

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2033 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2436

2001 SENATE TRANSPORTATION

SB 2346

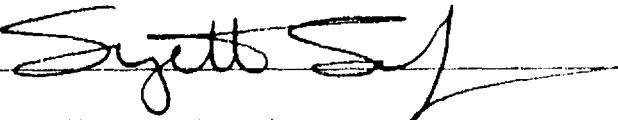
2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2436

Senate Transportation Committee

☐ Conference Committee

Hearing Date 2-8-01;2-9-01

Tape Number	Side A	Side B	Meter #
2	x		13.7-49.5
2-9-01 1	x		15.2-19.8
Committee Clerk Signature 			

Minutes: SB 2436 relates to operators' licenses for minors.

Senator Kelsch: (District 26; Supports) The reason for this bill is to change the points from 5 to 7. We've seen a lot of instances where kids under 18 got 6 points accumulated immediately and lost their license. If someone is picked up for drugs or alcohol it's a different story. Mistakes are a learning process.

Terry Wels: (ND Association of Insurance and Financial Advisors; Supports) See attached testimony.

Senator Espgaard: I don't know that changing points will help insurance problems.

Terry Wels: I'm not opposed to the idea that the individual is rated, I'm opposed to cancellation of license. This is a technical problem. This won't make problem go away, but it will give a little leeway.

Stephanie Wels: (Bismarck High School Senior; Supports) See attached testimony.

Pat Ward: (ND Domestic Insurance Companies; Lobbyist #281; Supports) Feels graduated license law is a good thing and that raising points is OK. States HCR 3005 passed through and addresses this, as well as HB 1428 which allows insurance companies to exclude the named driver.

Kent Olson: (Executive Director of ND Insurance Association; Opposes)

See handout. States that graduated license law was trying to stop minor injuries and deaths. HCR 3005 study would probably address lots of issues. The reason opposed to this is because it's a safety issue and not an insurance issue.

Senator Trenbeath: You keep talking about this as a suspension. It's not- it's a cancellation. I think this law is incomprehensible the way it treats our young people. I'm fully in favor of this bill as a start and only as a start. How come a minor is more dangerous than a 60 year old with a cell phone? Why do we treat violations differently for young drivers?

Kent Olson: This all is a safety issue and that is why we like HCR 3005 to look at all the points.

Senator Espegard: This is taking the young people and giving them a real bad start in driving career. Losing their license is too severe.

Keith Magnusson: (NDDOT; Neutral) Tells how graduated licenses came about. Says that basically this is a safety issue and trying to start bad habits before they start.

Senator Stenehjem: If you're in a 55 mph speed zone and go 16 mph over speed limit, you get 3 points. In 65 mph zone, 16 mph over the limit, you get 7 points. In town if you go 50 mph in a 25 zone, you only get 4 points. There is severe inequities in that. Would that be a hardship for your department to see how points were administered?

Keith Magnusson: It'd be easier to deal with point threshold.

Senator O'Connell: Are minors still losing licenses at about 100 per month?

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Senate Transportation Committee
Bill/Resolution Number SB 2436
Hearing Date 2-8-01;2-9-01

Kelth Magnusson: Correct. Minors make up 5% of drivers and 11% of fatalities.

Senator Trenbeath: Do these statistics take into account mileage driven and any other variables?

Kelth Magnusson: No.

Hearing closed.

Committee reopened on SB 2436 on 2-9-01.

Senator Trenbeath: In my estimation this whole section needs to be looked at much more closely. This is a good start and only that. With having said that I move a Do Pass on SB 2436.

Senator Trenbeath moves to Do Pass. Seconded by Senator Espegard. Roll call taken. 6-0-0.

Floor Carrier is Senator O'Connell.

2-9

2436

☐ Subcommittee on _____
or
☐ Conference Committee

Action Taken Do Pass

Trenbeath

1
2
4
3

6

Sen. O'Connell

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

REPORT OF STANDING COMMITTEE (410)
February 9, 2001 3:23 p.m.

Module No: SR-24-2925
Carrier: O'Connell
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2436: Transportation Committee (Sen. Stenehjem, Chairman) recommends DO PASS
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2436 was placed on the
Eleventh order on the calendar.

2001 HOUSE TRANSPORTATION

SB 2436

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2436

House Transportation Committee

☐ Conference Committee

Hearing Date March 15, 2001

Tape Number	Side A	Side B	Meter #
1	x		95
Committee Clerk Signature <i>Lauren B. Fink</i>			

Minutes: Rep. Weisz - Chairman opened the hearing on SB 2436; A BILL for an Act to amend and reenact section 39-06-01.1 of the North Dakota Century Code, relating to operator's licenses for minors.

Sen. Kelsh: I am Senator from the 26th District. The reason for 2436 is that last session we passed a graduated drivers license bill where if you got over 5 points against your drivers and you were under 18, you lost your license. This is not true of adults. I don't think the issue is flawed; I think it is punitive. Another thing is insurance is involved. Last session I believe, at least on the Senate side it was testified to that this would not happen. I now it is happening. All this bill does is to raise the points to 7. It is much more difficult for a young person to get 7 points than 6 unless there are drugs or alcohol involved; with just speeding violations it is more difficult to get a one revocation --- this for 1 violation.

Rep. Weisz - Chairman (251) Are you aware how fast you need to go to loose you license.

Sen Kelsh: I don't know how that works in detail but on there interstate you can be going less miles per hour that you do on state highways or by a school.

Rep. Grumbo: (323) Are there any numbers out there of that fell into that category of losing there licenses?

Sen. Kelsh: I had the numbers at one time but I can't remember them. I believe it was up around 1600 -- a sizable number any way. Senator gave an example of a young lady who was living with her father -- a single parent -- he was working and she needed to drive to get to her high school classes -- a hardship case.

Rep. Mahoney: (474) The one offense is either going to be serious careless driving or -- your are talking about the 6 points -- if it is speed your are talking about 26 to 36 mile per hour over the speed limit -- If you have a 14 year old or a 16 year old going down the highway -- on the Interstate-- that would be 96 miles per hour -- wouldn't you be concerned about that kid?

Sen. Kelsh: I agree that if they are going -- I agree that they certainly need to be aware of the law. There are other circumstances such as you don't have your seat belt on -- that adds points -- you wouldn't need to be going near that fast to loose your license.

Rep. Mahoney: (627) Seat belts are 4 points and even 4 point speeding violations don't get you there --- what we are trying to do is save lives and protect other drivers. In lesser violations you need to accumulate several violations and that is a disregard of the law.

Sen Kelsh: I know you have to be concerned but I still think this is punitive. Families have been put into financial difficulties.

Rep. Mahoney: (756) It is the intent of the law to teach young people respect for the law so that down the line they will be better drivers.

Sen. Kelsh: I think that 7 points has the same effect as 6 points.

Sen. O'Connell: I am in support of this bill because under present conditions there are 100 youths losing their licenses each month. With the Senate amendment you can't lose.

Sen. Kelsh: I want to reiterate that it is currently punitive against the parents more so than the youth.

Rep. Kelsch: (1129) We worked hard the previous interim and I think we came up with a good law. I hate to see it relaxed now when it is just becoming understood. I know from experience it works with my kids. When I look at the seriousness of the infractions which causes them to lose their licenses it just doesn't make sense to ignore that.

Rep. Mahoney: (1431) There are 100 per month losing their licenses, how many of those are alcohol related?

Sen. Kesh: Even if it is alcohol or drug related I have no sympathy for them then.

Rep. Weisz - Chairman (1519) somebody who has been driving 20 years is likely to be a lot more safer driver than an 18 year or younger driver. These drivers are still learning.

Sen. Kelsh: You can also find statistics that they are safer drivers because they don't have all the cares of the world on their shoulders -- talking on the telephone, running stop signs. ---

Terry Weiss: I am here representing the North Dakota Association on Insurance and Financial Advisors. I am also a former insurance underwriter. A copy of his written testimony is attached.

Rep. Mahoney: (2435) Doesn't it concern you that your daughter was driving 88 mph in a 70?

Terry Weiss: Yes and the first thing we did was make sure that the fines and other expenses came out of her bank and savings account. We came down on her very hard.

Rep. Schmidt: (2623) What are the other states like Minnesota doing in this area?

Terry Weiss: I don't pretend to be an expert in other state laws -- so --

Rep. Price: (2718) In the statistics you talk of the 58% but of the 40 -- 27 were reportable crashes and had there insurance suspended --

Terry Weiss: I don't disagree with you at all. The only concern I have is one offense causing so much to happen to a kid. How do you separate crashes, points, etc.-- 7 points is not a big change.

Steffany Weiss: A copy of her written testimony is attached.

Rep. Mahoney: (3376) Thank you for appearing -- I am troubled by some of your testimony -- you say you lost your license because of the graduated drivers license law -- no, you lost it because you were speeding. Didn't you realize you were going 90 mph down the road?

