replaced. Other projects include the CARS, project management system.

Rep. Delzer: The \$15 registration fee increase is in SB 2159, right. And then is there an income line of sold used fleet cars, to offset the fleet vehicle purchases?

Rep. Byerly: The sale of the used cars goes right back into the distribution fund. In the current biennium, they had to forego buying new cars, because of the price of gas increase, and now they need to replace more this coming biennium.

Rep. Huether: They also have a project to replace lights to new efficiency light fixtures.
Vote on Do Pass as Amended: 14 yes, 6 no, 1 absent and not voting. Motion passes.

Rep. Koppelman is assigned to carry the bill to the floor.

March 16, 2001

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2012

Page 1, line 2, remove "and"

Page 1, line 3, after "study" insert "; to provide a contingent appropriation; and to amend and reenact section 39-06-19, subsection 1 of section 39-06.2-09, and section 39-09-02 of the North Dakota Century Code, relating to highways and operators' licenses"

Page 1, line 11, replace "121,531,562" with "118,331,562"

Page 1, line 15, replace "739,566,343" with "736,366,343"

Page 1, after line 18, insert:

"SECTION 3. CONTINGENT APPROPRIATION - GENERAL LICENSE

PLATE ISSUE. If the fifty-seventh legislative assembly approves additional revenues specifically identified for the purpose of providing funding for the additional cost of a general license plate issue, there is appropriated out of any moneys in the highway fund in the state treasury, not otherwise appropriated, the sum of \$3,200,000, to the department of transportation for the purpose of defraying the expenses of a general license plate issue, for the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 4. AMENDMENT. Section 39-06-19 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

39-06-19. Expiration of license - Renewal. Every operator's license issued under this chapter expires and is renewed according to this section. The expiration date of operator's license for every person whose birth occurred in a year ending in an odd numeral is twelve midnight on the anniversary of the birthday in the second subsequent year ending in an odd numeral. The expiration date of operator's license for every person whose birth occurred in a year ending in an even numeral is twelve midnight on the anniversary of the birthday in the second subsequent year ending in an even numeral. If the licensee has reached the age of eighteen, and desires reissuance of a license with the distinctive background for licensees at least the age of eighteen and under the age of twenty-one, the applicant may apply at any time for a replacement license. If the licensee has reached the age of twenty-one and desires reissuance of a license without the distinctive color background required by section 39-06-14, the applicant may apply at any time for a replacement license. In all other cases, application with fee for renewal of license must be presented to the director not prior to ten months before the expiration date of the operator's license. The director may require an examination of an applicant as upon an original application. The director may not require a person to provide a social security number as a condition to renewal or replacement under this section. The director may not renew an operator's license if the license has been suspended under section 14-08.1-07. Upon the recommendation of the court, the director may issue a temporary permit to the licensee under section 39-06.1-11 if the temporary permit is necessary for the licensee to work and the court has determined the licensee is making a good-faith effort to comply with the child support order. Every application for renewal of a license by an applicant must be accompanied by a certificate of examination from either the driver licensing or examining authorities or a physician or an optometrist, licensed in this or another state, containing a statement as to the corrected and uncorrected vision of the applicant. The director shall provide visual examination equipment at each location where a license may be renewed. The initial application for a motor vehicle operator's license may be

accompanied by a statement of examination from a licensed physician or an optometrist, stating the corrected and uncorrected vision of the applicant, in lieu of the department examination. Such examination must be within six months of the driver license application. Every person submitting an application and fee for renewal of license one year or more after the expiration of a license, except an applicant whose military service has terminated less than thirty days prior to such application, must be treated as a new driver. The fee for renewal or replacement of an operator's license is ten dollars.

SECTION 5. AMENDMENT. Subsection 1 of section 39-06.2-09 of the North Dakota Century Code is amended and reenacted as follows:

1. Content of license. The commercial driver's license must be marked "commercial driver's license", and must be, to the maximum extent practicable, tamper proof. It must include the following information:
 - a. The name and residential address of the person;
 - b. The person's color photograph;
 - c. A physical description of the person, including sex, height, weight, and eye and hair color;
 - d. Date of birth;
 - e. The A distinguishing number assigned to the person which upon request may be a number different from the person's social security number;
 - f. The person's signature;
 - g. The class or type of commercial motor vehicle or vehicles which the person is authorized to drive together with any endorsements or restrictions;
 - h. The name of this state; and
 - i. The dates between which the license is valid.

SECTION 6. AMENDMENT. Section 39-09-02 of the North Dakota Century Code is amended and reenacted as follows:

39-09-02. Speed limitations.

1. Subject to the provisions of section 39-09-01 and except in those instances where a lower speed is specified in this chapter, it presumably is lawful for the driver of a vehicle to drive the same at a speed not exceeding:
 - a. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24 meters] of a grade crossing of any steam, electric, or street railway when the driver's view is obstructed. A driver's view is deemed to be obstructed when at any time during the last two hundred feet [60.96 meters] of the driver's approach to such crossing, the driver does not have a clear and uninterrupted view of such railway crossing and of any traffic on such railway for a distance of four hundred feet [121.92 meters] in each direction from such crossing.
 - b. Twenty miles [32.19 kilometers] an hour when passing a school during school recess or while children are going to or leaving school during opening or closing hours.

- c. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24 meters] and in traversing an intersection of highways when the driver's view is obstructed. A driver's view is deemed to be obstructed when at any time during the last fifty feet [15.24 meters] of the driver's approach to such intersection, the driver does not have a clear and uninterrupted view of such intersection and of the traffic upon all of the highways entering such intersection for a distance of two hundred feet [60.96 meters] from such intersection.
 - d. Twenty miles [32.19 kilometers] an hour when the driver's view of the highway ahead is obstructed within a distance of one hundred feet [30.48 meters].
 - e. Twenty-five miles [40.23 kilometers] an hour on any highway in a business district or in a residence district or in a public park, unless a different speed is designated and posted by local authorities.
 - f. Fifty-five miles [88.51 kilometers] an hour on gravel, dirt, or loose surface highways, ~~and on paved two-lane highways if there is no speed limit posted or if within the time period of one-half hour after sunset to one-half hour before sunrise~~, unless otherwise permitted, restricted, or required by conditions.
 - g. Sixty-five miles [104.61 kilometers] an hour on paved two-lane highways ~~if within the time period of one-half hour before sunrise to one-half hour after sunset and if posted for that speed, and on paved and divided multilane highways~~, unless otherwise permitted, restricted, or required by conditions.
 - h. ~~Seventy~~ Seventy-five miles [~~112.65~~ 120.70 kilometers] an hour on access-controlled, paved and divided, multilane Interstate highways, unless otherwise permitted, restricted, or required by conditions.
2. The director may designate and post special areas of state highways where lower speed limits apply. If there is a violation of a highway construction zone speed limit, where within that zone individuals engaged in construction were present at the time of the violation, then the fees required for a noncriminal disposition are forty dollars for one through ten miles per hour over the posted speed; and forty dollars, plus one dollar for each additional mile per hour over ten miles per hour over the limit. However, if a greater fee would be applicable under section 39-06.1-06, then that fee is required for the noncriminal disposition. The highway construction zone speed limit posted sign must state "Minimum Fee \$40".
 3. Except as provided by law, it is unlawful for any person to drive a vehicle upon a highway at a speed that is unsafe or at a speed exceeding the speed limit prescribed by law or established pursuant to law.
 4. In charging a violation of the provisions of this section, the complaint must specify the speed at which the defendant is alleged to have driven and the speed which this section prescribes is prima facie lawful at the time and place of the alleged offense.
 5. ~~Repealed by S.L. 1975, ch. 346, § 2.~~

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2012 - Department of Transportation - House Action

This amendment removes the \$3.2 million for the general license plate issue from the operating expenses line item and adds a contingent appropriation section appropriating the \$3.2 million only if the 2001 Legislative Assembly specifically identifies additional revenues to provide for the cost of the general license plate issue.

Sections are added that:

- Increase the speed limit on the interstate to 75 miles per hour.
- Remove provisions for reduced nighttime speed limits.
- Allow individuals to request a unique identifying number other than their Social Security number for their commercial driver's license number.
- Do not require individuals to provide their Social Security number when renewing their driver's license.

Date: 3-16-01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2012

House Appropriations - Government Operations Division Committee

☒ Subcommittee on Govt Ops.
or
☐ Conference Committee

Legislative Council Amendment Number 18038.0201

Action Taken Motion to amend

Motion Made By Rep. Skarphol Seconded By Rep. Koppelman

Representatives	Yes	No	Representatives	Yes	No
Rep. Rex R. Byerly - Chairman	✓		Rep. Eliot Glassheim		✓
Rep. Ron Carlisle - Vice Chairman	✓		Rep. Robert Huether	✓	
Rep. Kim Koppelman	✓				
Rep. Bob Skarphol	✓				
Rep. Blair Thoreson	✓				

Total (Yes) 6 No 1

Absent 0

Floor Assignment _____

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

75 speed limit on Hwys.
same limit at night on all roads
on state highways

Date: 3-16-01
Roll Call Vote #: 2

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2012

House Appropriations - Government Operations Division Committee

☒ Subcommittee on Govt Ops.
or
☐ Conference Committee

Legislative Council Amendment Number 18038.0201

Action Taken Motion to amend

Motion Made By Rep. Koppelman Seconded By Rep. Carlisle

Representatives	Yes	No	Representatives	Yes	No
Rep. Rex R. Byerly - Chairman	✓		Rep. Eliot Glassheim	✓	
Rep. Ron Carlisle - Vice Chairman	✓		Rep. Robert Huether	✓	
Rep. Kim Koppelman	✓				
Rep. Bob Skarphol	✓				
Rep. Blair Thoreson	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment _____

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

to remove license plate
spending.

Date: 3-16-01
Roll Call Vote #: 3

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2012

House Appropriations - Government Operations Division Committee

☒ Subcommittee on ~~Government Operations~~ Govt Ops.
or
☐ Conference Committee

Legislative Council Amendment Number 18038.0201

Action Taken motion to amend.

Motion Made By Rep. Koppelman Seconded By Rep. Thoreson

Representatives	Yes	No	Representatives	Yes	No
Rep. Rex R. Byerly - Chairman	✓		Rep. Eliot Glassheim	✓	
Rep. Ron Carlisle - Vice Chairman	✓		Rep. Robert Huetner	✓	
Rep. Kim Koppelman	✓				
Rep. Bob Skarphol	✓				
Rep. Blair Thoreson	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment _____

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

re: drivers license #'s - social security #'s.
; CDL license.

Date: 3-16-01
Roll Call Vote #: 4

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2012

House Appropriations - Government Operations Division Committee

☒ Subcommittee on Govt Ops.
or
☐ Conference Committee

Legislative Council Amendment Number 18038.0201

Action Taken Do Pass As Amended

Motion Made By Rep. Skarphol Seconded By Rep. Koppelman

Representatives	Yes	No	Representatives	Yes	No
Rep. Rex R. Byerly - Chairman	✓		Rep. Eliot Glassheim	✓	
Rep. Ron Carlisle - Vice Chairman	✓		Rep. Robert Huether	✓	
Rep. Kim Koppelman	✓				
Rep. Bob Skarphol	✓				
Rep. Blair Thoreson	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Rep. Koppelman

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

Date: 3-30-01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2012

House APPROPRIATIONS Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number 18038.0201

Action Taken to adopt amendment

Motion Made By Rep. Koppelman Seconded By Rep. Skarphol

Representatives	Yes	No	Representatives	Yes	No
Timm - Chairman					
Wald - Vice Chairman					
Rep - Aarsvold			Rep - Koppelman		
Rep - Boehm			Rep - Martinson		
Rep - Byerly			Rep - Monson		
Rep - Carlisle			Rep - Skarphol		
Rep - Delzer			Rep - Svedjan		
Rep - Glassheim			Rep - Thoreson		
Rep - Gulleason			Rep - Warner		
Rep - Huether			Rep - Wentz		
Rep - Kempenich					
Rep - Kerzman					
Rep - Kliniske					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

Passed

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2012

Page 1, line 2, remove "and"

Page 1, line 3, after "study" insert "; and to amend and reenact section 39-06-19 of the North Dakota Century Code, relating to operators' licenses"

Page 1, after line 18, insert:

"SECTION 3. AMENDMENT. Section 39-06-19 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

39-06-19. Expiration of license - Renewal.

1. Every operator's license issued under this chapter expires and is renewed according to this section. The expiration date of ~~an~~ operator's license for ~~every~~ a person whose birth occurred in a year ending in an odd numeral is twelve midnight on the anniversary of the birthday in the second subsequent year ending in an odd numeral. The expiration date of ~~an~~ operator's license for ~~every~~ a person whose birth occurred in a year ending in an even numeral is twelve midnight on the anniversary of the birthday in the second subsequent year ending in an even numeral.
2. If the licensee has reached the age of eighteen, and desires reissuance of a license with the distinctive background for licensees at least the age of eighteen and under the age of twenty-one, the applicant may apply at any time for a replacement license. If the licensee has reached the age of twenty-one and desires reissuance of a license without the distinctive color background required by section 39-06-14, the applicant may apply at any time for a replacement license. ~~In all other cases,~~
3. An applicant for renewal must present the application with fee for renewal of license must be presented to the director not prior to before ten months before the expiration date of the operator's license. The director may require an examination of an applicant as upon an original application. After the initial application for a license in this state, the director may not require an applicant for renewal, replacement, or a substitute to provide a social security card unless the applicant is changing the distinguishing number on the license to the applicant's social security number. The director may not renew an operator's license if the license has been suspended under section 14-08.1-07. Upon the recommendation of the court, the director may issue a temporary permit to the licensee under section 39-06.1-11 if the temporary permit is necessary for the licensee to work and the court has determined the licensee is making a good-faith effort to comply with the child support order.
4. Every application for renewal of a license by an applicant must be accompanied by a certificate of examination from either the driver licensing or examining authorities or a physician or an optometrist, licensed in this or another state, containing a statement as to the corrected and uncorrected vision of the applicant. The director shall provide visual examination equipment at each location where a license may be renewed. The initial application for a motor vehicle operator's license may be accompanied by a statement of examination from a licensed physician or an optometrist,

stating the corrected and uncorrected vision of the applicant, in lieu of the department examination. ~~Such~~ This examination must be within six months of the driver license application.

5. Every person submitting an application and fee for renewal of license one year or more after the expiration of a license, except an applicant whose military service has terminated less than thirty days prior to such application, must be treated as a new driver.
6. The fee for renewal or replacement of an operator's license is ten dollars."

Renumber accordingly

Date: 3-30-01
Roll Call Vote #: 2

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2012

House APPROPRIATIONS Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number 18038.0203

Action Taken to further adopt

Motion Made By Rep. Koppelman Seconded By Rep. Hanson

Representatives	Yes	No	Representatives	Yes	No
Timm - Chairman					
Wald - Vice Chairman					
Rep - Aarsvold			Rep - Koppelman		
Rep - Boehm			Rep - Martinson		
Rep - Byerly			Rep - Monson		
Rep - Carlisle			Rep - Skarphol		
Rep - Delzer			Rep - Svedjan		
Rep - Glassheim			Rep - Thoreson		
Rep - Gulleason			Rep - Warner		
Rep - Huether			Rep - Wentz		
Rep - Kempenich					
Rep - Kerzman					
Rep - Kliniaka					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

passed

Date: 3-30-01
Roll Call Vote #: 3

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB2012

House APPROPRIATIONS

Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken to further amend

Motion Made By Rep. Glassheim Seconded By Rep. Aarsvold

Representatives	Yes	No	Representatives	Yes	No
Timm - Chairman		✓			
Wald - Vice Chairman		✓			
Rep - Aarsvold	✓		Rep - Koppelman		✓
Rep - Boehm		✓	Rep - Martinson	✓	
Rep - Byerly		✓	Rep - Monson	✓	
Rep - Carlisle		✓	Rep - Skarphol		✓
Rep - Delzer		✓	Rep - Svedjan	✓	
Rep - Glassheim	✓		Rep - Thoreson		✓
Rep - Gulleason	✓		Rep - Warner	✓	
Rep - Huether		✓	Rep - Wentz	✓	
Rep - Kempenich	✓				
Rep - Kerzman		✓			
Rep - Kliniske		✓			

Total (Yes) 9 No 12

Absent _____

Floor Assignment _____

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

~~delete~~ sections 6 in Amend.
0201

failed

Date: 3-30-01
Roll Call Vote #: 4

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 582012

House APPROPRIATIONS

Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number

18038.0204

Action Taken

DO PASS As Amended.

Motion Made By

Rep. Koppelman

Seconded
By

Rep. Thoreson

Representatives	Yes	No	Representatives	Yes	No
Timm - Chairman	✓				
Wald - Vice Chairman	✓				
Rep - Aarsvold	✓		Rep - Koppelman		
Rep - Boehm		✓	Rep - Martinson	✓	
Rep - Byerly	✓		Rep - Monson		✓
Rep - Carlisle	✓		Rep - Skarphol	✓	
Rep - Delzer		✓	Rep - Svedjan	✓	
Rep - Glassheim	✓		Rep - Thoreson	✓	
Rep - Gulleeson		✓	Rep - Warner		✓
Rep - Huether	✓		Rep - Wentz		✓
Rep - Kempenich	✓				
Rep - Kerzman	✓				
Rep - Kliniske	✓				

Total (Yes)

14 No

6

Absent

Floor Assignment

Rep. Koppelman

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

passed
the Majority report amendment
Rep. Glassheim requested
a minority report also.

1

3. An applicant for renewal must present the application with fee for renewal of license must be presented to the director not prior to before ten months before the expiration date of the operator's license. The director may require an examination of an applicant as upon an original application. After the initial application for a license in this state, the director may not issue an applicant for renewal, replacement, or a substitute to provide a

deemed to be obstructed when at any time during the last two hundred feet [80.96 meters] of the driver's approach to such crossing, the driver does not have a clear and uninterrupted view of such railway crossing and of any traffic on such railway for a distance of four hundred feet [121.92 meters] in each direction from such crossing.

b. Twenty miles [32.19 kilometers] an hour when passing a school during school recess or while children are going to or leaving school during opening or closing hours.

c. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24 meters] and in traversing an intersection of highways when the driver's view is obstructed. A driver's view is deemed to be obstructed when at any time during the last fifty feet [15.24 meters] of the driver's approach to such intersection, the driver does not have a clear and uninterrupted view of such intersection and of the traffic upon all of the highways entering such intersection for a distance of two hundred feet [60.96 meters] from such intersection.

d. Twenty miles [32.19 kilometers] an hour when the driver's view of the highway ahead is obstructed within a distance of one hundred feet [30.48 meters].

e. Twenty-five miles [40.23 kilometers] an hour on any highway in a business district or in a residence district or in a public park, unless a different speed is designated and posted by local authorities.

f. Fifty-five miles [88.51 kilometers] an hour on gravel, dirt, or loose surface highways; and on paved two-lane highways if there is no speed limit posted or if within the time period of one-half hour after sunset to one-half hour before sunrise, unless otherwise permitted, restricted, or required by conditions.

g. Sixty-five miles [104.61 kilometers] an hour on paved two-lane highways if within the time period of one-half hour before sunrise to one-half hour after sunset and if posted for that speed; and on paved and divided multi-lane highways, unless otherwise permitted, restricted, or required by conditions.

h. Seventy-five miles [112.65 kilometers] an hour on access-controlled, paved and divided, multi-lane interstate highways, unless otherwise permitted, restricted, or required by conditions.

2. The director may designate and post special areas of state highways where lower speed limits apply. If there is a violation of a highway construction zone speed limit where within that zone individuals engaged in construction were present at the time of the violation, then the fees required for a noncriminal disposition are forty dollars for one through ten miles per hour over the posted speed; and forty dollars, plus one dollar for each additional mile per hour over ten miles per hour over the limit. However, if a greater fee would be applicable under section 39-06.1-05, then that fee is required for the noncriminal disposition. The highway construction zone speed limit posted sign must state "Minimum Fee \$40".

3. Except as provided by law, it is unlawful for any person to drive a vehicle upon a highway at a speed that is unsafe or at a speed exceeding the speed limit prescribed by law or established pursuant to law.

4. In charging a violation of the provisions of this section, the complaint must specify the speed at which the defendant is alleged to have driven and the speed which this section prescribes is prima facie lawful at the time and place of the alleged offense.

5. Repealed by S.L. 1975, ch. 246, § 27

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2012 - Department of Transportation - House Action

This amendment removes the \$3.2 million for the general license plate issue from the operating expenses line item and adds a contingent appropriation section appropriating the \$3.2 million only if the 2001 Legislative Assembly specifically identifies additional revenues to provide for the cost of the general license plate issue.

Sections are added that:

- Increase the speed limit on the interstate to 75 miles per hour.
- Remove provisions for reduced nighttime speed limits.
- Allow individuals to request a unique identifying number other than their Social Security number for their commercial driver's license number.
- Provide that after the initial application for a driver's license, an individual does not need to provide the individual's Social Security number when renewing the individual's driver's license unless the individual is changing from a distinguishing number to the individual's Social Security number.

The reports of the majority and the minority were placed on the Seventh order of business on the calendar for the succeeding legislative day.

REPORT OF STANDING COMMITTEE (MINORITY)

SIB 2012, as engrossed: Appropriations Committee (Rep. Timm, Chairman) A MINORITY of your committee (Reps. Aarsvold, Glassheim, Guleson, Kemperich, Martinson, Monson, Svedjan, Warner, Wentz) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends DO PASS.

Page 1, line 2, remove "and"

Page 1, line 3, after "study" insert "; to provide a contingent appropriation; and to amend and reenact section 39-06.19 and subsection 1 of section 39-06.2-09 of the North Dakota Century Code, relating to highways and operators' licenses"

Page 1, line 11, replace "121,531,562" with "118,331,562"

Page 1, line 15, replace "739,566,343" with "736,366,343"

Page 1, after line 18, insert:

"SECTION 3. CONTINGENT APPROPRIATION - GENERAL LICENSE PLATE ISSUE. If the fifty-seventh legislative assembly approves additional revenues specifically identified for the purpose of providing funding for the additional cost of a general license plate issue, there is appropriated out of any moneys in the highway fund in the state treasury, not otherwise appropriated, the sum of \$3,200,000, to the department of transportation for the purpose of defraying the expenses of a general license plate issue, for the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 4. AMENDMENT. Section 39-06.19 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

39-06.19. Expiration of license - Renewal.

1. Every operator's license issued under this chapter expires and is renewed according to this section. The expiration date of an operator's license for every person whose birth occurred in a year ending in an odd numeral is twelve midnight on the anniversary of the birthday in the second subsequent year ending in an odd numeral. The expiration date of an operator's license for every person whose birth occurred in a year ending in an even numeral is twelve midnight on the anniversary of the birthday in the second subsequent year ending in an even numeral.
2. If the licensee has reached the age of eighteen, and desires reissuance of a license with the distinctive background for licensees at least the age of

2001 SENATE APPROPRIATIONS

CONFERENCE COMMITTEE

SB 2012

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2012

Senate Appropriations Committee

☒ Conference Committee

Hearing Date April 11, 2001

Tape Number	Side A	Side B	Meter #
Tape #2	x		0.0 - 26.2
Committee Clerk Signature <i>Jonnie Pitsch</i>			

Minutes:

Senator Nething, Chair called the Conference Committee on SB2012 (Department of Transportation) to order at 11:00 a m on Wednesday, April 11th.

Roll call: All six members present; Senator Nething, Chair; Senator Kringstad; Senator Tallackson; Representative Koppelman; Representative Carlisle; and Representative Glassheim.

Senator Nething: Would one of the good Representatives go over the amendments (18038.0204)?

Representative Koppelman: Going through the amendments -- issue of license plates, renewal process on licenses with or without the social security number; and speed limits.

Senator Nething: The fiscal portion of the amendment?

Representative Koppelman: Amendments done with implied fiscal issue.

Senator Nething: Wasn't there another bill involving this?

Representative Koppelman: Yes, did pass -- this involves the act of presenting the social security card --- if individual doesn't have it with them, can't issue.

Page 2

Senate Appropriations Committee

Bill/Resolution Number SB2012

Hearing Date April 11, 2001

Senator Nething: We understand that part; is it the commercial drivers license here?

Representative Carlisle: Yes, I am a holder of two licenses -- one with the social security card number as identification and the other a 999.

Representative Koppelman: Fiscal connection: the regular drivers license option is already there; but the commercial license option isn't --- felt the department's need for more dollars to process. The earlier bill on speed limits rejected the 75 miles per hour on the interstate and lifting the night differential limits. This has one speed limit.

Senator Nething: The Senate Appropriations Committee didn't have a hearing on this issue -- understand it was the House that killed the bill.

Representative Koppelman: The amendment is basically a summary.

Senator Nething: House is satisfied with the bill; new subjects ---except the license?

Representative Koppelman: Satisfied as amended.

Representative Carlisle: There is one more change that we might like to see: page 3, line 29 of the engrossed bill --- insert *by the department* (section 5, item e).

Representative Koppelman: The Department has the numerical system -- and individual can't just pick a set of numbers of their choice.

Senator Nething: Perhaps you would have an amendment prepared correcting that ?

Representative Koppelman: Will do.

Senator Nething: Social security number we can understand --comfortable with the license plate -- contingent appropriations to remove 3.2 -- operations and additional section if legislature identified additional revenue -- seems to be the issues? Sort of confusing?

Representative Koppelman: Confusion understood -- looking at the amendment on the bill --- we'd give number if new license plates are mandated -- therefore, it is contingent on that.

Senator Nething: License plate bill still alive? What's the number?

Representative Carlisle: SB2159; not sure of status.

David Sprynczynatyk, Director of the Transportation Department, was in attendance, and volunteered that SB2159 provides revenue to do it --- not a plate issue; if occurs through legal action on this bill.

Senator Nething: Perhaps it would be helpful if we had a copy of the minutes from both House Committees -- reflecting on the speed limit. Since we did not have a hearing, this might give us some background information.

Representative Koppelman: Will do -- this was not a stand alone; Government Operations Division Subcommittee had a hearing, the full House Appropriations had independent hearings. There was a minority report presented on the floor.

Representative Glassheim: The information carried on the minority report -- which I was a participant in -- deleted the speed --- no testimony; and no discussion. There was some discussion in the Transportation Committee --- suggested we do a tack on.

Representative Koppelman: Not the purpose here to advocate House. The standing committee heard testimony, do pass supported by the chair in regards to this measure --- no eleventh hour surprise.

Senator Tallackson: Perhaps a late bill would have been the solution? Other committees have recommended that avenue.

Representative Koppelman: Know of other committees who have done that, but this is a different scenario.

Senator Nething: Believe the suggestion was how to solve a problem, not imply this issue was the same.

Page 4

Senate Appropriations Committee

Bill/Resolution Number SB2012

Hearing Date April 11, 2001

Representative Carlisle: We'll furnish copies -- if comfortable, any support regarding mileage etc.?

Senator Nething: Need to review this information with the Majority Leader, perhaps bring it up during caucus. I commend your efforts.

Senator Tallackson: Section 5 only commercial? Section 4 regular?

Representative Koppelman: Deals with both - regular license having to physically produce the social security card.

Senator Nething: Need to deal consistently --- we'll review the minutes. Meeting adjourned until the call of the chair.

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2012

Senate Appropriations Committee

☒ Conference Committee

Hearing Date April 13, 2001

Tape Number	Side A	Side B	Meter #
Tape # 2	x		0.0 - 15.9
Committee Clerk Signature <i>Jonnie Pitsch</i>			

Minutes:

Senator Nething, Conference Committee Chair on SB2012 - Department of Transportation; called the meeting to order at 10:00 AM, on Friday April 13th.

Senator Nething: At our last meeting, we requested copies of the hearing held on the House side regarding the speed limit question that we had. Representative Carlisle provided those copies, which were distributed to everyone- and assume everyone has had a chance to review them (copies of House Appropriations Committee and Appropriations Committee attached).

Senator Nething distributed copies of "Raising Speed Limits on State Highways" (a copy is attached), which provided an analysis of the proposal: raise the speed limit to 75 mph on interstate routes; raise the speed limit to 65 day and night on non-interstate.

Representative Carlisle: Highways were designed for 75 -- why fix?

Senator Nething: Guard rail specs have changed.

Representative Carlisle: These are discrepancy --- don't need to be done right away.

Representative Koppelman: Lots of issues -- no mention of need for guard rails; speed was considered in the designing of roads -- costs regarding changes --- safety standards are wanted by all so no change there -- perhaps the highway patrol should enforce more strictly the posted speed limits --- page 2 of the information indicates there is no statistical case to be made for more deaths due to speed. When our transportation committee had the more comprehensive hearing on the budget -- why no fiscal note at that time? If this issue has been on the table since the session began --- why now, as we approach the closing days do we get this regarding big dollars?

Representative Glassheim: I did some additional research, which I'd like to share with the committee (copies are attached). On the second page of the original hearing - January 31st document provided at that time -- does reference the off ramp dollars. Several pages here are technical stuff --- then 2 or 3 from the back are study results, mostly nationwide but perhaps relate to North Dakota --- increases since '89 as speed limits increase -- more fatalities.

Senator Nething: Within the minutes provided -- I did not find that anyone from either meeting requested information on costs ---- we took this item to our caucus; members are widely apart.

Representative Carlisle: Believe our highways are built to handle the load -- interstate runs from Beach to Fargo. We have better equipped cars -- the brakes, everything.

Representative Carlisle: I'd like to submit a copy of a document prepared by the Legislative Council staff in August 1990 (a copy regarding *time restraints and accountability of the legislative process in ND* is attached).

Senator Nething: Didn't mean to imply that your committee did anything wrong -- we don't feel that way, we simply did not have a hearing.

Senator Nething: Regarding the Highway Patrol -- no problem --- but like to see no changes on non-interstate roads?

Representative Koppelman: Something to consider --- some mixed information. Like to submit some statistics just provided me by Tim Horner (a copy of statistics is attached). This information indicates no significant changes due to speed. Our committees didn't ask for cost as we felt the House Transportation Committee had a full hearing and that the fiscal note should have been there -- and wasn't.

Senator Nething: 75 on interstate only --- take that to our members; leaving one in and taking one out?

Representative Koppelman: Food for thought. The genesis of the whole issue --- federal dollars related to speed limits was not mandated by the legislative assembly --- instead it was an executive decision --- we the legislators are not reversing legislative, we did verify what was done by the executive direction.

Representative Carlisle: Procedure wise -- go to the Senate with 75 --- House then?

Senator Nething: Format: go to Senate, see how they feel...

Senator Tallackson: Against any increase; but will go along with the majority.

Senator Tallackson moved that the House recede from the House amendments without the night time speed limit; seconded by Senator Kringstad. Discussion; call for the vote: Roll Call Vote: 5 yes; 1 no; 0 absent and not voting. Motion carried.

Senator Nething: Conference Committee on SB2012 closed.

