

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1012

That the Senate recede from its amendments as printed on pages 1444-1448 of the House Journal and pages 1260-1265 of the Senate Journal and that Engrossed House Bill No. 1012 be amended as follows:

Page 1, line 2, replace the first "and" with "to authorize the department of transportation to acquire lands;"

Page 1, line 3, replace "section" with "sections 24-01-51," after "24-02-44" insert ", and 39-04-19, and subdivisions f and g of subsection 1 of section 39-09-02", after "Code" insert "and section 7 of chapter 331 of the 2001 Session Laws", and after "to" insert "haying of no-mow areas,"

Page 1, line 4, after "Dakota" insert ", motor vehicle registration fees, and speed limits; to repeal section 10 of chapter 331 of the 2001 Session Laws, relating to registration fee allocation; and to declare an emergency"

Page 1, line 11, replace "105,330,558" with "105,222,404"

Page 1, line 12, replace "113,252,369" with "122,902,369"

Page 1, line 13, replace "471,096,984" with "512,175,642"

Page 1, line 15, replace "733,765,414" with "784,385,918"

Page 1, after line 15, insert:

"SECTION 2. ACQUIRING LAND IN NO-MOW AND MANAGED-MOW AREAS. The department of transportation may acquire land to eliminate no-mow and managed-mow areas adjacent to the state's roadways. If the department intends to acquire public land to eliminate no-mow and managed-mow areas, the department shall hold a public hearing in the county in which the land is located before the land is acquired.

SECTION 3. AMENDMENT. Section 24-01-51 of the North Dakota Century Code is amended and reenacted as follows:

24-01-51. (Effective January 1, 2004 2006) Haying of no-mow areas. Notwithstanding any other provision of law, a person owning land adjacent to an area within the right of way of a highway which is designated as a no-mow or managed-mow area may hay the no-mow or managed-mow area after July fifteenth without any payment or penalty."

Page 2, after line 3, insert:

"SECTION 5. AMENDMENT. Section 39-04-19 of the North Dakota Century Code is amended and reenacted as follows:

39-04-19. Motor vehicle registration fees and mile tax. Motor vehicles required to pay registration fees or a mile tax shall pay the following fees:

1. Nonresidents electing to pay mile tax in lieu of registration, when authorized to do so by the department, shall pay a fee of twenty dollars for a trip permit which is valid for a period of seventy-two hours. All fees collected under the provisions of this subsection must be credited to the highway construction fund.
2. Motor vehicles required to be registered in this state must be furnished license plates upon the payment of the following annual fees; however, if a motor vehicle, including a motorcycle or trailer, first becomes subject to registration other than at the beginning of the registration period, such fees must be prorated on a monthly basis. The minimum fee charged hereunder must be five dollars:
 - a. Passenger motor vehicles:

Gross Weights	YEARS REGISTERED				
	1st, 2nd, 3rd, 4th, 5th, and 6th Years	7th, 8th, and 9th Years	10th, 11th, and 12th Years	13th and Subsequent Years	
Less than 3,200	\$57.00 <u>\$60</u>	\$49.00 <u>\$52</u>	\$41.00 <u>\$44</u>	\$33.00 <u>\$36</u>	
3,200 - 4,499	77.00 <u>80</u>	65.00 <u>68</u>	53.00 <u>56</u>	41.00 <u>44</u>	
4,500 - 4,999	95.00 <u>98</u>	78.00 <u>81</u>	63.00 <u>66</u>	47.00 <u>50</u>	
5,000 - 5,999	126.00 <u>129</u>	104.00 <u>107</u>	82.00 <u>85</u>	60.00 <u>63</u>	
6,000 - 6,999	159.00 <u>162</u>	130.00 <u>133</u>	101.00 <u>104</u>	73.00 <u>76</u>	
7,000 - 7,999	192.00 <u>195</u>	156.00 <u>159</u>	121.00 <u>124</u>	86.00 <u>89</u>	
8,000 - 8,999	225.00 <u>228</u>	183.00 <u>186</u>	141.00 <u>144</u>	99.00 <u>102</u>	
9,000 and over	258.00 <u>261</u>	209.00 <u>212</u>	161.00 <u>164</u>	112.00 <u>115</u>	

A house car is subject to registration at the rates prescribed for other vehicles under this subdivision modified by using the weight applicable to a vehicle whose weight is forty percent of that of the house car, but not using a weight of less than four thousand pounds [1814.35 kilograms].