Steffany Weiss: I really didn't have any idea I was going that fast. You just get involved in something else and your foot takes over without you realizing it.

Rep. Carlson: (3466) We all realize there are consequences for actions -- do you have any idea what would have happened to you if you had had a blown out a tire at 88 mph -- your folks would have been visiting you in a funeral home. I would have gotten a ticket if I were driving that fast. Either we have to train our kids better -- you said you weren't aware of the points -- you are fortunate to be here today -- a lot of bad things could have happened to you at 88 mph.

Rep. Weisz - Chairman (3560) Did you already have your license and did you have drivers ed?

Steffany Weiss: Yes I did have my license and I had had both the classroom and the behind the wheel.

OPPOSITION TESTIMONY (3707)

Kent Olson: I am the director of the North Dakota Insurance Agents who specialize primarily in auto insurance. A copy of his written testimony is attached.

Rep. Mahoney: (4462) Would 6 points under the old law be enough to trigger the insurance companies to say that we are not going to live that --

Kent Olson: Definitely.

Rep. Mahoney: (4512) It seems like that when the driver's record got up to 4 or 5 or 6 points it seems like the insurance companies had some way of knowing that -- do you still follow that -- records, I mean.

Kent Olson: Motor vehicle does not record the speeding points -- where there is individual points --

Rep. Mahoney: (4536) It is the points I am asking about --

Kent Olson: I think any violation raises a flag for the insurance companies. I don't know of any Threshold. Substandard companies will go up to 20 , 25, 30 points but they charge you accordingly.

Rep. Mahoney: (4637) I had some questions of the Department as to how many license are being dropped

Lyn Heinert: I am the manager of Driver Improvement Programs for the DOT: Last year -

August 1 through July 31st -- in that period there were: 1141 cancellations:

37% - alcohol related

24% accumulation of violations

39% 1st violation offenses or 286 were 6 points or more

For speeding 16 mph or more, careless driving, passing

School busses -- 120 were 7 point violations.

If you raise the threshold to 7 points you will be effecting about 350 student s or young people.

Rep. Mahoney: (5083) what per cent are alcohol related offenses?

Lynn Heinert: 37%

Rep. Schmidt: (5126) I know the Department used to have a lot of good materials for the schools

do you now and does that material get the students attention?

Lynn Heinert: We a have excellent brochure prepared by the students themselves -- it was prepared by the Hettinger High School based on the proposal which they had submitted. It is excellent and well received and I have copies for you.

Rep. Kelsch: (5347) did you send out letters informing the minors of the graduated drivers license?

Lynn Heinert: We sent out letter to drivers under 18 who had points on their driving record and we sent the information out to the schools particularly to the driving program instructors. It was also sent out to the courts and many other groups --safety, etc. Students also pass this along by word of mouth.

Rep. Weisz - Chairman There being no other persons wishing to testify either for or against SB 2436 we will close the hearing. (5778)

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2436 B

House Transportation Committee

☐ Conference Committee

Hearing Date March 22, 2001

Tape Number	Side A	Side B	Meter #
1	x		2.575
Committee Clerk Signature <i>Lauren L. Zink</i>			

Minutes: Rep. Weisz - Chairman opened the discussion for action on SB 2436.

Following discussions: Rep. Kelsch (2726) I move for an amendment --that on line 9 we remove the over strikes on ' 5 ' and take out the word 'seven' and on page two -- replace number 2 with the following language " complete the internet course approved by the Director completes thirty hours of driving with that individuals parents or guardian, in compliance with the department rules designed for experience in various day and night driving conditions; or" and renumber for "(3)".

Rep. Price; (2835) I second the motion.

On a voice vote the motion carried.

Rep. Kelsch; (4666) I move a "Do Pass as Amended" for SB 2436.

Rep. Carlson; I move to second that motion.

On a roll call vote the motion carried: 10 yeas 2 nays 2 absent.

Rep. Kelsch was designated to carry the bill on the floor. End (5950).

10783.0101
Title.0200

Adopted by the Transportation Committee
March 22, 2001

VR
3/22/01

HOUSE AMENDMENTS TO SB 2436 HTRN 3-23-01

Page 1, line 9, remove the overstrike over "~~five~~" and remove "seven"

Page 1, line 24, overstrike "or"

HOUSE AMENDMENTS TO SB 2436 HTRN 3-23-01

Page 2, line 1, after "(2)" Insert "Completes an Internet course approved by the director and completes thirty hours of driving, with that individual's parent or guardian, in compliance with department rules designed for experience in various day and night driving conditions; or

(3)"

Renumber accordingly

Date: 3/22
Roll Call Vote #:

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2436

House Transportation Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass as Amended

Motion Made By Rep. Kelsch Seconded By Rep. Carlson

Representatives	Yes	No	Representatives	Yes	No
Robin Weisz - Chairman	✓		Howard Grumbo	✓	
Chet Pollert - Vice Chairman	✓		John Mahoney	A	
Al Carlson	✓		Arlo E. Schmidt	✓	
Mark A. Dosch		✓	Elwood Thorpe	1	✓
Kathy Hawken	✓				
Roxanne Jensen	✓				
RaeAnn G. Kelsch	✓				
Clara Sue Price	✓				
Dan Ruby	A				
Laurel Thoreson	✓				

Total (Yes) 10 No 2

Absent 2

Floor Assignment Rep. Kelsch

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

REPORT OF STANDING COMMITTEE

SB 2436: Transportation Committee (Rep. Welsz, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (10 YEAS, 2 NAYS, 2 ABSENT AND NOT VOTING). SB 2436 was placed on the Sixth order on the calendar.

Page 1, line 9, remove the overstrike over "~~five~~" and remove "~~seven~~"

Page 1, line 24, overstrike "or"

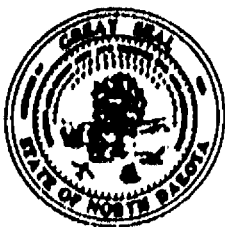
Page 2, line 1, after "(2)" Insert "Completes an Internet course approved by the director and completes thirty hours of driving, with that individual's parent or guardian, in compliance with department rules designed for experience in various day and night driving condillons; or

(3)"

Renumber accordingly

2001 TESTIMONY

SB 2436



North Dakota Department of Transportation
Drivers License and Traffic Safety
608 East Boulevard Avenue • Bismarck, ND 58505-0700

John Hoeven, Governor
David A. Sprynczynatyk, P.E., Director

Information: (701) 328-2600
FAX Mail: (701) 328-2435
TTY: (701) 328-4156
Website: discovernd.com/dot

MEMORANDUM

TO: The Honorable Bob Stenehjem, State Senate
Chairman, Senate Transportation Committee

FROM: Marsha Lembke, Director *ML*
Driver License and Traffic Safety

DATE: January 10, 2001

SUBJECT: Survey Results

Approximately 400 surveys were sent to the parents of minors who had their driving privileges canceled because of the minor driver license law. The drivers were chosen from drivers that had their privileges canceled between August 1, 1999 to July 31, 2000, because of an accumulation of points due to two or more traffic violations.

Of the surveys mailed, we received 78 responses back. Eighteen surveys were returned to our office as undeliverable by the U.S. Postal Service. The responses received by our office indicate that 58 percent of the drivers experienced an affect in their automobile insurance, while 33 percent experience no affect. Nine percent of the surveys returned gave no indication of any affect, either positive or negative. Of the 58 percent that indicated that their insurance was affected, the affect was either an increase in premiums or the policy was canceled.

Of the 46 respondents that indicated their insurance was affected the following was determined:

- 19 drivers had four or more violations on record
- 179 total violations were recorded against the 46 records
- 79 were speeding violations ranging from 8 MPH over the limit to 39 MPH over the limit
- 18 drivers were involved in 27 reportable crashes (one driver was involved in 4 crashes)

Please Drive Sober And Always Buckle Up

The Honorable Senator Bob Stenehjem

Page 2

January 10, 2001

Of the 26 respondents that indicated their insurance was not affected the following was determined:

- 11 had 4 or more violations on record
- 105 total violations were recorded against the 26 records
- 49 were speeding violations ranging from 10 MPH over the limit to 36 MPH over the limit
- 10 drivers were involved in 15 reportable crashes

Attached is a list of the questions asked on the survey, how the questions were answered, and any comments made to the survey or questions. Also asked on the survey was the name of the drivers insurance company and the address. The names of the insurance company, insurance agent and address when possible is also attached.

09/hs

Attachments

c: The Honorable Senator Dwight Cook
The Honorable Representative Rae Ann Kelsch
The Honorable Representative John Mahoney
The Honorable Representative George Keiser
Kent Olson, Professional Insurance Agents
Lowell Ridgeway, North Dakota Safety Council
Keith Magnusson, Director, Driver and Vehicle Services

MINOR DRIVER LICENSE AND INSURANCE SURVEY RESULTS

Was your insurance affected?

Yes - 46

No - 26

-The charge is higher for the driver but that may not be entirely because of this program.

