

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1098

2005 HOUSE TRANSPORTATION

HB 1098

2005 HOUSE STANDING COMMITTEE MINUTES

BILL HB 1098

House Transportation Committee

☐ Conference Committee

Hearing Date January 13, 2005

Tape Number	Side A	Side B	Meter #
1	X		0.6- 5.2
2		X	p. 3-

Committee Clerk Signature

Minutes:

Chairman Weisz opened the hearing on HB 1098 A Bill for an Act to amend and reenact section 39-08-13 of the North Dakota Century Code, relating to providing copies of accident reports.

Lynn Heinert: ND DOT. (1.7) spoke instead of Keith Magnusson. (See attached testimony)

Chairman Weisz Currently if an insurance company requests a report do they get both sides or do they just get the front of the crash report?

Lynn Heinert: They do get both sides that is public information

Rep. Delmore (3.8) At the end of your second paragraph of your testimony you said for someone to request a copy of the crash report; would that option still remain? Or would it still be limited to the owners of the vehicles and with their release insurance companies?

Lynn Heinert: It would stay the same as it is. Uninterested parties involved in a crash would only be allowed the public portion of the report and interested parties involved in the crash would be the registered owners, passengers and drivers and their legal counsel.

Rep. Weiler: (4.3) What information is on that report?

Lynn Heinert: Aside from the information we gather for statistical purposes such as road conditions, etc. we have the name of the driver, address. On the back side is the confidential portion that the officer completes relating to the crash.

Chairman Weisz (5.0) Anyone else here in support of HB 1098? No opposition to HB 1098.
Closed (5.2)

Discussion: (Tape 2 Side B)(8.3)

Rep. Thorpe: No opposition to it.

Rep. Ruby: I unfortunately have some experience with accident reports. Had an accident in November. In dealing with the insurance companies I needed a copy of the accident report. The report showed a diagram of everything and what had happened and that helped process the insurance quickly. It made a determination of who was to blame and I got the information quickly. I don't know if it would have been quicker to get the information from DOT. Some of the departments do charge if you want to see a copy of the report, because they are use to dealing with insurance companies, who do have to pay a fee.

Rep. Weiler Might it be a wise thing to put in that they may send a copy of an accident report; do we need to have them do it in a certain number of days or is it only upon request? If the director gets a request then he is allowed to mail it.

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House Transportation Committee
Bill/Resolution Number 1098
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Chairman Weisz What they are asking is; they would automatically mail out the accident report to the people involved in the accident. Then they would not have to deal with requesting it or whatever else to get that information. Others could still request it. Insurance companies could still request it and they still will. (11.6)

Motion made by Rep. Thorpe Seconded by Rep. Ruby

DO PASS 13 Yes 0 No 2 Absent Carrier : Rep. Weiler

Date: 1-13-05
Roll Call Vote #: 1

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1098

House Transportation Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number 1

Action Taken *Do Pass*

Motion Made By *Rep. Thorpe* Seconded By *Rep. Ruby*

Representatives	Yes	No	Representatives	Yes	No
Rep. Weisz - Chairman	✓		Rep. Delmore	✓	
Rep. Hawken - Vice Chair.	✓		Rep. Meyer	<i>ABT</i>	
Rep. Bernstein	✓		Rep. Schmidt	✓	
Rep. Dosch	✓		Rep. Thorpe	✓	
Rep. Iverson	✓				
Rep. Kelsch	<i>ABT</i>				
Rep. Owens	✓				
Rep. Price	✓				
Rep. Ruby	✓				
Rep. Vigasaa	✓				
Rep. Weiler	✓				

Total (Yes) 13 No 0

Absent 2

Floor Assignment *Rep. Weiler*

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

REPORT OF STANDING COMMITTEE (410)
January 13, 2005 11:53 a.m.

Module No: HR-08-0402
Carrier: Weiler
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1098: Transportation Committee (Rep. Weisz, Chairman) recommends DO PASS
(13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). HB 1098 was placed on the
Eleventh order on the calendar.

