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Operator's Signature

Deanna Hall

Date

10/17/03

2003 SENATE TRANSPORTATION

SB 2203

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10/17/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2203

Senate Transportation Committee

☐ Conference Committee

Hearing Date 1-24-03

| Tape Number | Side A | Side B | Meter # |
|--|--------|--------|---------|
| 1 | X | | 25-3006 |
| | | | |
| | | | |
| Committee Clerk Signature <i>Mary K Monson</i> | | | |

Minutes:

The hearing on SB 2203 relating to the length of truck-mounted haystack moving equipment was opened by **Chairman Senator Thomas Trenbeath**.

Senator Robert Erbele: (Senator from District 28) Sponsoring SB 2203 on behalf of constituents in the hay hauling business. Mostly a cleanup bill except line 11 on page 4 where the length of truck-mounted haystack moving equipment is changed from fifty-six feet to sixty-five feet. The bill refers to loading machines with chains that load the stacks. Currently they load three wide and the proposal is to make them narrower to load two wide. Intent isn't to haul more pounds but to stay in the 29 bale range.

Gary Berreth: (Director of Operations for the North Dakota Department of Transportation)

See attached testimony in opposition to SB 2203.

Senator Nething: Would changing the width make a difference?

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Page 2
Senate Transportation Committee
Bill/Resolution Number SB 2203
Hearing Date 1-24-03

Gary Berreth: It might make a difference on the weight. Some of the safety concerns are still there with respect to the length and maneuverability.

Senator Espegard: Does this relate only to hay hauling equipment or all trucks?

Gary Berreth: Truck-mounted haystack moving equipment.

Senator Espegard: How wide can they be in North Dakota?

Gary Berreth: Defer question to the Highway Patrol.

Senator Trenbeath: My presumption is that most stack moving is local. Is that correct?

Gary Berreth: (Meter 840) A lot of the hay moved this year maybe originated in North Dakota but I think there is a considerable amount that moves from Montana and surrounding states.

Senator Trenbeath: What is a truck mounted haystack mover? Is that defined anywhere in the code?

Gary Berreth: Deferred that question to the Highway Patrol.

Senator Trenbeath: Are there any operators of truck mounted stack movers here today to talk about the maneuverability of their vehicles?

Gary Berreth: I don't believe there are any.

Senator Trenbeath: What operators of truck mounted stack movers have you talked to that would lead you to this opinion.

Gary Berreth: (Meter 945) Through conversations with the Highway Patrol and conversations they had with operators, I believe, in the southern part of the state.

Senator Trenbeath: Whether or not it increases the chances of overloading, the weight limitations are still there for enforcement. Is that correct?

Gary Berreth: Yes.

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10/17/03
Date

Page 3
Senate Transportation Committee
Bill/Resolution Number SB 2203
Hearing Date 1-24-03

Senator Mutch: (Meter 1010) I think the problem is we're trying to confuse haystack movers with the movers of baled hay.

Senator Trenbeath: We're not talking about a flatbed truck that has been modified to accommodate large bales that you load with a front end loader tractor. We're talking about a piece of equipment designed specifically to haul stacks.

Gary Berreth: What I understand it to be is the type that tilts.

Doyle Schulz: (Director of the Motor Carrier Division of the ND Highway Patrol)

(Meter 1190) We are talking about a specific piece of equipment which we consider an implement of husbandry used exclusively for the hauling of haystacks initially but has migrated to the use of hauling bales. When the farmer operates it hauling his own product he is exempt from width restrictions. Used commercially there are certain restrictions. Voiced safety concerns on the maneuverability of the vehicle and concerns over the weight on the rear axle.

(Meter 1425) Discussion on the length being a problem from the safety point of view. The Department of Transportation feels the safety factor is on the turning of the vehicle. The straight truck doesn't have the maneuverability that an articulated truck has. Concerned with safety of both the operators and others on the road.

Leanna Emmer: (Highway Patrol Permit Section Administrator) (Meter 1740) She was the one who requested input from carriers on extending the overall length from 56 feet to 65 feet. Their question was, "Why would you want to do that." The maneuverability of a longer vehicle was cited as being a problem as well as overloading on the rear axle.

Senator Mutch: Is there any history on the weight being shifted to the rear axle of a longer vehicle to know if there is that much of a difference?

Page 4
Senate Transportation Committee
Bill/Resolution Number SB 2203
Hearing Date 1-24-03

Leanna Emmer: The weight of a bale varies. No previous history on rear axles overloading.

The truck mounted stack mover is the longest single unit vehicle allowed in North Dakota and past history has shown that those types of vehicles do have a tendency to overload now.

(Meter 2120) Discussion on seasonal permits and commercial versus farmer use. A truck mounted stack mover is defined as an implement of husbandry. In North Dakota, when used for commercial movement, a \$50 seasonal permit is purchased in lieu of registration for that vehicle. There is no distance limit.

(Meter 2620) Discussion about the distance between axles. The axles have to be far enough forward to accommodate the hydraulic system which lifts the bed.

The hearing on SB 2203 was closed.

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Leanna Emmer
Operator's signature

01/17/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2203

Senate Transportation Committee

☐ Conference Committee

Hearing Date 1-30-03

| Tape Number | Side A | Side B | Meter # |
|--|--------|--------|-----------|
| 1 | | X | 4629-6120 |
| | | | |
| | | | |
| Committee Clerk Signature <i>Mary K Monson</i> | | | |

Minutes:

The hearing on SB 2203 was reopened by **Chairman Senator Thomas Trenbeath** for additional testimony.