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2012

Senate Appropriations Committee

~~7~~ Conference Committee

Hearing Date April 19, 2001

Tape Number	Side A	Side B	Meter #
Tape # 1	x		0.0 - 27.9
Committee Clerk Signature <i>Jonnie Pitsch</i>			

Minutes:

Senator Nething, Chair of SB2012 Conference Committee (Department of Transportation), opened the meeting at 9:00 am, Thursday, April 19th in the Harvest Room.

Roll Call respondents: Senator Nething, Chair; Senator Kringstad; Senator Tallackson; Representative Koppelman; Representative Carlisle; and Representative Glassheim. All members present.

Senator Nething: Before we work on the failed conference committee report - I'd like to alert you to 3 items which would normally be referred to the Emergency Committee ---but since we are in session -- it would seem appropriate that we handle it as legislators -- and they are Department of Transportation items (all federal dollars -- authority to allow the department to receive and use the dollars). 1) 31,771,784 for flood related items - Devils Lake and elsewhere; 2) 17,414,616 Devils Lake Basin; and 3) 508,083 restitution from UNISYS, Inc. -- registration and title delays etc. (Copies were distributed to all members - one is attached).

Representative Carlisle: These are pass through funds?

Senator Nething: Yes, this is for authority.

Representative Koppelman: Reimbursements from?

Senator Nething: Federal emergency relief funds --- perhaps best if the department explains this.

Representative Koppelman: Know this is not normal legislative type of things -- but best that we deal with this - amenable to this bill, committee.

Senator Nething: Need to put an emergency clause on this --- doesn't effect the bill. Let's go back to the bill, deal with the 3 items later.

Representative Koppelman: Since it was a tie in the Senate -- there apparently no strong passion -- perhaps there has been more time to think and talk to fellow legislators --- resolve this by taking another run?

Senator Nething: Problem: Senate never had a hearing -- since then there's been additional changes in the seat belt law --- speed limit is part of the problem.

Representative Koppelman: We spoke about stricter, higher fines -- nothing to do here -- but the window of opportunity --- seat belt law changes I'm not familiar with, respect the fact you didn't have a hearing..

Senator Kringstad: Can go either way -- the problem is no hearing.

Senator Tallackson: Either way -- people, including myself are going to drive 77 mph going home.

Representative Glassheim: Opposed to the limit --- like 1/3 or 51% of House.

Representative Carlisle: Like to see 75 mph --- if you'd like, Representative Koppelman has an amendment to consider.

Representative Koppelman distributed copies of #18038.0207, led the discussion regarding same.

(a copy is attached). Representative Koppelman moved the amendments; second by Representative Carlisle. Discussion; call for the vote: 2 yes; 4 no; 0 absent and not voting. Adoption of amendments failed.

Senator Tallackson: Like to see removal of the night time limits?

Representative Koppelman: Except where the department designates.

Senator Tallackson: Don't agree with a 2-way roads increase.

Representative Koppelman: Offer compromise -- we also have safety concerns.

Representative Carlisle: Like secondary roads increased and let the Department of Transportation determine the legal rate.

Senator Nething: 75 mph speed limit is the problem -- the Senate is divided on that issue -- primarily because we did not have the benefit of a hearing.

Senator Tallackson: In fairness to the House, appropriate for us to run it through the Senate one more time?

Senator Kringstad: Personally don't like the increases of night time --- mistake in my opinion.

Senator Tallackson: The counties regularly have roads posted -- speed limits noted, due to deer in area, sharp curves etc.

Allen Knudsen, Legislative Council Staff Analyst: Authority is in law for the department, along with concurrence with the highway patrol to mark areas restricting speed.

Representative Koppelman: Appreciate the Senate's efforts -- like to take another stab. Do respect the lack of hearing.

Representative Carlisle: The intent -- run back through -- have a meeting on the emergency items?

Senator Nething: May pass - consider adding those three provisions? Let's let Dave

Sprynczynatyk, Director of the department of transportation explain them at this time:

Dave Sprynczynatyk: Gave a brief explanation of each request: 1) disaster at Devils Lake is a big part -- 2) 17 million is for work already done -- the additional federal dollars are available, 3) 500 thousand includes revenue authority to accept the UNISYS dollars which we had in contract -- things they were unable to deliver. We seek your approval to accept these dollars.

Senator Nething: Impact on the current budget -- this bill?

Dave Sprynczynatyk: Some not done 6-30 -- the Devils Lake request carry over included -- will enter into the Devils Lake contract -- work beyond what's in SB2012.

Senator Nething: Questions:

Representative Koppelman: SB2112 -- relates to this how? Explain borrow - spending?

Dave Sprynczynatyk: Provision of SB2112 with emergency clause -- allowed us to borrow the match which we did receive -- to assure nonfederal match funds. We will need to pay back in 2 years -- this is beyond normal workload -- we'd need to find the dollars, or come back to the legislators then.

Senator Tallackson: How do we handle? Add on to Conference report?

Senator Nething: Need to adopt report - then bill.

Representative Carlisle: This is the vehicle for support -- effective July 1?

Dave Sprynczynatyk: Dollars already spend -- expended current year.- not appropriate to add to budget.

Senator Nething: Give authority to accept which session? If passes?

Dave Sprynczynatyk: Current.

Senator Tallackson: Divide questions?

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Senate Appropriations Committee

Bill/Resolution Number SB2012

Hearing Date April 19, 2001

Senator Nething: Can't on conference bills -- bill need 2/3 majority.

Senator Tallackson moved the addition of the 3 Department of Transportation requests presented be added to the conference report --emergency effected only if 2/3 vote; adjust to current budget.

Senator Kringstad seconded the motion. Discussion. Call for the vote: Voice vote carried.

Senator Tallackson moved the report be amended; Representative Koppelman seconded.

Discussion; call for the vote: 5 yes; 1 no; 0 absent and not voting.

Senator Kringstad accepted the floor assignment.

Date: 4-13-01

Roll Call Vote #: 1

2001 CONFERENCE COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2012

CONFERENCE COMMITTEE-Department of Transportation

Legislative Council Amendment Number _____

- ☒ recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)
the (Senate/House) amendments on (SJ/HJ) page(s) 1150 - 1151
without right time speed limits
- ☐ having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

*Allen will do
amendment*

Action Taken _____

Motion Made By
Senator/Representative

Tallackson

Seconded By
Senator/Representative

Kringstad

Senators	Yes	No	Representative	Yes	No
Senator Nething	✓		Representative Koppelman	✓	
Senator Kringstad	✓		Representative Carlisle	✓	
Senator Tallackson	✓		Representative Glassheim		✓

Total Yes 5 No 1 Absent 0

REPORT OF CONFERENCE COMMITTEE

SB 2012, as engrossed: Your conference committee (Sens. Nething, Kringstad, Tallackson and Reps. Koppelman, Carlisle, Glasshelm) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 1150-1151, adopt amendments as follows, and place SB 2012 on the Seventh order:

That the House recede from its amendments as printed on pages 1157-1160 of the Senate Journal and pages 1260-1263 of the House Journal and that Engrossed Senate Bill No. 2012 be amended as follows:

Page 1, line 2, remove "and"

Page 1, line 3, after "study" insert "; to provide a contingent appropriation; and to amend and reenact section 39-06-19, subsection 1 of section 39-06.2-09, and section 39-09-02 of the North Dakota Century Code, relating to highways and operators' licenses"

Page 1, line 11, replace "121,531,562" with "118,331,562"

Page 1, line 15, replace "739,566,343" with "736,366,343"

Page 1, after line 18, insert:

"SECTION 3. CONTINGENT APPROPRIATION - GENERAL LICENSE PLATE ISSUE. If the fifty-seventh legislative assembly approves additional revenues specifically identified for the purpose of providing funding for the additional cost of a general license plate issue, there is appropriated out of any moneys in the highway fund in the state treasury, not otherwise appropriated, the sum of \$3,200,000, to the department of transportation for the purpose of defraying the expenses of a general license plate issue, for the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 4. AMENDMENT. Section 39-06-19 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

39-06-19. Expiration of license - Renewal.

1. Every operator's license issued under this chapter expires and is renewed according to this section. The expiration date of an operator's license for ~~every~~ a person whose birth occurred in a year ending in an odd numeral is twelve midnight on the anniversary of the birthday in the second subsequent year ending in an odd numeral. The expiration date of an operator's license for ~~every~~ a person whose birth occurred in a year ending in an even numeral is twelve midnight on the anniversary of the birthday in the second subsequent year ending in an even numeral.
2. If the licensee has reached the age of eighteen, and desires reissuance of a license with the distinctive background for licensees at least the age of eighteen and under the age of twenty-one, the applicant may apply at any time for a replacement license. If the licensee has reached the age of twenty-one and desires reissuance of a license without the distinctive color background required by section 39-06-14, the applicant may apply at any time for a replacement license. ~~In all other cases;~~
3. An applicant for renewal must present the application with fee for renewal of license must be presented to the director not prior to before ten months before the expiration date of the operator's license. The director may require an examination of an applicant as upon an original application. After the initial application for a license in this state, the director may not

require an applicant for renewal, replacement, or a substitute to provide a social security card unless the applicant is changing the distinguishing number on the license to the applicant's social security number. The director may not renew an operator's license if the license has been suspended under section 14-08.1-07. Upon the recommendation of the court, the director may issue a temporary permit to the licensee under section 39-06.1-11 if the temporary permit is necessary for the licensee to work and the court has determined the licensee is making a good-faith effort to comply with the child support order.

4. Every application for renewal of a license by an applicant must be accompanied by a certificate of examination from either the driver licensing or examining authorities or a physician or an optometrist, licensed in this or another state, containing a statement as to the corrected and uncorrected vision of the applicant. The director shall provide visual examination equipment at each location where a license may be renewed. The initial application for a motor vehicle operator's license may be accompanied by a statement of examination from a licensed physician or an optometrist, stating the corrected and uncorrected vision of the applicant, in lieu of the department examination. ~~Such~~ This examination must be within six months of the driver license application.
5. Every person submitting an application and fee for renewal of license one year or more after the expiration of a license, except an applicant whose military service has terminated less than thirty days prior to such application, must be treated as a new driver.
6. The fee for renewal or replacement of an operator's license is ten dollars.

SECTION 5. AMENDMENT. Subsection 1 of section 39-06.2-09 of the North Dakota Century Code is amended and reenacted as follows:

1. Content of license. The commercial driver's license must be marked "commercial driver's license", and must be, to the maximum extent practicable, tamper proof. It must include the following information:
 - a. The name and residential address of the person;
 - b. The person's color photograph;
 - c. A physical description of the person, including sex, height, weight, and eye and hair color;
 - d. Date of birth;
 - e. ~~The~~ A distinguishing number assigned to the person which upon request may be a number different from the person's social security number;
 - f. The person's signature;
 - g. The class or type of commercial motor vehicle or vehicles which the person is authorized to drive together with any endorsements or restrictions;
 - h. The name of this state; and

- i. The dates between which the license is valid.

SECTION 6. AMENDMENT. Section 39-09-02 of the North Dakota Century Code is amended and reenacted as follows:

39-09-02. Speed limitations.

1. Subject to the provisions of section 39-09-01 and except in those instances where a lower speed is specified in this chapter, it presumably is lawful for the driver of a vehicle to drive the same at a speed not exceeding:
 - a. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24 meters] of a grade crossing of any steam, electric, or street railway when the driver's view is obstructed. A driver's view is deemed to be obstructed when at any time during the last two hundred feet [60.96 meters] of the driver's approach to such crossing, the driver does not have a clear and uninterrupted view of such railway crossing and of any traffic on such railway for a distance of four hundred feet [121.92 meters] in each direction from such crossing.
 - b. Twenty miles [32.19 kilometers] an hour when passing a school during school recess or while children are going to or leaving school during opening or closing hours.
 - c. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24 meters] and in traversing an intersection of highways when the driver's view is obstructed. A driver's view is deemed to be obstructed when at any time during the last fifty feet [15.24 meters] of the driver's approach to such intersection, the driver does not have a clear and uninterrupted view of such intersection and of the traffic upon all of the highways entering such intersection for a distance of two hundred feet [60.96 meters] from such intersection.
 - d. Twenty miles [32.19 kilometers] an hour when the driver's view of the highway ahead is obstructed within a distance of one hundred feet [30.48 meters].
 - e. Twenty-five miles [40.23 kilometers] an hour on any highway in a business district or in a residence district or in a public park, unless a different speed is designated and posted by local authorities.
 - f. Fifty-five miles [88.51 kilometers] an hour on gravel, dirt, or loose surface highways, and on paved two-lane highways if there is no speed limit posted or if within the time period of one-half hour after sunset to one-half hour before sunrise, unless otherwise permitted, restricted, or required by conditions.
 - g. Sixty-five miles [104.61 kilometers] an hour on paved two-lane highways if within the time period of one-half hour before sunrise to one-half hour after sunset and if posted for that speed, and on paved and divided multilane highways, unless otherwise permitted, restricted, or required by conditions.

- h. ~~Seventy~~ Seventy-five miles [~~112.65~~ 120.70 kilometers] an hour on access-controlled, paved and divided, multilane interstate highways, unless otherwise permitted, restricted, or required by conditions.
2. The director may designate and post special areas of state highways where lower speed limits apply. If there is a violation of a highway construction zone speed limit, where within that zone individuals engaged in construction were present at the time of the violation, then the fees required for a noncriminal disposition are forty dollars for one through ten miles per hour over the posted speed; and forty dollars, plus one dollar for each additional mile per hour over ten miles per hour over the limit. However, if a greater fee would be applicable under section 39-06.1-06, then that fee is required for the noncriminal disposition. The highway construction zone speed limit posted sign must state "Minimum Fee \$40".
 3. Except as provided by law, it is unlawful for any person to drive a vehicle upon a highway at a speed that is unsafe or at a speed exceeding the speed limit prescribed by law or established pursuant to law.
 4. In charging a violation of the provisions of this section, the complaint must specify the speed at which the defendant is alleged to have driven and the speed which this section prescribes is prima facie lawful at the time and place of the alleged offense.
 5. ~~Repealed by S.L. 1975, ch. 346, § 3.~~

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2012 - Department of Transportation - Conference Committee Action

This amendment removes the \$3.2 million for the general license plate issue from the operating expenses line item and adds a contingent appropriation section appropriating the \$3.2 million only if the 2001 Legislative Assembly specifically identifies additional revenues to provide for the cost of the general license plate issue, the same as the House version.

Sections are added that:

- Increase the speed limit on the interstate to 75 miles per hour, the same as the House version.
- Allow individuals to request a unique identifying number other than their Social Security number for their commercial driver's license number, the same as the House version.
- Provide that after the initial application for a driver's license, an individual does not need to provide the individual's Social Security number when renewing the individual's driver's license unless the individual is changing from a distinguishing number to the individual's Social Security number, the same as the House version.

The conference committee did not include provisions increasing nighttime speed limits as included in the House version.

Engrossed SB 2012 was placed on the Seventh order of business on the calendar.

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2012

That the House recede from its amendments as printed on pages 1157-1160 of the Senate Journal and pages 1260-1263 of the House Journal and that Engrossed Senate Bill No. 2012 be amended as follows:

Page 1, line 2, remove "and"

Page 1, line 3, after "study" insert "; to provide a statement of legislative intent; to provide a contingent appropriation; and to amend and reenact section 39-06-19, subsection 1 of section 39-06.2-09, and section 39-09-02 of the North Dakota Century Code, relating to highways and operators' licenses"

Page 1, line 11, replace "121,531,562" with "118,331,562"

Page 1, line 15, replace "739,566,343" with "736,366,343"

Page 1, after line 18, insert:

"SECTION 3. LEGISLATIVE INTENT - NIGHTTIME SPEED LIMITS. It is the intent of the legislative assembly that the director of the department of transportation may designate and post lower nighttime speed limits than the maximum allowed under law in special areas of state highways where the director determines that a lower speed limit is warranted because of driving conditions.

SECTION 4. CONTINGENT APPROPRIATION - GENERAL LICENSE PLATE ISSUE. If the fifty-seventh legislative assembly approves additional revenues specifically identified for the purpose of providing funding for the additional cost of a general license plate issue, there is appropriated out of any moneys in the highway fund in the state treasury, not otherwise appropriated, the sum of \$3,200,000, to the department of transportation for the purpose of defraying the expenses of a general license plate issue, for the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 5. AMENDMENT. Section 39-06-19 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

39-06-19. Expiration of license - Renewal.

1. Every operator's license issued under this chapter expires and is renewed according to this section. The expiration date of an operator's license for ~~every~~ a person whose birth occurred in a year ending in an odd numeral is twelve midnight on the anniversary of the birthday in the second subsequent year ending in an odd numeral. The expiration date of an operator's license for ~~every~~ a person whose birth occurred in a year ending in an even numeral is twelve midnight on the anniversary of the birthday in the second subsequent year ending in an even numeral.
2. If the licensee has reached the age of eighteen, and desires reissuance of a license with the distinctive background for licensees at least the age of eighteen and under the age of twenty-one, the applicant may apply at any time for a replacement license. If the licensee has reached the age of twenty-one and desires reissuance of a license without the distinctive color background required by section 39-06-14, the applicant may apply at any time for a replacement license. ~~in all other cases;~~

3. An applicant for renewal must present the application with fee for renewal of license must be presented to the director not prior to before ten months before the expiration date of the operator's license. The director may require an examination of an applicant as upon an original application. After the initial application for a license in this state, the director may not require an applicant for renewal, replacement, or a substitute to provide a social security card unless the applicant is changing the distinguishing number on the license to the applicant's social security number. The director may not renew an operator's license if the license has been suspended under section 14-08.1-07. Upon the recommendation of the court, the director may issue a temporary permit to the licensee under section 39-06.1-11 if the temporary permit is necessary for the licensee to work and the court has determined the licensee is making a good-faith effort to comply with the child support order.
4. Every application for renewal of a license by an applicant must be accompanied by a certificate of examination from either the driver licensing or examining authorities or a physician or an optometrist, licensed in this or another state, containing a statement as to the corrected and uncorrected vision of the applicant. The director shall provide visual examination equipment at each location where a license may be renewed. The initial application for a motor vehicle operator's license may be accompanied by a statement of examination from a licensed physician or an optometrist, stating the corrected and uncorrected vision of the applicant, in lieu of the department examination. ~~Such~~ This examination must be within six months of the driver license application.
5. Every person submitting an application and fee for renewal of license one year or more after the expiration of a license, except an applicant whose military service has terminated less than thirty days prior to such application, must be treated as a new driver.
6. The fee for renewal or replacement of an operator's license is ten dollars.

SECTION 6. AMENDMENT. Subsection 1 of section 39-06.2-09 of the North Dakota Century Code is amended and reenacted as follows:

1. Content of license. The commercial driver's license must be marked "commercial driver's license", and must be, to the maximum extent practicable, tamper proof. It must include the following information:
 - a. The name and residential address of the person;
 - b. The person's color photograph;
 - c. A physical description of the person, including sex, height, weight, and eye and hair color;
 - d. Date of birth;
 - e. ~~The~~ A distinguishing number assigned to the person which upon request may be a number different from the person's social security number;
 - f. The person's signature;
 - g. The class or type of commercial motor vehicle or vehicles which the person is authorized to drive together with any endorsements or restrictions;

h. The name of this state; and

i. The dates between which the license is valid.

SECTION 7. AMENDMENT. Section 39-09-02 of the North Dakota Century Code is amended and reenacted as follows:

39-09-02. Speed limitations.

1. Subject to the provisions of section 39-09-01 and except in those instances where a lower speed is specified in this chapter, it presumably is lawful for the driver of a vehicle to drive the same at a speed not exceeding:
 - a. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24 meters] of a grade crossing of any steam, electric, or street railway when the driver's view is obstructed. A driver's view is deemed to be obstructed when at any time during the last two hundred feet [60.96 meters] of the driver's approach to such crossing, the driver does not have a clear and uninterrupted view of such railway crossing and of any traffic on such railway for a distance of four hundred feet [121.92 meters] in each direction from such crossing.
 - b. Twenty miles [32.19 kilometers] an hour when passing a school during school recess or while children are going to or leaving school during opening or closing hours.
 - c. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24 meters] and in traversing an intersection of highways when the driver's view is obstructed. A driver's view is deemed to be obstructed when at any time during the last fifty feet [15.24 meters] of the driver's approach to such intersection, the driver does not have a clear and uninterrupted view of such intersection and of the traffic upon all of the highways entering such intersection for a distance of two hundred feet [60.96 meters] from such intersection.
 - d. Twenty miles [32.19 kilometers] an hour when the driver's view of the highway ahead is obstructed within a distance of one hundred feet [30.48 meters].
 - e. Twenty-five miles [40.23 kilometers] an hour on any highway in a business district or in a residence district or in a public park, unless a different speed is designated and posted by local authorities.
 - f. Fifty-five miles [88.51 kilometers] an hour on gravel, dirt, or loose surface highways, ~~and on paved two-lane highways if there is no speed limit posted or if within the time period of one-half hour after sunset to one-half hour before sunrise~~, unless otherwise permitted, restricted, or required by conditions.
 - g. Sixty-five miles [104.61 kilometers] an hour on paved two-lane highways ~~if within the time period of one-half hour before sunrise to one-half hour after sunset and if posted for that speed~~, and on paved and divided multilane highways, unless otherwise permitted, restricted, or required by conditions.
 - h. ~~Seventy~~ Seventy-five miles [~~112.65~~ 120.70 kilometers] an hour on access-controlled, paved and divided, multilane interstate highways, unless otherwise permitted, restricted, or required by conditions.

2. The director may designate and post special areas of state highways where lower speed limits apply. If there is a violation of a highway construction zone speed limit, where within that zone individuals engaged in construction were present at the time of the violation, then the fees required for a noncriminal disposition are forty dollars for one through ten miles per hour over the posted speed; and forty dollars, plus one dollar for each additional mile per hour over ten miles per hour over the limit. However, if a greater fee would be applicable under section 39-06.1-06, then that fee is required for the noncriminal disposition. The highway construction zone speed limit posted sign must state "Minimum Fee \$40".
3. Except as provided by law, it is unlawful for any person to drive a vehicle upon a highway at a speed that is unsafe or at a speed exceeding the speed limit prescribed by law or established pursuant to law.
4. In charging a violation of the provisions of this section, the complaint must specify the speed at which the defendant is alleged to have driven and the speed which this section prescribes is prima facie lawful at the time and place of the alleged offense.
5. ~~Repealed by S.L. 1975, ch. 346, § 3.~~

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2012 - Department of Transportation - Conference Committee Action

This amendment removes the \$3.2 million for the general license plate issue from the operating expenses line item and adds a contingent appropriation section appropriating the \$3.2 million only if the 2001 Legislative Assembly specifically identifies additional revenues to provide for the cost of the general license plate issue, the same as the House version.

Sections are added that:

- Increase the speed limit on the Interstate to 75 miles per hour, the same as the House version.
- Remove provisions for reduced nighttime speed limits, the same as the House version.
- Allow individuals to request a unique identifying number other than their Social Security number for their commercial driver's license number, the same as the House version.
- Provide that after the initial application for a driver's license, an individual does not need to provide the individual's Social Security number when renewing the individual's driver's license unless the individual is changing from a distinguishing number to the individual's Social Security number, the same as the House version.

A section of legislative intent is added providing that the director of the Department of Transportation may designate and post lower nighttime speed limits than the maximum allowed under law in special areas of state highways where the director determines that a lower speed limit is warranted because of driving conditions.

Date: 4-19-01

Roll Call Vote #: 1

2001 CONFERENCE COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2012

CONFERENCE COMMITTEE-Department of Transportation

Legislative Council Amendment Number 18038.0207

- ☐ recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)
the (Senate/House) amendments on (SJ/HJ) page(s) _____ - _____
- ☐ having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

Action Taken Adopt Amendment

Motion Made By Koppelman Seconded By Carlisle
Senator/Representative Senator/Representative

Senators	Yes	No	Representative	Yes	No
Senator Nething		✓	Representative Koppelman	✓	
Senator Kringstad		✓	Representative Carlisle	✓	
Senator Tallackson		✓	Representative Glassheim		✓

Total Yes 2 No 4 Absent 0

Date: 4-19-01

Roll Call Vote #: 2

2001 CONFERENCE COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2012

CONFERENCE COMMITTEE-Department of Transportation

Legislative Council Amendment Number _____

☐ recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)
the (Senate/House) amendments on (SJ/HJ) page(s) _____

☐ having been unable to agree, recommends that the committee be discharged and a
new committee be appointed. 3 effect only of 2/3 vote

Action Taken add to - conf report - adjust current budget

Motion Made By Senator/Representative Tallackson Seconded By Senator/Representative Kringstad

Senators	Yes	No	Representative	Yes	No
Senator Nething			Representative Koppelman		
Senator Kringstad			Representative Carlisle		
Senator Tallackson			Representative Glassheim		

Total Yes _____ No _____ Absent _____

Date: 4-19-01

Roll Call Vote #: 3

2001 CONFERENCE COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2012

CONFERENCE COMMITTEE-Department of Transportation

Legislative Council Amendment Number _____

☐ recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)
the (Senate/House) amendments on (SJ/HJ) page(s) _____ - _____

☐ having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

Action Taken Report as Amended

Motion Made By Senator/Representative Tallackson Seconded By Senator/Representative Koppelman

Senators	Yes	No	Representative	Yes	No
Senator Nething	✓		Representative Koppelman	✓	
Senator Kringstad	✓		Representative Carlisle	✓	
Senator Tallackson	✓		Representative Glassheim		✓

Total Yes 5 No 1 Absent _____

Sen Kringstad carries

REPORT OF CONFERENCE COMMITTEE

SB 2012, as engrossed: Your conference committee (Sens. Nething, Kringstad, Tallackson and Reps. Koppelman, Carlisle, Glasshelm) recommends that the **HOUSE RECEDE** from the House amendments on SJ pages 1157-1160 and place SB 2012 on the Seventh order.

That the House recede from its amendments as printed on pages 1157-1160 of the Senate Journal and pages 1260-1263 of the House Journal and that Engrossed Senate Bill No. 2012 be amended as follows:

Page 1, line 2, remove "and"

Page 1, line 3, after "study" insert "; to provide a contingent appropriation; to amend and reenact section 39-06-19, subsection 1 of section 39-06.2-09, and section 39-09-02 of the North Dakota Century Code, relating to highways and operators' licenses; and to declare an emergency"

Page 1, line 11, replace "121,531,562" with "118,331,562"

Page 1, line 15, replace "739,566,343" with "736,366,343"

Page 1, after line 18, insert:

"SECTION 3. CONTINGENT APPROPRIATION - GENERAL LICENSE PLATE ISSUE. If the fifty-seventh legislative assembly approves additional revenues specifically identified for the purpose of providing funding for the additional cost of a general license plate issue, there is appropriated out of any moneys in the highway fund in the state treasury, not otherwise appropriated, the sum of \$3,200,000, to the department of transportation for the purpose of defraying the expenses of a general license plate issue, for the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 4. APPROPRIATION - 1999-2001 BIENNIUM. The funds provided in this section, or so much of the funds as may be necessary, are appropriated from special funds derived from federal funds and other income, to the department of transportation for the purpose of defraying the expenses of its various divisions, for the period beginning with the effective date of this Act and ending June 30, 2001, as follows:

Motor vehicle	\$508,083
Highways	49,186,400
Total special funds	\$49,694,483

SECTION 5. AMENDMENT. Section 39-06-19 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

39-06-19. Expiration of license - Renewal.

1. Every operator's license issued under this chapter expires and is renewed according to this section. The expiration date of an operator's license for every a person whose birth occurred in a year ending in an odd numeral is twelve midnight on the anniversary of the birthday in the second subsequent year ending in an odd numeral. The expiration date of an operator's license for every a person whose birth occurred in a year ending in an even numeral is twelve midnight on the anniversary of the birthday in the second subsequent year ending in an even numeral.

2. If the licensee has reached the age of eighteen, and desires reissuance of a license with the distinctive background for licensees at least the age of eighteen and under the age of twenty-one, the applicant may apply at any time for a replacement license. If the licensee has reached the age of twenty-one and desires reissuance of a license without the distinctive color background required by section 39-06-14, the applicant may apply at any time for a replacement license. ~~In all other cases,~~
3. An applicant for renewal must present the application with fee for renewal of license must be presented to the director not prior to before ten months before the expiration date of the operator's license. The director may require an examination of an applicant as upon an original application. After the initial application for a license in this state, the director may not require an applicant for renewal, replacement, or a substitute to provide a social security card unless the applicant is changing the distinguishing number on the license to the applicant's social security number. The director may not renew an operator's license if the license has been suspended under section 14-08.1-07. Upon the recommendation of the court, the director may issue a temporary permit to the licensee under section 39-06.1-11 if the temporary permit is necessary for the licensee to work and the court has determined the licensee is making a good-faith effort to comply with the child support order.
4. Every application for renewal of a license by an applicant must be accompanied by a certificate of examination from either the driver licensing or examining authorities or a physician or an optometrist, licensed in this or another state, containing a statement as to the corrected and uncorrected vision of the applicant. The director shall provide visual examination equipment at each location where a license may be renewed. The initial application for a motor vehicle operator's license may be accompanied by a statement of examination from a licensed physician or an optometrist, stating the corrected and uncorrected vision of the applicant, in lieu of the department examination. ~~Such~~ This examination must be within six months of the driver license application.
5. Every person submitting an application and fee for renewal of license one year or more after the expiration of a license, except an applicant whose military service has terminated less than thirty days prior to such application, must be treated as a new driver.
6. The fee for renewal or replacement of an operator's license is ten dollars.

SECTION 6. AMENDMENT. Subsection 1 of section 39-06.2-09 of the North Dakota Century Code is amended and reenacted as follows:

1. Content of license. The commercial driver's license must be marked "commercial driver's license", and must be, to the maximum extent practicable, tamper proof. It must include the following information:
 - a. The name and residential address of the person;
 - b. The person's color photograph;
 - c. A physical description of the person, including sex, height, weight, and eye and hair color;
 - d. Date of birth;

- e. The A distinguishing number assigned to the person which upon request may be a number different from the person's social security number;
- f. The person's signature;
- g. The class or type of commercial motor vehicle or vehicles which the person is authorized to drive together with any endorsements or restrictions;
- h. The name of this state; and
- i. The dates between which the license is valid.

SECTION 7. AMENDMENT. Section 39-09-02 of the North Dakota Century Code is amended and reenacted as follows:

39-09-02. Speed limitations.

- 1. Subject to the provisions of section 39-09-01 and except in those instances where a lower speed is specified in this chapter, it presumably is lawful for the driver of a vehicle to drive the same at a speed not exceeding:
 - a. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24 meters] of a grade crossing of any steam, electric, or street railway when the driver's view is obstructed. A driver's view is deemed to be obstructed when at any time during the last two hundred feet [60.96 meters] of the driver's approach to such crossing, the driver does not have a clear and uninterrupted view of such railway crossing and of any traffic on such railway for a distance of four hundred feet [121.92 meters] in each direction from such crossing.
 - b. Twenty miles [32.19 kilometers] an hour when passing a school during school recess or while children are going to or leaving school during opening or closing hours.
 - c. Twenty miles [32.19 kilometers] an hour when approaching within fifty feet [15.24 meters] and in traversing an intersection of highways when the driver's view is obstructed. A driver's view is deemed to be obstructed when at any time during the last fifty feet [15.24 meters] of the driver's approach to such intersection, the driver does not have a clear and uninterrupted view of such intersection and of the traffic upon all of the highways entering such intersection for a distance of two hundred feet [60.96 meters] from such intersection.
 - d. Twenty miles [32.19 kilometers] an hour when the driver's view of the highway ahead is obstructed within a distance of one hundred feet [30.48 meters].
 - e. Twenty-five miles [40.23 kilometers] an hour on any highway in a business district or in a residence district or in a public park, unless a different speed is designated and posted by local authorities.