-I don't know.

-Moved to another state in March and was dropped from our policy.

-His insurance is not my insurance.

How was your insurance affected?

Rates were increased - 35

-Rates went up significantly to the point where I probably should have canceled.

-Substantially.

-Part of the increase is due to the fact ???? is on high risk ins because his license was revoked and suspended.

-Upon renewal of policy.

Policy canceled - 18

-Current policy was canceled and had to find another insurance company.

-Policy canceled because initially they thought 6 pts - passing a school zone was a minor offense. *Rates increased 3 fold.

-???? has to insured through a high risk company and he can not drive any of our vehicles for a period of 3 years.

-Policy canceled by parents.

-Previous policy

Rates decreased - 0

No effect - 7

-No change in premium yet!

-Not to my knowledge.

Other (Please Explain) - 8

-Was going to cancel us out. Had to drop him.

-I canceled with the company and then got another company as it was less at that time.

-Probably will go up when he drives again.

-Almost doubled under ours, and if he was on own would be more.

-Changed insurance companies.

-???? is excluded from my policy

-No effect yet.

-Endorsement against all vehicles

Additional Comments:

I really think they are making it harder on the parents. They aren't out to help the younger kids. They make it worst for them.

While I understand and agree with the program and its goal, the penalty is a bit too severe. You could get the same result with a 90 day suspension, on the 1st time, with the threat of starting over for the 2nd. You need to remember that the child is not the only one affected - family and friends end up the loser in this in its current format. With a 90 day suspension, they would not (most kids) do anything wrong again given the threat level. Just a thought.

I do not know if it helped.

The affect of this new graduated driver license is this. Farm Family. ??? was on a 55 mph road. He had been working for his father that day and also has job in town. He was running late. Yes, he was speeding, yes, he was wrong. Our ignorance of the new law and our parenting technique of you did it pay the fine I won't go to court and fight it like other parents, cost this family immensely. We live 13 miles out of town, my husband does construction to help keep ranch going. I do the ranch work, run the kids, work temporary for a couple business in town. However, our son has a 7:30 am class and no license to get there. I have been punished long enough. My day starts at 6 am, start chores, take my son in, race probably speed back home to get my other child on the bus, finish chores, if I work that day, go back to town, stay late, 7 pm if my son works that day get home start supper, clean up, eat. This law has cost me time I don't have on a ranch. Extra trips back and forth to town, gas and wear. Him another \$200 for drivers ed. I would like to know how traffic fines and DUI get classified with the same punishment. If you feel this is a just law. I would like to see you change punishments DUI - Revoked, violation - Suspended. If you are trying to cut down young drivers put the law back to what it was passed for if you don't have rural residence they don't get license at 14.

I think this statute needs some serious reconsideration. In ??? case he was charged with passing a but with its lights on (a questionable circumstance) and lost his license since this is a 6 point penalty. ??? has had a spotless driving record and lost his driving privilege for 6 months an a questionable charge. How does this treatment help these young people become better drivers?

??? turned 18 two days after the law went into effect.

I have two teenaged boys and my insurance company does not double charge me so it was ok.

Sirs: I've always wanted to address this situation, but now that you've sent this I'll respond. We were told by letter that we were dropped because of another son's accident but it coincided with the date of ??? losing his license on account of speeding. I called and talked to a representative of the company and he claimed otherwise, but the events took place chronologically to close together to be an accident. I was willing to pay an higher rate but still wanted to be covered under my old plan, but said there were no exceptions. It would be hard to prove my point because of my other son's accident (which went against my record) because I have no paper work to prove it. I am still very much in favor of ??? losing his license. It taught him and me, as a parent, a valuable lesson. I also see a problem in that it is very difficult for these kids under 18 to

reestablish their licenses. Mainly because in these small communities, drivers ed is only offered one time a year and in ??? case, he just decided to wait until his 18th birthday. So until then he had us drive him around or he had to get someone else. He found out a license is a privilege. I'm also a head basketball coach so I see the attitudes of license as a right, and I feel very strongly that the law is a good law. But as a parent I also see the insurance companies are using this as a tool to bypass us as insurance holders during our sons teenage driving years. Right now all we can afford is liability on our vehicles because of this.

Our son is still not driving and won't be able to for some time. We cannot afford the insurance. He cannot be on our policy at all but it is still costing us more because he lives in our home. One offense has cost us way too much. Why could he just not drive without it costing our family so much money and one mistake costing him years of not driving or having premiums too high to pay. We did find another company to insure us but had to sign a paper that if he drove a car, we would have to pay any damages ourselves. He's been very good about it, but I don't foresee him being able to drive for years, and our premiums are \$800 more per year anyway.

You should have the same point system for the elderly, they pose the same type of concerns.

It has caused some financial difficulty.

I agree with the new law regarding the points on kids - but I definitely don't agree with punishing us with high insurance. We tried to get new insurance and there is no companies that will take us because ??? lost his license for 6 months. I think this law should never effect Insurance rates.

This was her very first offense ever and I think this law is ridiculous. I could see if it happened over and over again, but just once!! No such thing as a 2nd chance. It was just speed, nobody got hurt.

Our son lost his license due to points. Insurance company still requested he be covered at \$1200 per 6 months.

Previous policy was canceled, don't know about this one.

This really affects families emotionally and financially. It's very disappointing.

Premium went from \$114.44 to \$259.31 an a 1990 Tempo for liability insurance (6 month). \$289.74 per year difference. I have had to cancel this insurance. Thank you.

The insurance rate seems unduly high with no other driving violation or accident on his record.

14 years old is to young these days to get a license. I don't believe they are as mature as we were 20 years ago.

I was with American Family for 27 years. My son made one mistake. They canceled me. Go figure.

None of your business. The program is ridiculous.

Tough on first time offenders. Not enforced equally, males/females, as officers tend to give female offenders warnings.

With the loss of one drivers license you can guarantee an insurance check. It is tough enough insuring a teenager without having a different set of requirements for teens. Who is next senior citizens, lets treat everyone the same, after all teens still have to answer to their parents. Great or terrible all teens pay a higher insurance cost.

We were changing insurance companies just at this particular time so can not tell you with any certainty.

Had a very hard time getting a company to take me. State Farm did cover me but the premium is 2300 more per year. I am not high risk it is just that State Farm rates are high.

State Farm does not require insurance with a permit. When we resumed insurance when we got license back, the rate was not affected by suspension.

He learned his lesson! Thank-you.

To date our insurance has not been affected.

My rates did go up for the 2 accidents my son had. But not because of Graduated License.

Endorsement to parents insurance not allowing him to drive their vehicles this makes it very hard for farmers we rely on him for working on the farm which creates big problems/hardship to not allow him to drive these vehicles.

INSURANCE COMPANIES LISTED ON SURVEY FORMS

Rate increases:

***Allied Insurance**

Price Agency, 208 1st Ave E, Dickinson, ND

***All State**

Harty Agency

American Concept Ins Co

Agri Valley Ins Co, P.O. Box 127, Arthur, ND 58006-0127

***American Family**

P.O. Box 9462, Minneapolis, MN 55440-9462

Shelby Dallmann, P.O. Box N, Lidgerwood, ND 58053-1114

Jay Miller, P.O. Box 54, Linton, ND 58552

Hill Avenue, Grafton, ND 58237

Bismarck, ND

American States Ins.

500 N. Meridian Street, Indianapolis, IN 46204-1275

***Auto Owners**

BNC Insurance, 500 N. 9th St., Bismarck, ND 58501

***Center Mutual Ins**

Farmers State Bank, Noonan, ND 58765

Concorde General Agency

Bremers Ins, P.O. Box 1549, Minot, ND 58702

***EMC Insurance Companies**

Mike Matteson

Farmers Insurance Group

1135 S. 12th St., Bismarck, ND 58504

Candace Hochalter, 1110 College Dr., Bismarck, ND

Farmers Union Insurance

Ron Olson, W. Main, Valley City, ND

Hawkeye

Kramer Ins. Agency, 108 N. 4th St., Bismarck, ND

Heritage Insurance

Yahnke Ins, P.O. Box 903, Fargo, ND 58107-0903

Home Mutual Insurance Co.