- b. Schoolbuses, buses for hire, buses owned and operated by religious, charitable, or nonprofit organizations and used exclusively for religious, charitable, or other public nonprofit purposes, and trucks or combination trucks and trailers, including commercial and noncommercial trucks, except those trucks or combinations of trucks and trailers which qualify for registration under subsection 5:

Gross Weights	YEARS REGISTERED				
	1st Through 6th Years	7th Through 9th Years	10th Through 12th Years	13th Through 19th Years	20th and Subsequent Years
Not over 4,000	\$55.00 <u>\$58</u>	\$42.00 <u>\$45</u>	\$37.00 <u>\$40</u>	\$34.00 <u>\$37</u>	\$33.00 <u>\$36</u>
4,001 - 6,000	60.00 <u>63</u>	47.00 <u>50</u>	41.00 <u>44</u>	35.00 <u>38</u>	34.00 <u>37</u>
6,001 - 8,000	65.00 <u>68</u>	52.00 <u>55</u>	45.00 <u>48</u>	36.00 <u>39</u>	35.00 <u>38</u>
8,001 - 10,000	70.00 <u>73</u>	57.00 <u>60</u>	49.00 <u>52</u>	38.00 <u>41</u>	37.00 <u>40</u>
10,001 - 12,000	75.00 <u>78</u>	62.00 <u>65</u>	53.00 <u>56</u>	40.00 <u>43</u>	39.00 <u>42</u>
12,001 - 14,000	80.00 <u>83</u>	67.00 <u>70</u>	57.00 <u>60</u>	43.00 <u>46</u>	42.00 <u>45</u>
14,001 - 16,000	85.00 <u>88</u>	72.00 <u>75</u>	61.00 <u>64</u>	46.00 <u>49</u>	45.00 <u>48</u>
16,001 - 18,000	90.00 <u>93</u>	77.00 <u>80</u>	65.00 <u>68</u>	48.00 <u>51</u>	47.00 <u>50</u>
18,001 - 20,000	93.00 <u>96</u>	80.00 <u>83</u>	67.00 <u>70</u>	49.00 <u>52</u>	48.00 <u>51</u>