- f. Fifty-five miles [88.51 kilometers] an hour on gravel, dirt, or loose surface highways, and on paved two-lane highways if there is no speed limit posted or if within the time period of one-half hour after sunset to one-half hour before sunrise, unless otherwise permitted, restricted, or required by conditions.
 - g. Sixty-five miles [104.61 kilometers] an hour on paved two-lane highways if within the time period of one-half hour before sunrise to one-half hour after sunset and if posted for that speed, and on paved and divided multilane highways, unless otherwise permitted, restricted, or required by conditions.
 - h. ~~Seventy~~ Seventy-five miles [~~112.65~~ 120.70 kilometers] an hour on access-controlled, paved and divided, multilane Interstate highways, unless otherwise permitted, restricted, or required by conditions.
2. The director may designate and post special areas of state highways where lower speed limits apply. If there is a violation of a highway construction zone speed limit, where within that zone individuals engaged in construction were present at the time of the violation, then the fees required for a noncriminal disposition are forty dollars for one through ten miles per hour over the posted speed; and forty dollars, plus one dollar for each additional mile per hour over ten miles per hour over the limit. However, if a greater fee would be applicable under section 39-06.1-06, then that fee is required for the noncriminal disposition. The highway construction zone speed limit posted sign must state "Minimum Fee \$40".
 3. Except as provided by law, it is unlawful for any person to drive a vehicle upon a highway at a speed that is unsafe or at a speed exceeding the speed limit prescribed by law or established pursuant to law.
 4. In charging a violation of the provisions of this section, the complaint must specify the speed at which the defendant is alleged to have driven and the speed which this section prescribes is prima facie lawful at the time and place of the alleged offense.
 5. ~~Repealed by S.L. 1975, ch. 346, § 3.~~

SECTION 8. EMERGENCY. Section 4 of this Act is declared to be an emergency measure."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2012 - Department of Transportation - Conference Committee Action

This amendment removes the \$3.2 million for the general license plate issue from the operating expenses line item and adds a contingent appropriation section appropriating the \$3.2 million only if the 2001 Legislative Assembly specifically identifies additional revenues to provide for the cost of the general license plate issue, the same as the House version.

Sections are added that:

- Increase the speed limit on the interstate to 75 miles per hour, the same as the House version.
- Allow individuals to request a unique identifying number other than their Social Security number for their commercial driver's license number, the same as the House version.
- Provide that after the initial application for a driver's license, an individual does not need to provide the individual's Social Security number when renewing the individual's driver's license unless the individual is changing from a distinguishing number to the individual's Social Security number, the same as the House version.
- Appropriate \$508,083 of collections from UNISYS, Inc., for the 1999-2001 biennium for costs incurred by the Motor Vehicle Division due to the delay in the completion of the vehicle registration and titling system.
- Appropriate \$17,414,616 of federal funds for the 1999-2001 biennium for flood-related work in the Devils Lake area (\$1,731,581) and for other highway projects (\$15,683,035).
- Appropriate \$31,771,784, of which \$27,439,028 is federal emergency relief funds and \$4,332,756 is from proceeds of a Bank of North Dakota loan, for the 1999-2001 biennium for flood-related projects in the Devils Lake area and in other parts of the state.

The conference committee did not include provisions increasing nighttime speed limits as included in the House version.

Engrossed SB 2012 was placed on the Seventh order of business on the calendar.

2001 TESTIMONY

SB 2012

Department 801 - Department of Transportation
Senate Bill No. 2012

	FTE Positions	General Fund	Other Funds	Total
2001-03 Executive Budget	1,041.00		\$734,924,454	\$734,924,454
1999-2001 Legislative Appropriations	1,040.00		626,041,796	626,041,796 ¹
Increase (Decrease)	1.00	\$0	\$108,882,658	\$108,882,658

¹ The 1999-2001 appropriation amounts include \$624,050 of other funds for the agency's share of the \$5.4 million funding pool appropriated to the Office of Management and Budget (OMB) for special market equity adjustments for classified employees and \$30,139 of other funds for the agency's share of the \$1.4 million funding pool appropriated to OMB for assisting agencies in providing the \$35 per month minimum salary increases in July 1999 and July 2000.

Major Items Affecting Department of Transportation 2001-03 Budget

	General Fund	Other Funds	Total
Administration			
1. Adds funding from the highway fund for 1 FTE telecommunications technician II (\$77,299) and related operating (\$34,300) and equipment (\$10,000) for providing mobile data terminal maintenance services.		\$121,599	\$121,599
2. Adds funding from the highway fund for providing salary market adjustments for information technology staff.		\$240,000	\$240,000
3. Adds funding from the highway fund for salary market adjustments for the director (\$198.92 per month) and 2 deputies (\$461.08 per month for one and \$485.83 per month for the other) effective January 1, 2002. The funding added in the executive budget is \$5,511 more than is necessary to provide for these equity increases.		\$29,594	\$29,594
4. Adds funding from the highway fund for ATM network costs.		\$129,050	\$129,050
5. Adds funding for new information technology activities:		\$1,213,850	\$1,213,850
a. Establish an electronic document management system (\$478,865 from the highway fund).			
b. Develop e-commerce applications (\$76,825 from the highway fund).			
c. Replace existing construction automated records system (CARS) (\$213,570 from the highway fund and \$190,830 from federal funds).			
d. Expand highway project development tools (\$253,760 from the highway fund).			
6. Includes funding received from the asbestos settlement for partial remodeling of the highway building due to the presence of asbestos. The total project is estimated to cost \$8.5 million.		\$2,500,000	\$2,500,000
7. Includes funding from bond proceeds for a lighting retrofit project. Bonds will be repaid from energy cost-savings in future bienniums.		\$352,600	\$352,600
Motor Vehicle			
1. Adds funding for a new license plate issue. The executive budget recommends increasing motor vehicle registration fees by \$5 per vehicle for one year with all the proceeds (estimated at \$3,750,000) being deposited in the highway fund to provide for the cost of the license plate issue. A bill has not yet been introduced to provide for this \$5 increase.		\$3,200,000	\$3,200,000
2. Adds funding for new information technology activities:		\$106,058	\$106,058
a. Develop e-commerce applications			
Drivers License			
1. Adds funding from the highway fund for increased renewal rates for the digital driver's license system.		\$144,000	\$144,000

- | | | |
|---|-----------|-----------|
| 2. Adds funding for new information technology activities: | \$450,000 | \$450,000 |
| a. Replace automated driver's license testing system (highway fund) | | |

Highways

- | | | |
|---|--------------|--------------|
| 1. Adds funding from the highway fund for providing salary market adjustments for engineers. The 1999 Legislative Assembly provided \$800,000 for merit increases for engineers. | \$960,000 | \$960 |
| 2. Reduces funding from the highway fund for anticipated vacancies and to reduce overtime. | (\$703,422) | (\$703,422) |
| 3. Increases funding for motor pool rate increases. | \$4,500,000 | \$4,500,000 |
| 4. Increases funding for replacing section buildings. Funding of \$800,000 from the highway fund is provided for replacing an estimated three section buildings. The 1999 Legislative Assembly provided \$619,000 for replacing an estimated six section buildings. | \$181,000 | \$181,000 |
| 5. Increases funding for highway construction. Highway construction funding of \$363,215,831 is provided from federal funds and \$87,946,806 from the highway fund. | \$78,513,576 | \$78,513,576 |
| 6. Authorizes the department to obtain a Bank of North Dakota loan for matching federal emergency relief funds and to repay the loan by the end of the biennium by requesting a deficiency appropriation (Senate Bill No. 2112). The department estimates receiving \$26 million of federal emergency relief funds requiring \$6.5 million of state matching funds during the 2001-03 biennium. | | |

Fleet Services

- | | | |
|---|-------------|-------------|
| 1. Increases funding for fuel purchases. Funding of \$5,740,413 is included for purchasing gasoline and diesel for the 2001-03 biennium. | \$1,633,293 | \$1,633,293 |
| 2. Increases funding for new vehicle purchases. Funding of \$21,600,100 from the Fleet Services fund is provided for replacing an estimated 440 vehicles each year of the 2001-03 biennium. | \$1,809,310 | \$1,809,310 |

Major Legislation Affecting the Department of Transportation

Senate Bill No. 2027 requires the Department of Transportation to establish a motor vehicle pilot project office site in three counties, with the county treasurer administering motor vehicle registration programs at each of these sites.

Senate Bill No. 2112 authorizes the Department of Transportation to borrow funds from the Bank of North Dakota to match federal emergency relief funds that may become available for highway projects. The department estimates receiving \$26 million of federal emergency relief funds requiring \$6.5 million of state matching funds during the 2001-03 biennium.

Senate Bill No. 2159 increases motor vehicle registration fees by \$15 per vehicle effective for registrations expiring after July 31, 2001. These increases are estimated to generate \$20.4 million of additional highway tax distribution fund revenue, \$12.9 million of which is distributed to the state and \$7.5 million to cities and counties.

House Bill No. 1061 and House Bill No. 1184 both provide individuals who lease vehicles a motor vehicle registration fee credit at the end of the lease for any remaining months of the current vehicle registration.

Department 801 - Department of Transportation
Senate Bill No. 2012

	FTE Positions	General Fund	Other Funds	Total
2001-03 Schafer Executive Budget	1,041.00		\$734,924,454	\$734,924,454
1999-2001 Legislative Appropriations	1,040.00		626,041,796	626,041,796
Increase (Decrease)	1.00	\$0	\$108,882,658	\$108,882,658

2001-03 Hoeven Executive Budget	1,041.00	\$0	\$734,924,454	\$734,924,454
Hoeven Increase (Decrease) to Schafer	0.00	\$0	\$0	\$0

The 1999-2001 appropriation amounts include \$624,050 of other funds for the agency's share of the \$5.4 million funding pool appropriated to the Office of Management and Budget (OMB) for special market equity adjustments for classified employees and \$30,139 of other funds for the agency's share of the \$1.4 million funding pool appropriated to OMB for assisting agencies in providing the \$35 per month minimum salary increases in July 1999 and July 2000.

Major Schafer Recommendations Affecting Department of Transportation 2001-03 Budget

	General Fund	Other Funds	Total
Administration			
1. Adds funding from the highway fund for 1 FTE telecommunications technician II (\$77,299) and related operating (\$34,300) and equipment (\$10,000) for providing mobile data terminal maintenance services.		\$121,599	\$121,599
2. Adds funding from the highway fund for providing salary market adjustments for information technology staff.		\$240,000	\$240,000
3. Adds funding from the highway fund for salary market adjustments for the director (\$198.92 per month) and 2 deputies (\$461.08 per month for one and \$485.83 per month for the other) effective January 1, 2002. The funding added in the executive budget is \$5,511 more than is necessary to provide for these equity increases.		\$29,594	\$29,594
4. Adds funding from the highway fund for ATM network costs.		\$129,050	\$129,050
5. Adds funding for new information technology activities:		\$1,213,850	\$1,213,850
a. Establish an electronic document management system (\$478,865 from the highway fund).			
b. Develop e-commerce applications (\$76,825 from the highway fund).			
c. Replace existing construction automated records system (CARS) (\$213,570 from the highway fund and \$190,830 from federal funds).			
d. Expand highway project development tools (\$253,760 from the highway fund).			
6. Includes funding received from the asbestos settlement for partial remodeling of the highway building due to the presence of asbestos. The total project is estimated to cost \$8.5 million.		\$2,500,000	\$2,500,000
7. Includes funding from bond proceeds for a lighting retrofit project. Bonds will be repaid from energy cost-savings in future bienniums.		\$352,600	\$352,600
Motor Vehicle			
1. Adds funding for a new license plate issue. The executive budget recommends increasing motor vehicle registration fees by \$5 per vehicle for one year with all the proceeds (estimated at \$3,750,000) being deposited in the highway fund to provide for the cost of the license plate issue. A bill has not yet been introduced to provide for this \$5 increase.		\$3,200,000	\$3,200,000

2. Adds funding for new information technology activities:	\$106,058	\$106,058
a. Develop e-commerce applications.		
Driver's License		
1. Adds funding from the highway fund for increased renewal rates for the digital driver's license system.	\$144,000	\$144,000
2. Adds funding for new information technology activities:	\$450,000	\$450,000
a. Replace automated driver's license testing system (highway fund).		
Highways		
1. Adds funding from the highway fund for providing salary market adjustments for engineers and engineering technicians. The 1999 Legislative Assembly provided \$800,000 for merit increases for engineers.	\$960,000	\$960,000
2. Reduces funding from the highway fund for anticipated vacancies and to reduce overtime.	(\$703,422)	(\$703,422)
3. Increases funding for motor pool rate increases.	\$4,500,000	\$4,500,000
4. Increases funding for replacing section buildings. Funding of \$800,000 from the highway fund is provided for replacing an estimated three section buildings. The 1999 Legislative Assembly provided \$619,000 for replacing an estimated six section buildings.	\$181,000	\$181,000
5. Increases funding for highway construction. Highway construction funding of \$363,215,881 is provided from federal funds and \$87,946,806 from the highway fund.	\$68,513,576	\$68,513,576
6. Increases funding from the highway fund for highway construction relating to the reclassification of highway maintenance funding from capital improvements to operating expenses.	\$10,000,000	\$10,000,000
7. Authorizes the department to obtain a Bank of North Dakota loan for matching federal emergency relief funds and to repay the loan by the end of the biennium by requesting a deficiency appropriation (Senate Bill No. 2112). The department estimates receiving \$32 million of federal emergency relief funds requiring \$8 million of state matching funds during the 2001-03 biennium.		
Fleet Services		
1. Increases funding for fuel purchase. Funding of \$5,740,413 is included for purchasing gasoline and diesel for the 2001-03 biennium.	\$1,633,293	\$1,633,293
2. Increases funding for new vehicle purchases. Funding of \$21,600,100 from the Fleet Services fund is provided for replacing an estimated 440 vehicles each year of the 2001-03 biennium.	\$1,809,310	\$1,809,310

**Major Hoeven Recommendations Affecting Department of Transportation 2001-03 Budget
Compared to the Bill as Introduced (Schafer Budget)**

The Hoeven executive recommendation does not change the Schafer executive budget recommendation for this agency.

Major Legislation Affecting the Department of Transportation

Senate Bill No. 2027 requires the Department of Transportation to establish a motor vehicle pilot project office site in three counties, with the county treasurer administering motor vehicle registration programs at each of these sites. Provisions of the bill are estimated to cost the motor vehicle division \$31,716 for the 2001-03 biennium, resulting in a \$19,981 reduction in state highway fund revenues.

Senate Bill No. 2054 exempts select farm equipment from purchasing permits to exceed road weight limits. Provisions of this bill are estimated to reduce 2001-03 biennium highway fund revenues by \$60,000 and reduce 2001-03 biennium expenditures by \$6,200.

Senate Bill No. 2112 authorizes the Department of Transportation to borrow funds from the Bank of North Dakota to match federal emergency relief funds that may become available for highway projects. The department estimates receiving \$32 million of federal emergency relief funds requiring \$8 million of state matching funds during the 2001-03 biennium. (Passed Senate)

Senate Bill No. 2159 increases motor vehicle registration fees by \$15 per vehicle effective for registrations expiring after July 31, 2001. These increases are estimated to generate \$20.4 million of additional highway tax distribution fund revenue, \$12.9 million of which is distributed to the state and \$7.5 million to cities and counties for the 2001-03 biennium.

Senate Bill No. 2203 provides for the issuance of special vehicle plates bearing the insignia of a state college or university. Provisions of this bill are estimated to generate \$18,900 of highway fund revenue and require an additional \$10,800 of appropriation authority for the motor vehicle division for the 2001-03 biennium.

Senate Bill No. 2273 increases annual fees for motor vehicle dealers and dealer license plates. Provisions of the bill are estimated to generate \$72,000 of additional highway fund revenues but require \$10,000 of additional appropriation authority to provide for increased costs relating to this bill for the 2001-03 biennium.

House Bill No. 1167 authorizes the Department of Transportation to provide up to \$20,000 per year for scholarships, a \$10,000 increase per year compared to the current level. This change is estimated to require an additional \$20,000 of highway fund appropriations for the 2001-03 biennium. (Passed both chambers)

House Bill No. 1184 provided individuals who lease vehicles a motor vehicle registration fee credit at the end of the lease for any remaining months of the current vehicle registration. Provisions of the bill are estimated to reduce state highway fund revenues by \$37,800 for the 2001-03 biennium. (Passed House)

House Bill No. 1261 requires the Department of Transportation to issue metal plates rather the paper window permits for temporary vehicle registration. Provisions of this bill would reduce highway fund revenues by an estimated \$92,110 and require an additional \$146,207 of appropriation authority for the motor vehicle division for the 2001-03 biennium.

House Bill No. 1289 provides for the issuance of special vehicle plates for members of the North Dakota Firemen's Association. Provisions of this bill are estimated to generate \$2,520 of additional highway fund revenues and require an additional \$16,000 of appropriation authority for the motor vehicle division for the 2001-03 biennium. (Passed House)

House Bill No. 1366 transfers 27 miles of McIntosh County roads to the state system. The Department of Transportation estimates the need for \$12,593,942 of additional funding from the state highway fund during the 2001-03 biennium to bring these roads up to the minimum standards for the state system.

Department 801 - Department of Transportation
Senate Bill No. 2012

	FTE Positions	General Fund	Other Funds	Total
2001-03 Schafer Executive Budget	1,041.00		\$734,924,454	\$734,924,454
1999-2001 Legislative Appropriations	1,040.00		626,041,796	626,041,796 ¹
Increase (Decrease)	1.00	\$0	\$108,882,658	\$108,882,658

2001-03 Hoeven Executive Budget	1,041.00	\$0	\$734,924,454	\$734,924,454
Hoeven Increase (Decrease) to Schafer	0.00	\$0	\$0	\$0

¹ The 1999-2001 appropriation amounts include \$624,050 of other funds for the agency's share of the \$5.4 million funding pool appropriated to the Office of Management and Budget (OMB) for special market equity adjustments for classified employees and \$30,139 of other funds for the agency's share of the \$1.4 million funding pool appropriated to OMB for assisting agencies in providing the \$35 per month minimum salary increases in July 1999 and July 2000.

Major Schafer Recommendations Affecting Department of Transportation 2001-03 Budget

	General Fund	Other Funds	Total
Administration			
1. Adds funding from the highway fund for 1 FTE telecommunications technician II (\$77,299) and related operating (\$34,300) and equipment (\$10,000) for providing mobile data terminal maintenance services.		\$121,599	\$121,599
2. Adds funding from the highway fund for providing salary market adjustments for information technology staff.		\$240,000	\$240,000
3. Adds funding from the highway fund for salary market adjustments for the director (\$198.92 per month) and two deputies (\$461.08 per month for one and \$465.83 per month for the other) effective January 1, 2002. The funding added in the executive budget is \$5,511 more than is necessary to provide for these equity increases. The Senate reduced this funding by \$5,511.		\$29,594	\$29,594
4. Adds funding from the highway fund for ATM network costs.		\$129,050	\$129,050
5. Adds funding for new information technology activities:		\$1,213,850	\$1,213,850
a. Establish an electronic document management system (\$478,865 from the highway fund).			
b. Develop e-commerce applications (\$76,826 from the highway fund).			
c. Replace existing construction automated records system (CARS) (\$213,570 from the highway fund and \$120,830 from federal funds).			
d. Expand highway project development tools (\$253,780 from the highway fund).			
6. Includes funding received from the asbestos settlement for partial remodeling of the highway building due to the presence of asbestos. The total project is estimated to cost \$8.5 million.		\$2,500,000	\$2,500,000
7. Includes funding from bond proceeds for a lighting retrofit project. Bonds will be repaid from energy cost-savings in future bienniums.		\$352,600	\$352,600
Motor Vehicle			
1. Adds funding for a new license plate issue. The executive budget recommended increasing motor vehicle registration fees by \$5 per vehicle for one year with all the proceeds being deposited in the highway fund to provide for the cost of the license plate issue. As approved by the Senate, Senate Bill No. 2159 includes a provision increasing motor vehicle registration fees by \$3 per vehicle for one year		\$3,200,000	\$3,200,000

with all the proceeds, estimated at \$2,040,000, being deposited in the highway fund.

2. Adds funding for new information technology activities:	\$106,058	\$106,058
a. Develop e-commerce applications.		
Driver's License		
1. Adds funding from the highway fund for increased renewal rates for the digital driver's license system.	\$144,000	\$144,000
2. Adds funding for new information technology activities:	\$450,000	\$450,000
a. Replace automated driver's license testing system (highway fund).		
Highways		
1. Adds funding from the highway fund for providing salary market adjustments for engineers and engineering technicians. The 1999 Legislative Assembly provided \$800,000 for merit increases for engineers.	\$960,000	\$960,000
2. Reduces funding from the highway fund for anticipated vacancies.	(\$450,000)	(\$450,000)
3. Increases funding for motor pool rate increases.	\$4,500,000	\$4,500,000
4. Increases funding for replacing section buildings. Funding of \$800,000 from the highway fund is provided for replacing an estimated three section buildings. The 1999 Legislative Assembly provided \$619,000 for replacing an estimated six section buildings.	\$181,000	\$181,000
5. Increases funding for highway construction. Highway construction funding of \$363,215,881 is provided from federal funds and \$87,946,808 from the highway fund.	\$68,513,576	\$68,513,576
6. Increases funding from the highway fund for highway construction relating to the reclassification of highway maintenance funding from capital improvements to operating expenses.	\$10,000,000	\$10,000,000
7. Authorizes the department to obtain a Bank of North Dakota loan for matching federal emergency relief funds and to repay the loan by the end of the biennium by requesting a deficiency appropriation (Senate Bill No. 2112). The department estimates receiving \$32 million of federal emergency relief funds requiring \$8 million of state matching funds during the 2001-03 biennium.		
Fleet Services		
1. Increases funding for fuel purchases. Funding of \$5,740,413 is included for purchasing gasoline and diesel for the 2001-03 biennium.	\$1,633,293	\$1,633,293
2. Increases funding for new vehicle purchases. Funding of \$21,600,100 from the Fleet Services fund is provided for replacing an estimated 440 vehicles each year of the 2001-03 biennium.	\$1,809,310	\$1,809,310

Major Hoeven Recommendations Affecting Department of Transportation 2001-03 Budget Compared to the Bill as Introduced (Schafer Budget)

The Hoeven executive recommendation does not change the Schafer executive budget recommendation for this agency.

Major Legislation Affecting the Department of Transportation

Senate Bill No. 2027 requires the Department of Transportation to establish a motor vehicle pilot project office site in three counties, with the county treasurer administering motor vehicle registration programs at each of these sites. Provisions of the bill are estimated to cost the motor vehicle division \$31,716 for the 2001-03 biennium, resulting in a \$19,981 reduction in state highway fund revenues.

Senate Bill No. 2112 authorizes the Department of Transportation to borrow funds from the Bank of North Dakota to match federal emergency relief funds that may become available for highway projects. The department estimates receiving \$32 million of federal emergency relief funds requiring \$8 million of state matching funds during the 2001-03 biennium. (Passed both chambers)

Senate Bill No. 2159 increases the motor vehicle excise tax from 5 percent to 5.5 percent with the revenue from this increase estimated at \$11.5 million for the 2001-03 biennium being deposited in the highway fund rather than the general fund. The bill also provides for a one-time \$3 fee on all vehicle registrations if there is a general license plate issue. Revenue from this \$3 fee estimated

at \$2,040,000 would also be deposited in the highway fund. The department anticipates increased costs of \$87,000 to the Motor Vehicle Division associated with these provisions during the 2001-03 biennium which will reduce highway fund revenues by \$54,810.

Senate Bill No. 2273 increases annual fees for motor vehicle dealers and dealer license plates. Provisions of the bill are estimated to generate \$72,000 of additional highway fund revenues but require \$10,000 of additional appropriation authority to provide for increased costs relating to this bill for the 2001-03 biennium.

House Bill No. 1167 authorizes the Department of Transportation to provide up to \$20,000 per year for scholarships, a \$10,000 increase per year compared to the current level. This change is estimated to require an additional \$20,000 of highway fund appropriations for the 2001-03 biennium. (Passed both chambers)

House Bill No. 1184 provides individuals who lease vehicles a motor vehicle registration fee credit at the end of the lease for any remaining months of the current vehicle registration. Provisions of the bill are estimated to reduce state highway fund revenues by \$37,800 for the 2001-03 biennium.

House Bill No. 1261 imposes a \$50 surcharge for each temporary vehicle registration issued by the department, the proceeds of this surcharge, estimated at \$235,000 for the 2001-03 biennium will be transferred to the appropriate county. The department anticipates additional administrative costs to the motor vehicle division of \$81,207 for the 2001-03 biennium, which will reduce highway fund revenues by \$51,180.

House Bill No. 1289 provides for the issuance of special vehicle plates for members of the North Dakota Firemen's Association. Provisions of this bill are estimated to generate \$2,520 of additional highway fund revenues and require an additional \$16,000 of appropriation authority for the motor vehicle division for the 2001-03 biennium.

Summary of Legislative Changes Resulting From First House Action

See Statement of Purpose of Amendment (attached).

STATEMENT OF PURPOSE OF AMENDMENT:**Senate Bill No. 2012 - Funding Summary**

	Executive Budget	Senate Changes	Senate Version
Department of Transportation			
Salaries and wages	\$99,865,107	(\$5,511)	\$99,859,596
Operating expenses	116,531,562	5,000,000	121,531,562
Equipment	28,251,600		28,251,600
Capital improvements	457,084,500		457,084,500
Grants	32,839,085		32,839,085
Total all funds	<u>\$734,571,854</u>	<u>\$4,994,489</u>	<u>\$739,566,343</u>
Less estimated income	<u>734,571,854</u>	<u>4,994,489</u>	<u>739,566,343</u>
General fund	\$0	\$0	\$0
FTE	1041.00	0.00	1041.00
Bill Total			
Total all funds	\$734,571,854	\$4,994,489	\$739,566,343
Less estimated income	<u>734,571,854</u>	<u>4,994,489</u>	<u>739,566,343</u>
General fund	\$0	\$0	\$0
FTE	1041.00	0.00	1041.00

Senate Bill No. 2012 - Department of Transportation - Senate Action

	Executive Budget	Senate Changes	Senate Version
Salaries and wages	\$99,865,107	(\$5,511)	\$99,859,596
Operating expenses	116,531,562	5,000,000	121,531,562
Equipment	28,251,600		28,251,600
Capital improvements	457,084,500		457,084,500
Grants	32,839,085		32,839,085
Total all funds	<u>\$734,571,854</u>	<u>\$4,994,489</u>	<u>\$739,566,343</u>
Less estimated income	<u>734,571,854</u>	<u>4,994,489</u>	<u>739,566,343</u>
General fund	\$0	\$0	\$0
FTE	1041.00	0.00	1041.00

Department No. 801 - Department of Transportation - Detail of Senate Changes

	Adjust Market Equity Salary Increase¹	Four Bears Bridge¹	Total Senate Changes
Salaries and wages	(\$5,511)		(\$5,511)
Operating expenses		5,000,000	5,000,000
Equipment			
Capital improvements			
Grants			
Total all funds	<u>(\$5,511)</u>	<u>\$5,000,000</u>	<u>\$4,994,489</u>
Less estimated income	<u>(\$5,511)</u>	<u>5,000,000</u>	<u>4,994,489</u>
General fund	\$0	\$0	\$0
FTE	0.00	0.00	0.00

¹ This amendment reduces, from \$29,594 to \$24,083, the amount provided for market equity salary increases for the director and two deputies of the department. The amount included in the bill will provide for monthly increases of \$198.92 for the director, \$461.08 for one deputy, and \$485.83 for the other deputy and related fringe benefits for the last 18 months of the biennium.

² Federal funds are increased for paying preliminary engineering costs on the Four Bears Bridge Project.

A section is added providing for a Legislative Council study of the efficiency and effectiveness of Fleet Services.

SB 2012

Revised 1-16-01

2000 VEHICLE REGISTRATION FEE COMPARISON 1999 YEAR MODEL VEHICLES

STATE	TAX/FEE ¹	PASSENGER FEE ²	PICKUP ³	TRUCK TRACTOR ⁴	FARM TRUCK ⁵
Minnesota	Flat Fee	\$ 198.00	\$ 198.00	\$1760.00	\$ 322.00
	Other fees				
	Total	\$ 198.00	\$ 198.00	\$1760.00	\$ 322.00
Montana ⁶	Flat Fee	\$ 291.85	\$ 346.97	\$1664.25	\$ 691.25
	Other fees				
	Total	\$ 291.85	\$ 346.97	\$1664.25	\$ 691.25
Nebraska ⁷	Flat Fee	\$ 20.00	\$ 30.00	\$ 30.00	\$ 30.00
	Other fees	\$ 288.00	\$ 307.50	\$1994.00	\$ 784.00
	Total	\$ 308.00	\$ 337.50	\$2024.00	\$ 814.00
North Dakota	Flat Fee	\$ 72.00	\$ 60.00	\$1,038.00	\$ 209.00
	Other fees				
	Total	\$ 72.00	\$ 60.00	\$1,038.00	\$ 209.00
South Dakota	Flat Fee	\$ 42.00	\$ 55.00	\$1457.00	\$ 133.00
	Other fees				
	Total	\$ 42.00	\$ 55.00	\$1457.00	\$ 133.00
Wyoming ⁸	Flat Fee	\$ 15.00	\$ 20.00	\$2000.00	\$ 786.00
	Other fees	\$ 277.00	\$ 270.00		
	Total	\$ 292.00	\$ 290.00	\$2000.00	\$ 786.00

1. Other fees can include vehicle valuation, property, or other taxes or fees.
2. A 1999 car with a purchase price of \$18,000 and a weight of 3,400 pounds was used to determine fees and taxes.
3. A 1999 pickup with a purchase price of \$18,000 and an unladen weight of 4,000 pounds, 8,000 pounds gross vehicle weight, was used to determine fees and taxes.
4. A 1999 large commercial truck with a purchase price of \$75,000 and a combined gross weight of 80,000 pounds was used to determine fees and taxes.
5. A 1999 twin-drive tandem axle 4.5 ton truck with a box and hoist, \$45,000 purchase price and registered gross weight of 46,000 pounds, was used to determine fees and taxes.
6. Montana registration fees are computed on vehicles registered in Helena.
7. Nebraska registration fees are computed on vehicles registered in Lincoln.
8. Wyoming registration fees are computed on vehicles registered in Cheyenne.