2005 SENATE TRANSPORTATION

HB 1098

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1098

Senate Transportation Committee

☐ Conference Committee

Hearing Date 2-25-05

Tape Number	Side A	Side B	Meter #
1	x		4140-4925

Committee Clerk Signature

Mary K Monson

Minutes:

Chairman Trenbeath opened the hearing on HB 1098 relating to providing copies of accident reports.

Keith Magnusson (Deputy Director for Driver and Vehicle Services, ND DOT) See attached testimony in support of HB 1098. There is no fiscal note. They anticipate internal savings.

Senator Trenbeath asked if they need authorization to do it.

Keith Magnusson said they feel they need the authorization because the statute is pretty specific about the people requesting it, then they give it out. They have the ability to send it out directly but they want to make sure they have the authority.

Senator Warner asked if there were certain circumstances where the crash report might not be welcome to the family in bereavement.

Keith Magnusson said the whole process won't happen that quickly. They will need this for insurance purposes and this will save them from having to request the information.

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Senate Transportation Committee
Bill/Resolution Number HB 1098
Hearing Date 2-25-05

Senator Bercier referred to page 2, line 14. He asked what determines whether the Dept. would send a copy or not.

Keith Magnusson said they wanted to have "may" in the wording to make sure they would get their system up and running. Their intention is to do it in every case and the electronic system will generate it.

The hearing on HB 1098 was closed.

Senator Nothing motioned a **Do Pass** on HB 1098. Seconded by **Senator Espegard**.

Roll call vote 6-0-0. **Passed**. Floor carrier is **Senator Nothing**.

Date: 2-25-05
Roll Call Vote #:

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO 1098

Senate

TRANSPORTATION

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken *No Pass*

Motion Made By *Sen. Nething*

Seconded By *Sen. Espigard*

Senators	Yes	No	Senators	Yes	No
Senator Espigard	✓		Senator Bercier	✓	
Senator Mutch	✓		Senator Warner	✓	
Senator Nething	✓				
Senator Trenbeath, Chairman	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment *Senator Nething*

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

REPORT OF STANDING COMMITTEE (410)
February 25, 2005 11:34 a.m.

Module No: SR-35-3667
Carrier: Nethling
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1098: Transportation Committee (Sen. Trenbeath, Chairman) recommends DO PASS
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1098 was placed on the
Fourteenth order on the calendar.

2005 TESTIMONY

HB 1098

HOUSE TRANSPORTATION COMMITTEE

January 13, 2005

North Dakota Department of Transportation

Keith C. Magnusson, Deputy Director for Driver and Vehicle Services

HB 1098

The North Dakota Department of Transportation prefiled HB 1098 as an agency bill. This bill concerns the distribution of accident reports (more correctly called *crash* reports).

HB 1098 would allow the department to automatically provide a crash report to each registered owner of a vehicle involved in a crash, rather than waiting for interested parties to request one. Currently, it is confusing for vehicle owners and drivers and insurance companies, because the law prohibits any agency but NDDOT from providing the officer's opinion on a crash report (found on the reverse side of the report). Some local law enforcement agencies sell the front part of the crash report and some refer all requestors to the NDDOT. If each owner received a copy of the crash report directly, he or she could in turn give the report to the insurance company. The option would remain for someone to request a copy of the crash report as they do now.

Legislation was passed last session to speed up law enforcement processing of crash reports, and we are now going online with crash reporting for a number of law enforcement entities. With all of these changes, we should be able to significantly speed up the process and have enough savings to pay for the postage needed to automatically provide a crash report to each registered owner of a vehicle involved in a crash.

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SENATE TRANSPORTATION COMMITTEE

February 25, 2005

**North Dakota Department of Transportation
Keith C. Magnusson, Deputy Director for Driver and Vehicle Services**

HB 1098

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