Charles Puhmann: (Livestock producer and trucker, Ashley ND) (Meter 4675) Stated that he would like to see length limitations for haystack movers changed from 56 feet to 65 feet and the width narrowed to about 11 feet. Compared the change to ones used in Nebraska. Stated they would be easier to drive.

(Meter 5475) Discussion on the axle system.

The meeting was adjourned.

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10/17/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2203

Senate Transportation Committee

☐ Conference Committee

Hearing Date 1-31-03

| Tape Number | Side A | Side B | Meter # |
|---|--------|--------|----------|
| 1 | X | | 5600-end |
| 1 | | X | 0-165 |
| | | | |
| Committee Clerk Signature <i>Mary K. Monson</i> | | | |

Minutes:

Discussion was opened on SB 2203.

Senator Trenbeath motioned a **Do Not Pass**. Seconded by **Senator Bercier**. Roll call vote 6-0-0.

Passed. Floor carrier is **Senator Espegard**.

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10/17/03
Date

Date: 1-31-03
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2203

Senate TRANSPORTATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Not Pass

Motion Made By Senator Trenbeath Seconded By Senator Bercier

| Senators | Yes | No | Senators | Yes | No |
|-----------------------------------|-----|----|------------------------|-----|----|
| Senator Thomas Trenbeath, Chair | ✓ | | Senator Dennis Bercier | ✓ | |
| Senator Duaine Espegard, V. Chair | ✓ | | Senator Ryan Taylor | ✓ | |
| Senator Duane Mutch | ✓ | | | | |
| Senator Dave Nothing | ✓ | | | | |
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Total (Yes) 6 No 0

Absent 0

Floor Assignment Senator Espegard

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

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10/17/03
Date

REPORT OF STANDING COMMITTEE (410)
January 31, 2003 11:29 a.m.

Module No: SR-19-1428
Carrier: Espegard
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
SB 2203: Transportation Committee (Sen. Trenbeath, Chairman) recommends **DO NOT**
PASS (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2203 was placed on the
Eleventh order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-19-1428

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10/17/03
Date

2003 TESTIMONY

SB 2203

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10/17/03
Date

SENATE TRANSPORTATION COMMITTEE

January 24, 2003

**North Dakota Department of Transportation
Gary Berreth, Director of Operations**

SB 2203

Mr. Chairman and members of the committee, my name is Gary L. Berreth, Director of Operations for the North Dakota Department of Transportation. I am here today to testify in opposition to SB 2203. With me are Doyle F. Schulz, Director of the Motor Carrier Division of the North Dakota Highway Patrol, and Leanna Emmer, Highway Patrol Permit Section Administrator.

SB 2203 is a proposal to extend the overall length of a truck-mounted stack mover from 56 feet to 65 feet. This bill is identical to one brought before this committee four years ago. We have the same concerns today that we had then.

Our first concern is safety. Operators of truck-mounted stack movers tell us a 65-foot straight vehicle is much less maneuverable than a 56-foot vehicle. The added length also means the trucks must make very wide turns, impeding the right-of-way for other motorists.

We also believe this bill may increase overloading on the rear axles. A 56-foot truck-mounted stack mover has difficulty staying within the legal axle weight limits of 48,000 pounds on a group of three or more axles. If the vehicle has a tandem axle, the maximum legal axle weight limit is 34,000 pounds. Making the bed length nine feet longer would allow for more hay to be carried on the rear of the truck, increasing the weight on the rear axle grouping. Overloaded vehicles reduce a highway's life expectancy. Increased weight to the rear also decreases the maneuverability of vehicles.

Haystack-moving equipment was originally intended to move loose hay, but now they're moving baled hay. Over the past few years, the size and weight of baled hay has increased. Adding nine feet to the vehicle length increases even more the potential for overloading and damage to our highways.

On issues of truck size and weight, we try to use limits similar to surrounding jurisdictions. Currently, North Dakota, at 56 feet, has a greater length limit than two of the three surrounding states. Minnesota allows 40 feet, Montana allows 55 feet, and South Dakota allows 60 feet. Attached to my testimony are the results of our survey of Minnesota, Montana, and South Dakota.

Our opinion of this legislation has not changed over the last four years. We believe that increasing the length of these vehicles would greatly increase the risk to motorists and to the highway infrastructure.

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Leanna Emmer
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10/17/03
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SB 2203

65' truck-mounted haystack movers

The following information was compiled to answer further questions regarding SB 2203. Please note below what other states allow relative to the size of truck-mounted haystack movers.

| | | <u>Empty</u> | <u>Loaded</u> |
|----------|---------|--------------|---------------|
| Montana: | Width: | 20' | 20' |
| | Length: | 55' | 55' |

Distance traveled cannot exceed 75 miles. Speed limit cannot exceed 35 mph.

| | | <u>Empty</u> | <u>Loaded</u> |
|---------------|---------|--------------|---------------|
| South Dakota: | Width: | 17' | 20' |
| | Length: | 60' | 60' |

Vehicles are loaded 3 bales wide, 6 bales long, 3 bales high.

| | | <u>Empty</u> | <u>Loaded</u> |
|------------|---------|--------------|---------------|
| Minnesota: | Width: | Exempt | Exempt |
| | Length: | 40' | 40' |

Minnesota recognizes this vehicle as an implement of husbandry. Truck-mounted haystack movers can only be used by farmers within 75 miles of their farm. Speed limit cannot exceed 30 mph. This vehicle cannot be used to haul hay commercially.

| | | <u>Empty</u> | <u>Loaded</u> |
|---------------|---------|--------------|---------------|
| North Dakota: | Width: | Exempt | Exempt |
| | Length: | 56' | 56' |

No travel on the interstate system when loaded. Vehicles are generally loaded 3 bales wide, 5 and 6 bales long, 2 or 3 bales high.

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