YEARS REGISTERED

Gross Weights	1st, 2nd, 3rd, 4th, 5th, 6th, and 7th Years		8th, 9th, 10th, 11th, and 12th Years		13th and Subsequent Years	
20,001 - 22,000	\$123.00	<u>\$126</u>	\$97.00	<u>\$100</u>	\$84.00	<u>\$87</u>
22,001 - 26,000	175.00	<u>178</u>	145.00	<u>148</u>	129.00	<u>132</u>
26,001 - 30,000	236.00	<u>239</u>	194.00	<u>197</u>	172.00	<u>175</u>
30,001 - 34,000	302.00	<u>305</u>	247.00	<u>250</u>	219.00	<u>222</u>
34,001 - 38,000	363.00	<u>366</u>	296.00	<u>299</u>	262.00	<u>265</u>
38,001 - 42,000	424.00	<u>427</u>	345.00	<u>348</u>	304.00	<u>307</u>
42,001 - 46,000	485.00	<u>488</u>	393.00	<u>396</u>	347.00	<u>350</u>
46,001 - 50,000	546.00	<u>549</u>	442.00	<u>445</u>	390.00	<u>393</u>
50,001 - 54,000	616.00	<u>619</u>	500.00	<u>503</u>	441.00	<u>444</u>
54,001 - 58,000	677.00	<u>680</u>	549.00	<u>552</u>	484.00	<u>487</u>
58,001 - 62,000	739.00	<u>742</u>	598.00	<u>601</u>	527.00	<u>530</u>
62,001 - 66,000	799.00	<u>802</u>	646.00	<u>649</u>	570.00	<u>573</u>
66,001 - 70,000	860.00	<u>863</u>	695.00	<u>698</u>	612.00	<u>615</u>
70,001 - 74,000	921.00	<u>924</u>	744.00	<u>747</u>	655.00	<u>658</u>
74,001 - 78,000	982.00	<u>985</u>	793.00	<u>796</u>	698.00	<u>701</u>
78,001 - 82,000	1,043.00	<u>1,046</u>	842.00	<u>845</u>	741.00	<u>744</u>
82,001 - 86,000	1,166.00	<u>1,169</u>	947.00	<u>950</u>	828.00	<u>831</u>
86,001 - 90,000	1,288.00	<u>1,291</u>	1,051.00	<u>1,054</u>	915.00	<u>918</u>
90,001 - 94,000	1,410.00	<u>1,413</u>	1,156.00	<u>1,159</u>	1,002.00	<u>1,005</u>
94,001 - 98,000	1,532.00	<u>1,535</u>	1,261.00	<u>1,264</u>	1,090.00	<u>1,093</u>
98,001 - 102,000	1,654.00	<u>1,657</u>	1,365.00	<u>1,368</u>	1,177.00	<u>1,180</u>
102,001 - 105,500	1,776.00	<u>1,779</u>	1,470.00	<u>1,473</u>	1,264.00	<u>1,267</u>

c. Motorcycles, fifteen dollars.

3. Motor vehicles acquired by disabled veterans under the provisions of Public Law 79-663 [38 U.S.C. 3901] are exempt from the payment of state sales or use tax and, if paid, such veterans are entitled to a refund. This exemption also applies to any passenger motor vehicle or pickup truck not exceeding ten thousand pounds [4535.92 kilograms] gross weight but shall apply to no more than two such motor vehicles owned by a disabled veteran at any one time.
4. Every trailer, semitrailer, and farm trailer required to be registered under this chapter must be furnished registration plates upon the payment of a twenty dollar annual fee. Every trailer, semitrailer, or farm trailer not required to be registered under this chapter must be furnished an identification plate upon the payment of a fee of five dollars. Upon the request of a person with a trailer or farm trailer to whom a registration or identification plate is provided under this subsection, the department shall provide a plate of the same size as provided for a motorcycle. The department shall provide notification of this option to the person before the replacement or issuance of the plate.
5. Trucks or combinations of trucks and trailers weighing more than twenty thousand but not more than one hundred five thousand five hundred pounds [more than 9071.84 but not more than 47854.00 kilograms] which are used as farm vehicles only, are entitled to registration under the following fee schedule and the provisions of this subsection. Farm vehicles are considered, for the purpose of this subsection, as trucks or combinations of trucks and trailers weighing more than twenty thousand but not more than one hundred five thousand five hundred pounds [more than 9071.84 but not more than 47854.00 kilograms] owned, or leased for at least one year by a bona fide resident farmer who uses the vehicles exclusively for transporting the farmer's own property or other property on a farm work exchange basis with other farmers between farms and the usual

local trading places but not in connection with any commercial retail or wholesale business being conducted from those farms, nor otherwise for hire. In addition to the penalty provided in section 39-04-41, any person violating this subsection shall license for the entire license period the farm vehicle at the higher commercial vehicle rate in accordance with the weight carried by the farm vehicle at the time of the violation.