All vehicles are 1999 models being registered for 2000 for the second year.

Compiled by: North Dakota Motor Vehicle Division
November 22, 2000

Motor Vehicle Budget Increase Requests

(due to general issuance of new license plates)

<u>Object Code</u>	<u>Object Description</u>	<u>Budget Request</u>
1200	Temporary Salaries	\$117,000
2002	Telephone - IT Dept.	550
2255	Postage	164,000
2342	Rent of Real Property	7,200
2465	Freight and Express	11,000
3915	License and Tags	2,917,555
4020	Furniture & Furnishings > \$750	5,500
4150	Minor & Shop Equip. > \$750	5,700
	Total Due to General Issuance	<u>\$3,228,505</u>

SB 2012

TESTIMONY BEFORE THE SENATE APPROPRIATIONS COMMITTEE

2001 - 2003 Biennium Budget

Prepared by

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION

Bismarck, North Dakota

Website: discovernd.com/dot

DIRECTOR

David Sprynczynatyk, P.E.

FINANCIAL MANAGEMENT DIVISION

Shannon L. Sauer

January 2001

DEPARTMENT OF TRANSPORTATION

CHART OF PROGRAMS (PROPOSED FTE'S)

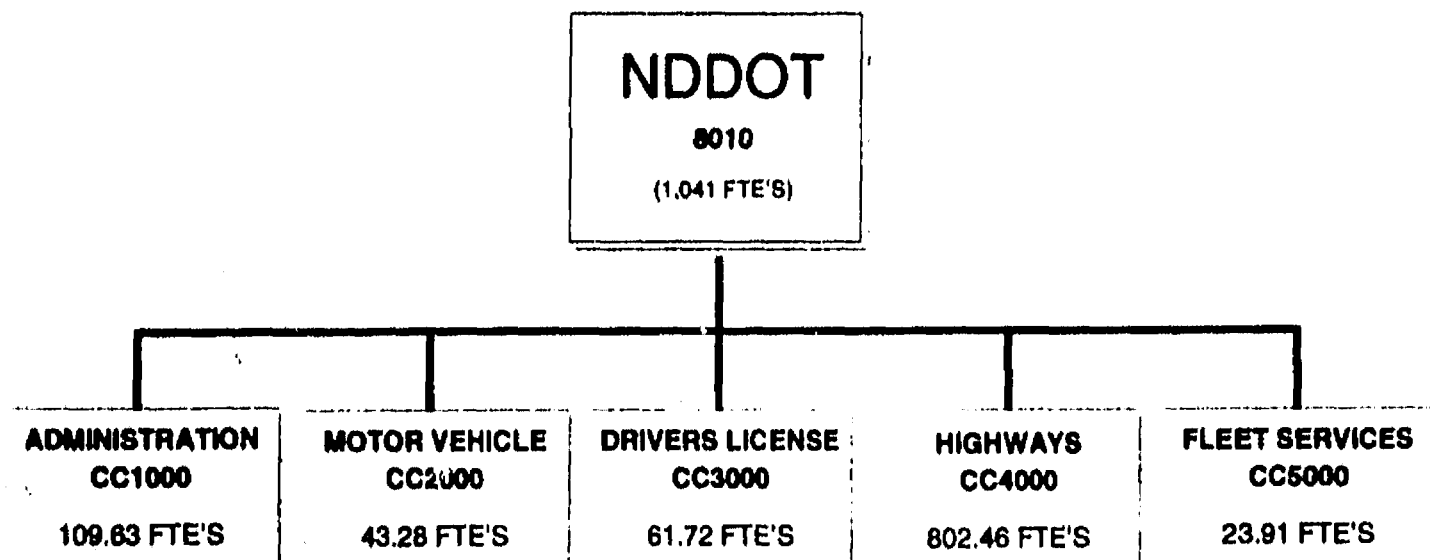


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SENATE APPROPRIATIONS COMMITTEE

January 10, 2001

**North Dakota Department of Transportation
David A. Sprynczynatyk, Director**

SB 2012

The North Dakota Highway Department was established in 1917 and became the North Dakota Department of Transportation in 1990. Our mission today is "to provide a surface transportation system to safely move people and commerce." We focus on providing high-quality public service that emphasizes safety, efficiency, and effectiveness.

Our emphasis on safety includes safe drivers and safe roads. We administer driver education, licensing, and testing programs, and design, build, and maintain the transportation system with safety in mind.

Our emphasis on effectiveness includes responsiveness to the public, our customers, our partners, and stakeholders in the transportation system. Our focus is on a smooth ride, one of the public's main concerns. We also work to minimize construction delays, improve how we do business, increase productiveness, and minimize harmful effects that might result from highway projects.

Other functions of our department that focus on safety and effective service to the public include administering the transit program for elderly and rural North Dakotans, the state fleet of vehicles, the driver's licensing and motor vehicle registration programs, and special issues and projects such as emergency relief projects and the federally authorized Four Bears Bridge project.

Our investment in transportation makes food, housing, medical services, and education accessible to all North Dakotans. Good transportation is also necessary for job creation and economic development. Agriculture, energy, manufacturing, and the service industries need a dependable way to move raw products, ship finished projects, get employees to work, and get customers to the store. The entire state benefits from a good transportation system.

We seek public input in everything we do. During the next biennium, we intend to form a transportation advisory group of people from throughout the state with an interest in transportation issues. The group will help us complete a highway needs study and update the state transportation plan, providing the foundation for meeting future transportation needs.

STATE TRANSPORTATION PROGRAM

North Dakota is a large state that requires a large transportation system. NDDOT is responsible for nearly 8,400 two-lane miles of road when the Interstate and other four-lane highways are included. In the current biennium, our investment in transportation has increased as a result of increased federal funding, making our current program by far the largest in our history. In spite of the sharp increase in funding, the department completed all projects scheduled during this biennium. Map 1, attached, shows all state projects let to contract between October 1998 and August 2000.

Although the transportation program is growing, our number of employees has not. NDDOT met the challenges of 1999 and 2000 with no increase in FTEs, continuing to complete all work through our employees' dedication and skill. They work very hard and take seriously their responsibility to the public. Our employees routinely put in many hours of overtime in order to have projects ready on schedule, and leave their families to clear highways in blizzards and on holidays.

NDDOT employees' expertise and work ethic are large factors in allowing us to remain at our current FTE count. Another factor is our partnership with the consulting industry and the construction industry. And a third, very important factor is our continuing investment in technology, which helps our employees work more quickly and offer better, faster, more efficient public service.

For some time, the department has had difficulty hiring and retaining employees in certain areas of expertise. At the beginning of the current biennium, we studied a wide range of employee issues, and have made great efforts to improve the workplace environment. We have also set aside funds as a special line item in our budget to help us recruit and retain good employees.

BUDGET OVERVIEW

Under the current federal highway authorization, known as "TEA-21," Congress made available a substantial amount of funding from the Highway Trust Fund. We anticipate a biennium increase of almost \$62 million in federal aid for highways, rail, safety, and transit.

The amount of match needed to allow the state to receive the additional \$62 million in federal funds is \$16 million. We have determined a way to generate this amount. A \$15 increase in vehicle registration fees would generate \$12.56 million for NDDOT from the state's Highway Distribution Fund, and a one-time, one-year, \$5 increase in vehicle registration fees earmarked solely for NDDOT would generate \$3.4 million.

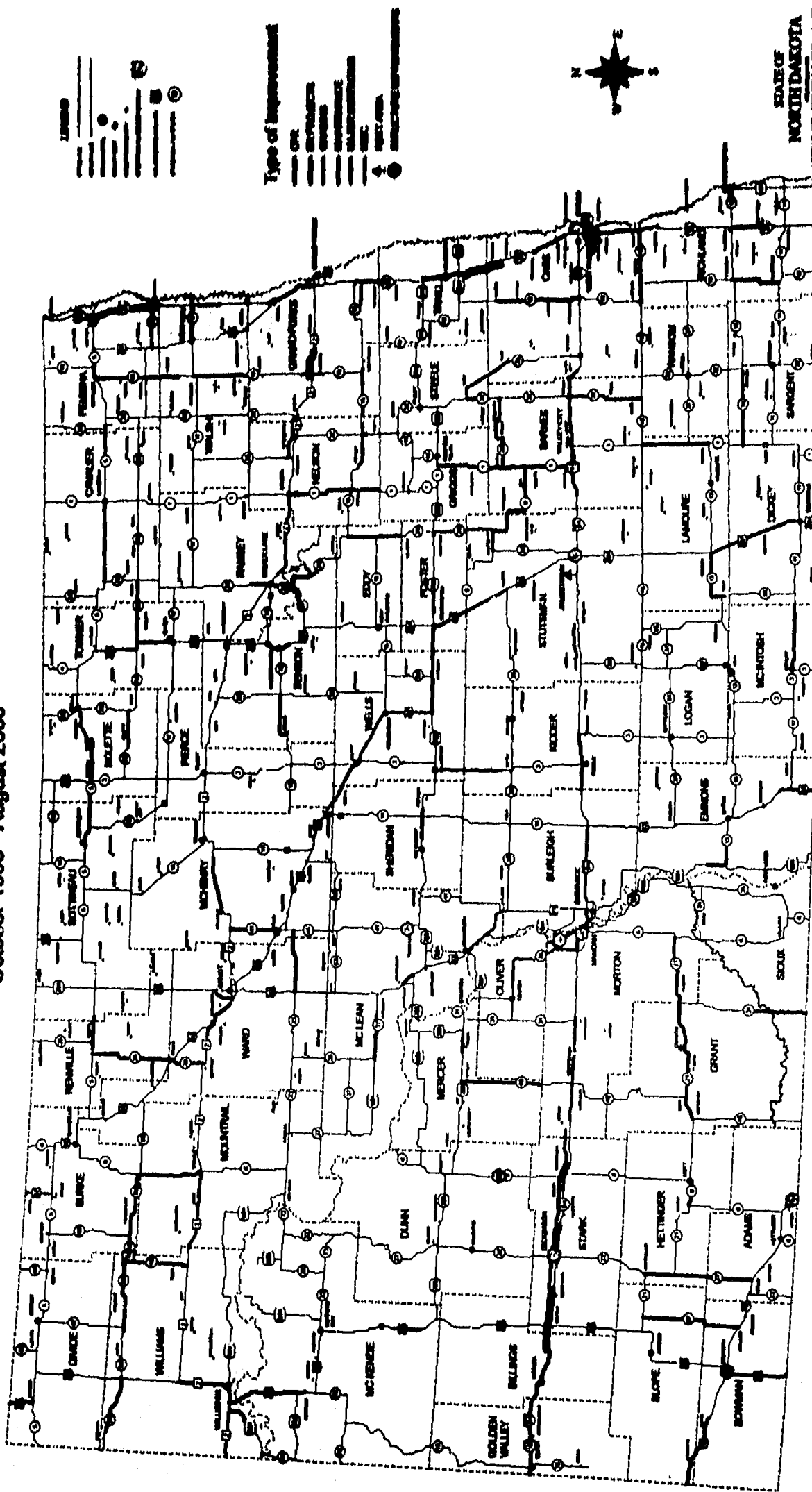
Some of our larger budget items showing increases include the state fleet as well as NDDOT's rental of fleet vehicles for its employees; payments to consulting engineers; payments to highway contractors; traffic safety grants; investments in technology; and salary increases for our employees to relieve the recruitment and retention situation.

In addition to what is in our budget, we need \$8 million in state funding to enable us to receive \$32 million in federal emergency relief funding. This \$8 million is addressed in SB 2112. And although we do not need to match the \$35 million we have received for the Four Bears Bridge, we're requesting legislative spending authority for \$5 million this biennium to contract for preliminary engineering.

CONCLUSION

The North Dakota State Legislature has consistently provided the funding to enable NDDOT to use all available federal aid in order to maintain the state transportation system. The federal funding we'll receive for transportation in the coming biennium does not meet all of the state's needs, but by working together we can continue to "provide a surface transportation system to safely move people and commerce."

STATE PROJECTS LET TO CONTRACT October 1998 - August 2000



SENATE APPROPRIATIONS COMMITTEE

January 18, 2001

North Dakota Department of Transportation
Grant Levi, Deputy Director for Engineering

SB 2012

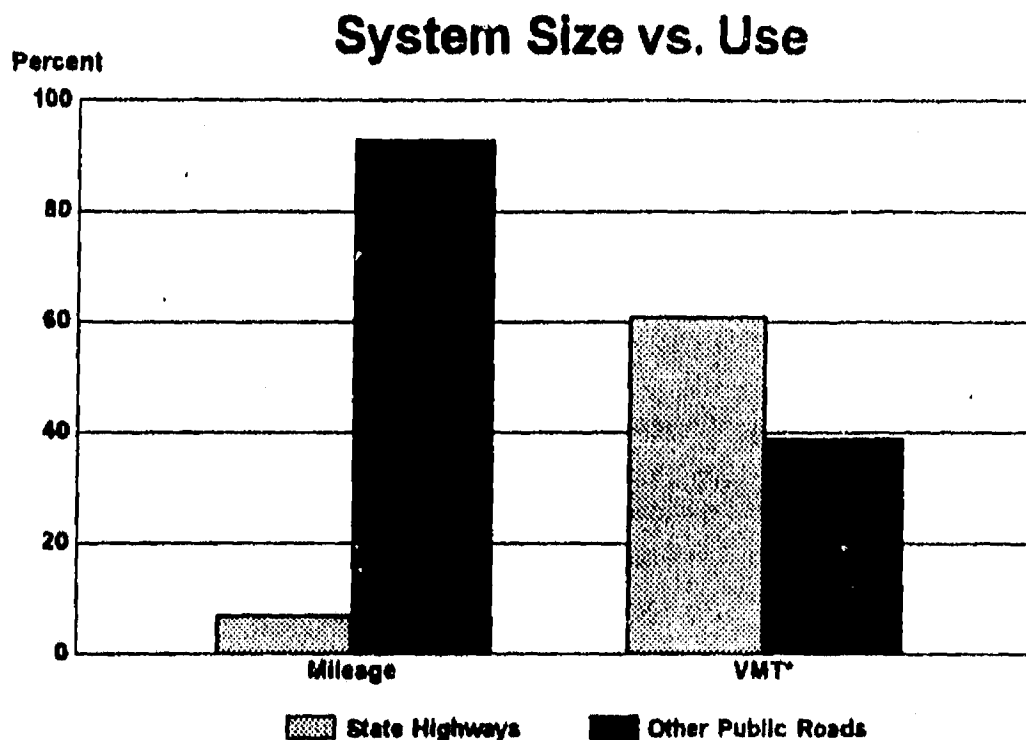
NDDOT's mission is to "provide a surface transportation system to safely move people and commerce." Within that mission, safety and providing outstanding service to the public are paramount. Our highway system compares very well with those in surrounding states, but today I'll discuss some engineering issues that challenge the department and its employees.

HIGHWAY ENGINEERING CHALLENGES

State highway system use. Although our population has remained relatively stable this past decade, vehicle miles of travel in the state have increased. In 1990, the average miles traveled per person per year was about 9,250. In 1999, the figure exceeded 11,000 miles per year.

The state highway system makes up only 7 percent of the total public mileage in the state but carries most of the traffic. For instance, the state system carries 61 percent of the total vehicle miles traveled (see Figure 1 below).

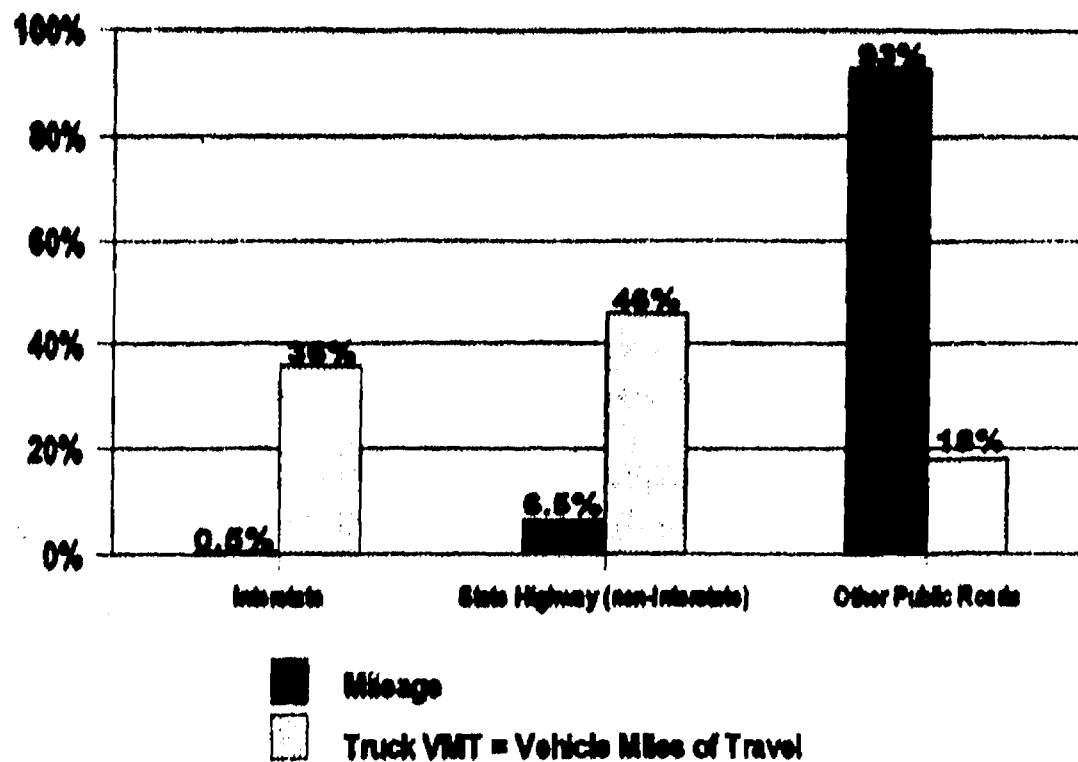
Figure 1



The Interstate system, which includes only about half of one percent of the statewide mileage, carries more than 35 percent of the truck traffic, and the Interstate and state highway system combined, which make up 7 percent of the total public mileage, carry 82 percent of the truck traffic (see Figure 2 on the next page).

Figure 2

System Size vs. Truck Use: 1999



Public expectations. As the highway program has increased in size and populations have shifted, the public has come to expect better service. For example:

- The public expects a smooth ride, and improving ride quality is a high priority for NDDOT. We've established a working relationship with the concrete and asphalt contractors to review our plans, specifications, and equipment standards in order to produce pavements with a better ride. We've made some progress on our Interstate system, and will continue to work on producing smooth-riding pavements on all parts of our system.
- More people are commuting longer distances to work, or to obtain basic services, and they expect the highways to be cleared of snow and ice and in good driving condition whenever they travel. To serve the largest number of people as quickly as possible, we have prioritized our snow-removal routes.
- The public is unwilling to accept travel delays due to road construction activities, so we give contractors monetary incentives to finish a project ahead of schedule and disincentives if they fall behind. We also give the public more information on construction projects through public service announcements, low-frequency broadcasting at construction sites, and posting construction zones on the Internet.

Federal regulations. When federal funds are used, NDDOT must comply with federal guidelines. The increase in federal rules and regulations greatly increases the cost of doing business. These requirements result in project delays and added staff time. The requirement for much more up-front work on environmental, cultural resources, historical, archeological, and wetlands issues adds to the cost of project development. NDDOT has been working with our five-state coalition, AASHTO, and our Congressional delegation to try to streamline the process.

Inflation. Inflation also affects the cost of doing business. The increase in oil prices this past year had a major impact on our fleet operations and drove up the cost of oil-based construction materials. For example, the average bid price for asphalt increased more than 40 percent, from

\$120 per ton in October 1999 to about \$190 per ton in June 2000. Table 1, below, compares the cost of highway improvements in 1994 and 2000

Table 1

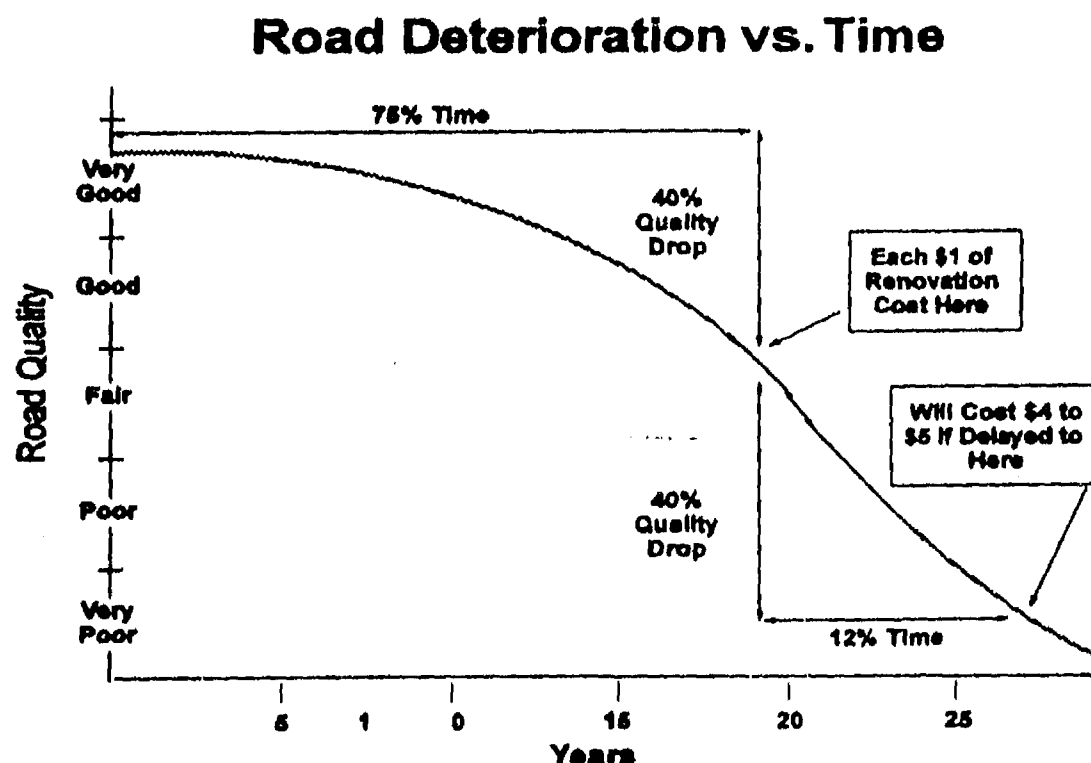
State Highway System Improvement Costs: 1994 and 2000

IMPROVEMENT	1994 \$/mile	2000 \$/mile
Seal coat (by contract)	\$11,000	\$15,000
4" asphalt overlay	\$139,000	\$165,000
Total reconstruction (includes grading and asphalt resurfacing)	\$447,000	\$660,000
Interstate concrete recycling (two lanes in one direction)	\$837,000	\$1,300,000

Load restrictions. We are under continual pressure to allow larger, heavier loads on our highways. Our roadway network is aging, and many of our roads were not built to handle today's loads. Excessive ground moisture from several years of above-average precipitation, combined with an aging highway system, have forced us to put spring load restrictions on about 75 percent of the state highway system. Load restrictions protect our highways when they are most vulnerable, but also cause a lot of inconvenience and add to the costs of agriculture, manufacturing, and the trucking industry. Map 2, attached, shows spring 2000 load restrictions.

The solution: timely improvements. The key to getting the maximum life from our pavements is making timely improvements. For every dollar not spent on improvements at the appropriate time, \$4 to \$5 will be needed for complete reconstruction of the roadway a few years later (see Figure 3 below).

Figure 3



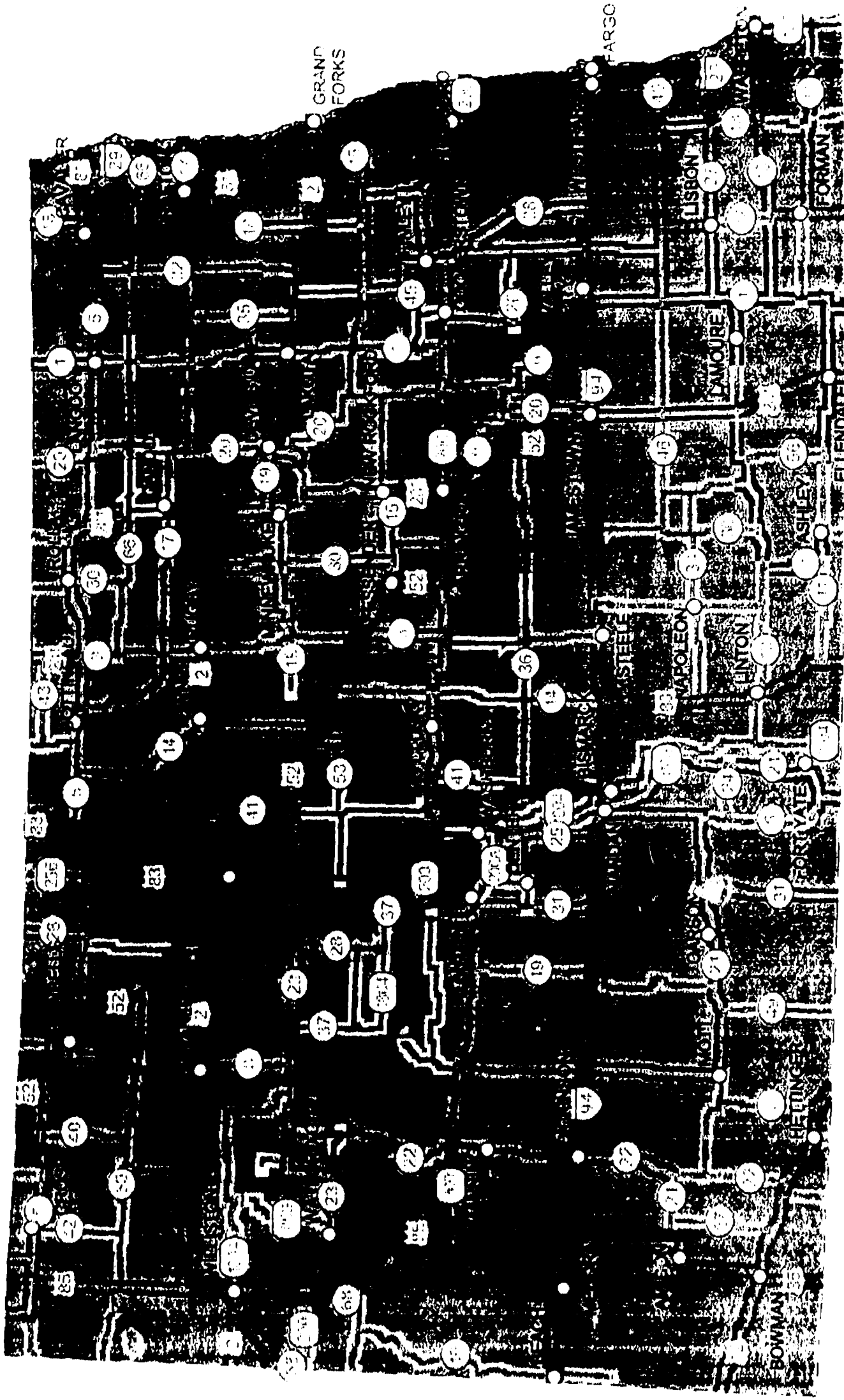
Highway Needs Assessment. We are completing a preliminary needs study for our state's transportation system. The findings indicate that a \$250 million annual program would be necessary to maintain state highway surfaces in their current condition. However, the projected

annual improvement program for next year is only about \$164 million, \$86 million less than necessary to keep roadway surfaces in their current condition. These figures do not address any improvements to the system.

CONCLUSION

We understand that a good transportation system is crucial to the state. North Dakota's investment in transportation has grown in the 90s, and further growth is hoped for in the next biennium. We may not have all the revenue necessary to meet our state's transportation needs, but working with a transportation advisory group will help us to provide the highest level of service we can to the most people. NDDOT will continue to focus our efforts on preserving the state's investment in our transportation system as we find new ways to "provide a surface transportation system that safely moves people and commerce."

2000 Spring Load Restrictions Map



Class A Load Restrictions
 No. 1 Load Restrictions
 No. 2 Load Restrictions
 Unrestricted By Legal Weight

SENATE APPROPRIATIONS COMMITTEE

January 10, 2001

**North Dakota Department of Transportation
Paul Feyereisen, Director, State Fleet Services Division**

SB 2012

The state fleet consists of 2,695 licensed motor vehicles used by 60 state agencies, 11 universities, and 11 extension and research center entities.

State Fleet Services' mission is to provide high-quality motor vehicle transportation to state agencies and institutions at the lowest possible cost to the state.

During this biennium, rising fuel costs—especially wholesale fuel costs—have challenged us. In November 1998, the wholesale rack price was \$.37 per gallon. In May 2000, it was \$1.37 per gallon. Although fuel prices recently declined, everything we hear and read indicates that the decline may be short-lived and another increase is near.

Fuel costs have affected the budgets of all our customers. Our rates are competitive with the private sector—for example, our sedans rent for \$0.24 per mile, compared with \$0.39 in the private sector—but they still exceed the budget guidelines of most agencies for this biennium. This has placed a strain on other agencies' fleet budgets as well as our own. It's important for us all to reduce costs in other areas to help offset fuel costs.

Maintenance costs have increased sharply over the past few years. Although this has affected our parts and labor budget, we still try to cycle our vehicles based on our depreciation schedule. This results in a very good return on the vehicles we sell at our auctions.

Fleet vehicle crashes were 33 percent lower this year than in 1999. In the past two years, about 5,000 state employees have taken the driver improvement training program offered by our division.

We continue to purchase lower-cost compact vehicles instead of full-size, higher-cost vehicles when it's appropriate to do so. We have expanded our program of sharing specialty vehicles, and we continue to monitor vehicle use so that we have the fewest vehicles possible. All of our efforts are for the purpose of providing high-quality vehicles at the lowest cost and highest customer satisfaction. We believe our budget will allow us to meet those goals.