502 2 Ave. N. Wahpeton, ND 58075

Horace Mann

Jeff Braunberger, Rolette, ND

LeMars Mutual Ins Co

22 W. 2nd St., Williston, ND 58801

***National Farmers Union**

M. Fischer, P.O. Box 560, Bowman, ND

Terry Aronson, Armon Hanson

***NoDak Mutual - Farm Bureau**

300 S. 11th St., Wahpeton, ND 58075

1924 9th Ave. SW, Jamestown, ND 58402

John Dusek - Agent

Jeff Pepple, 116 3 Ave. N., Fessenden, ND

Monty Burke, 106 Mitchell Ave. N., Steele, ND

Jerry Essler, 100 N. Central Ave, Kenmare, ND 58746

Lura Duey, 3242 20th St. S., Fargo, ND

Paul Worm, Jamestown, ND

Dave Schmidt, Linton, ND 58552

Roger Lund, Forman, ND

Progressive Insurance

Reed Insurance, Hillsboro, ND 58045

M. Fischer, P.O. Box 560, Bowman, ND

Progressive Ins, Full Services Ins., Buxton, ND 58218

Safeco

BNC Ins, 500 N. 9th St., Bismarck, ND 58501

***State Farm Insurance**

P.O. Box 727, Garrison, ND 58540

David Finneseth, 103 14th Ave. SW, Minot, ND 58701

Steve Johnson, 224 S. 4th St., Devils Lake, ND 58301

Bill Geer, 724 N. Washington, Grand Forks, ND

State Farm Insurance, 1601 9th Ave. NW, Williston, ND 58801

USAA

9800 Fredericksburg Rd, San Antonio, TX 78288

Westfield Company

INSURANCE COMPANIES LISTED ON SURVEY FORMS

No increase or affect:

Alliance Ins Co

Tri County Ins, 623 Main Ave. E., West Fargo, ND

***Allied**

Bremer, 20 1st St. SW, Minot, ND 58701

***All State Ins.**

Duchocher-Moen

***American Family**

Toby Lommen Agency, 718 1st Ave. N., Fargo, ND 58102

P.O. Box 623, Devils Lake, ND 58301

***Auto Owners Ins Co**

Far North Ins. Agency, P.O. Box 9159, Fargo, ND 58106

***Center Mutual Ins Co**

Lial Reile, Wishek, ND 58495

Dairyland Ins

Kvamme Insurance, P.O. Box 104, West Fargo, ND 58078

Dakota Fire

Harty Insurance, P.O. Box 1627, Jamestown, ND 58402-1627

***EMC Insurance Company**

Bremer Insurance, P.O. Box 920, Lisbon, ND 58054-0920

Farmers Union

Brock Johnsen, 1820 E. Broadway Ave, Bismarck, ND 58501

Elman Braaten, 206 5th Ave. SW, Crosby, ND 58730

Grinnell Mutual Group

Centennial Ins, Dennis Stone, 729 Main St., New England, ND 58647

MayPort Ins

713 Parke St., Portland, ND 58274

***National Farmers Union Property and Casualty**

Mark Johnson, 106 Main St. N., Velva, ND 58790

NoDak Mutual

Chris Weiler, Dickinson, ND

Paul Worm

***State Farm**

1091 3rd Ave. W., Dickinson, ND

324 South College Dr., Devils Lake, ND 58301

Thomas Jefferson, 3330 Fiechtner Dr., Fargo, ND 58103

Scott Reupel, Bismarck, ND 58503

Larry Wilkes

Brian S., 115 11th St. E., Bottineau, ND 58318

State Farm, Garrison, ND

Thompson Insurance

Darcy Thompson, 311 S. 4th St., Suite 102, Grand Forks, ND 58206-5996

* Insurance companies listed on both lists.

**TESTIMONY SUPPORTING SB 2436
BY STEPHANIE WEIS**

February 8, 2001

2:30 p.m.

**SENATE TRANSPORTATION COMMITTEE
BOB STENEHJEM, CHAIRMAN**

Good afternoon Mr. Chairman and Senators of the Transportation Committee.

For the record I am Stephanie Weis, eighteen years old and a senior at Bismarck High School. I am here to testify in favor of this bill.

Last year I lost my driver's license because of the new graduated license law. Over teacher's vacation I wanted to go to Fargo to visit my cousin who had recently started college at North Dakota State University. As I was driving down the Interstate that day with a friend I was listening to the radio and talking and I guess I had gotten into my conversation just a little too in depth. Soon I found myself the only car on my side of the road and the next thing I knew a Cass County police car had put on his lights. Well it turns out that I was going eighteen miles an hour over the speed limit. He issued me a ticket for \$49 and seven points to be taken off my license. Since I had not been issued a ticket before I did not think that it would effect my driving status. At this point in time I had no idea that I would be losing my license. I continued on my way to Fargo. I would find out almost a month later that this ONE ticket had caused me to lose my license for at least six months. I was in shock. I have always been the most responsible and cautious driver, I take driving very seriously, and I thought that it must have been a mistake. As I understood the graduated license law when it went in effect the only drivers that it would have bearing on were those just receiving their licenses for the first time.

Although it may be hard to believe, losing my license caused a very stressful hardship upon my family and friends. Now I would be finding rides to school (8:45-2:45), work (28 hours per week), Demonette practice (9-15 hours per week), and to everywhere else I wanted to go. My family was also

subject to a financial and very stressful hardship. Our insurance was all cancelled. It was very hard to find a new insurance company to take up such a "high risk" family. I never once saw myself as a high-risk driver and still to this day do not. Is it unreasonable to think that someone would lose his or her license over ONE speeding ticket? Now I pay over double what I used to for insurance and now my family pays \$2300 more than they used to per year.

I believe that teens should not lose his or her driver's license over one speeding ticket. I know that what I did was wrong and I take responsibility for everything I have done and have accepted all the consequences and repercussions of this action. I believe that, because of a person's age, no person should be discriminated against. I also believe that an adult driver should not have the privileges to receive a "driving under the influence" charge and yet be able to get their license back after a minimum of only one-month, with a work permit. Compared to the six months that a minor could receive for one speeding ticket. For a minor to receive their license they must do six hours of behind the wheel training and six hours of classroom work and the six months of the obtaining and keeping your permit. I had to do all of these things again and pay all the fees and fines. Even now as I have acquired my license again I will still have the seven points on my license until I could work them off by taking a defensive driving course and for every three months that you have no violations, excluding parking violations, you receive one point back. Now as an adult I do have my full twelve points and am still working off my seven that I have lost, I have received one back now and I have been driving again since late August. So I can really say that I am in favor of this bill and the changes in it and ask that you should give this a do pass recommendation for the Senate to vote on.

Box 5010
Bismarck, ND 58502-5010



(701) 258-9525
www.ndaifa.org

TESTIMONY SUPPORTING SB 2436

By TERRY WEIS

March 15, 2001

9:00 am

**HOUSE TRANSPORTATION COMMITTEE
ROBIN WEISZ, CHAIRMAN**

Good morning Mr. Chairman and members of the House Transportation Committee.

For the record, my name is Terry Weis and I am here on behalf of the North Dakota Association of Insurance and Financial Advisors, formerly known as the North Dakota Association of Life Underwriters.

Our association has about 600 member insurance agents from all parts of North Dakota who sell Life, Health, Property insurance as well as other financial products.

Our association stands in support of this Bill. Last session when the graduated driver's license bill worked its way through the legislature, there was much confusion on how it would be implemented by the Department of Transportation and how the insurance companies themselves would react to a canceled driver's license of a teenager.

I believe we were all under the impression that DOT would not go back and pick up all the points prior to the implementation of the graduated driver's license on August 1, 1999. However, when they implemented the graduated driver's license they did pick up all previous points and the insurance companies reacted to the canceled driver's license in North Dakota the same as an adult suspended driver's license due to multiple offenses and acquiring more than 12 points. I spoke with the ND Insurance Department regarding what was taking place with insurance companies canceling the insurance of the families of those young drivers who had their license canceled and I was told that it appears that the insurance companies were using this as a window of opportunity to get rid of families who have young drivers.

I certainly can not condone my daughter speeding on the interstate, however I do not think that any of us can question the amount of risk associated with speeding on the interstate versus speeding in a residential area. Today, the point value for the same speeding violation would require two violations in town and only one on the interstate. After talking with Lt. Grasl from the ND Highway Patrol, he stated that they are seeing quite a problem with teenagers losing their license for speeding on the interstate because of the point system and would not get crossways with an attempt to make minor adjustments to the graduated driver's license law if a person is traveling 72 mph on the interstate and reaches the 55 mph speed zone around the cities and you have not slowed to 55 mph by the time you reach the sign a young driver has just lost their

license. I do not believe that there was ever an intent by the legislative body for one speeding violation to have such an affect on a family in North Dakota as the graduated driver's license has proven to have.

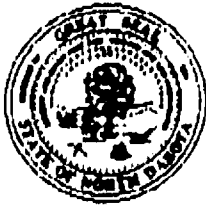
I was insured with Auto Owners through BNC Insurance and had my umbrella policy canceled immediately and the auto insurance canceled 30 days later. We had had no accidents, no claims, but Stephanie had one speeding ticket and had her license canceled. Her canceled license was specifically pointed to as the reason for cancellation of the policy. I went to Reidman Insurance Agency, they searched all of their companies and could get no coverage in place for me that would allow enough underlying limits to obtain coverage on an umbrella policy. I was able to obtain coverage with State Farm Mutual after searching for over 30 days. The premium on an annual basis was \$1,800 a year more while Stephanie was not driving and increased to \$2,300 per year more when she obtained her license in August. The difference in the cost of the annual premiums is simply State Farm charges more than does an independent insurer like Auto Owners. We are not on high risk insurance and we are rated only for the violation of speeding that is on the record.