Gross Weights	YEARS REGISTERED				
	1st, 2nd, 3rd, 4th, 5th, and 6th Years	7th and 8th Years	9th and 10th Years	11th and Subsequent Years	
20,001 - 22,000	\$95.00 <u>\$98</u>	\$81.00 <u>\$84</u>	\$67.00 <u>\$70</u>	\$49.00 <u>\$52</u>	
22,001 - 24,000	100.00 <u>103</u>	85.00 <u>88</u>	70.00 <u>73</u>	51.00 <u>54</u>	
24,001 - 26,000	108.00 <u>111</u>	91.00 <u>94</u>	74.00 <u>77</u>	53.00 <u>56</u>	
26,001 - 28,000	119.00 <u>122</u>	99.00 <u>102</u>	80.00 <u>83</u>	57.00 <u>60</u>	
28,001 - 30,000	128.00 <u>131</u>	107.00 <u>110</u>	86.00 <u>89</u>	61.00 <u>64</u>	
30,001 - 32,000	143.00 <u>146</u>	120.00 <u>123</u>	97.00 <u>100</u>	70.00 <u>73</u>	
32,001 - 34,000	153.00 <u>156</u>	128.00 <u>131</u>	103.00 <u>106</u>	74.00 <u>77</u>	
34,001 - 36,000	163.00 <u>166</u>	136.00 <u>139</u>	109.00 <u>112</u>	78.00 <u>81</u>	
36,001 - 38,000	173.00 <u>176</u>	144.00 <u>147</u>	115.00 <u>118</u>	82.00 <u>85</u>	
38,001 - 40,000	183.00 <u>186</u>	152.00 <u>155</u>	121.00 <u>124</u>	86.00 <u>89</u>	
40,001 - 42,000	193.00 <u>196</u>	160.00 <u>163</u>	127.00 <u>130</u>	90.00 <u>93</u>	
42,001 - 44,000	203.00 <u>206</u>	168.00 <u>171</u>	133.00 <u>136</u>	94.00 <u>97</u>	
44,001 - 46,000	213.00 <u>216</u>	176.00 <u>179</u>	139.00 <u>142</u>	98.00 <u>101</u>	
46,001 - 48,000	223.00 <u>226</u>	184.00 <u>187</u>	145.00 <u>148</u>	102.00 <u>105</u>	
48,001 - 50,000	233.00 <u>236</u>	192.00 <u>195</u>	151.00 <u>154</u>	106.00 <u>109</u>	
50,001 - 52,000	253.00 <u>256</u>	210.00 <u>213</u>	167.00 <u>170</u>	120.00 <u>123</u>	
52,001 - 54,000	263.00 <u>266</u>	218.00 <u>221</u>	173.00 <u>176</u>	124.00 <u>127</u>	
54,001 - 56,000	273.00 <u>276</u>	226.00 <u>229</u>	179.00 <u>182</u>	128.00 <u>131</u>	
56,001 - 58,000	283.00 <u>286</u>	234.00 <u>237</u>	185.00 <u>188</u>	132.00 <u>135</u>	
58,001 - 60,000	293.00 <u>296</u>	242.00 <u>245</u>	191.00 <u>194</u>	136.00 <u>139</u>	
60,001 - 62,000	303.00 <u>306</u>	250.00 <u>253</u>	197.00 <u>200</u>	140.00 <u>143</u>	
62,001 - 64,000	313.00 <u>316</u>	258.00 <u>261</u>	203.00 <u>206</u>	144.00 <u>147</u>	
64,001 - 66,000	323.00 <u>326</u>	266.00 <u>269</u>	209.00 <u>212</u>	148.00 <u>151</u>	
66,001 - 68,000	333.00 <u>336</u>	274.00 <u>277</u>	215.00 <u>218</u>	152.00 <u>155</u>	
68,001 - 70,000	343.00 <u>346</u>	282.00 <u>285</u>	221.00 <u>224</u>	156.00 <u>159</u>	
70,001 - 72,000	353.00 <u>356</u>	290.00 <u>293</u>	227.00 <u>230</u>	160.00 <u>163</u>	
72,001 - 74,000	363.00 <u>366</u>	298.00 <u>301</u>	233.00 <u>236</u>	164.00 <u>167</u>	
74,001 - 76,000	373.00 <u>376</u>	306.00 <u>309</u>	239.00 <u>242</u>	168.00 <u>171</u>	
76,001 - 78,000	383.00 <u>386</u>	314.00 <u>317</u>	245.00 <u>248</u>	172.00 <u>175</u>	
78,001 - 80,000	393.00 <u>396</u>	322.00 <u>325</u>	251.00 <u>254</u>	176.00 <u>179</u>	
80,001 - 82,000	403.00 <u>406</u>	330.00 <u>333</u>	257.00 <u>260</u>	180.00 <u>183</u>	
82,001 - 84,000	413.00 <u>416</u>	352.00 <u>355</u>	300.00 <u>303</u>	256.00 <u>259</u>	
84,001 - 86,000	433.00 <u>436</u>	369.00 <u>372</u>	314.00 <u>317</u>	268.00 <u>271</u>	
86,001 - 88,000	453.00 <u>456</u>	386.00 <u>389</u>	328.00 <u>331</u>	280.00 <u>283</u>	
88,001 - 90,000	473.00 <u>476</u>	403.00 <u>406</u>	342.00 <u>345</u>	292.00 <u>295</u>	
90,001 - 92,000	493.00 <u>496</u>	420.00 <u>423</u>	356.00 <u>359</u>	304.00 <u>307</u>	
92,001 - 94,000	513.00 <u>516</u>	437.00 <u>440</u>	370.00 <u>373</u>	316.00 <u>319</u>	
94,001 - 96,000	533.00 <u>536</u>	454.00 <u>457</u>	384.00 <u>387</u>	328.00 <u>331</u>	
96,001 - 98,000	553.00 <u>556</u>	471.00 <u>474</u>	398.00 <u>401</u>	340.00 <u>343</u>	
98,001 - 100,000	573.00 <u>576</u>	488.00 <u>491</u>	412.00 <u>415</u>	352.00 <u>355</u>	
100,001 - 102,000	593.00 <u>596</u>	505.00 <u>508</u>	426.00 <u>429</u>	364.00 <u>367</u>	
102,001 - 104,000	613.00 <u>616</u>	522.00 <u>525</u>	440.00 <u>443</u>	376.00 <u>379</u>	
104,001 - 105,500	633.00 <u>636</u>	539.00 <u>542</u>	454.00 <u>457</u>	388.00 <u>391</u>	