Table 2

**NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
STATE FLEET SERVICES**

December 28, 2000

**LICENSED MOTOR VEHICLES
DEPRECIATION SCHEDULE**

DECEMBER 1, 2000

DESCRIPTION	GROUP NO.	LIFE IN MONTHS	LIFE MILES	SALVAGE PERCENT
Mini-Passenger Van	1	60	70,000	25
Sedan/Wagon	2	48	65,000	35
.5 Ton Pickup/All	3	84	70,000	30
.7 Ton Pickup/All	4	96	80,000	35
1 Ton Pickup/Cargo Van/All	5	84	80,000	35
Highway Patrol Unit	7	36	65,000	35
12-15 Passenger Van	8	84	90,000	25
Game Enforcement Unit	9	36	82,000	55
Mini-Cargo Van/Comp Pickup/All	10	84	75,000	25
Facility Service Vehicle	12	144	55,000	10
Compact Utility/All	13	60	70,000	30
Suburban/Full-size Utility/All	14	84	70,000	25
Pickup Diesel - Heavy Tow	15	84	100,000	40
Miscellaneous Truck	18	144	150,000	25
Distributor/Garbage Truck	19	300	100,000	25
Sign Truck	20	144	150,000	15
Single Axle Truck/All	21	144	200,000	35
Tandem Axle Truck/All	22	180	350,000	35
Truck Tractor	23	240	300,000	10
Rotary Snowplow	24	420		15
Snowplow Truck/AWD	25	300		15
Motor Coach	26	240	1,000,000	10
Mid-size Bus	28	144	150,000	15
Lineworker Truck	29	240	250,000	15
Shuttle Bus	30	240	750,000	15
Fuel Truck	31	180	350,000	35
Drill Truck	32	240		10

Table 3

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION

December 27, 2000

STATE FLEET SERVICES RENTAL RATES

January 1, 2001

Description	Total Veh. in Group	Group No.	Operator Rate	Depr. Rate	Repl. Rate	Mile/hour Rate
Mini Pass. Van	164	1	.100	.180	.060	.340
Sedan/Wagon	617	2	.070	.130	.040	.240
.5 T Pickup	86	3	.140	.160	.190	.490
.7 T Pickup	133	4	.190	.110	.240	.540
1 T Pickup/Cargo Van/All	149	5	.190	.130	.180	.500
Utility Diesel/All (moved to group 9)		6				
Highway Patrol Unit	145	7	.227	.202	.071	.500
12-15 Pass. Vans	105	8	.140	.150	.110	.400
Game Enforcement/Special	58	9	.130	.120	.060	.310
Mini-Cargo Van/Compact Pickup/All	196	10	.130	.160	.110	.400
Facility Service Vehicle	264	12	.250	.340	.180	.770
Compact Utility/All	147	13	.100	.170	.060	.330
Suburban/Full-size Utility/All	81	14	.140	.150	.180	.470
Pickup Diesel - Heavy Tow	19	15	.170	.170	.070	.410
Miscellaneous Truck	72	18	20.000	2.000	1.000	23.000
Distributor/Garbage Truck	16	19	5.000	7.000	5.000	17.000
Sign Truck	19	20	6.000	7.000	2.000	15.000
Single Axle Truck/All	183	21	5.000	6.000	1.000	12.000
Tandem Axle Truck/All	170	22	13.000	8.000	1.000	22.000
Truck Tractor	15	23	20.000	8.000	1.000	29.000
Rotary Snowplow	17	24	54.000	6.000		60.000
Snowplow Truck/AWD	3	25	46.000			46.000
Motor Coach	6	26	30.000	19.000	5.000	54.000
Mid-size Bus	16	28	6.000	9.000	13.000	28.000
Lineworker Truck	3	29	5.000	10.000	1.000	16.000
Shuttle Bus	4	30	9.380	2.720	4.900	17.000
Fuel Truck	3	31	4.000	3.000		7.000
Drill Truck	3	32	2.000	8.000	58.000	68.000
TOTAL VEHICLES	2695					

Table 4

**STATE FLEET SERVICES
RENTAL RATES
1999-2001 BIENNIUM SUMMARY**

Group #	Budget Guidelines	7-1-99	8-1-99	12-1-99	4-1-00	9-1-00	12-1-00	1-1-01
1	.29	.27	.31	.31	.355	.385		.34
2	.23	.19	.22	.22	.245	.265		.24
3	.39	.36	.39	.39	.435	.57		.49
4	.45	.39	.41	.43	.435	.54		.54
5	.46	.40	.41	.37	.405	.54		.50
7	.36	.28	.36	.36	.365	.50		.50
8	.38	.40	.40	.40	.460	.53		.40
9	.28	.25	.28	.28	.31	.365		.31
10	.34	.28	.34	.32	.335	.39		.40
12	.88	.70	.79	.79	.85	.91		.77
13	.31	.37	.31	.31	.35	.36		.33
14	.44	.38	.40	.40	.48	.51		.47
15	—	.29	.31	.31	.355	.46		.41
TRUCKS PER HOUR								
18	19.00	16.38	17.67	17.67	12.50	22.00		23.00
19	32.00	32.00	36.00	36.00	40.60	37.00		17.00
20	30.00	27.00	24.00	24.00	30.65	24.00		15.00
21	20.00	18.00	17.00	17.00	29.40	20.00		12.00
22	21.00	18.00	22.00	22.00	27.45	27.00		22.00
23	22.00	18.58	12.79	12.79	35.70	29.00		29.00
24	70.00	62.00	62.00	62.00	62.00	60.00		60.00
25	50.00	46.00	46.00	46.00	46.00	46.00		46.00
26	48.00	42.53	62.00	72.00	77.60	63.00		54.00
28	36.00	31.00	27.00	27.00	20.15	30.00		28.00
29	16.00	12.80	12.80	12.80	30.50	30.00		16.00
30	20.00	11.70	16.00	16.00	16.00	31.00	16.60	17.00
31	11.00	6.00	3.77	3.77	6.70	7.60		7.00
32	121.00	132.00	32.00	32.00	32.00	65.00		68.00

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SENATE APPROPRIATIONS COMMITTEE

January 10, 2001

North Dakota Department of Transportation
Marsha Lembke, Director, Drivers License and Traffic Safety Division

SB 2012

The Drivers License and Traffic Safety Division (DL&TS) serves 458,000 North Dakota drivers, as well as other ND residents, infants and children, law enforcement officers, and courts of law. We are dedicated to serving our customers with hospitality. We ensure that only qualified and competent people are licensed to drive, and we educate the public about traffic safety.

In 2000 we processed 302,000 driving record requests and 128,000 citations. We also issued 27,000 suspension orders, which equals about 200 suspensions processed per day. All this activity is generated by about 600 pieces of mail opened per day, and translates into about 1,500 telephone calls per week. We use technology and driver improvement programs to help us manage the tremendous workload and provide excellent customer service.

During the 1995-1997 biennium, with no fee increase or budget increase, DL&TS implemented a digitized driver's license system. This system produces a hard plastic drivers' license with new security features and a much better photo. Many licensing and testing sites, and the eight major offices, were automated to provide better service, especially for commercial truckers. We are now required to check a national database before issuing or renewing a commercial drivers' license. Without automation, it would be impossible to do this in an instant-issue system.

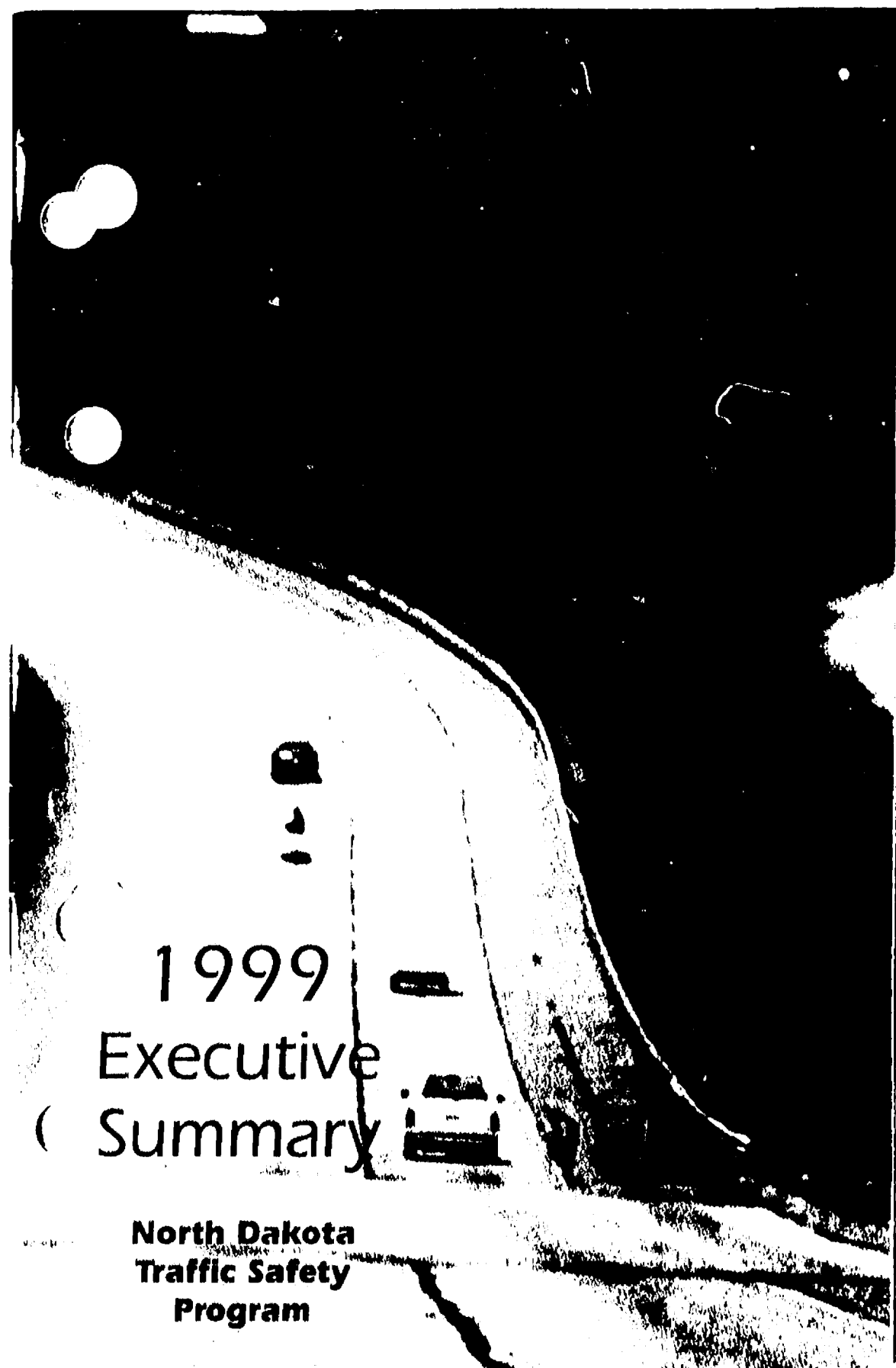
An electronic document management (EDM) system is vital to enhance public safety. Improving our records data system with an EDM would help promote easy access to timely, more accurate data. This would encourage its use in traffic safety planning, allow rapid identification of repeat offenders, and provide better identification of drivers to insure that each driver holds only one license.

Our system for automated testing of drivers is so old that repairs are difficult and used parts are becoming unavailable. We'll keep it running as long as we can, but in the near future we'll need to decide between budgeting for a new system and going back to non-automated testing. The benefits of automated testing far outweigh the cost. It's more secure and difficult to cheat, it helps explain each question, it enables us to provide faster service, and people with learning disabilities and attention deficit disorder test more successfully on automated systems.

Safety is an issue that the public cares about on the local, state, and national level. Our "*Do Buckle, Don't Booze*" campaign in cooperation with law enforcement is in its third year. Our goal for year 2005 is to reduce alcohol-related fatalities by 45 percent and increase the use of seat belts to 55 percent. The attached executive summary gives further details of the ND Traffic Safety Program.

The DL&TS Division will continue to enhance customer service through hospitality. If we improve the ability of our front-line personnel to deliver service, we automatically increase customer satisfaction.

CONTACT DEPT OF TRANSPORTATION FOR A COPY OF THIS DOCUMENT



SENATE APPROPRIATIONS COMMITTEE

January 10, 2001

**North Dakota Department of Transportation
Keith Kiser, Director, Motor Vehicle Division**

SB 2012

NDDOT's Motor Vehicle Division administers all programs relating to titling and registering vehicles. We regulate motor vehicle dealers, interstate motor carriers, mobility-impaired parking privileges, and intrastate household goods carriers, and are responsible for maintaining and making available records created by our division's various activities.

In the past year, the division processed more than one million customer transactions and collected and distributed \$100 million for various state government agencies, while using only about 3 percent of the collections for operating expenses.

The division serves the public at the central office in Bismarck, 13 branch offices throughout the state, by mail, by fax, and by email. Five of the branch offices also provide partial registration services to interstate motor carriers, who no longer need to conduct the transaction in Bismarck. Branch offices are located in the same building as driver license testing sites in Dickinson, Minot, Devils Lake, Grafton, Jamestown, and Valley City. The branch offices are privatized operations that result in decreased operational costs for the division.

Motor Vehicle has completed the conversion to its new computer processing system. The new system was implemented in our central office on October 16, 2000 and in our six largest branch offices in mid-November. As anticipated, we did experience a number of problems when we first went live. The vast majority of those problems have been resolved and we are able to provide all services to our customers. We are continuing to promptly resolve any identified new problems and believe we now have about 98 percent of the functionality we expected. The conversion to the new system has created a backlog of work in our office and it is currently taking us longer than normal to issue customer titles. We are taking a number of steps to address this backlog and believe we will have this problem fully resolved by spring.

Our budget request includes a \$3.2 million enhancement for new license plates. If the enhancement is approved, new license plates will be issued to vehicle owners when they renew their vehicle registrations for the year 2002.

Part of the NDDOT revenue forecast for the next biennium is based on additional revenue derived from a proposed registration fee increase on most vehicles. The proposed increase would be \$15 on passenger cars, trucks, and farm trucks. Table 5 on the next page details the fee increases enacted over the past 22 years.

Table 5**VEHICLE REGISTRATION FEE INCREASE HISTORY**

Year	Session Law Reference	Comments
1977	Chapters 328 and 336	Passenger vehicle fees increased \$5; pickups and small trucks increased \$4-\$7; farm trucks increased \$10; large non-farm trucks increased \$14-\$20.
1981	Chapter 383	Passenger vehicles and pickups increased \$5; small trucks increased \$10; farm and non-farm trucks increased \$10-\$25.
1983	Chapter 422	Passenger vehicles increased \$1-\$20; pickups increased \$1-\$11; small trucks increased \$2-\$5; farm truck fees not changed; large truck fees REDUCED by \$17-\$258.
1987	Chapters 18 and 453	Most vehicle registrations increased by \$6. \$1 of the increase went to repay the cost of issuing new license plates. This fee became ineffective after two years. \$1.75 of the \$5 increase went to the Centennial Celebration Fee Fund during 1988 only. After that, all of the \$5 increase has been going into the Highway Tax Distribution Fund.
1999	Chapter 336	Most vehicle registrations increased by \$1 per vehicle.

SENATE APPROPRIATIONS COMMITTEE

January 10, 2001

**North Dakota Department of Transportation
Shannon L. Sauer, Director, Financial Management Division**

SB 2012

For my part of the presentation this morning, I will provide an overview of the department's budget and highlight those areas having substantial increases or decreases.

Our budget was prepared with five major programs: Drivers License and Traffic Safety, Motor Vehicle, Administration, Highways, and State Fleet Services.

OBJECTS 1000 THROUGH 1900 are our salary and wage objects. This is where we budget all pay for our permanent and temporary employees, overtime pay, and fringe benefits. The executive recommendation for these objects reflects the recommended compensation package.

Our original request was for 1040 full time equivalent positions which is the same number of positions we are currently authorized. One additional FTE has been added to our request. This position is to provide support for the mobile data terminal pilot project for State Radio. The 1041 FTEs are allocated to our programs as follows: Administration: 109.63, Motor Vehicle: 43.28, Drivers License: 61.72, Highways: 802.46, and State Fleet: 23.91.

OBJECTS 3002 AND 3003 are to reimburse ITD for data processing and telecommunication costs. The increase is due primarily to increases in ITD data processing rates and the agency's share of the statewide network costs.

OBJECT 3004 is travel for our employees: primarily meals, lodging, air transportation, and the use of state fleet vehicles, which includes our snow removal equipment. This budget has increased more than six million dollars because of increased fleet rates and the fact that the DOT's fleet use budget has been underbudgeted for several bienniums.

OBJECT 3005 is information technology software and supplies. The increase in this item is mainly due to additional costs associated with new IT projects.

OBJECT 3012 is for rental of buildings and land. This item has increased \$78,000 due to rentals for construction field offices and the rental of an airplane hanger.

OBJECT 3013 is for dues and professional development. This includes the dues for the American Association of State Highway Transportation Officials (AASHTO) and the Transportation Research Board (TRB). The increase is primarily due to an increased need for information technology training.

OBJECT 3016 is for repairs of state fleet and highway equipment, repairs to bridges, buildings, and highways, and janitorial and rest area contracts. The major increases are a result of rest area maintenance costs.

OBJECT 3018 is for professional services including consultant engineers, management consultants, architects, and legal services. The increase is due to greater need for consultant engineers, which is a result of our increased level of highway construction.

OBJECT 3019 is for insurance. This includes property insurance and liability insurance for the state fleet and the department's airplanes. This increase in this line is due to the state risk management premium.

OBJECT 3024 is for payments to Central Reproduction and outside printers. The increase is due to printing of the construction specification book and Motor Vehicle printing.

OBJECT 3030 is building, grounds, and vehicle maintenance supplies. This includes equipment and vehicle repair parts, road maintenance supplies, contract patching, and fuel. This item includes \$15,614,932 of highway maintenance projects which used to be budgeted as a capital payment.

OBJECT 3033 is for miscellaneous supplies. This includes equipment less than \$750, license and tags, and miscellaneous supplies. The increase is due to the additional costs of a general license plate issue.

OBJECT 4002 AND 4003 are for office equipment and furniture and IT equipment. These items have a net increase of \$388,314. This increase is due to IT equipment for our new projects.

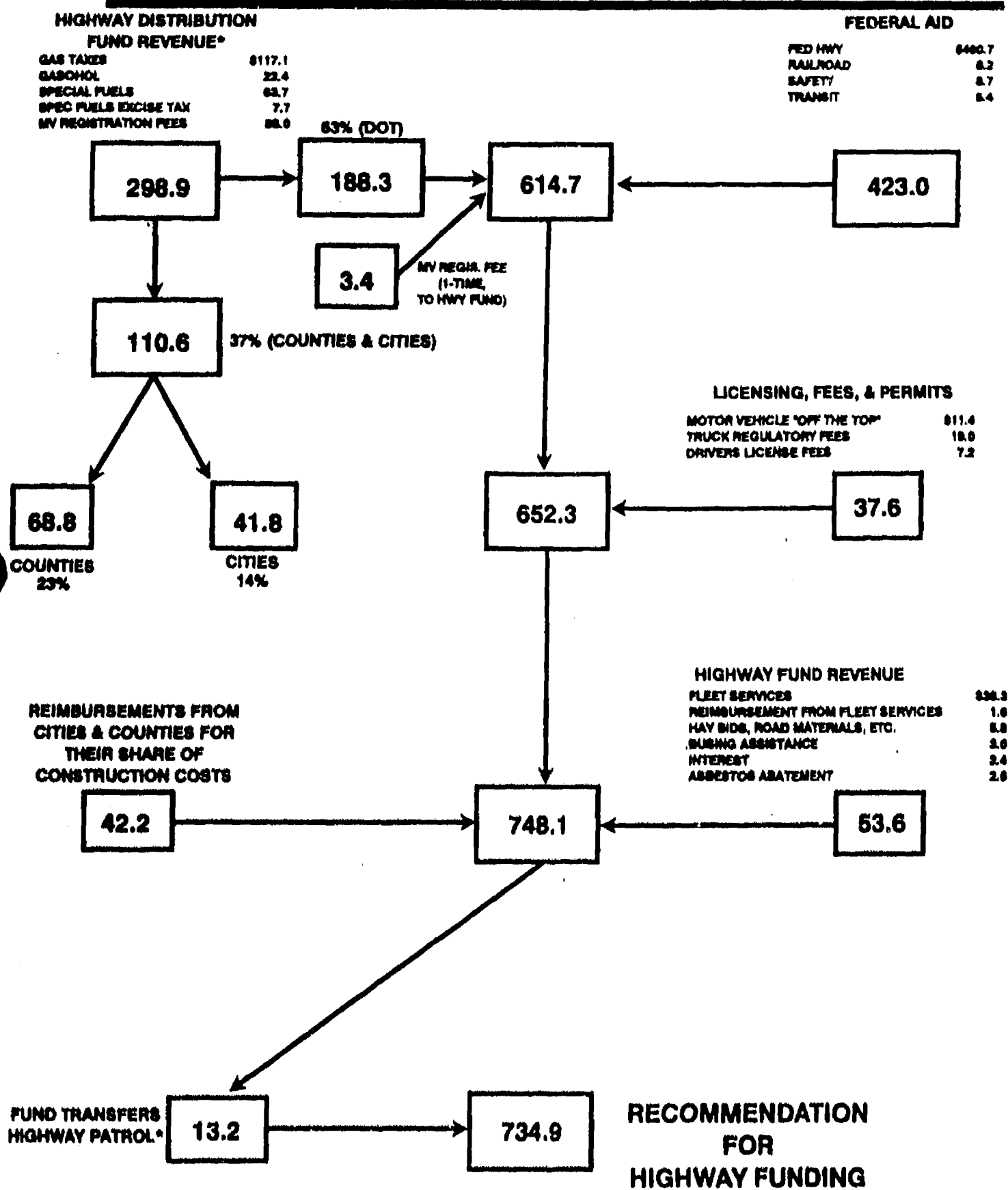
OBJECT 4004 is for motor vehicles. This item has been increased to cover the anticipated cost of vehicle replacement for the state fleet.

OBJECT 5005 is for buildings and land. This item has been reduced due to the removal of some of the requests for new section buildings and asbestos abatement for the central office building.

OBJECT 5020 is for contractor payments for construction of our highways. The increase in this item is due to the increased level of funding for highway activities.

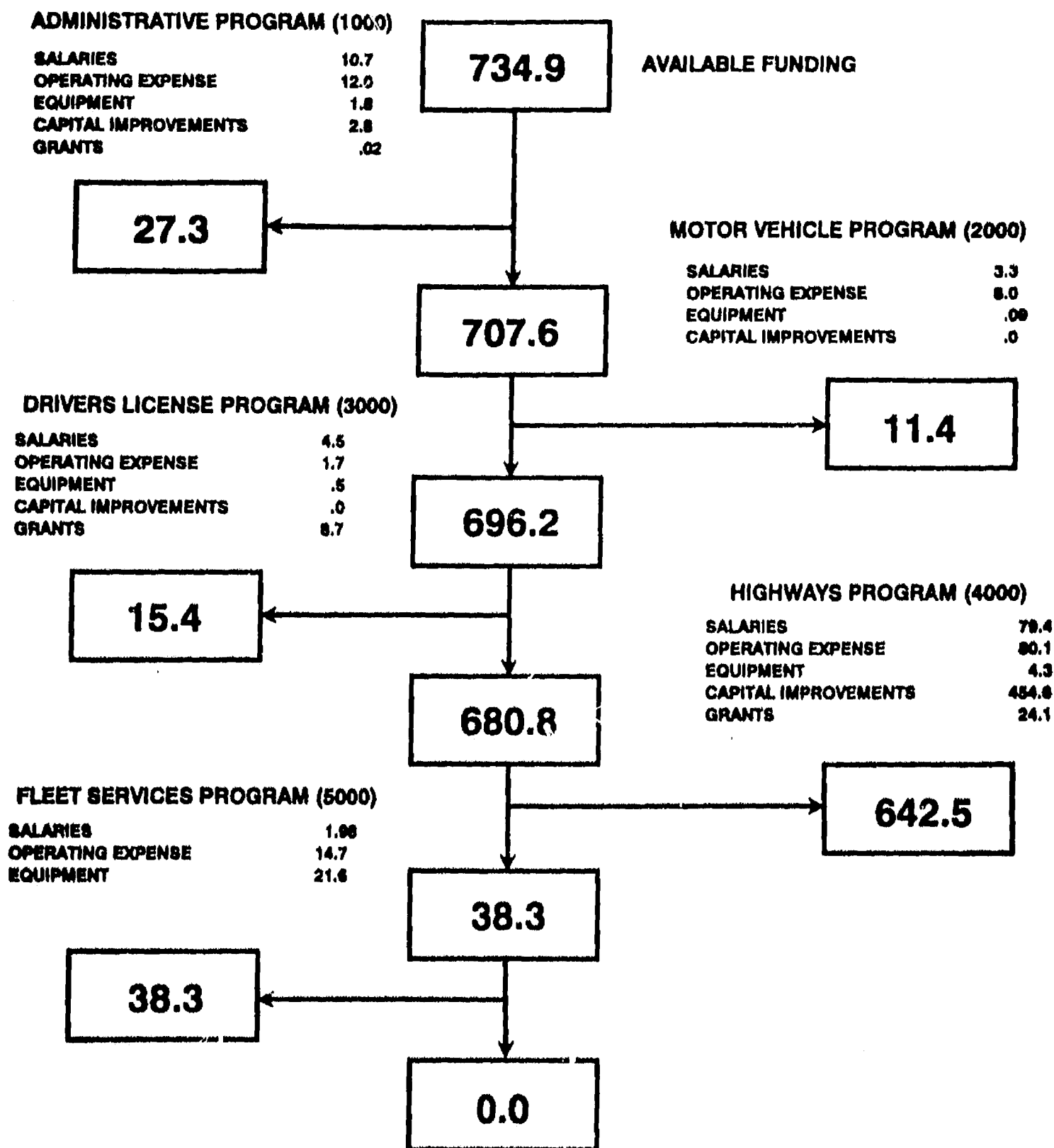
OBJECT 6006 is for funds passed through to other entities for transportation and safety programs. The increase in this area is due to the level of available federal traffic safety grant funds.

ESTIMATED DEPARTMENT OF TRANSPORTATION FUNDING 2001-2003 BIENNIUM (MILLIONS)



* Pending Legislation

PROPOSED 2001-2003 BIENNIAL BUDGET DEPARTMENT OF TRANSPORTATION (MILLIONS)



Executive Budget Recommendation

North Dakota Department of Transportation

Object Code	Object Description	2001-2003 EXECUTIVE RECOMMENDATION	1999-2001 BUDGET	INCREASE/ DECREASE	% CHANGE
1000	FTE (number of employees)	1,041	1,040	1	0.10%
1001	Salaries	66,289,266	60,973,852	5,315,414	8.72%
1002	Temporary, Overtime, & Shift Differential	8,343,643	6,543,512	1,800,131	27.51%
1008	Benefits	24,032,198	21,336,324	2,695,874	12.64%
1900	Salary Budget Adjustment	1,200,000	0	1,200,000	100.00%
3002	Data Processing	5,197,329	4,005,708	1,191,621	29.75%
3003	Telecommunications - ITD	1,120,692	1,168,367	(47,675)	-4.08%
3004	Travel	18,008,655	11,637,457	6,371,198	54.75%
3005	IT - Software/Supplies	993,394	569,572	423,822	74.41%
3006	Utilities	2,792,840	2,750,198	42,642	1.55%
3007	Postage	1,715,403	1,672,573	42,830	2.56%
3011	Lease/Rentals - Equipment	3,262,300	3,339,878	(77,578)	-2.32%
3012	Lease/Rentals - Buildings/Land	442,404	363,859	78,545	21.59%
3013	Dues & Professional Development	860,859	789,481	71,378	9.0%
3014	Operating Fees & Services	1,882,560	1,890,443	(7,883)	-0.4%
3016	Repairs	11,437,404	11,098,937	338,467	3.05%
3018	Professional Services	18,263,812	15,695,560	2,568,252	16.36%
3019	Insurance	1,696,741	427,130	1,269,611	297.24%
3021	Office Supplies	469,044	467,276	1,768	0.38%
3024	Printing	1,096,948	983,148	113,799	11.57%
3025	Professional Supplies & Materials	175,329	172,356	2,973	1.72%
3030	Bldg., Grounds, Vehicle Maint. Supplies	40,826,600	28,868,820	11,957,780	41.42%
3033	Miscellaneous Supplies	6,289,248	3,577,472	2,711,776	75.80%
4002	Office Equipment & Furniture	1,063,022	2,411,490	(1,348,468)	-55.92%
4003	IT - Equipment	1,751,135	14,353	1,736,782	12100.48%
4004	Motor Vehicles	23,687,568	21,826,901	1,860,667	8.52%
4020	Other Equipment	1,749,875	1,819,375	(69,500)	-3.82%
5005	Buildings & Land	6,274,413	6,581,357	0	0.00%
5020	Other Capital Payments	451,162,687	382,649,111	0	0.00%
6006	Grants	32,839,085	30,407,285	0	0.00%
	Cost Center Total	734,924,454	626,041,796	108,882,658	17.39%
9991	General Fund	0	0	0	0.00%
9992	Federal Fund	423,695,028	358,081,976	65,613,052	18.32%
9993	Special Fund	311,229,426	267,959,820	43,269,606	16.15%

BUDGET OBJECT DETAIL

The following information has been prepared as a brief explanation of the types of expenditures that are budgeted under each of the object codes.

**Budget
Object
Code**

1001 Permanent Salaries

This is based on 1,041 FTE's. Our original request was for 1,040 full time equivalent positions which is the same number of positions we are currently authorized. One additional FTE has been added to our request. This position is to provide support for the mobile data terminal pilot project for State Radio. The budget request includes the Governor's proposed salary increase.

1002 Temporary, Overtime, & Shift Differential

The increase in this area is attributable to the level of activity necessary to support the new level of federally funded construction.

1008 Benefits

This line item is based on the pay plan and corresponds to 1,041 FTE's.

1900 Salary Budget Adjustments

This line item is intended for market-based salary adjustments for Information Technology and highway technical employees.

3002 Data Processing

This line item is for the operating and programming costs paid to ITD. The increase is mainly due to increased ITD rates and the agencies' share of the ND State Network.

3003 Telecommunications - ITD

This line item is for the Department of Transportation telephone services and reflects a reduction in the amount of \$47,675.

3004 Travel

This line item is where travel costs are budgeted; primarily, meals, lodging, air transportation, and the use of state vehicles, which includes our snow removal equipment. The increase is due to the increased fleet rates and the fact that the Department of Transportation's fleet usage budget has been under budgeted for several bienniums.

3005 IT - Software /Supplies

This line item is where IT software costs are budgeted. The increase is due primarily to new project initiatives.

3006 Utilities

This line item reflects a minor increase based on usage and rate changes.

3007 Postage

This postage line considers the mailing of new license plates, postal rates, and the anticipated level of general mailing.

3011 Lease/Rentals - Equipment

This line item includes the lease/rental of road maintenance equipment, office equipment, and audio-visual equipment. This item has been reduced by \$77,578.

3012 Lease/Rentals - Buildings/Land

This line item is for rental of buildings and land. This item has increased \$78,000 due to rentals for construction field offices and the rental of an airplane hanger.

3013 Dues & Professional Development

Dues and professional development includes the dues for the American Association of State Highway Transportation Officials (AASHTO) and the Transportation Research Board (TRB). The increase is primarily due to an increased need for information technology training.

3014 Operating Fees & Services

This line item includes operating fees for photo licensing, motorcycle program administration, and the commercial drivers license program. The freight associated with the general issuance of license plates is also included in this line.

3016 Repairs

Object 3016 is for repairs of state fleet and highway equipment, repairs to bridges, buildings, and highways, and janitorial and rest area contracts. This line also includes an amount for the State Fleet to reimburse the Department of Transportation for shop overhead. The major increases are a result of rest area maintenance costs.