If we look at the number of young drivers that had their license canceled through June 2nd we see that 402 drivers had their license canceled for a single violation compared to 241 who had their driver's license canceled for multiple violations. It is almost 2 to 1 that single violation offenders had their driver's license canceled in the State of North Dakota during this period. This does not reflect any drug or alcohol related offenses.

Our association is not interested in making major changes to the graduated driver's license program, however our agents have felt the effects of a single violation on their insured who have been covered with them for many years and feel that it would be appropriate to raise the point total from 5 to 7 before the young driver were to lose their driving privileges. Will this totally eliminate the single violation offenders, certainly not. It will raise the mark to the point that we feel is more reasonable for a person with a single violation to have their license canceled.

I would urge a DO PASS on 2436.

Thank you for your support, I would be happy to answer any questions you may have.



North Dakota Department of Transportation
Drivers License and Traffic Safety
608 East Boulevard Avenue • Bismarck, ND 58505-0700

Edward T. Schafer, Governor
Tom D. Freier, Director

Information: (701) 328-2600

FAX Mail: (701) 328-2435

TTY: (701) 328-4166

Website: <http://www.state.nd.us/dot/>

MEMORANDUM

TO: The Honorable Bob Stenehjem, State Senate
The Honorable Dwight Cook, State Senate
The Honorable Rae Ann Kelsch, House of Representatives
The Honorable John Mahoney, House of Representatives
The Honorable George Keiser, House of Representatives
Kent Olson, Professional Insurance Agents
Terry Weise, Insurance Underwriter
Lynn Heinert, Supervisor, Driver Improvement Services
Syndi Worrel, Chief Examiner, Licensing

FROM: Marsha M. Lembke, Director *(initials)*
Drivers License and Traffic Safety

DATE: June 29, 2000

SUBJECT: Graduated Drivers License (GDL)

This is a summary of the GDL Update Meeting held on June 5, 2000, at 9 a.m. in the Drivers License and Traffic Safety (DL&TS) Conference Room.

Attending: Senators Bob Stenehjem, Dwight Cook; Representatives Rae Ann Kelsch, John Mahoney (phone); Kent Olson, PIA; Terry Weise, Insurance Underwriter, Lynn Heinert, DL&TS DIS Supervisor, Syndi Worrel, DL&TS Chief Examiner, Marsha Lembke, DL&TS Director.

Invited but unable to attend: Representative George Keiser, Lowell Ridgeway, NDSCS, Tom Smith, Insurance Companies Representative; Keith Magnusson.

The following is a summary of the discussion on the update of Graduated Drivers License (GDL). Senator Stenehjem stated that the purpose of the meeting is to see if we can answer Terry Weiss's question as to the needs for legislation in the area of insurance requirements for GDL. It appears that the insurance industry is treating the GDL cancellation the same as a revocation (as in the case of Terry's daughter who had a speeding ticket which caused his umbrella policy to be canceled). Terry stated that he had talked to John Grasl, HP, and to Lowell Ridgeway (NDSCS) about the points being higher for speeding on the highway than on residential streets. Terry is interested in making some changes in this area of points assessed. Discussion followed about this case related to GDL.

Please Drive Sober And Always Buckle Up

All Attendees of the GDL Update Meeting**Page 2****June 29, 2000**

Concerns were voiced about introducing a bill about these specific points because the point's system is quite complicated. It has been suggested by DL&TS that a concurrent resolution to study the point system be introduced. Consensus was to move in the direction of the study resolution. Further discussion included how insurance industry views the definitions of canceled and revoked, and if it would help to have the cancellation invisible on the record that is received by insurance, and proposals coming in to have a special driving course for GDL cancellations, such as Howard Thiege of MSU has talked about.

General consensus of the group is that the purpose of the legislation (to wake up parents and drivers) has been met and that everyone agrees that GDL should help prevent fatal injuries of young drivers. It was noted that speeding is probably as big a factor in crashes—especially fatalities—but that speed cannot be documented as a factor unless measured.

DL&TS said the total GDLs are at 1020. At the request of the committee, DL&TS (Lynn) will provide a further breakdown of the GDL numbers (see below). DL&TS will also provide information as to what other states are doing with GDL. The information will be mailed to all invited and attendees of this meeting.

The following information has been requested and received from Bill Watada of the National Highway Transportation Safety Administration (NHTSA).

- The State of Colorado seems to be the most aggressive. They have a task force which includes the Colorado Department of Transportation, Triple AAA, various insurance, some minority groups and other organizations. They have developed handouts, web sites, and PI&E articles to educate the parents, as well as the youth, on the law. The educational material is also used to help educate the parents on teaching their kids safe driving.
- The State of South Dakota has released some press releases, but nothing special for GDL.
- The States of Utah, Wyoming, and Montana have no GDL in process.

Lynn Helnert (DL&TS) provided some numbers regarding GDL in North Dakota. The following is the information as of June 2, 2000:

- 224 - canceled because of "Minor in Possession/Consumption"
- 153 - canceled because of "DUI/APC or Zero Tolerance" offenses
- 402 - canceled because they had 1 violation worth 5 or more points
- 241 - canceled because they had 2 or more violations where accumulation of points put them over the 5 point total

All Attendees of the GDL update meeting
Page 3
June 29, 2000

A request for GDL information was sent by Chief Examiner, Syndi Worrel, to all the licensing jurisdictions via the American Association of Motor Vehicle Administrators (AAMVA) web site.

Three questions were asked in the request:

1. Does your jurisdiction cancel the permit or license of a minor for any less points than it would for other drivers?
2. Does your jurisdiction cancel the permit or license of a minor for certain number of convictions (less than for an adult)?
3. Has your jurisdiction received complaints from the public that the insurance companies have canceled insurance policies because of a GDL cancellation?

We received responses from Ohio, South Dakota, Illinois, and Missouri.

Ohio answered no to all three questions.

South Dakota suspends the permit or license for a period of 30 days for any traffic conviction that a minor, driving on a restricted permit or learner's permit, receives. For a second or subsequent conviction, the driving privileges are revoked for a period of 90 days or until the 16th birthday, whichever is longer. South Dakota has not heard complaints pertaining to the insurance companies canceling policies because of GDL action.

Illinois will suspend the license of a driver under the age of 21 at the time of arrest if the driver receives two convictions within a 24-month period. The length of suspension depends on the points accumulated for the two convictions. Illinois did not respond to the insurance question.

Missouri's GDL law becomes effective January 1, 2001. Missouri will not be canceling the permit or license of a minor for points or convictions. However, points or convictions will prevent the minor from "graduating" to the next step in the licensing process, for example the intermediate license or the full license.

I hope the above information will help answer any questions that you may have, however, you may contact me at (701) 328-4865.

09/hs

c: Tom Freier
Keith Magnusson
Judy Froseth



February 3, 2000

Mr. Terry Weis
3630 Arrow Ave.
Bismarck ND 58501

RE: Personal Insurance

Dear Terry:

I have checked with my companies and all of them will underwrite all the drivers in the household and will treat Stephanie's 7 point speeding ticket and the removal of the license as a major violation.

I can offer auto, home & boat coverage with Allied Insurance Group. They will rate Stephanie on one of the vehicles even though she only has a permit at this time. If you wish, you can sign an exclusion and have her excluded from coverage if she will not be driving. If an exclusion is signed, they will not rate her on the policy. Allied is only offering limits of \$100,000 per person/\$300,000 per accident for Bodily Injury which is lower than you now have. The underlying liability limits they offer are not high enough to get you an umbrella. Allied does not write 4 wheelers so this vehicle is quoted with the another company.

I am waiting for a quote for an additional auto liability limit from an excess auto liability market. I'll let you know the cost of this as soon as I receive the quote.

Riedman Corporation
217 North Third Street
P.O. Box 2016
Bismarck, ND 58502-2016
(701) 223-2233
Fax (701) 223-0284

Terry Weis

Page 2

AUTOMOBILES

1999 Chev. Suburban	- Terry	- Full Coverage	\$452.08
1996 Dodge Caravan SE	- Charlene	- Full Coverage	\$275.35
1988 Chev. Corsica	- Zack	- Liability only	\$289.76
1999 Pontiac Gr. Prix	- adult	- Full Coverage	\$384.89
1978 Int'l Scout	-Stephanie	- Liability only	\$ 244.00
1986 Utility Trailer		- Full Coverage	\$ 10.80

\$100,000/\$300,000 - Bodily Injury per person/per accident

\$ 100,000 - Property Damage

\$100,000/\$300,000 - Uninsured & Underinsured Motorists

\$ 30,000 - Personal Injury Protection

\$ 100 - Deductible Comprehensive

\$ 250 - Deductible Collision

6 month premium: \$1656.88

*If Stephanie is excluded, the premium reduces to \$1574.43

HOMEOWNERS

Form HO-3, \$250 deductible

\$115,000 - Dwelling

\$500,000 - Personal Liability

\$ 11,500 - Other Structures

\$ 5,000 - Medical Payments

\$ 86,250 - Personal Property

\$ ALS - Loss of Use - Actual Loss Sustained

Replacement cost coverage on Dwelling

Replacement cost coverage on Personal Property

Sewer Backup coverage of \$5,000

Annual premium: \$725

Terry Weis
Page 3

I have rated your home as protection class 10 because its over 5 miles from the responding fire dept. with no fire hydrants. This is a higher rate than your current company as they show that they are rating it within 5 miles of the responding fire dept.