- A motor vehicle registered in subsection 5 may be used for custom combining operations by displaying identification issued by the department and upon payment of a fee of twenty-five dollars.

SECTION 6. AMENDMENT. Subdivisions f and g of subsection 1 of section 39-09-02 of the North Dakota Century Code as amended in section 1 of House Bill No. 1046, as approved by the fifty-eighty legislative assembly, are amended and reenacted as follows:

- f. Fifty-five miles [88.51 kilometers] an hour on gravel, dirt, or loose surface highways, and on paved two-lane county and township highways if there is no speed limit posted, unless otherwise permitted, restricted, or required by conditions.
- g. Sixty-five miles [104.61 kilometers] an hour on paved two-lane highways ~~and on paved and divided multilane highways if posted for that speed~~, unless otherwise permitted, restricted, or required by conditions.

SECTION 7. AMENDMENT. Section 7 of chapter 331 of the 2001 Session Laws is amended and reenacted as follows:

SECTION 7. TEMPORARY ALLOCATION. ~~Two~~ Three dollars of each registration fee collected under subsection 2 or 5 of section 39-04-19 must be deposited in the state highway fund.

SECTION 8. REPEAL. Section 10 of chapter 331 of the 2001 Session Laws is repealed.

SECTION 9. EMERGENCY. Sections 6 and 8 of this Act are declared to be an emergency measure."