3018 Professional Services

Object 3018 is for professional services including consultant engineers, management consultants, architects, and legal services. The increase is due to a greater need for consultant engineers which is a result of our increased level of highway construction.

3019 Insurance

Object 3019 includes property insurance and liability insurance for State Fleet and the department's airplanes. The increase in this line is due to the state risk management premium.

3021 Office Supplies

This line item includes office supplies for the central and district office operations. This includes items such as paper, toner, and microfilm supplies.

3024 Printing

Object 3024 is for payments to Central Reproduction and outside printers. The increase is due to printing of the construction specification book and motor vehicle printing.

3025 Professional Supplies & Materials

This line item includes books, films, periodicals, and subscriptions.

3030 Buildings, Grounds, & Vehicle Maintenance Supplies

Building, Grounds, and Vehicle Maintenance Supplies includes equipment and vehicle repair parts, road maintenance supplies, contract patching, and fuel. Contract patching costs are \$15,614,932, which used to be budgeted as a capital payment.

3033 Miscellaneous Supplies

This line item includes equipment under \$750, license and tags, and miscellaneous supplies. The increase is due primarily to a general issuance of license plates.

4002 and

4003 Office Equipment & Furniture and IT - Equipment

Object 4002 and 4003 are for office equipment and furniture and IT equipment. These items have a net increase of \$388,314. This increase is due to IT equipment for our new projects.

4004 Motor Vehicles

Object 4004 is for motor vehicles. This item has been increased to cover the anticipated cost of vehicle replacement for the state fleet.

4020 Other Equipment

This line item includes engineering and lab equipment, shop equipment, radios, audio-visual equipment, and minor equipment for road maintenance.

5005 Buildings & Land

Buildings and land has been reduced due to the removal of some of the requests for new section buildings and the asbestos abatement for the central office building.

5020 Other Capital Payments

This line item includes contractor payments for construction and reconstruction of our highways throughout the state. The increase reflects the anticipated level of construction for the upcoming biennium.

6006 Grants

Object 6006 is for funds passed through to the other entities for transportation and safety programs. The increase in this area is due to the level of available federal traffic safety grant funds.

ADMINISTRATION PROGRAM

The administrative divisions provide for the development and continuation of executive management, financial management, human resource planning, legal, audit services, procurement, and administrative support. The Administrative Program consists of the following divisions: Executive Offices, Financial Management, Legal, Human Resources, and Information Technology. General expenses for maintenance and operation of the central office building are also budgeted here.

Executive Budget Recommendation

North Dakota Department of Transportation Administration Program - CC 1000

Object Code	Object Description	2001-2003 EXECUTIVE RECOMMENDATION	1999-2001 BUDGET	INCREASE/ DECREASE	% CHANGE
1000	FTE (number of employees)	109.63	108.63	1	
1001	Salaries	7,606,087	6,600,763	1,205,324	18.26%
1002	Temporary, Overtime, & Shift Differential	160,916	175,376	(14,460)	-8.25%
1008	Benefits	2,453,357	2,045,656	407,701	19.93%
1900	Salary Budget Adjustment	240,000	0	240,000	100.00%
3002	Data Processing	4,259,937	3,215,887	1,044,050	32.47%
3003	Telecommunications - ITD	897,255	913,005	(15,750)	-1.73%
3004	Travel	361,651	295,851	65,800	22.24%
3005	IT - Software/Supplies	985,294	482,622	502,672	104.15%
3006	Utilities	500,174	500,174	0	0.00%
3007	Postage	507,407	651,154	(143,747)	-22.08%
3011	Lease/Rentals - Equipment	11,600	10,200	1,400	13.73%
3012	Lease/Rentals - Buildings/Land	37,300	18,500	18,800	101.62%
3013	Dues & Professional Development	590,969	465,056	125,913	27.07%
3014	Operating Fees & Services	159,493	222,543	(63,050)	-28.33%
3016	Repairs	1,201,453	1,288,514	(87,061)	-6.76%
3018	Professional Services	1,158,111	1,157,026	1,085	0.09%
3019	Insurance	0	0	0	0.00%
3021	Office Supplies	137,671	143,371	(5,700)	-3.98%
3024	Printing	857,415	803,566	53,849	6.70%
3025	Professional Supplies & Materials	57,073	55,016	2,057	3.74%
3030	Bldg., Grounds, Vehicle Maint. Supplies	48,188	49,488	(1,300)	-2.63%
3033	Miscellaneous Supplies	246,790	448,988	(202,198)	-45.03%
4002	Office Equipment & Furniture	391,166	1,119,433	(728,267)	-65.06%
4003	IT - Equipment	1,242,060	0	1,242,060	100.00%
4004	Motor Vehicles	0	0	0	0.00%
4020	Other Equipment	185,275	195,275	(10,000)	-5.12%
5005	Buildings & Land	2,852,600	4,900,000	(2,047,400)	-41.78%
5020	Other Capital Payments	0	0	0	0.00%
6006	Grants	20,000	196,000	(176,000)	-89.80%
	Cost Center Total	27,369,242	25,953,464	1,415,778	5.46%
9991	General Fund	0	0	0	0.00%
9992	Federal Fund	1,155,790	1,059,176	96,614	9.12%
9993	Special Fund	26,213,452	24,894,288	1,319,164	5.30%

MOTOR VEHICLE PROGRAM

The Motor Vehicle division is responsible for the issuance of licenses and titles for all vehicles as required by law, and the maintenance of registration and title records for law enforcement agencies and others authorized to access these records. The division registers 800,000 vehicles per year and issues 230,000 titles. The division protects the public by licensing and regulating vehicle dealers and by identifying proof of ownership through a title issuance process. The Motor Vehicle division is responsible for the collection and distribution of approximately \$42,000,000 per year in registration fees and taxes.

Executive Budget Recommendation

North Dakota Department of Transportation Motor Vehicle Program - CC 2000

Object Code	Object Description	2001-2003 EXECUTIVE RECOMMENDATION	1999-2001 BUDGET	INCREASE/ DECREASE	% CHANGE
1000	FTE (number of employees)	43.28	43.28	0	
1001	Salaries	2,165,866	2,031,514	134,352	6.61%
1002	Temporary, Overtime, & Shift Differential	297,696	306,681	(8,985)	-2.93%
1008	Benefits	831,155	750,640	80,515	10.73%
1900	Salary Budget Adjustment	0	0	0	0.00%
3002	Data Processing	795,632	676,021	119,611	17.89%
3003	Telecommunications - ITD	65,732	96,208	(30,476)	-31.68%
3004	Travel	57,567	54,267	3,300	6.08%
3005	IT - Software/Supplies	5,000	11,000	(6,000)	-54.55%
3006	Utilities	1,460	1,460	0	0.00%
3007	Postage	1,142,299	958,257	184,042	19.21%
3011	Lease/Rentals - Equipment	1,057,862	1,080,282	(22,420)	-2.08%
3012	Lease/Rentals - Buildings/Land	8,400	8,400	0	0.00%
3013	Dues & Professional Development	43,000	61,450	(18,450)	-30.02%
3014	Operating Fees & Services	149,348	220,348	(71,000)	-32.22%
3016	Repairs	211,628	185,715	25,913	13.95%
3018	Professional Services	41,051	31,051	10,000	32.21%
3019	Insurance	0	2,750	(2,750)	-100.00%
3021	Office Supplies	44,995	44,995	0	0.00%
3024	Printing	231,533	156,533	75,000	47.91%
3025	Professional Supplies & Materials	9,064	5,564	3,500	62.90%
3030	Bldg., Grounds, Vehicle Maint. Supplies	5,000	12,000	(7,000)	-58.33%
3033	Miscellaneous Supplies	4,142,792	898,737	3,244,055	360.96%
4002	Office Equipment & Furniture	20,850	49,169	(28,319)	-57.80%
4003	IT - Equipment	59,075	4,353	54,722	1257.11%
4004	Motor Vehicles	0	0	0	0.00%
4020	Other Equipment	11,200	0	11,200	100.00%
5005	Buildings & Land	0	0	0	0.00%
5020	Other Capital Payments	0	0	0	0.00%
6006	Grants	0	0	0	0.00%
	Cost Center Total	11,398,205	7,647,395	3,750,810	49.05%
9991	General Fund	0	0	0	0.00%
9992	Federal Fund	0	88,152	(88,152)	0.00%
9993	Special Fund	11,398,205	7,559,243	3,838,962	50.78%

DRIVERS LICENSE & TRAFFIC SAFETY PROGRAM

The Drivers License & Traffic Safety program is responsible for the licensing of approximately 460,000 North Dakota drivers. This is accomplished through licensing, including issuance, removal, and traffic safety education. The Drivers License division administers the driver examinations, issues drivers' licenses, and non-driver photo identification. The division processes driving records, crash reports, and traffic violation information. The division assures compliance with financial responsibility laws and administers the suspension, revocation, and cancellation of driving privileges. The division also administers the Traffic Safety programs.

Executive Budget Recommendation

North Dakota Department of Transportation Drivers License Program - CC 3000

Object Code	Object Description	2001-2003 EXECUTIVE RECOMMENDATION	1999-2001 BUDGET	INCREASE/ DECREASE	% CHANGE
1000	FTE (number of employees)	61.72	61.72	0	
1001	Salaries	3,245,675	3,053,646	192,029	6.29%
1002	Temporary, Overtime, & Shift Differential	101,567	176,567	(75,000)	-42.48%
1008	Benefits	1,192,399	1,063,460	128,939	12.12%
1900	Salary Budget Adjustment	0	0	0	0.00%
3002	Data Processing	0	0	0	0.00%
3003	Telecommunications - ITD	7,400	7,000	400	5.71%
3004	Travel	182,100	164,500	17,600	10.70%
3005	IT - Software/Supplies	0	27,100	(27,100)	-100.00%
3006	Utilities	4,425	4,425	0	0.00%
3007	Postage	5,400	5,400	0	0.00%
3011	Lease/Rentals - Equipment	2,000	3,000	(1,000)	-33.33%
3012	Lease/Rentals - Buildings/Land	65,000	67,000	(2,000)	-2.99%
3013	Dues & Professional Development	19,000	21,000	(2,000)	-9.52%
3014	Operating Fees & Services	1,236,000	1,092,000	144,000	13.19%
3016	Repairs	36,000	19,000	17,000	89.47%
3018	Professional Services	84,500	85,500	(1,000)	-1.17%
3019	Insurance	0	0	0	0.00%
3021	Office Supplies	21,500	26,500	(5,000)	-18.87%
3024	Printing	5,000	20,000	(15,000)	-75.00%
3028	Professional Supplies & Materials	30,000	30,000	0	0.00%
3030	Bldg., Grounds, Vehicle Maint. Supplies	4,000	5,000	(1,000)	-20.00%
3033	Miscellaneous Supplies	22,575	14,350	8,225	57.32%
4002	Office Equipment & Furniture	15,000	30,200	(15,200)	-50.33%
4003	IT - Equipment	450,000	10,000	440,000	4400.00%
4004	Motor Vehicles	0	0	0	0.00%
4020	Other Equipment	0	0	0	0.00%
5006	Buildings & Land	0	0	0	0.00%
5020	Other Capital Payments	0	0	0	0.00%
6006	Grants	8,735,800	3,570,000	5,165,800	144.70%
	Cost Center Total	15,465,341	9,495,648	5,969,693	62.87%
9991	General Fund	0	0	0	0.00%
9992	Federal Fund	8,599,708	3,670,665	4,929,043	134.28%
9993	Special Fund	6,865,633	5,824,983	1,040,650	17.87%

HIGHWAYS PROGRAM

The Highways program provides for the surveying, design, construction, maintenance, and evaluation of our system of bridges, roads, and streets to ensure safe and efficient movement of people and commerce. Programming of federal funds and transportation planning functions relating to highways and railroads are also budgeted here. The Highways program includes the following divisions: Maintenance and Engineering Services, Construction Services, Planning and Programming, Local Government, Design, Bridge, and Materials and Research. There are eight districts across the state that are also included in this program and provide for the maintenance of roadways, roadsides, rest areas, signing, bridges, drainage, snow and ice removal, and equipment maintenance.

Executive Budget Recommendation

North Dakota Department of Transportation Highways Program - CC 4000

Object Code	Object Description	2001-2003 EXECUTIVE RECOMMENDATION	1999-2001 BUDGET	INCREASE/ DECREASE	% CHANGE
1000	FTE (number of employees)	802.46	802.46	0	
1001	Salaries/Adjustment	51,615,800	47,828,516	3,787,284.00	7.92%
1002	Temporary, Overtime, & Shift Differential	7,757,472	5,858,343	1,899,129.00	32.42%
1008	Benefits	19,038,426	16,945,804	2,092,622.00	12.35%
1900	Salary Budget Adjustment	960,000	0	960,000	100.00%
3002	Data Processing	0	0	0.00	0.00%
3003	Telecommunications - ITD	138,305	136,154	2,151.00	1.58%
3004	Travel	17,353,285	11,075,387	6,277,898.00	56.68%
3005	IT - Software/Supplies	3,100	3,850	(750.00)	-19.48%
3006	Utilities	2,286,609	2,243,967	42,642.00	1.90%
3007	Postage	60,247	57,712	2,535.00	4.39%
3011	Lease/Rentals - Equipment	2,138,838	2,221,396	(82,558.00)	-3.72%
3012	Lease/Rentals - Buildings/Land	331,704	269,959	61,745.00	22.87%
3013	Dues & Professional Development	204,890	239,475	(34,585.00)	-14.44%
3014	Operating Fees & Services	284,019	294,352	(10,333.00)	-3.51%
3016	Repairs	4,556,543	4,204,158	352,385.00	8.38%
3017	Professional Services	16,590,150	14,306,983	2,283,167.00	15.96%
3019	Insurance	675,981	324,380	351,601.00	108.39%
3021	Office Supplies	262,878	251,410	11,468.00	4.56%
3024	Printing	3,000	1,550	1,450.00	93.55%
3025	Professional Supplies & Materials	55,192	61,776	(6,584.00)	-10.66%
3030	Bldg., Grounds, Vehicle Maint. Supplies	33,280,548	22,859,380	10,421,168.00	45.59%
3033	Miscellaneous Supplies	1,852,091	2,161,897	(309,806.00)	-14.33%
4002	Office Equipment & Furniture	631,006	1,207,688	(576,682.00)	-47.75%
4003	IT - Equipment	0	0	0.00	0.00%
4004	Motor Vehicles	2,087,568	2,036,211	51,357.00	2.52%
4020	Other Equipment	1,552,400	1,623,100	(70,700.00)	-4.36%
5005	Buildings & Land	3,421,813	3,681,357	(259,544.00)	-7.05%
5020	Other Capital Payments	451,162,687	382,649,111	68,513,576.00	17.91%
6006	Grants	24,083,285	26,841,285	(2,558,000.00)	-9.60%
	Cost Center Total	642,387,837	549,185,201	93,202,636.00	16.97%
9991	General Fund	0	0	0.00	0.00%
9992	Federal Fund	413,939,530	353,263,983	60,675,547.00	17.18%
9993	Special Fund	228,448,307	195,921,218	32,527,089.00	16.60%

STATE FLEET SERVICES PROGRAM

State Fleet Services is responsible for the purchase, management, operations, maintenance, and disposal of all state licensed motor vehicles. Special emphasis is placed on utilization, downsizing, and review of vehicle maintenance and operations to produce the lowest cost transportation possible to state agencies.

Executive Budget Recommendation

North Dakota Department of Transportation State Fleet Services Program - CC 5000

Object Code	Object Description	2001-2003 EXECUTIVE RECOMMENDATION	1999-2001 BUDGET	INCREASE/ DECREASE	% CHANGE
1000	FTE (number of employees)	23.91	23.91	0	
1001	Salaries	1,455,838	1,459,413	(3,575)	-0.24%
1002	Temporary, Overtime, & Shift Differential	25,992	26,545	(553)	-2.08%
1008	Benefits	516,861	530,764	(13,903)	-2.62%
1900	Salary Budget Adjustment	0	0	0	0.00%
3002	Data Processing	141,760	113,800	27,960	24.57%
3003	Telecommunications - ITD	12,000	16,000	(4,000)	-25.00%
3004	Travel	54,052	47,452	6,600	13.91%
3005	IT - Software/Supplies	0	45,000	(45,000)	-100.00%
3006	Utilities	172	172	0	0.00%
3007	Postage	50	50	0	0.00%
3011	Lease/Rentals - Equipment	52,000	25,000	27,000	108.00%
3012	Lease/Rentals - Buildings/Land	0	0	0	0.00%
3013	Dues & Professional Development	3,000	2,500	500	20.00%
3014	Operating Fees & Services	53,700	61,200	(7,500)	-12.25%
3016	Repairs	5,431,780	5,401,550	30,230	0.56%
3018	Professional Services	390,000	115,000	275,000	239.13%
3019	Insurance	1,020,760	100,000	920,760	920.76%
3021	Office Supplies	2,000	1,000	1,000	100.00%
3024	Printing	0	1,500	(1,500)	-100.00%
3025	Professional Supplies & Materials	24,000	20,000	4,000	20.00%
3030	Bldg., Grounds, Vehicle Maint. Supplies	7,488,864	5,942,952	1,545,912	26.01%
3033	Miscellaneous Supplies	25,000	53,500	(28,500)	-53.27%
4002	Office Equipment & Furniture	5,000	5,000	0	0.00%
4003	IT - Equipment	0	0	0	0.00%
4004	Motor Vehicles	21,600,000	19,790,890	1,809,110	9.14%
4020	Other Equipment	1,000	1,000	0	0.00%
5006	Buildings & Land	0	0	0	0.00%
5020	Other Capital Payments	0	0	0	0.00%
6006	Grants	0	0	0	0.00%
	Cost Center Total	38,303,829	33,760,088	4,543,741	13.46%
9991	General Fund	0	0	0	0.00%
9992	Federal Fund	0	0	0	0.00%
9993	Special Fund	38,303,829	33,760,088	4,543,741	13.46%

SB 2012

TESTIMONY BEFORE THE HOUSE APPROPRIATIONS COMMITTEE

2001 - 2003 Biennium Budget

Prepared by

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION

Bismarck, North Dakota

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DIRECTOR

David Sprynczynatyk, P.E.

FINANCIAL MANAGEMENT DIVISION

Shannon L. Sauer

March 2001

*With the exception of the
following pages this
testimony is the same
as that for
January's ~~Bismarck~~
hearing*

HOUSE APPROPRIATIONS COMMITTEE

March 5, 2001

North Dakota Department of Transportation

David A. Sprynczynatyk, Director

SB 2012

The North Dakota Highway Department was established in 1917 and became the North Dakota Department of Transportation in 1990. Our mission today is "to provide a surface transportation system to safely move people and commerce." We focus on providing high-quality public service that emphasizes safety, efficiency, and effectiveness.

Our emphasis on safety includes safe drivers and safe roads. We administer driver education, licensing, and testing programs, and design, build, and maintain the transportation system with safety in mind.

Our emphasis on effectiveness includes responsiveness to the public, our customers, our partners, and stakeholders in the transportation system. Our focus is on a smooth ride, one of the public's main concerns. We also work to minimize construction delays, improve how we do business, increase productiveness, and minimize harmful effects that might result from highway projects.

Other functions of our department that focus on safety and effective service to the public include administering the transit program for elderly and rural North Dakotans, the state fleet of vehicles, the driver's licensing and motor vehicle registration programs, and special issues and projects such as emergency relief projects and the federally authorized Four Bears Bridge project.

Our investment in transportation makes food, housing, medical services, and education accessible to all North Dakotans. Good transportation is also necessary for job creation and economic development. Agriculture, energy, manufacturing, and the service industries need a dependable way to move raw products, ship finished projects, get employees to work, and get customers to the store. The entire state benefits from a good transportation system.

We seek public input in everything we do. As was announced last Friday, we have undertaken the development of a statewide strategic transportation plan. The plan will focus on ways that different levels of government can cooperate to ensure a safe and efficient intermodal transportation system by road, rail, air, and transit. Developing a strategic plan is an important step for identifying areas for investment, improvement, and economic development. We will create an advisory group to review the state's system of transportation and recommend broad, statewide goals for North Dakota. A shared vision among the state, cities, counties, townships, and tribes will result from the effort. We intend to involve leaders from the political subdivisions of the state, the legislature, tribal governments, and industry in this effort, which will be completed by the end of the year 2002.

STATE TRANSPORTATION PROGRAM

North Dakota is a large state that requires a large transportation system. NDDOT is responsible for nearly 8,400 two-lane miles of road when the Interstate and other four-lane highways are included. In the current biennium, our investment in transportation has increased as a result of increased federal funding, making our current program by far the largest in our history. In spite of the sharp increase in funding, the department completed all projects scheduled during this biennium. Map 1, attached, shows all state projects let to contract between October 1998 and August 2000.

Although the transportation program is growing, our number of employees has not. NDDOT met the challenges of 1999 and 2000 with no increase in FTEs, continuing to complete all work through our employees' dedication and skill. They work very hard and take seriously their responsibility to the public. Our employees routinely put in many hours of overtime in order to have projects ready on schedule, and leave their families to clear highways in blizzards and on holidays.

NDDOT employees' expertise and work ethic are large factors in allowing us to remain at our current FTE count. Another factor is our partnership with the consulting industry and the construction industry. And a third, very important factor is our continuing investment in technology, which helps our employees work more quickly and offer better, faster, more efficient public service.

For some time, the department has had difficulty hiring and retaining employees in certain areas of expertise. At the beginning of the current biennium, we studied a wide range of employee issues, and have made great efforts to improve the workplace environment. We have also set aside funds as a special line item in our budget to help us recruit and retain good employees.

Our Motor Vehicle Division implemented its long-awaited new computer system in October. The conversion did not go as smoothly as we would have liked, but then, no computer conversion ever does. The new system is in place, and we're working closely with the vendor on whatever refinements are needed to make the system as efficient as possible. Meanwhile, our employees are becoming more familiar with the system, and their productivity continues to grow. When the "learning curve" is complete, the system should make it easier and faster for North Dakotans to do business with us. The system will reduce the turnaround time needed to process transactions, and will make it possible, in the future, for us to offer Internet registration of renewals and direct electronic communication between dealerships and the Motor Vehicle office. All of this will speed up the process and benefit the public.

The conversion has created a large backlog within the Motor Vehicle Division. We are painfully aware of the problems this has caused for some of our customers, and are taking steps to eliminate the backlog as soon as possible. Division employees are working nights and weekends, and we have added an evening shift of temporary employees. Through the media and other means, we have tried to keep the public and the dealer and lending communities aware of our backlog problems. In addition, we have asked law enforcement agencies in North Dakota and all other states to withhold citations for license decals or window permits that appear to have expired. The House Transportation Committee recently asked the State Auditor to review our new system and backlog, and they should complete their report shortly.

BUDGET OVERVIEW

Under the current federal highway authorization, known as "TEA-21," Congress made available a substantial amount of funding from the Highway Trust Fund. We anticipate a biennium increase of almost \$62 million in federal aid for highways, rail, safety, and transit. This requires about \$12.5 million in state matching funds.

Some of our larger budget items showing increases include the state fleet as well as NDDOT's rental of fleet vehicles for its employees; payments to consulting engineers; payments to highway contractors; traffic safety grants; investments in technology; and salary increases for our employees to relieve the recruitment and retention situation.

In addition to what is in our budget, we will need \$8 million in state funding to enable us to receive \$32 million in federal emergency relief funding. This \$8 million was addressed in SB 2112, which has been passed by both the Senate and the House. This will need to be further addressed in the next legislative session.

Our budget also includes a general issuance of license plates, which will cost about \$3.2 million. SB 2159 provides a one-time \$3 surcharge on motor vehicle registrations, which will generate \$2 million, leaving a shortfall of \$1.2 million for the biennium. SB 2159 provides \$11.5 million through an increase in the motor vehicle excise tax. However, that still leaves a total biennium shortfall of \$3 million, when combined with the \$1.2 million shortfall from the surcharge on motor vehicle registrations.

CONCLUSION

The North Dakota State Legislature has consistently provided the funding to enable NDDOT to use all available federal aid in order to maintain the state transportation system. The federal funding we'll receive for transportation in the coming biennium does not meet all of the state's needs, but by working together we can continue to "provide a surface transportation system to safely move people and commerce."

SB 2012
3501

**TESTIMONY TO THE
HOUSE APPROPRIATIONS COMMITTEE
GOVERNMENT OPERATIONS DIVISION**

**Prepared January 10, 2001, by the
North Dakota Association of Counties
Terry Traynor, NDACo Assistant Director**

CONCERNING SENATE BILL 2012

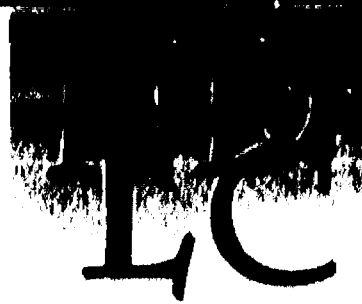
Chairman Byerly and members of the committee, I am before you today to express the support of counties and county officials for Budget of the Department of Transportation, Senate Bill 2012.

Road construction and maintenance is possibly the greatest concern and greatest love of most county commissioners. In North Dakota, county commissions are responsible for hundreds of miles of paved highways, tens of thousands of miles of gravel roads, and many hundreds of bridges. Statewide, about 35 percent of county budgets are dedicated to maintaining this infrastructure. Counties, like the DOT, strive to keep the vital transportation network, at the local level, operating in the best condition funding will allow. This Association clearly appreciates the need for adequate funding of both the State and local infrastructure that supports North Dakota's agricultural, manufacturing, and energy sectors.

The budget of the Department of Transportation provides the State of North Dakota the federal funds as well as the critical state match for federal highway funding, so essential to our state highway program. Similarly, this budget contains those federal funds that allow counties to maintain their "on-system" roads and bridges. Without this appropriation, property taxes would have to increase substantially, or rural transportation would greatly suffer. For the future of our State, we must take advantage of all resources that will allow us to maintain and improve the transportation system we have.

Our Association has continuously gone on record in support of the Department's budget, and the state funding necessary to capture the available federal funding, and meet our maintenance obligations. As this Committee is well aware, we have supported the Department and the Legislature in this area in the past, and believe in the strong state-county partnership that has been established.

Thank you Mr. Chairman and committee members for the opportunity to express our support for Senate Bill 2012.



North Dakota League of Cities

Senate Appropriations Committee
Senate Bill 2012 Testimony
January 10, 2001

For decades, the cities and counties in North Dakota have worked with the state's Department of Transportation to address transportation needs. The state's 361 incorporated cities use state, federal and local funds to maintain and improve streets. We are pleased to support the department's appropriation and to use this opportunity to provide "state of the streets" information.

Most people find it easy to quote point-to-point distances in this state. A trip from Bismarck to Fargo is 190 miles. Fargo to Grand Forks is 90. From Williston to Grand Forks is 340 miles. If you ask most North Dakotans how many miles of streets there are in their city, however, you will get blank stares. Any idea of how many miles of streets there are in your capital city? The same number as the distance from Williston to Bismarck--340. Fargo hosts about 500 center lane miles and if you calculate Bismarck's lane miles that a snowplow would drive, that 340 jumps to 1,000 lane miles.

Not only are there obvious maintenance challenges in plowing and patching the hundreds of lane miles within those hundreds of cities, we are experiencing a growing backlog of rehabilitation and reconstruction needs.

Recently, the cities, counties and state cooperated in a needs assessment study. It was an attempt to quantify the growing transportation infrastructure needs. Since the report was just finalized, we have not had an opportunity to chew through all the data, discuss the results and suggest priorities and new funding sources.

One thing, however, is clear: We're all doing the best job we can to address the needs with current resources. It is also clear that the state, the cities and the counties are finding it increasingly difficult to keep up, despite increased levels of federal funding.

While each entity could find areas of disagreement on dollars and priorities, the state-city-county partnership that has existed for many years has served all parties well. On behalf of the North Dakota League of Cities, I look forward to continued focus on finding the resources to meet this state's needs.

Connie Sprynczynatyk
Executive Director

MANDAN, HIDATSA, & ARIKARA NATION

Three Affiliated Tribes • Fort Berthold Indian Reservation

HC3 Box 2 • New Town, North Dakota 58763-9402

SB 2012
3-5-01

**Appropriations Committee
Government Operations Division
North Dakota House of Representatives
57th Legislative Assembly**

TRIBAL BUSINESS COUNCIL
(701) 627-4781
Fax (701) 627-3805

Testimony of Mandan, Hidatsa and Arikara Nation Three Affiliated Tribes

**Tex G. Hall
Chairman**

**on SB 2012
Department of Transportation Appropriation
March 5, 2001**

Dosha! (Hello). Mr. Chairman, members of the Committee, thank you for the opportunity to present testimony today concerning SB 2012, the Appropriations Bill for the North Dakota Department of Transportation. My testimony today will be brief, as it concerns the need to provide for the remaining funds that are needed to ensure completion of the replacement for the Four Bears Bridge across the Missouri on State Highway 22 in northwest North Dakota.

As you know, we all lobbied hard to obtain the necessary funds for a new bridge across the Missouri River to replace or supplement the existing Four Bears Bridge on State Highway 22 which is within the boundaries of the reservation of the Mandan, Hidatsa and Arikara Nation. The funds that were appropriated by Congress last year will in all likelihood not be enough to allow completion of the new bridge, construction of which is scheduled to begin in the spring of 2003. In fact, our Congressional delegation was depending on the State of North Dakota to provide 20% of the cost, estimated two years ago to be \$43 million. The Tribe, by the way, will most likely, among other things, contributing rights-of-way for the bridge, among other things.

We are now working towards a joint agreement with the State of North Dakota and the Department of Transportation, in which we will be identifying the work involving the bridge that both the State and the Tribe are agreeing to do. For the Tribe, this means doing things such as public hearings, identification of cultural sites and other matters affecting the Three Affiliated Tribes and the surrounding area.

We have received from the new Director of the State Department of Transportation, David Sprynczynatyk, the written commitment he has made for the needed State funds in the amount of \$8.2 million. However, it is my understanding, as stated in the attachment which details a portion of the State DOT budget, that the State Senate only made a commitment of \$5 million in the next biennium for the new bridge, to be used for design. Since construction is set to begin in the spring of 2003, before the beginning of the 2003-2005 biennium, I am concerned that the bridge will not yet be fully funded by the time construction on the bridge will start.

**Testimony of Chairman Tex G. Hall
House Appropriations Committee
SB 2012
March 8, 2001**

While I understand that the Legislature generally only budgets for one biennium at a time, I believe it is very important to know well before the spring of 2003 that a full commitment of the funds necessary to complete the new bridge has been made by the State of North Dakota. Bidding on the construction of the bridge will take place in early 2003, and it is difficult to say what the cost will be at that time. Regardless of the eventual cost, we do not want construction of the bridge delayed because of a perception that not all of the initial funds committed to the project will be in place by the time construction is to start.