BOAT COVERAGE \$250 Deductible

1978 Sylvan 17' Boat	\$1000	Personal Liability - \$300,000
1983 Yamaha 90HP motor	\$2,000	Medical Payments - \$ 5,000
1981 Johnson 15HP motor	\$ 750	
1978 E-Z Loader trailer	\$ 400	

Annual premium: \$123

ALL TERRAIN VEHICLE

1994 Honda 300 cc - liability only
15 year old operator

\$25,000/\$50,000 - Bodily Injury per person/per accident
\$ 25,000 - Property Damage
\$25,000/\$50,000 - Passenger Liability
\$25,000/\$50,000 - Uninsured & Underinsured Motorists

Annual premium: \$58

Terry Weis
Page 4

ANTIQUE VEHICLE

Adult operator only - used in parades, shows, & occasional pleasure rides. Not used to & from work. Restored as an antique.

1930 Chev truck - \$12,000 value

\$300,000 - single limit bodily injury & property damage

\$300,000 - Uninsured & Underinsured Motorists

\$ 30,000 - Personal Injury Protection

\$ 250 - Deductible Comprehensive

\$ 250 - Deductible Collision

Annual premium: \$ 72

Terry, if you have any questions regarding these figures, please call me.
I'll call you as soon as I can with the quote for the additional auto liability limit. Thank you for the opportunity to quote your insurance.

Sincerely,

Laurie Spilde

NOTIFICATION FORM Approved by Attorney General by opinion dated August 20, 1999.

Section I - A person charged with a traffic violation may elect to

1. If you don't request a hearing or want a court appearance you may post bond in person or by mail and forfeit the bond.
2. Appear at the designated time and place and make a statement in explanation of your actions for court consideration. By choosing the aforementioned options you will be deemed to have committed the violation and to have waived your right to a hearing on violation.
3. If you want a hearing concerning the alleged violation you must request one within fourteen days of the date of this citation. You must date and sign the REQUEST FOR HEARING notice on the front of the citation that you receive and INCLUDE THE BOND NOTED ON THE CITATION for the alleged violation. Failure to do so will result in the suspension of your operator's license. You will be scheduled of the hearing date by the court for the county in which this citation was issued. The hearing date will be scheduled within 30 days of original court date.

Section II - Any person not following one of the above procedures shall be deemed to have admitted the violation and waives his right to a hearing on the issue. Failure to appear, without paying the statutory fee or posting and forfeiting bond, shall be a Class B misdemeanor.

Section III - If a person is aggrieved by the findings that he committed the violation, he may appeal to the District Court for trial by the court.

1. The appeal does not stay the reporting of the violation or any action by the Driver License & Traffic Safety Division.
2. The District Court may order a stay or order the issuance of a temporary restricted drivers license, upon application, if accompanied by a certified copy of the driving record of the appellant.

Section IV - Amount of statutory bond fees. The fees required for a non-criminal disposition pursuant to either NDCC Section 39-06.1-02 or Section 39-06.1-03, the listed NDCC sections or equivalent ordinances shall be as follows:

1. Violations requiring \$100 fee. NDCC 39-01-15, 39-08-03, 1(2a,c)
2. Violations requiring \$50 fee. NDCC 39-10-05, 39-10-28(1), 39-10-41, 39-10-42, 39-10-46, 39-10-46.1, 39-08-09, 39-08-18, 39-24-11, 39-29-12, 39-08-03.1(2b) 39-10-26(2)
3. Violations requiring \$30 fee. NDCC 39-09-01
4. Violations requiring \$20 fee. NDCC 39-06.1-09, 39-21-41.4, 39-06-17(6)
5. Violations requiring not less than \$10 nor more than \$30. NDCC 39-09-01
6. Violations requiring \$10 fee. NDCC 39-06.1-08, 39-21-09
7. Violations requiring \$5 fee. NDCC 39-01-15(6), 39-06.1-08(7)
8. Violations of NDCC 39-09-02(1)

Speed Zones 55 or less

Speed (mph)	Fee (\$)	Rural Hwy. Pts.	City Noncontrolled Access Hwy. Pts.
1 - 5 mph over limit	\$ 5	0	0
6 - 10 mph over limit	\$ 5 plus \$1/each mph over 5 mph over limit	0	1
11 - 15 mph over limit	\$ 10 plus \$1/each mph over 10 mph over limit	0	2
16 - 20 mph over limit	\$ 15 plus \$2/each mph over 15 mph over limit	3	3
21 - 25 mph over limit	\$ 25 plus \$3/each mph over 20 mph over limit	4	4
26 - 35 mph over limit	\$ 40 plus \$3/each mph over 25 mph over limit	6	6
36 - 45 mph over limit	\$ 70 plus \$3/each mph over 35 mph over limit	8	8
46 mph plus over limit	\$100 plus \$5/each mph over 45 mph over limit	12	12

Speed Zones greater than 55

Speed (mph)	Fee (\$)	Rural & Controlled Access Hwy. Pts.
1 - 5 mph over limit	\$ 10 plus \$1/each mph over limit	0
6 - 10 mph over limit	\$ 15 plus \$2/each mph over 5 mph over limit	1
11 - 15 mph over limit	\$ 25 plus \$3/each mph over 10 mph over limit	4
16 - 25 mph over limit	\$ 40 plus \$3/each mph over 15 mph over limit	7
26 - 35 mph over limit	\$ 70 plus \$3/each mph over 25 mph over limit	10
36 mph plus over limit	\$100 plus \$5/each mph over 35 mph over limit	12

9. Violations of NDCC 39-09-02(2) a fee of \$40 for 1-10 miles per hour (mph) over the posted speed limit and \$40 plus one dollar for each additional mph over 10 mph over the limit, unless a greater fee applies under 39-06.1-06
10. For a violation of NDCC Section 39-02-09, a fee of \$10.
11. For a violation of NDCC Section 39-10-05 involving failure to yield to a pedestrian or subject to Section 39-10-28, a fee of \$50.
12. For a violation of NDCC Section 39-21-41.4 involving failure to use seat belts, a fee not to exceed \$20.
13. For a violation of NDCC Section 39-21-41.2 for failure to have minor in a child restraint system or seat belt, however, 1 point will be assigned according to NDCC Section 39-06.1-10.

Section V - Driving license or privilege shall be suspended upon an accumulation of twelve (12) points in a period of seven (7) days for each point or driver (11) points assigned according to Section IV, and the following table:

Points

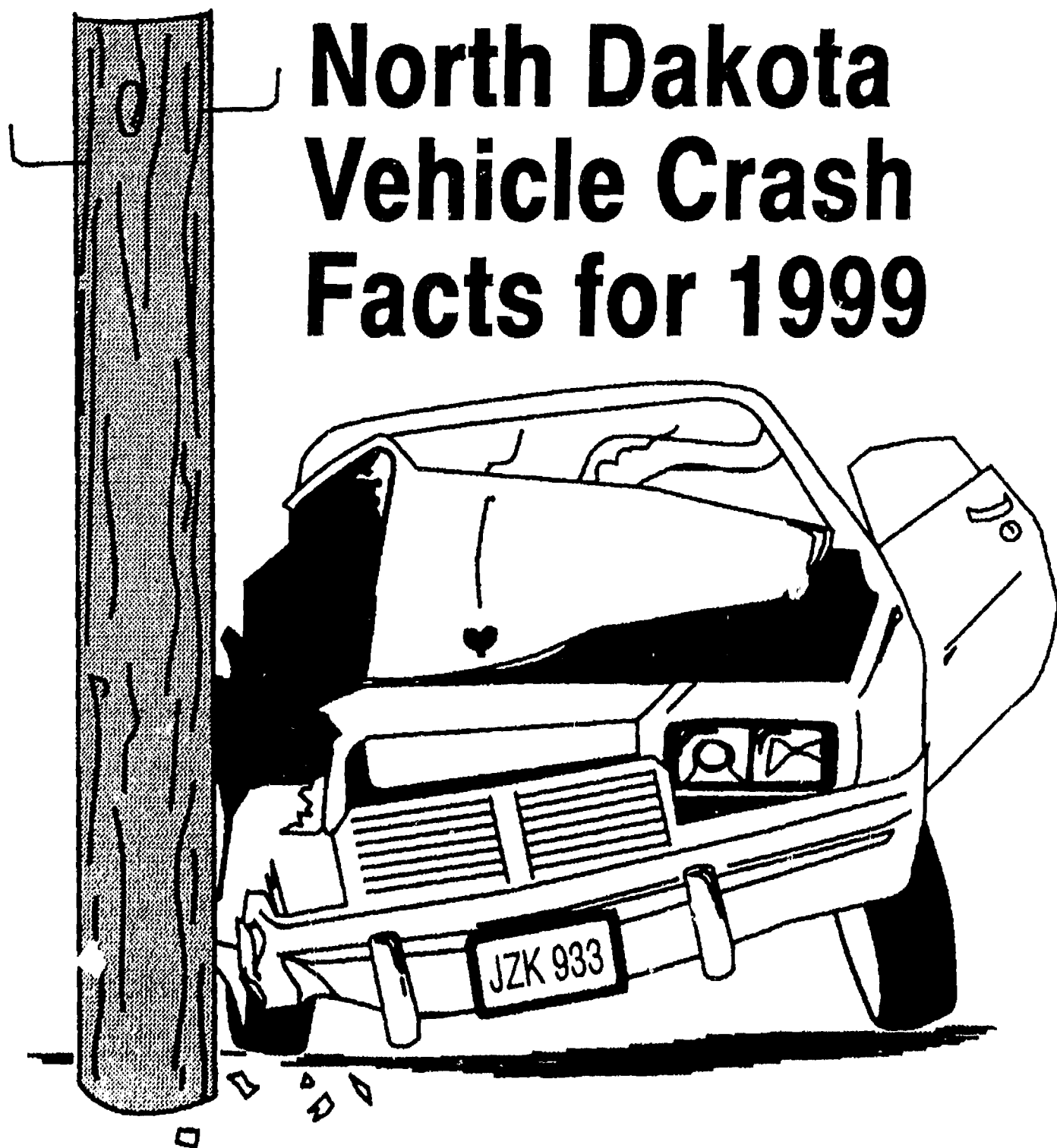
- 1 Operator/Responsible party failed to provide child restraint device.
- 1 Failure to display license plate
- 1 Unlawful parking in specified prohibited places.
- 1 Leaving motor vehicle unattended on an open highway
- 1 Opening or leaving motor vehicle doors open when unsafe to do so.
- 1 For a nonmoving violation of parking in a space assigned for the mobility impaired
- 2 Failed to dim head lamps
- 2 Knowingly failing to display a sign or flag while transporting explosive or hazardous materials
- 2 Knowingly operating an unsafe vehicle
- 2 Improper operation or unlawful carrying of passengers or packages on a motorcycle.
- 2 Improper operation of a motorcycle in laned traffic.
- 2 Carrying a passenger on a motorcycle not equipped with passenger footrests
- 2 Operating a motorcycle without protective headgear
- 2 Permitting unauthorized minor person to drive.
- 2 Unlawful stopping, standing, or parking on an open highway.
- 2 Knowingly drove with defective non-existent or unlawful equipment.
- 2 Knowingly drove with defective brakes.
- 2 Disregarding lawful command of police officer.

Points

- 2 Overtaking when prohibited
- 2 Drove on wrong side of road
- 2 Failure to yield right-of-way
- 2 Failing to use chain required
- 2 Disobey traffic control signs
- 2 Failed to yield right-of-way to turn of police stop
- 2 Knowingly drove illegally on highway
- 2 Open container (Driver)
- 3 Exhibited a weapon on highway
- 3 Violated regulations of non-prescription or contact lenses while driving.
- 3 Failed to stop at RR crossing
- 4 Violating or exceeding a driver's license or instruction permit
- 4 Clinging to other vehicle while driving a motorcycle
- 4 Operating a motor vehicle without a license
- 6 Overtaking a school bus
- 6 Failed to give immediate notice of accident
- 6 Careless driving (Basic Rule 12 or 14) - Liability Insurance
- 8 Reckless driving
- 10 Driving in a motor vehicle on highway
- 12 Aggravated reckless driving
- 14 Leaving the scene of accident involving property damage
- 18 Leaving the scene of accident involving injury or death
- 24 Leaving from law enforcement officer in a motor vehicle

FOR VIOLATIONS NOT LISTED 10 POINTS ARE ASSIGNED

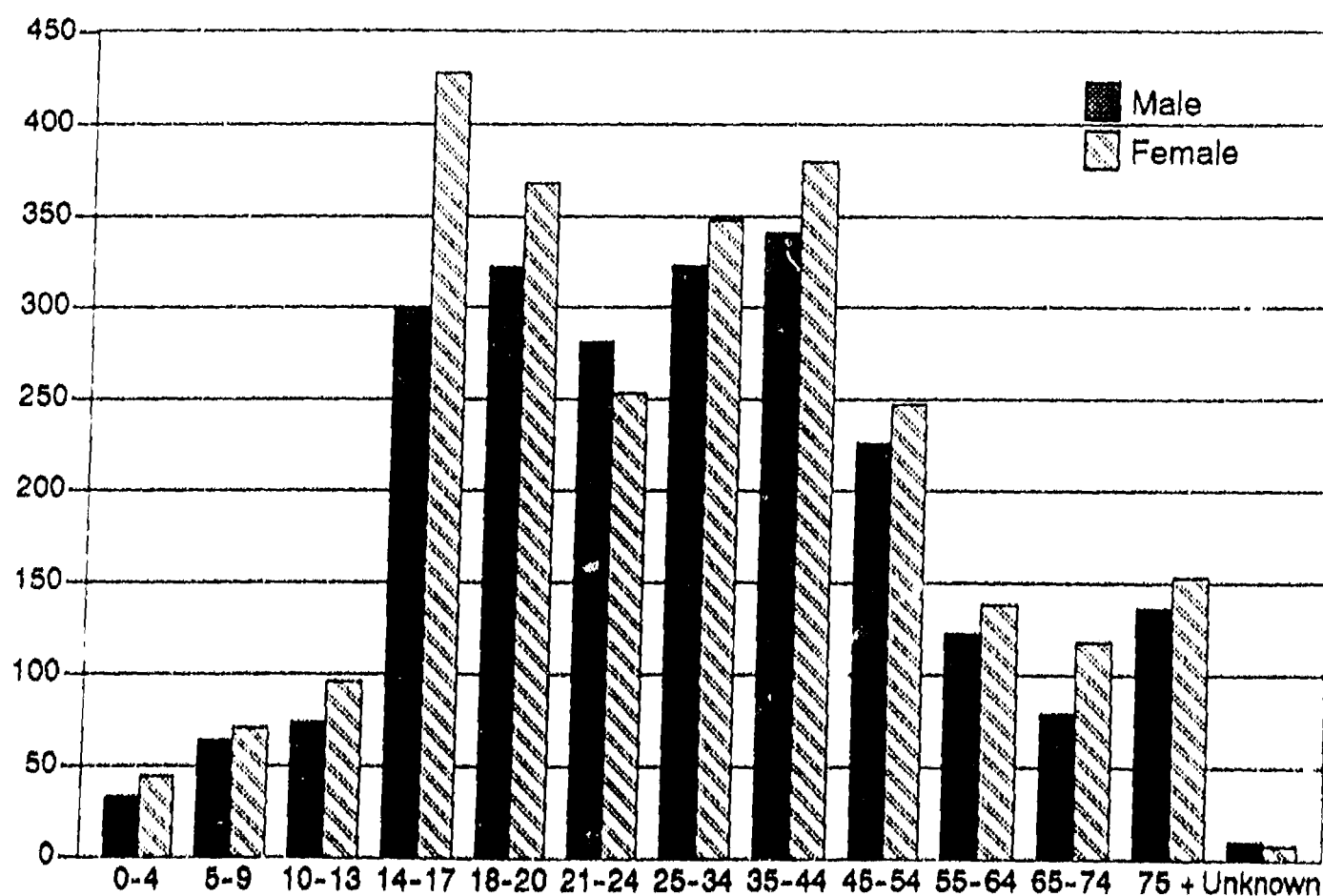
North Dakota Vehicle Crash Facts for 1999



**Drivers License and Traffic Safety Division
North Dakota Department of Transportation**

AGE AND SEX OF PERSONS INJURED

Age	Total Injuries		Pedestrian Injuries		Pedalcyclist Injuries	
	Male	Female	Male	Female	Male	Female
0 - 4	33	44	1	3	-	-
5 - 9	64	71	7	6	8	7
10 - 13	74	96	5	7	17	4
14 - 17	299	428	7	2	10	5
18 - 20	322	368	6	4	4	1
21 - 24	281	253	2	3	1	3
25 - 34	323	348	3	5	6	1
35 - 44	341	380	8	2	2	2
45 - 54	226	247	4	6	3	1
55 - 64	122	138	2	1	-	1
65 - 74	79	118	2	1	1	-
75 & older	136	153	2	3	2	-
Unknown	10	8	-	-	1	-
TOTAL	2,310	2,652	49	43	55	25