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1012 - Department of Transportation - Conference Committee Action

	EXECUTIVE BUDGET	HOUSE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	SENATE VERSION	COMPARISON TO SENATE
Salaries and wages	\$106,357,711	\$105,330,558	(\$108,154)	\$105,222,404	\$105,222,404	
Operating expenses	124,852,369	113,252,369	9,650,000	122,902,369	122,650,587	\$251,782
Capital assets	459,496,984	471,096,984	41,078,658	512,175,642	512,175,642	
Grants	<u>44,085,503</u>	<u>44,085,503</u>		<u>44,085,503</u>	<u>44,085,503</u>	
Total all funds	\$734,792,567	\$733,765,414	\$50,620,504	\$784,385,918	\$784,134,136	\$251,782
Less estimated income	<u>734,792,567</u>	<u>733,765,414</u>	<u>50,620,504</u>	<u>784,385,918</u>	<u>784,134,136</u>	<u>251,782</u>
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	1,046.00	1,046.00	0.00	1,046.00	1,046.00	0.00

Dept. 801 - Department of Transportation - Detail of Conference Committee Changes

	ADDS HIGHWAY CONSTRUCTION FUNDING ¹	ADDS FEDERAL HIGHWAY FUNDING ²	ADDS FUNDING FOR HIGHWAY PROJECTS ³	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE ⁴	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS ⁵	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages				(\$108,154)		(\$108,154)
Operating expenses	\$10,000,000				(\$350,000)	9,650,000
Capital assets	33,750,000	\$7,100,000	\$228,658			41,078,658
Grants						
Total all funds	\$43,750,000	\$7,100,000	\$228,658	(\$108,154)	(\$350,000)	\$50,620,504
Less estimated income	<u>43,750,000</u>	<u>7,100,000</u>	<u>228,658</u>	<u>(108,154)</u>	<u>(350,000)</u>	<u>50,620,504</u>
General fund	\$0	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	0.00	0.00	0.00	0.00

- ¹ The capital assets line item is increased by \$33,750,000 for highway construction projects, and the operating expenses line item is increased by \$10 million for costs relating to consulting engineers. These increases reflect federal highway construction funding available to North Dakota of \$182.5 million for each year of the 2003-05 biennium, an increase of \$17.5 million per year compared to the \$165 million per year anticipated in the executive budget and House version. Of the total increase of \$43,750,000, \$35 million is from federal funds and \$8,750,000 is from the highway fund. The Senate also made these changes.
- ² The capital assets line item is increased by \$7,100,000 of federal funds for highway projects that do not require a state match, the same as the Senate version.
- ³ The capital assets line item is increased by \$228,658 to utilize federal funding (\$182,926) and related state matching funds (\$45,732) removed by the House for the state employee salary increase for highway construction projects. The Senate also made this change.
- ⁴ Funding for state employee health insurance premiums is reduced from \$493 to \$488.70 per month.
- ⁵ This amendment reduces funding for information technology by \$350,000 of special funds.

Sections are added increasing motor vehicle registration fees by \$3 per year. Of the \$3 increase, \$2 is deposited in the highway tax distribution fund and \$1 in the highway fund. For the 2001-03 biennium, \$2 of each motor vehicle registration fee is being deposited directly in the highway fund rather than in the highway tax distribution fund. This amendment increases the amount deposited directly into the highway fund by \$1 to \$3 and removes the expiration date of June 30, 2005, for this allocation. The Senate had increased motor vehicle registration fees by \$3, but deposited \$1 in the highway tax distribution fund and \$2 in the highway fund.

A section is added authorizing the department to acquire land to eliminate no-mow or managed-mow areas along state highways, the same as the Senate version.

A section is added delaying the effective date from January 1, 2004, to January 1, 2006, of a section allowing a landowner owning land next to a no-mow or managed-mow area to hay the no-mow or managed-mow area after July 15 without payment or penalty, the same as the Senate version.

A section is added as an emergency, setting the speed limit on paved two-lane county and township highways at fifty-five miles an hour unless posted differently.