I strongly believe that this bridge will be an economic boon to all of northwest and north central North Dakota. It is vitally necessary for us as a Tribal Nation, because of the narrowness of the old bridge and how it limits to a considerable degree our ability to further develop our Tribal economy. As you may know, the bridge is a vital link, indeed, the only link, between our Tribal communities on the west side of the Missouri River and those on the east side of the River. It provides vital access to our health clinic and our dialysis center on the west side of the river. It is the only bridge across the river for approximately 200 miles, the only bridge across the Missouri between the Garrison Dam and Williston. It is a major farm-to-market road, part of the National Defense Highway system of roads and the cost of shipping things around the bridge because of its present narrowness is enormous.

Further, the bridge will be under construction at the same time as tourists begin arriving in North Dakota for the Lewis and Clark Bicentennial celebration in 2003, and will be completed just about the time the celebration is completed in 2006. As the longest bridge in North Dakota by far, nearly a mile in length, it will be a showcase for the MHA Nation and for the State of North Dakota, a source of pride for both our governments as visitors and state citizens alike see the effort to modernize an important crossing over the Missouri River. Finally, it is vitally necessary that this bridge be completed as soon as possible, because a great deal of work is otherwise needed on the old, obsolete present day Four Bears Bridge.

I urge you to put into the detailed budget for the State DOT accompanying SB 2012 the full amount of North Dakota's commitment of \$8.2 million for the completion of the new bridge across the Missouri on State Highway 22 and give SB 2012 a DO PASS recommendation as amended.



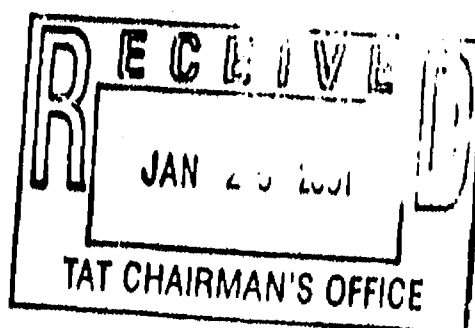
North Dakota Department of Transportation

608 East Boulevard Avenue • Bismarck, ND 58505-0700

John Hoeven, Governor
David A. Sprynczynatyk, P.E., Director

January 23, 2001

Mr. Tex Hall, Chairman
Three Affiliated Tribes
HC 3, Box 2
New Town, ND 58763-9402



Information: (701) 328-2500
FAX Mail: (701) 328-4545
TTY: (701) 328-4156
Website: discovernd.com/dot

PARTNERSHIP FOR DEVELOPING THE 4-BEARS BRIDGE PROJECT

I have not been able to speak with you about this project since my appointment as director of the North Dakota Department of Transportation (NDDOT). I look forward to working with you and the Three Affiliated Tribes on this major improvement to the ND 23 corridor.

My staff and I have discussed the past meetings between you and our organization relating to the development of the project. We're very appreciative of the help and insights provided by your technical staff. Our staff is currently working on the request for proposal (RFP) to acquire a consultant for the project. We feel that should be released about February 1 as originally planned. We incorporated into the RFP the four items that the Three Affiliated Tribes will be providing: cultural resources, wetland review, endangered species review, and right of way acquisition. We hope to see your draft agreement covering our cooperative relationship in the next week so any necessary changes can be made to the RFP before it is released for advertising.

We have also discussed the past correspondence and discussions about NDDOT's financial contribution toward the project. The NDDOT will continue to support past commitments from 1999 to provide \$8.2 million of funds toward the project. This is in addition to the \$35 million appropriation.

In closing, I'm confident that our two organizations can forge a strong positive working relationship and that our efforts will result in a safer and more dependable corridor for the people of North Dakota and the Fort Berthold Reservation.

Thank you for your past efforts in procuring funding for the bridge. Please feel free to call me at 701-328-2581 to discuss any specific issues that come to mind regarding the bridge or other transportation issues on the reservation.

DAVID A. SPRYNCZYNATYK, P.E. - DIRECTOR

56/tjh/sas

SB 2012
3-12-01**2001-03 HIGHWAY FUND REVENUE INCREASE PROPOSALS**

The schedule below presents the estimated revenue generated from various proposals to provide additional highway revenues for the 2001-03 biennium.

Proposal	Revenues Distributed To			Estimated Amount of Federal Highway Construction Funds the State Share Will Match
	State	Counties	Cities	
Increase annual motor vehicle registration fees by \$15 per vehicle (Schafer/Hoeven recommendation)	\$12,900,000	\$4,700,000	\$2,860,000	\$51,600,000
Increase the motor vehicle excise tax rate by .5% from 5 to 5.5% with all revenue deposited in the highway fund (Senate version of SB 2159)	\$11,600,000			\$46,000,000
Increase the motor vehicle fuel tax rate by 1 cent per gallon, from 21 to 22 cents per gallon (option)	\$6,400,000	\$2,300,000	\$1,400,000	\$25,600,000
Provide a one-time additional motor vehicle registration fee of \$5 per vehicle with all proceeds deposited in the highway fund (Schafer/Hoeven recommendation)	\$3,400,000 ¹			\$13,600,000
Provide a one-time additional motor vehicle registration fee of \$3 per vehicle with all proceeds deposited in the highway fund (Senate version of SB 2159)	\$2,040,000 ¹			\$8,160,000

¹ The intent of these increases is to provide additional funding to provide for the cost of a new license plate issue. The department's appropriations bill includes \$3.2 million for the new license plate issue.



North Dakota Department of Transportation

608 East Boulevard Avenue • Bismarck, ND 58505-0700

John Hoeven, Governor
David A. Sprynczynatyk, P.E., Director

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Website: discovernd.com/dot

MEMO TO: The Honorable Rex R. Byerly, Chairman
Government Operations Division

FROM:  David A. Sprynczynatyk
Director

DATE: March 14, 2001

SUBJECT: NDDOT Budget Request for Additional Information

Thank you for allowing us to present our budget before your committee. There were a number of good questions that we would like to furnish a written response to.

- 1) A breakout of state Devils Lake ER funding from the past, and how that may have impacted the rest of the state.

RESPONSE:

Since 1993, the North Dakota Department of Transportation (NDDOT) has received \$131,427,882 in ER funds. We have used those funds to raise roadways in the Devils Lake basin and on numerous other roadways throughout the state of North Dakota. The grade raises occurred on state, city, and county roadways. The NDDOT was responsible for the match on the state system which amounted to \$14,603,098. In addition to matching the state funds, we spent \$10,612,174 for grade raises in the Devils Lake basin that were not eligible for ER funds. As a result, since 1993, we have spent \$25,215,272 of state and federal money on raising roadways that could have been spent repairing other roadways in the state.

This year we have received \$26 million in ER funds to raise roadways in the Devils Lake basin. It is likely, given the new forecast, we could receive an additional \$22 million. The \$48 million would require a match of \$12 million to provide a total \$60 million to be used on emergency relief highway projects in the Devils Lake basin. The \$12 million in state match is money that could be used for repairing other roadways in the state. Senate Bill 2112 allows the NDDOT, with the approval of the Emergency Commission, to borrow the matching funds.

Federal Emergency Relief Funds In North Dakota

1993		
	Midwest Flood	\$4,481,000
1995		
	Devils Lake Basin	\$22,722,000
	Statewide Traditional	\$643,000
	Statewide Basin	\$6,550,000
		\$29,915,000
1996		
	Statewide Traditional	\$1,230,000
	Statewide Basin	\$3,703,000
		\$4,933,000
1997	Statewide Traditional	\$16,766,000
	Devils Lake Basin	\$49,096,000
	Statewide Basin	\$12,762,000
		\$78,624,000
1998		
	Devils Lake Basin	\$3,737,000
	Central & Eastern	\$2,676,000
		\$6,413,000
1999		\$2,061,882
2000		\$5,000,000
2001 09X		\$26,147,000
	Total ER Federal Funds*	\$157,574,882
	* Assumed state match	\$14,603,098
		\$172,177,980
	Plus Economic Development	\$5,200,000
	Total ER Funds	\$177,377,980

The Honorable Rex P. Byerly

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March 14, 2001

Non-Emergency Relief Funds Spent on Emergency Relief Repair

	Total Amount	Federal Funds	ER Funds	State Funds
June 1999 Bid Opening				
SS-3-020(055)088	\$1,632,310.00	\$1,321,028.00		\$311,282.00
July 1999 Bid Opening				
NH-3-057(031)007	\$3,055,970.00	\$2,473,196.00		\$582,774.00
NH-3-020(056)097	\$4,005,300.00	\$3,294,093.00		\$711,207.00
August 1999 Bid Opening				
SS-SER-1-036(014)053	\$1,003,872.00	\$585,076.00	\$191,400.00	
May 2000 Bid Opening				
SNH-3-020(057)097	\$655,000.00	\$494,394.45		\$160,605.55
SNH-3-057(032)007	\$845,000.00	\$406,207.31		\$438,792.69
TOTALS	\$11,197,250.00	\$8,216,112.76	\$586,076.00	\$2,396,061.24
Total Federal Funds Received 1993-2000 =				\$131,427,882.00
State Match for Federal Funds				\$14,603,098.00
Non-Emergency Relief Funds spent on Emergency Repair = (1993-2000)				\$10,612,174.00
1993-2000 NDDOT spent on Emergency Relief Repairs that could have been spent on other work.				\$25,215,272.00
May 2001 Bid Opening				
IM-1-094(014)182	\$6,000,000.00	\$5,400,000.00		\$600,000.00
Grade Raise @ Cottonwood Lake (Non Emergency Relief Funds)			\$2,240,000.00	

March 14, 2001

DEVILS LAKE BASIN HIGHWAY EXPENDITURES			
<i>State System</i>			
<i>Year</i>	<i>Total</i>	<i>Federal Share</i>	<i>State Share</i>
1994	1,046,021	988,599	57,422
1995	5,152,889	4,150,074	1,002,815
1996	4,293,866	3,323,656	970,800
1997	28,536,022	25,954,200	2,581,822
1998	17,839,098	14,588,598	3,250,500
1999	12,548,374	9,929,865	2,618,509
	69,416,270	58,934,402	10,481,868
<i>County System</i>			
			<i>County Share</i>
1995	7,995,000	7,265,000	730,000
1996	0	0	0
1997	1,605,000	1,299,000	306,000
1998	651,000	600,000	51,000
1999	980,000	935,000	45,000
	11,231,000	10,099,000	1,132,000
<i>BIA Projects Passed Through NDDOT</i>			
1994	0	0	0
1995	2,734,209	2,734,209	0
1996	0	0	0
1997	5,491,878	5,491,878	0
1998	2,324,176	2,324,176	0
	10,550,263	10,550,263	0
<i>Total Investment 1994 through 1999:</i>		<i>State/County Share</i>	
	91,197,533	79,583,665	11,613,868

- 2) **A summary of events involving the motor vehicle "VRTS" system, including costs, reimbursements, questions, etc.**

RESPONSE:

**ND DEPARTMENT OF TRANSPORTATION
VRTS PROJECT CHRONOLOGY**

1969	<i>The first automated Vehicle Registration and Title system was delivered.</i>
1970 – 1983	<i>Minor system modifications occurring.</i>
1989	<i>System re-write started, but abandoned before completion because of lack of funding.</i>
January 1992	<i>Charles Bailey & Company conducted an operations and systems study of the Motor Vehicle Division. The study recommended that a new computer system be considered for the Motor Vehicle Division because the current system was antiquated.</i>
March 1992 to August 1993	<i>An internal NDDOT review of the Motor Vehicle Division Systems was conducted, and recommended approval of resources to begin a process re-engineering study, and development of a new VRTS application.</i>
February 1994 to July 1994	<i>An internal NDDOT Process RE-engineering study of the Motor Vehicle Division was conducted with "front line" Motor Vehicle Staff and Management. The purpose of this study was to analyze work processes, and identify changes that may be necessary to complement the development of a new VRTS application.</i>
August 1994 to January 1995	<i>NDDOT internally defined the business (functional) and high level system (technical) requirements for a new system.</i>
March 1995	<i>Part 1 of the Request for Proposal (RFP) was issued.</i> <ul style="list-style-type: none"><i>- sought only the functional solution</i><i>- was very open to the bidders ideas and suggestions</i><i>- bidders were free to apply their expertise and experience</i><i>- few constraints were applied by NDDOT</i>
April 1995	<i>RFP Bidders Conference and MVD site tours were conducted.</i>
May 1995	<i>Part 1 of the RFP responses were received and evaluated.</i> <ul style="list-style-type: none"><i>- top three (3) bidders selected to proceed in the RFP process</i>
June 1995	<i>Part 2 of the Request for Proposal (RFP) was issued.</i> <ul style="list-style-type: none"><i>- sought the technical solution, built on the functional solution of the Part 1 RFP</i>
July 1995	<i>Part 2 of the RFP responses were received and evaluated.</i> <ul style="list-style-type: none"><i>- on site bidder demonstrations were conducted and evaluated</i><i>- cost proposals were opened and evaluated</i>
August 1995	<i>Successful bidder was selected.</i> <ul style="list-style-type: none"><i>- Unisys Corporation as the prime contractor, with Revenue Systems Inc. (RSI) as the application sub-contractor</i>

The Honorable Rex R. Byerly

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- September 1995 to March 1996** *Pre- Contract analysis phase*
- conducted by Unisys/RSI as part of the RFP process, at no charge to the NDDOT
 - purpose was to develop a cost benefit analysis, recovery/payback analysis, and a requirements validation
- March 1996** *Independent third party study review of the RFP's, successful bidder responses, and the Pre-Contract Analysis report.*
- IASD contracted with Wolfe & Associates to conduct a review of the final Pre-Contract Analysis report.
 - Review conclusions:
 - "The project can be assumed to be functionally sound and will enable substantive change in the way MVD delivers service."
 - "Overall, it is our opinion that the state should continue with this project. It is time to replace the existing system, the recommended approach is technically feasible, and time and effort invested to date has produced worthwhile results. Properly managed with a good contract, it should meet or exceed state expectations and be an excellent reference for Unisys."
- June 1996** *VRTS contract finalized and signed.*
- July 1996** *VRTS Project begins with completion date estimated to be October 1997.*
- October 1996** *DP-500 system installed and made operational.*
- performs renewal card and check processing
 - automated check processing allows money to be deposited same day as received
- June 1997** *Document imaging was implemented as a standalone application.*
- August 1997** *VRTS hardware (workstations, cash drawers, printers, etc.) shipped and received at Unisys facility in Bismarck.*
- September 1997** *It is recognized that October 1997 implementation will not be possible.*
- November 1997** *Decision made to increase use of PowerBuilder for application development, and change implementation date to May 1998.*
- April 1998** *Project schedule is revised, new implementation date is November 1998.*
- April 1998** *Unisys contract is amended to provide liquidated damages payable from Unisys to NDDOT for each month of project delay beginning from November 1997.*

The Honorable Rex R. Byerly
Page 7
March 14, 2001

- November 1998 Unisys, RSI and NDDOT Management meet to discuss status of project. ND asked Unisys to provide an updated implementation schedule.*
- December 1998 Project schedule is revised, projected implementation date is January 2000.*
- August 1999 Unisys and NDDOT management meet to discuss status of project. Unisys explains change in development structure at RSI, and change in development methodology from RAD to Life Cycle Development. Unisys states that they will be unable to provide an implementation schedule until design is complete.*
- September 1999 Unisys contract is amended to provide replacement of outdated hardware, and to extend hardware warranties.*
- October 1999 Project schedule is revised, projected implementation date is November 2000.*
- January 2000 ITD quality assurance review completed.*
- October 1999 thru September 2000 Software releases installed with corresponding testing. Central Office employee training and Branch Office employee training.*
- October 2000 VRTS system went on-line.*

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION
Amounts billed to UNISYS
VRTS Project

Billing Date	DOT Staff	ITD Charges	Kelly Services	Total Billed
Aug. 5, 1999	\$5,354.73	\$25,545.65	\$16,370.17	\$47,270.55
Aug. 18, 1999	4,809.82		9,973.08	14,782.90
Sept. 20, 1999	5,772.98	3,727.25	12,940.98	22,441.21
Oct. 20, 1999	5,744.98	11,790.02	8,557.10	26,092.10
Nov. 19, 1999	5,881.52	4,509.72	8,734.41	19,125.65
Dec. 21, 1999	5,504.87	5,556.47	8,216.45	19,277.79
Jan. 25, 2000	5,133.27	5,046.93	11,453.55	21,633.75
Feb. 17, 2000	4,992.32	4,991.65	15,212.54	25,196.51
Mar. 21, 2000	5,243.63	6,974.24	4,517.40	16,735.27
Apr. 24, 2000	4,981.75	11,059.27	16,272.77	32,313.79
May 19, 2000	5,187.93	6,876.62	12,634.04	24,698.59
June 19, 2000	5,511.32	6,229.99	9,364.47	21,105.78
July 28, 2000	5,748.41	15,575.51	19,032.32	40,356.24
Aug. 24, 2000	5,576.67		4,826.87	10,403.54
Sept. 26, 2000	5,763.85	7,961.25	13,608.94	27,334.04*
Oct. 19, 2000	4,826.80	12,994.51	9,396.98	27,218.29*
Nov. 20, 2000	2,813.51	19,571.97	9,814.54	32,200.02*
Dec. 22, 2000		34,101.26	13,379.07	47,480.33*
Jan. 24, 2001		11,192.45	5,243.82	16,436.27*
Feb 27, 2001		10,427.34	12,521.97	22,949.31*
Totals	\$88,848.36	\$204,132.10	\$222,071.47	\$515,051.93

* Unpaid as of 3/6/01

- 3) **The legal requirements of how state fuel tax and motor vehicle registration fees are distributed, the timing, and allocation.**

RESPONSE:

NDCC 54-27-19 addresses the creation, allocation, and transfer of moneys deposited into the highway tax distribution fund. In summary, moneys deposited into the highway tax distribution fund must be allocated and transferred monthly by the state treasurer, as follows:

63 percent of such moneys must be transferred monthly to the state department of transportation and placed in the state highway fund.

37 percent of such moneys must be transferred monthly to the counties and cities (in accordance with the formula outlined in NDCC 54-27-19 (2)).

The grant moneys identified in the Drivers License program of the NDDOT budget are designated for highway safety-related project expenditures. General determination of allowable costs are outlined in National Highway Traffic Safety Administration (NHTSA) grant policy; however, the provisions of OMB Circulars A-87, A-21, A-122, and 45 CFR, Subtitle A - Appendix E to Part 74 are controlling in the event of conflict with NHTSA grant policy.

4) A summary of the \$32 million of grant money and whether any can be transferred.

According to the Highway Safety Grant Management Manual (USDOT, revised 12/2000), items considered unallowable are:

- Costs for highway construction, maintenance, or design (other than design of safety features of highways incorporated into Roadway Safety guidelines.*
- b) Costs for construction or reconstruction of permanent facilities, such as paving, driving ranges, towers, and non-portable skid pads.*
- c) Costs for highway safety appurtenances including longitudinal barriers (such as guardrails), sign supports, luminaire supports, and utility poles.*
- d) Costs for construction, rehabilitation, or remodeling for any buildings or structures or for purchase of office furnishings and fixtures.*
- e) Costs for equipment such as truck scales and traffic signal preemption systems.*
- f) Costs for certain types of training such as training for employees of Federal and military agencies.*
- g) Costs for certain types of program administration such as supplanting (replacing routine and/or existing state or local expenditures with the use of federal grant funds), entertainment, research (already authorized under 23 USC 403), alcoholic beverages, etc.*
- h) Costs for lobbying on the federal or state level.*

2001 - 2003 BIENNIUM DOT BUDGET: SUMMARY OF GRANTS / TRANSFERS

<i>Total DOT Grant Budget</i>	\$32,839,085
<i>Administration Program</i>	\$ 20,000
<i>Drivers License Program</i>	\$ 8,735,800
<i>Highways Program</i>	\$24,083,285

Administration Program - grants are for engineering related scholarships.

Drivers License Program - grants are for highway/traffic safety related grants.

Highways Program

<i>Local Government Assistance</i>	\$15,740,000
------------------------------------	---------------------

Grants to Associations (\$6,400,000) are grants made to MPO's and for Federal Transit Funds.

Grants to Colleges (\$600,000) are for landscape design and for transportation enhancement funds to the ND Forest Service (paid to NDSU.)

Grants to Cities (\$700,000) are for planning studies.

Grants to Counties (\$2,500,000) are for construction costs for special road fund projects; and construction engineering on forest highway projects and selected grading projects.

Busing Assistance (\$3,000,000) comes from the \$2.00 per vehicle registration which is then distributed as grants.

Transfer to Historical Society (\$1,900,000) is for transportation enhancement projects that the Historical Society does.

Transfer to State Parks and Recreation (\$640,000) is for transportation enhancement projects; special road fund projects, and the Scenic Byway program.

<i>Planning & Programming</i>	\$ 5,775,000
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Grants to Associations (\$4,500,000) are grants that are used to make payments to railroads for branch line rehabilitation including flood repair.

The Honorable Rex R. Byerly

Page 11

March 14, 2001

Grants to Colleges (\$1,025,000) are grants used for various planning studies (some mandated by federal rule) by the Upper Great Plains Transportation Institute at NDSU. Examples are the State Transportation Plan update, biennial freight study, Corn Plant Traffic Model and Intermodal Traffic Generators.

Grants to Cities (\$250,000) are grants used for highway safety contracts and transportation studies in small cities using SPR planning funds.

- 5) Here is a breakdown of the \$428 million of the federal money between state, county, and city, and the local match.

RESPONSE:

	<i>Federal Aid</i>	<i>State Match</i>
<i>State</i>	\$308.42	\$86.66
<i>County</i>	\$42.23	\$9.29
<i>City</i>	\$55.05	\$7.81*
<i>Rail</i>	\$8.20	\$0.65
<i>Safety</i>	\$8.70	
<i>Transit</i>	\$5.40	
Total	\$428.00	\$104.41

**(State provides \$6.47 on regional primary and secondary systems.)*

I hope that these responses adequately provide the information that was requested. If your committee should desire additional information or any sort of explanation, please contact me.

01/jam

SB 2012
3-19-01

Tom D. Freier

03/16/2001 02:37 PM

To: Rex R. Byerly/NDLC/NoDak@NoDak, Ron D. Carlisle/NDLC/NoDak@NoDak, Blair Thoreson/NDLC/NoDak@NoDak, Bob J. Skarphol/NDLC/NoDak@NoDak, Kim A. Koppelman/NDLC/NoDak@NoDak, Eliot A. Glassheim/NDLC/NoDak@NoDak, Robert C. Huether/NDLC/NoDak@NoDak

cc:

Subject: response to committee VRTS questions

Rep. Byerly and members of the Government Operations Division

Here are the responses to your inquiries.

1. The total Unisys contract, with interest, was for \$3,360,774.88.
2. Of that amount, the last payment due to the DOT in July of 2001, is for \$935,675.
3. There are some 12 critical IR's (incident report) as of today. Those affect performance and no easy work around exists. It is our hope that these will be resolved within a week. There are in addition about 50 that are noncritical in nature, such as spelling, how the application looks, etc. These for the most part do not affect performance, but will need to be fixed as well. Those should also be resolved soon.

I'll have a hard copy of this sent to your committee room... If you need more information, please contact us.

RAISING SPEED LIMITS ON STATE HIGHWAYS

AMENDMENTS OF SB 2012
March 21, 2001

Proposal: **Raise the speed limit to 75 mph on Interstate Routes**
 Raise the speed limit to 65 day and night on Non- Interstate

ANALYSIS:

Costs to make the changes in speed limits:

Interstate 29 and 94

Guardrails need to be lengthened to meet safety criteria	
For guardrail transition lengths.	\$1,700,000.
Change signs from 70 to 75 mph	10,000.

There is some discretion on implementation response time. FHWA typically allows safety improvements to wait until a major project occurs in the area. The change in sovereign immunity and our emphasis on risk management will likely cause us to wish to respond more rapidly. We build a three year program and discussions with our legal division suggest it would be more logical to correct these issues within those 3 years.

Non-Interstate Routes

About 6,400 miles of roadway with 65 day/55 night	
Remove the 55 mph signs	\$17,000.

There is some concern that the amendment will require existing roads posted at 55 mph to be posted at 65 mph. We currently have 330 miles posted at 55 mph daytime. Our legal division believes that various sections of the century code 39-09-02, 03, 04, and 07 give the department the discretion to set speed limits as the existing roadway conditions would merit. To ensure any lack of confusion, we'd like the amendment to include section g. of HB 1443 which implies the department may post speed limits other than 65 as conditions merit.

Our legal division also points out that the department has a duty to exercise reasonable care in connection with factors over which we have control such as speed, pavement conditions, signing and guardrail. Likewise, drivers have a duty to exercise reasonable care in connection with factors over which they have control (speed, fatigue, drinking and driving, vision, notice of weather conditions, etc.).

Possible affect on driver behavior:

- * Average speed may increase because of the higher limits
- * When the limit was increased from 65 mph to 70 mph in 1996 North Dakota experienced no significant increase in the "% of fatal crashes where speed is a factor".

Safety Considerations:

- * At 65 mph drivers are "over-driving their headlights" more than at 55 mph.
- * Currently about 6,400 miles of state highways are marked for 65/55 mph in the belief that these 2 lane roadways are safer during hours of darkness when most of the deer collisions occur. (No factual data exists on this point.)

**Duane R. Bentz
F&PD
3-21-01**

**U.S. Department
of Transportation
Federal Highway
Administration**

fyi. I believe
we received this
document earlier.
Judy

**1471 Interstate Loop
Bismarck, North Dakota 58501**

June 12, 1998

Mr. Charles A. Gullicks
Director, Office of Transportation Program Services
North Dakota Department of Transportation
Bismarck, North Dakota

Dear Mr. Gullicks:

Subject: Report to Congress: "The Effect of Increased Speed Limits in the Post-National Maximum Speed Limit Era"

Enclosed for your information is a copy of the Report to Congress: "Effect of Increased Speed Limits in the Post-National Maximum Speed Limit (NMSL) Era" dated February 1998. Using data from National Highway Traffic Safety Administration's (NHTSA) Fatal Analysis Reporting System, analyses showed States that increased speed limits in 1996 experienced approximately 350 more Interstate fatalities than would have been expected based on historical trends. This is about 9 percent above expectations. Concurrently, the Interstate fatalities experienced in States that did not increase speed limits in 1996 was consistent with pre-1996 trends. The estimated increase in Interstate fatalities found in this study, while smaller in magnitude compared to the estimated change in fatalities found in 1987 following the increase of speed limits on rural Interstates, does follow the historical pattern of increases in fatalities being associated with increases in posted speed limits.

Many States are now reviewing their crash data to determine if increased speed limits had a negative effect on safety. This office would be interested in any studies done by North Dakota analyzing post-NMSL safety experiences. Please let us know if there are questions or additional information is required.

Sincerely yours,

STEVENS, J. 1953

Steven M. Busek
Safety/Traffic Engineer

Enclosure

cc: Ms. Judy Froseth, Drivers License and Traffic Safety, NDDOT, w/o enclosure

opt in / statement that
officials consider
it safe

BILL SUMMARY

Department of Transportation, Executive Office (legislation)
SFN 17530 (1-9-66)

FILE NO.

FILE NO. _____

BILL NO. HB 1443	DATE RECEIVED Jan 29, 2001	REVIEW DEADLINE Jan 31, 2001	ASSIGNED TO Tim Horner	328-2515
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328-2515

SPONSOR

Rep Porter, DeKrey, Jensen, Weisz

Section 9 (1443)

SUBJECT

Speed limit fees

Stay at 55 on curvy, hilly - ??

COMMENTS

This bill would increase the fees and the points for violation of the speed limit. Section 4 of the Bill would increase the speed limits as follows:

- | | |
|--|---|
| *Access-Controlled Highways (Interstate 29 and 94) | Increase from 70 MPH to 75 |
| *Paved 2 lane highways | 65 MPH day and night
(No night 55 MPH) |
| *Gravel, dirt, or loose material | 55 MPH |

The biggest impact of this bill would be the change in signs on I-29 and I-94 and some state highways (other than US 2, 83, 85, and 281) we have about 6400 miles of state highways marked for 65 day and 55 night time speed limit and the cost to length guardrails on the Interstate routes.

The cost of sign changes is estimated to be \$10,000 for the Interstate and \$17,000 for removal of the 55 mph signs. *3 hrs - ASHTO standard \$100,000/ 90/10 - slow down projects*

3 yrs. - ASHTO standard \$600.000/

90/10 - slow order projects

Transition
All the guardrail lengths that are designed for 70 MPH would need to be lengthened by 37.5 feet to meet the safety criteria ("length of need or end treatment") for 75 MPH. This is estimated to cost \$1,700,000.

There is little data to predict the possible effect of higher speed limits on average speed, crashes, or fatalities. Our speed studies, last taken in the spring of 1998, indicated good compliance with the existing speed limits. The average speed on the Rural Interstates was found to be 69.98 MPH and on Principal Arterial 62.63 MPH. (This is not current data so I would not use this in testimony.)

The last time the speed limits were increased on the Interstate routes from 65 MPH to 70 MPH, in June of 1996, North Dakota experienced little or no increase in the % of "fatal crashes where speed is a factor." (See attached graph.) The 25-30% of fatalities where speed is a factor is similar to the US average.

As to the possible effect on driver behavior (Compliance with the Law) by increasing the fees and points for speeding, the Highway Patrol and other law enforcement officials could speak to that. The DOT has no substantive data to evaluate this.

Note N000T did not oppose the bill.

I would recommend that we oppose this bill because of:

- *The cost to revise signs and guardrails
- *Raising the speed limits encourage drivers to go faster (raises the average because of the % exceeding the limit.)

~~*There are no compelling reasons to raise the limits--no complaints~~

*At 85 MPH drivers are "over driving their headlights" far greater than 55

is there another page?

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distance required
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for stopping

SYNTHESIS OF SAFETY RESEARCH RELATED TO SPEED AND SPEED LIMITS

INTRODUCTION

This document provides a review of safety research related to speed and speed management. This review builds upon a similar synthesis prepared in 1982. This synthesis highlights the relationships among vehicle speed and safety; factors influencing speeds; and the effects on speed and crashes of speed limits, speed enforcement, traffic calming and other engineering measures intended to manage speed.

Despite the substantial social and technological changes that have occurred since the original speed synthesis was published, vehicle speed remains an important public policy, engineering, and traffic safety issue. Speed is cited as a related factor in 30 percent of fatal crashes and 12 percent of all crashes (Bowie and Walz, 1994). Based on on-scene investigations of over 2,000 crashes in Indiana by teams of trained technicians, excessive speed for conditions was identified as the second most frequent causal factor out of approximately 50 driver, vehicle, and environmental factors (Treat et al., 1977).

Excessive vehicle speed reduces a driver's ability to negotiate curves or maneuver around obstacles in the roadway, extends the distance necessary for a vehicle to stop, and increases the distance a vehicle travels while the driver reacts to a hazard.