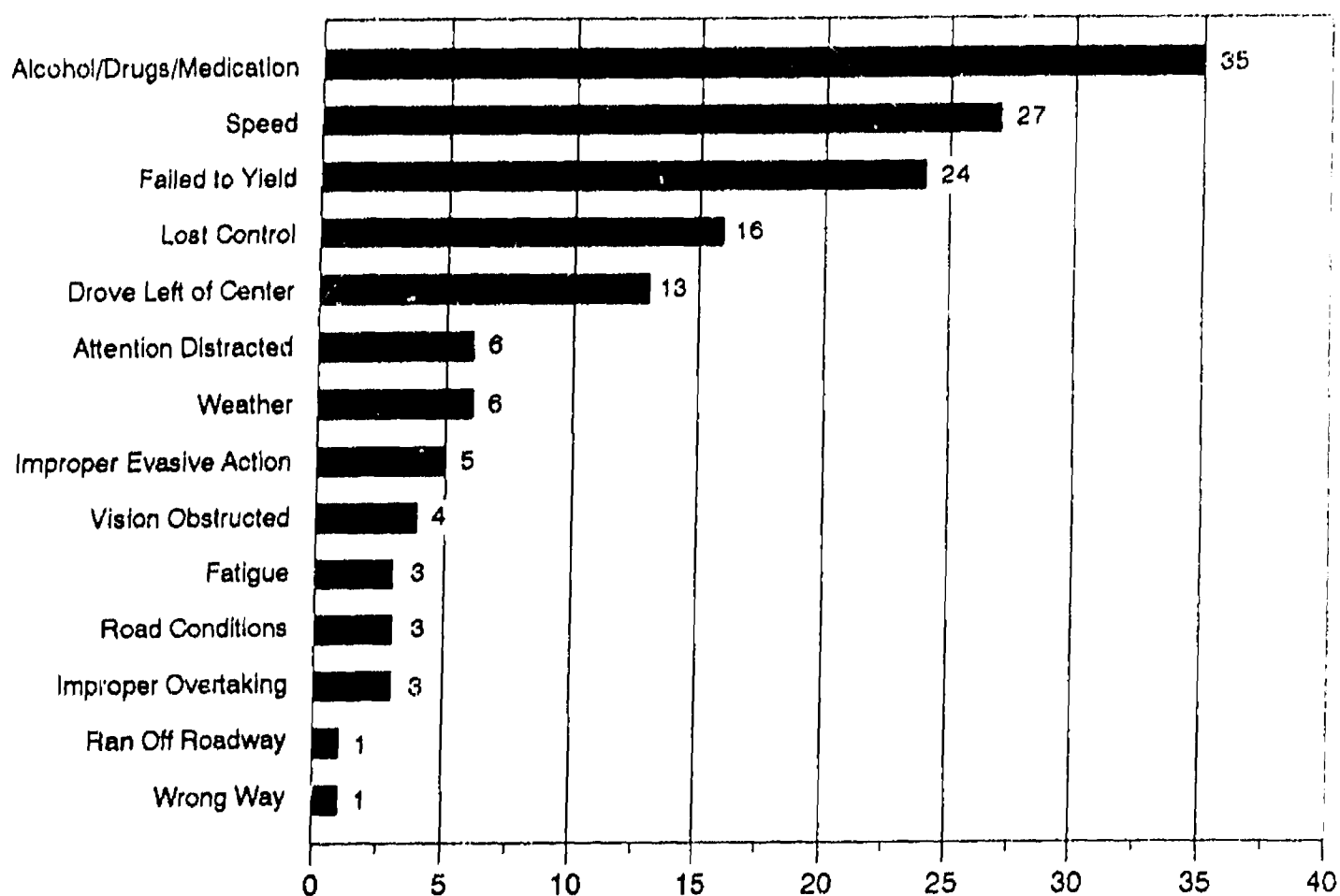


DID YOU KNOW?

Age 14-17 Drivers make up 4.5% of ALL licensed Drivers in North Dakota.

Age 14-17 Drivers account for 12.3% of Injury Crashes in North Dakota

CONTRIBUTING FACTORS IN 1999 FATAL CRASHES*



* There were 92 fatal crashes in 1999. Multiple contributing factors may be associated with one fatal crash and are based on the officer's preliminary investigation.

POINTS ASSIGNED FOR VIOLATIONS

39-06.1-10

Listed below are violations with 6 or more points assessed:

Careless Driving 6 points

Speeding 26- 35 over limit 6 points
(In Zones 55 or Less
Rural and City)

Example:	55	55	
	26	35	
	81 mph	90 mph	6 points

Example:	15 School	15 School	
	26	35	
	41 mph	50 mph	6 points

Speeding: 16- 25 over limit 7 points
(In Zones greater than 55
Controlled access & rural)

Example:	70 I-94	70 I-94	7 points
	16	25	
	86 mph	95 mph	

Reckless Driving (criminal violation) 8 points

Aggravated Reckless (criminal violation) 12 points

DWOI (2nd offense in 18 months) 12 points

Leaving Scene of PD accident (criminal violation) 14 points

Leaving Scene of BI or death accident (criminal vio) 18 points

Fleeing peace officer (criminal violation) 24 points

We wish you safe driving, but be prepared for emergencies!

If you do crash, stay calm and use common sense:

1. Call your local police, highway patrol, or this emergency number:
1-800-471-2121 or *2121
2. Exchange information with the other driver. Get the name, address, phone number, driver's license number, name of insurance company, and the name of the owner of the car.
3. Do not discuss with the other driver or drivers whether you were at fault in the crash. Never sign anything unless you totally understand and agree.
4. Call your insurance agent.



*If you're not involved in a crash, but are the first person on the scene be careful not to make the situation worse. Park well off the road, be aware of oncoming traffic, and send for help. Render First aid only if you know how.

Anticipate what you will do in an emergency and **BE PREPARED!** Know how to handle a flat tire, over-heated engine, gas line freeze, wet brakes, and slick winter driving.

Driving is a privilege

Don't Drink and Drive

Drive Smart

Always buckle up

Remember:

*Protect Your Future,
Protect Your Dreams,
Don't Drink and Drive.
Always Buckle Up.*

Drivers License and Traffic Safety Division
North Dakota Department of Transportation

Designed by
Steve Long and Jeff Hemminger
Hemminger School

"I finally got my license!"

Graduated
Driver
Licensing

**WHICH
DIRECTION**



**ARE
YOU
GOING WITH**

"The New Law?"

A GOTO LOGO AND DESIGN BY THE NEW GWS

Congratulations!

You have just received your drivers license - one of your most valuable possessions.

Drive Smart

It's unfortunate, but many new drivers have their first accident within weeks of obtaining their license.

Crashes happen quickly. When you take your eyes off the road to adjust the radio, pick up something from the floor, or wave to a friend, it can happen. So drive SMART. KNOW and OBEY the rules of the road. Drive defensively, and stay alert. AND wear your seat belt on every trip.

Driving is a privilege.

Points come off your record

Slowly!

- You will be assessed points on your driving record for offenses
- One point is automatically deleted by Driver License and Traffic Safety every 90 days of violation-free driving. Three points can be removed upon successful completion of a North Dakota approved driver improvement course and have this course recorded on your driving record. This option may be used only once during a 12-month period.

There Are a Few Restrictions

"IT'S THE NEW LAW"

- The supervising driver for a person with a learner's permit must be at least 18 years of age, have at least three years driving experience, and possess a valid drivers license. Only the supervising driver may be in the front seat with the permit holder, unless the vehicle has only one seat, and then the supervising driver must be seated next to the permit holder.
- Any person under the age of 18, who intends to take a driving test and obtain a driver license, must hold their learner's permit for six months.
- Any driver younger than 16 years of age may not carry more passengers than the vehicle manufacturer's suggested passenger capacity.
- Any driver younger than 18 years of age who accumulates more than five points on their driving record or commits any alcohol-related offense will have their license or permit canceled. The driver under age 18, who has their license canceled, will need to return to the permit stage and complete all required driver education before being allowed to retake the behind-the-wheel test. The process doesn't begin until all other suspensions or penalties have been served.
- All drivers younger than 16 years of age must complete driver education.
- If you are under 16, you are restricted to driving the car of your parents or legal guardian and only in the state of North Dakota.
- If you are under 18, your parents or legal guardian are your sponsors. They are legally and financially responsible for you. They have the right to cancel your license at any time.

Insurance Is Important

As a young driver, your insurance rates are high and will remain high until you turn 25 or marry, whichever comes first. The reason - this age group tends to have more accidents. Remember, your already high insurance rates will get much higher if you have a crash or get points on your license.

On the other hand, you can get a break on your insurance costs by taking driver's ed, keeping your grades up, and keeping your driving record clean.