The following pages present the results of a systematic review of the literature concerning safety research related to speed and speed management. Initial listings of citations were generated using multiple keyword filters on several bibliographic databases. The most productive databases were those of the National Technical Information Service (NTIS), the Knight-Ridder Transportation Resources Index, and the Transportation Research Information Service (TRIS). The initial inventory of approximately 700 citations was supplemented by searches of the Institute of Transportation Engineers (ITE) index and more than 100 items that either predated the on-line data bases or otherwise were known to be pertinent.

SPEED-SAFETY RELATIONSHIPS

Speed is the quintessential traffic safety issue, probably due to the clearly perceived relationship between vehicle velocity and human capabilities and limitations. Even inexperienced drivers usually recognize the merit of reducing their speed in uncertain or hazardous conditions to provide additional time for decision-making and action; driving experience affirms this natural tendency for self-preservation. Good judgment, however, is not uniformly applied by the operators of motor vehicles, nor are skills and abilities possessed in equal measure by all drivers. For these reasons, vehicle speed could be related to traffic safety in two ways: (1) the greater a vehicle's velocity the less time available for the operator to react to a hazard or for other motorists, bicyclists, or pedestrians to react to the vehicle; and (2) the physical relationship of mass and speed to energy. If the first relationship exists, it would be expressed in the relative incidence of crashes at different speeds. If the second relationship exists, it would be expressed in the relative severity of crashes at different speeds. Research concerning these relationships is reviewed in the following paragraphs.

Speed and the Incidence of Crashes

In a landmark study of speed and crashes involving 10,000 drivers on 600 miles (970 kilometers) of rural highways, Solomon (1964) found a relationship between vehicle speed and crash incidence that is illustrated by a U-shaped curve. Crash rates were lowest for travel speeds near the mean speed of traffic, and increased with greater deviations above and below the mean. The estimated travel speed from the accident records were compared to the speeds measured at representative sites within each study section. The comparisons showed that crash-involved drivers were over-represented in both high- and low- speed categories of the speed distribution.

risk from various studies. Hauer claimed "the indiscriminate public crusade against speeding should be replaced by a balanced approach emphasizing the dangers of both fast and slow driving."

If conflicts created by large differences in travel speeds were a major factor in the likelihood of crashes, then one might expect to find a large number of crashes involving two or more vehicles traveling in the same direction. Cerrilli (1997) found less than one-third of all crashes and 5 percent of all fatal crashes in 1996 involved two or more vehicles traveling in the same direction. Many of these likely occurred as a consequence of a vehicle slowing or stopping for cause (i.e., to make an intended maneuver or avoid striking a stopped vehicle or other hazard) and being struck from behind by a vehicle following too closely or going too fast for the driver to stop in time to avoid the collision. By far, the predominant crash type on rural roads is a single vehicle running off the road.

In a review of the issues associated with speed and traffic safety, Fildes and Lee (1993) reported that little research was conducted concerning the relationship between speed and crash involvement during the 1970s and 1980s. Lave (1985) revived the issue of speed variance as a contributor to crashes, suggesting that raising the speed limit would result in fewer crashes in situations where variance was reduced by the higher limit. Lave concluded that "speed limits designed to reduce the fatality rate should concentrate on reducing variance. This means taking action against slow drivers as well as fast ones."

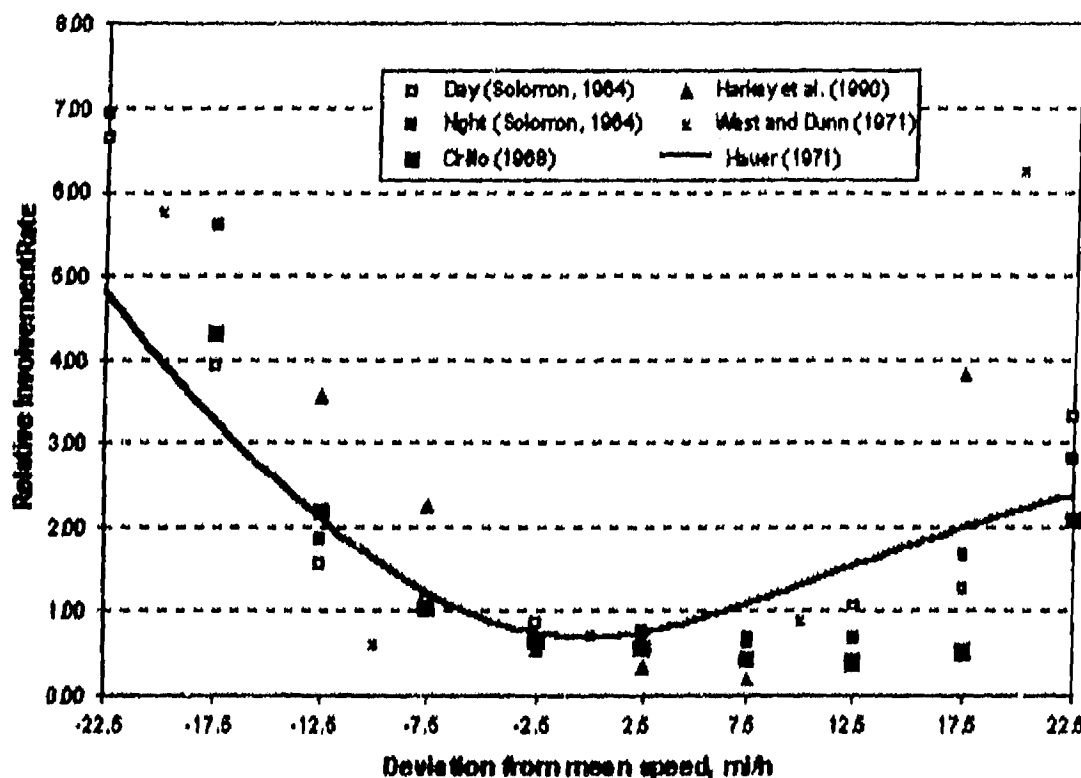


Figure 4. Crash Involvement and overtaking rates relative to average rate and speed.

Similarly, Garber and Gadraju (1988) reported that crash rates increased with increasing variance on all types of roadways and that speeds were higher on roads with higher design speeds, irrespective of the posted speed limits. They reported minimal variance when the posted speed limit was fewer than 16 km/h (10 mi/h) below the design speed of the road. In the analysis, the researchers combined data from different road types (e.g., rural two-lane, urban freeway, and rural freeway) which could lead to spurious results.

Speed And The Severity Of Crashes

The relationship between vehicle speed and crash severity is unequivocal and based on the laws of physics. The kinetic energy of a moving vehicle is a function of its mass and velocity squared. Kinetic energy is dissipated in a collision by friction, heat, and the deformation of mass. Generally, the more kinetic energy to be dissipated in a collision, the greater the potential for injury to vehicle occupants. Because kinetic energy is determined by the square of the vehicle's speed, rather than by speed alone, the probability of injury, and the severity of injuries that occur in a crash, increase

exponentially with vehicle speed. For example, a 30-percent increase in speed (e.g., from 50 to 65 mi/h [80 to 105 km/h]) results in a 69-percent increase in the kinetic energy of a vehicle.

The relationship between travel speed and the severity of injuries sustained in a crash was examined by Solomon (1984), who reported an increase in crash severity with increasing vehicle speeds on rural roads. From an analysis of 10,000 crashes, Solomon concluded that crash severity increased rapidly at speeds in excess of 60 mi/h (96 km/h), and the probability of fatal injuries increased sharply above 70 mi/h (112 km/h).

Bowie and Waltz (1994), in an analysis of tow-away crashes reported in the National Accident Sampling System over a 7-year period, found that the chance of being injured in a crash depended on the change in speed at impact (delta V). As shown in table 1, the risk of a moderate or more serious injury was less than 5 percent when delta V was less than 10 mi/h (16 km/h) and increased to more than 50 percent when delta V exceeds 30 mi/h (48 km/h).

Table 1. Injuries per 100 Occupants by Change in Speed (deltaV) at Impact			
delta V mi/h	Moderate Injury AIS 2+	Serious Injury AIS 3+	delta V km/h
1-10	4.5	1.0	1-16
11-20	10.6	2.6	17-32
21-30	29.2	11.1	33-48
31-40	53.4	27.9	49-64
41-50	67.2	40.6	65-80
50+	69.3	54.3	80+

Joksch (1993) found that the risk of a car driver being killed in a crash increased with the change in speed to the fourth power as shown in figure 5. The risk of a fatality begins to rise when the change in speed at moment of impact exceeds 30 mi/h (48 km/h) and is more than 50 percent likely to be fatal when the change exceeds 60 mi/h (96 km/h). The probability of death from an impact speed of 50 mi/h (80 km/h) is 15 times the probability of death from an impact speed of 25 mi/h (40 km/h).

The fatality risk curve from an earlier study by O'Day and Flora (1982) is also shown for comparison. The shift in the curve to the right can be explained in part by improvements in vehicle crashworthiness, seat-belt use, and emergency medical care over time. (See TRB, 184; Evans, 1991; Zador and Ciccone, 1991; and FORS, 1992).

The relationship between impact speed and crash severity is particularly critical for pedestrians, the most vulnerable road users. In a recent review of the issues, the European Transport Safety Council (1995) report that only 5 percent of pedestrians died when struck by a vehicle traveling at 20 mi/h (32 km/h); however,

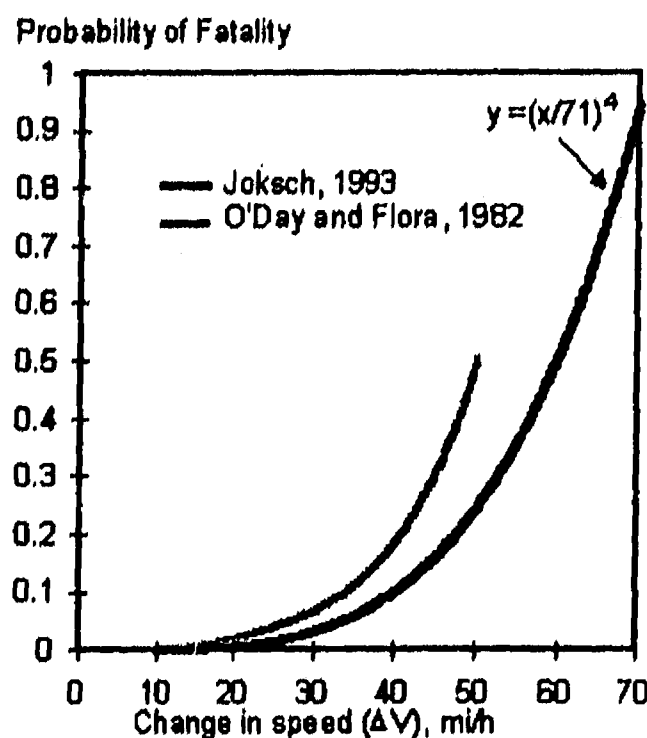


Figure 5. Effect of change in speed at impact on fatality risk.

Office of Road Safety describes the cognitive aspects of speed perception. In particular, the authors summarize how the visual pattern that is presented to a moving observer creates a blur of increasing magnitude at greater deviations from the fixation point. This "retinal streaming" provides cues that are used to help estimate speed. Human capabilities, however, are limited in this regard. Most research on the topic has found that drivers underestimate their speeds, especially at the medium and high speed ranges. Further, research has found perceptual limitations that contribute to drivers underestimating the curvature of an approaching bend (Shinar, 1977). Brummelaar (1983) and Fildes (1986) identified road curve features that influence a driver's perception of curvature.

Environmental Conditions

Weather conditions influence the vehicle speed selected by most drivers. For example, reduced visibility due to fog caused a 6 mi/h (10 km/h) decline in mean speeds on a freeway in Minnesota (CRC, 1995). Greater reductions in speed can be observed under extreme conditions (Schwab, 1992). Although drivers reduce their speeds during poor environmental conditions, this reduction is often accompanied by higher variation in speeds. Liang et al. (1998) in an analysis of speeds on a rural freeway in Idaho found the standard deviation of speed doubles during fog events and triples during snow. The researchers also found that drivers reduce their speeds an average of 0.7 mi/h for every mi/h that the wind speed exceeds 25 mi/h or 0.4 km/h for every 1 km/h that wind speed exceeds 40 km/h.

Although wet road surfaces will affect traction when attempting to stop, pass, or negotiate a curve or turn, most drivers do not reduce their speeds very much when traveling on wet roads. Olson et al. (1984) compared speed data collected during daylight hours on wet and dry days at 22 sites in Illinois and found no practical differences. The maximum difference in speed was less than 2.5 mi/h (4 km/h). Similarly, Larum et al. (1990) found no differences in operating speeds on dry and wet pavements for 11 curves studied on two-lane rural roads in New York. Although light rain had little effect on speeds, Ibrahim and Hall (1994) observed 3 to 6 mi/h (5 to 10 km/h) reductions during periods of heavy rain.

SPEED LIMITS AND SPEEDS

In a survey of speed zoning practices, Parker (1985) found that all states and most local agencies consider the speed of traffic in setting speed limits. The primary factors considered in engineering studies to set speed limits were, in order of their importance:

- 85th percentile speed.
- Type and amount of roadside development.
- Accident experience.
- Adjacent Limits.
- 10 mi/h pace (i.e., speed range that contains the largest percentage of vehicles).
- Horizontal and vertical alignment.
- Design speed.
- Average test run speed.
- Pedestrians.

Criteria and procedures for setting appropriate speed limits in Australia (Fildes and Lee, 1993) and Canada (Knowles et al., 1997) are remarkably similar to the methods followed in the United States.

In general compliance with speed limits is poor. Harkey et al. (1990) found that 70 percent of the vehicles exceeded the speed limit on a representative sample of low and moderate speed roads in four States. Similar results are reported abroad by the European Transport Safety Council (1995) and in Canada by Knowles et al. (1997).

A number of studies have examined the effects of altering speed limits on speeds. Spitz (1984) reported that the 85th

Change in 85th Percentile Speed, mi/h

5

percentile speed of traffic increased less than 0.4 mi/h (0.6 km/h) in 40 zones where speed limits were raised in 10 California cities. This was less than the 0.7-mi/h (1.1-km/h) increase observed in the comparison sites which had no speed limit change. For the 10 zones where speed limits were lowered, speeds actually increased on average by 1.1 mi/h (1.8km/h).

Dudek and Ulman (1986) found no significant changes in speeds at six sites in the urban fringe where speed limits were lowered from 55 to 45 mi/h (89 to 72 mi/h).

Parker (1997), taking advantage of routine speed zoning changes being made by State and local agencies, evaluated the effects of raising and lowering speed limits by various amounts at 98 non-freeway sites in 22 States.

Free-flow speeds were measured for a 24-hr period before the speed limit was altered and on the same day of the week about one year later. Before and after speeds were measured simultaneously at comparison sites where speed limits were not altered to control for time trends. As shown in figure 7, raising and lowering speed limits had little or no effect on speeds. Although maximum speed changes up to 3 mi/h (5 km/h) were observed at individual sites, the average change in the mean and 85th percentile speeds was less than 1 mi/h and similar to sites that were not changed.

However, studies in the USA and abroad generally show an increase in speeds when speed limits are raised on freeways. Changes in mean speeds ranging from 1 to 4 mi/h were observed when the speed limits in the United States were increased from 55 mi/h (89 km/h) to 65 mi/h (105 km/h) as shown in table 2.

Table 2. Speed increases observed from raising speed limit from 55 to 65 mi/h

	mi/h	km/h
Brown et al. (1990)	2.4	3.9
Freedman and Esterlitz (1990)	2.8	4.5
Mace and Heckard (1991)	3.5	5.6
Pfefer, Stenzel, and Lee (1991)	4-5	6-8
Parker (1997)	0.2-2.3	0.3-3.7

Finch et al. (1994) analyzed the changes in speeds from raising and lowering speed limits reported in a number of international studies and found that the change in mean traffic speed is roughly one-fourth of the change in the posted limit. Knowles et al.(1997) reported similar findings from observational before and after studies in Canada.

SPEED LIMITS AND SAFETY

Another way to examine the relationship between vehicle speed and traffic safety is to measure the effects of lowering or raising speed limits on the incidence and severity of crashes. Table 3 summarizes the results of studies of this type conducted in several countries. The table shows that crash-incidence or crash severity, or both measures, generally decline whenever speed limits have been reduced. Conversely, the number of crashes or crash severity generally increased when speed limits were raised, especially on freeways.

Table 3. Summary of the effects of raising or lowering speed limits.

Reference	Country	Change	Results
Speed Limit Decreases			
Nilsson (1990)	Sweden	110 km/h to 90 km/h	Speeds declined by 14 km/h

		(68 mi/h to 56 mi/h)	Fatal crashes declined by 21%
Engel (1990)	Denmark	60 km/h to 50 km/h (37 mi/h to 31 mi/h)	Fatal crashes declined by 24% Injury crashes declined by 9%
Peltola (1991)	UK	100 km/h to 80 km/h (62 mi/h to 50 mi/h)	Speeds declined by 4 km/h Crashes declined by 14%
Silogeris (1992)	Australia	110 km/h to 100 km/h (68 mi/h to 62 mi/h)	Injury crashes declined by 19%
Finch et al. (1994)	Switzerland	130 km/h to 120 km/h (81 mi/h to 75 mi/h)	Speeds declined by 5 km/h Fatal crashes declined by 12%
Scharping (1994)	Germany	60 km/h to 50 km/h (37 mi/h to 31 mi/h)	Crashes declined by 20%
Newstead and Mullan (1996)	Australia	5-20 km/h decreases (3-12 mi/h decreases)	No significant change (4% increase relative to sites not changed)
Parker (1997)	USA 22 states	5-20 mi/h decreases (8-32 km/h decreases)	No significant changes
Speed Limit Increases			
NHTSA (1989)	USA	55 mi/h to 65 mi/h (89 km/h to 105 km/h)	Fatal crashes increased by 21%
McKnight, Klein and Tippetts (1990)	USA	55 mi/h to 65 mi/h (89 km/h to 105 km/h)	Fatal crashes increased by 22% Speeding increased by 48%
Garber and Graham (1990)	USA (40 States)	55 mi/h to 65 mi/h (89 km/h to 105 km/h)	Fatalities increased by 15% Decrease or no effect in 12 States
Streff and Schultz (1991)	USA (Michigan)	55 mi/h to 65 mi/h (89 km/h to 105 km/h)	Fatal and injury crashes increased significantly on rural freeways
Pant, Adhami and Niehaus (1992)	USA (Ohio)	55 mi/h to 65 mi/h (89 km/h to 105 km/h)	Injury and property damage crashes increased but not fatal crashes
Silogeris (1992)	Australia	100 km/h to 110 km/h (62 mi/h to 68 mi/h)	Injury crashes increased by 25%
Lave and Elias (1994)	USA (40 states)	55 mi/h to 65 mi/h (89 km/h to 105 km/h)	Statewide fatality rates decreased 3- 5% (Significant in 14 of 40 States)
Iowa Safety Task Force (1996)	USA (Iowa)	55 mi/h to 65 mi/h (89 km/h to 105 km/h)	Fatal crashes increased by 36%
Parker (1992)	USA (Michigan)	Various	No significant changes
Newstead and Mullan (1996)	Australia (Victoria)	5-20 km/h increases (3-12 mi/h increases)	Crashes increased overall by 8% 35% decline in zones raised from 60- 80
Parker (1997)	USA 22 states	5-15 mi/h (8-24 km/h)	No significant changes

Parker (1992) found little change in crashes on low and moderate speed roads in Michigan where speed limits were altered under the State's normal speed zoning process. For the 21 sites where the speed limit was increased, crashes decreased about 3 percent compared to sites not changed. Crashes also decreased approximately 2 percent at the 47 sites where speed limits were lowered. Neither change was statistically significant.

Parker (1997) found no significant changes in total or injury crashes for the 98 sites where speed limits were altered in the 22 States. This should not be surprising since, as discussed in the previous section, there were little or no change in speed. Compared to sites not change, crashes increased on the average 7 percent at sites where the speed limits were lowered and decreased on the average 11 percent where the speed limits were increased.

Based on the investigations of 50 separate speed limit changes on urban and rural roads in Sweden, Nilsson (1981) derived a series of mathematical functions that explain the relationship between changes in a speed limit and traffic safety. Figure 8 illustrates Nilsson's calculations, which predict increases in fatal crashes as the change in vehicle velocity by a factor of 4, severe injury crashes by a factor of 3, and all injury crashes by a factor of 2.

Based on the effects of speed limits reported in various international studies, Finch et al. (1994) developed a model of the relationship between the change in mean speed and the change in crashes. The results suggest that for every 1 mi/h change in speed, the number of injury crashes increases 5 percent or a 3-percent increase in injury crashes for every 1-km/h increase in speed.

ENFORCEMENT

The following paragraphs have been limited to summaries of quasi-experiments that have been conducted to assess the effects of speed enforcement.

Mobile Patrol Vehicles

Raub (1985) reported on an Illinois State Police experiment in which the overhead lights on patrol cars in an experimental group were removed. This group and a control group (more than 200 cars in all) logged more than 5.5 million rural patrol miles in the course of the experiment. All participating officers had similar driving records before the study was conducted. Officers driving vehicles without roof-mounted lights improved their fuel mileage by 7 percent, were 25 percent more productive in speed enforcement, and were involved in 65 percent fewer crashes. The experiment lasted nearly two years and all results are statistically significant. Interestingly, while the group without overhead lights was more productive in enforcing speed regulations, overall productivity was not affected.

Shinar and Stiebel (1986) demonstrated the relationship between perceived risk of receiving a citation and driving in excess of speed limits. The researchers found compliance with speed limits to be greatest in the vicinity of police vehicles and diminish with increasing distance; the distance halo effect was greater for mobile than stationary police vehicles. Benekohal et al. (1992) evaluated the impact of mobile patrol vehicle speed enforcement on car and truck speeds through a highway construction zone. They found that the presence of a marked patrol car reduced average car and truck speeds while no reduction occurred in an unpatrolled control condition. Additionally, the proportion of cars traveling faster than conditions permitted in the work zone was reduced by 14 percent, and trucks traveling faster by 32 percent, when the patrol car was present. A time halo effect on average truck speeds lasted for about 1 hour after patrols ended. Average car speeds increased immediately after patrols ended. In contrast, Vaa (1997) found that intensive enforcement (an average of 9 hours of police presence per day) resulted in reductions in vehicle speed that lasted up to 8 weeks.

Stationary Patrol Vehicles

Hauer et al. (1982) conducted several experiments to measure the impact of stationary patrol vehicle enforcement on traffic speeds before, at, and after the site of enforcement, and during and after the enforcement period (the time halo). The researchers detected a pronounced decrease in average traffic speed to the posted speed limit at the location of the patrol vehicle. By identifying vehicles passing through the enforcement area, the researchers also were able to determine that

Statistics as requested by Tim Horner:

North Dakota
INTERSTATE Crash Rates

	VMT	# of Crashes	Crash Rate per <u>Million</u> Veh. Miles Travel	Fatal Crashes
1994	1,270,037,000	954	.75	5
1995	1,309,921,000	971	.74	4
1996	1,376,383,000	1,067	.78	2
1997	1,426,633,000	1,402	.98	9
1998	1,482,432,000	1,102	.74	9
1999	n/a	1,217	--	8
2000	n/a	1,100	--	6

North Dakota
NON - INTERSTATE Crash Rates

	VMT	# of Crashes	Crash Rate per <u>Million</u> Veh. Miles Travel	Fatal Crashes
1994	5,118,584,000	13,023	2.54	71
1995	5,235,917,000	13,304	2.51	61
1996	5,391,367,000	14,895	2.76	78
1997	5,516,244,000	15,260	2.77	80
1998	5,611,000,000	13,321	2.37	70
1999	n/a	13,214	--	84
2000	n/a	13,425	--	74



REQUEST TO EMERGENCY COMMISSION
STATE OF NORTH DAKOTA
SFN 2580 (1-00)

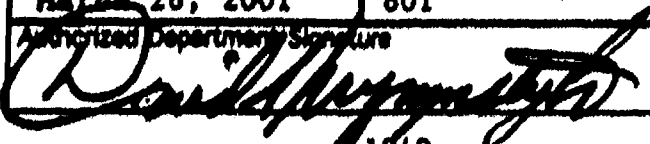
RECEIVED

APR 02 2001

SEC. OF STATE

Submit original and 6 copies to Secretary of

reference, see North Dakota Century Code, Chapter 54-16

Date March 26, 2001	Department Number 801	Department Name Department of Transportation
Authorized Department Signature 		Name of Contact Person Shannon Bauer
		Telephone Number 328-4375

1. Legislative Authorized FTE 1040 2. Previous Emergency Commission Authorization for FTE 0 3. FTE Included in this Request 0

4. Was any portion of this request presented to the last legislative session? (If yes, please explain legislative action in narrative) . . . ☐ Yes ☒ No

5. Is any portion of this request a new program? (If yes, please explain in narrative) ☐ Yes ☒ No

6. Will the legislature be asked to continue this program in the next biennium? ☐ Yes ☒ No

PART A: INCREASE IN APPROPRIATION LINE ITEM:

7. Will this program require state general fund money for a match? ☐ Yes ☒ No

a. If yes, estimate the amount of general fund monies that will be needed to match the request in this biennium and explain the source of those monies in the narrative.

b. If yes, estimate the total general fund monies needed to continue request in the next biennium.

8. Source of Funds (check applicable box)

☒ Federal ☐ State Contingency Funds ☐ Other _____

9. Is this a pass-through from another agency? ☐ Yes ☒ No If yes, from which agency? _____

Line Item

Amount

Increase Appropriation 801, Line 74 (Highway Program)

\$17,414,616



PART B: INTRA-AGENCY LINE ITEM TRANSFER:

FROM - Line Item

TO - Line Item

Amount

PART C: NARRATIVE: (attach separate sheets if necessary)

See attached sheet.

ATTACHMENT FOR - REQUEST TO EMERGENCY COMMISSION
MARCH 26, 2001

The Federal Highway Administration has provided funds for reimbursement for flood related work in the Devils Lake Basin and elsewhere within the State. This work was performed earlier in the biennium but was not previously budgeted.

The Federal Highway Administration has also provided additional federal allocations to be spent in the current biennium which have not been previously budgeted.

The DOT requests that Appropriation 801, Line 74, be increased \$17,414,616 (\$1,731,581 flood relief and \$15,683,035 additional FHWA allocation) to allow the DOT to accept these federal funds.



REQUEST TO EMERGENCY COMMISSION RECEIVED
STATE OF NORTH DAKOTA
SFN 2580 (1-00)

Submit original and 6 copies to Secretary of State

APR 02 2001

SEC. OF STATE

For reference, see North Dakota Century Code, Chapter 64-16

Date March 30, 2001	Department Number 801	Department Name Department of Transportation
Authorized Department Signature <i>[Signature]</i>	Name of Contact Person Shannon Sauer	Telephone Number 328-4375

1. Legislative Authority FTE 1040 2. Previous Emergency Commission Authorization for FTE 0 3. FTE Included in this Request 0

4. Was any portion of this request presented to the last legislative session? (If yes, please explain legislative action in narrative) ☐ Yes ☒ No

5. Is any portion of this request a new program? (If yes, please explain in narrative) ☐ Yes ☒ No

6. Will the legislature be asked to continue this program in the next biennium? ☐ Yes ☒ No

PART A: INCREASE IN APPROPRIATION LINE ITEM:

7. Will this program require state general fund money for a match? ☐ Yes ☒ No

a. If yes, estimate the amount of general fund monies that will be needed to match the request in this biennium and explain the source of those monies in the narrative. _____

b. If yes, estimate the total general fund monies needed to continue request in the next biennium. _____

8. Source of Funds (check applicable box)

☐ Federal ☐ State Contingency Funds ☒ Other Unisys Inc.

9. Is this a pass-through from another agency? ☐ Yes ☒ No If yes, from which agency? _____

Line Item

Amount

Increase Appn. 801, Line 72 (Motor Vehicle Program)

\$508,083

[Signature]

PART B: INTRA-AGENCY LINE ITEM TRANSFER:

FROM - Line Item

TO - Line Item

Amount

PART C: NARRATIVE: (attach separate sheets if necessary)

The North Dakota Department of Transportation contracted with UNISYS, Inc. for the development of a Vehicle Registration and Titling System. Due to delays in the completion of the project, the Department is incurring additional costs. The DOT has billed UNISYS for these costs.

The DOT requests that Appropriation 801, Line 72 be increased \$508,083 to allow the agency to accept reimbursement from UNISYS for costs associated with completion delays.



REQUEST TO EMERGENCY COMMISSION
STATE OF NORTH DAKOTA
SFN 2580 (1-00)

RECEIVED

Submit original and 6 copies to Secretary of State

APR 02 2001

SEC. OF STATE

reference, see North Dakota Century Code, Chapter 64-18

Date April 2, 2001	Department Number 801	Department Name Department of Transportation
Authorized Department Signature <i>[Signature]</i>	Name of Contact Person Shannon Sauer	Telephone Number 328-4375

1. Legislative Authorized FTE 1040 2. Previous Emergency Commission Authorization for FTE 0 3. FTE Included in this Request 0

4. Was any portion of this request presented to the last legislative session? (If yes, please explain legislative action in narrative) ☐ Yes ☒ No

5. Is any portion of this request a new program? (If yes, please explain in narrative) ☐ Yes ☒ No

6. Will the legislature be asked to continue this program in the next biennium? ☐ Yes ☒ No

PART A: INCREASE IN APPROPRIATION LINE ITEM:

7. Will this program require state general fund money for a match? ☐ Yes ☒ No

a. If yes, estimate the amount of general fund monies that will be needed to match the request in this biennium and explain the source of those monies in the narrative. _____

b. If yes, estimate the total general fund monies needed to continue request in the next biennium. _____

8. Source of Funds (check applicable box)

☒ Federal ☐ State Contingency Funds ☐ Other _____

9. Is this a pass-through from another agency? ☐ Yes ☒ No If yes, from which agency? _____

Line Item

Amount

Increase Appn. 801, Line 74 (Highway Program)

\$31,771,784

*Disast
at DL*

PART B: INTRA-AGENCY LINE ITEM TRANSFER:

FROM - Line Item

TO - Line Item

Amount

PART C: NARRATIVE: (attach separate sheets if necessary)

See attached sheets.

ATTACHMENT FOR - REQUEST TO EMERGENCY COMMISSION
APRIL 2, 2001

The Federal Highway Administration has provided Emergency Relief funds for reimbursement of flood related work in the Devils Lake Basin and elsewhere within the State. This work will be started this spring. We will request approval to carryover the appropriations related to any projects started but not completed by June 30, 2001, under the provisions of NDCC. 54-44.1-11.

The DOT requests approval to accept and expend FHWA emergency relief funds in the amount of \$27,439,028.

Also, pursuant to the provisions of SB 2112 as passed by the fifty-seventh legislative assembly (see attached), the DOT requests approval to borrow \$4,332,756 from the Bank of North Dakota and expend it for the purposes of matching the Federal Emergency Relief funds.

Summary:

Federal Emergency Relief Funds	\$27,439,028
State Match - to be borrowed from Bank of ND	<u>4,332,756</u>
Total requested appropriation increase	<u>\$31,771,784</u>