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OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2049

2005 SENATE TRANSPORTATION

SB 2049

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2049

Senate Transportation Committee

☐ Conference Committee

Hearing Date 1/13/05

Tape Number	Side A	Side B	Meter #
1	x		1645-3400
Committee Clerk Signature <i>Mary K Monson</i>			

Minutes:

Vice Chairman Espgaard opened the hearing on SB 2049 relating to a traffic control signal preemption device and relating to offenses excepted from the administrative traffic procedures; and to provide a penalty.

All the committee members were present except Senator Trenbeath.

Senator Tim Flakoll (District 44, Fargo) Testimony attached . Also attached is a list from a Google search with sites where these devices can be bought.

Senator Espgaard How would rogue use of the preempt device be a threat to emergency personnel.

Senator Flakoll That could be a threat from the standpoint of when you have competing interests such as a fire truck coming to an intersection and someone who doesn't have authorization has already preempted. That can create a scenario where the unauthorized person is preempting because they shot it first and the firefighters then don't have the ability to transfer

to get it cleaned out. That creates a whole new mental set for the firefighters because they are used to having the lights switch over for them. Typically, emergency personnel travel the same streets a lot and are used to how long the stoplights and green lights are going to last. When it is a little icy, for example, they know how long before the light changes. With this, when it switches over, it changes the whole scenario. It could cause some preventable accidents by being in the hands of improper individuals.

Senator Nothing asked what his source of information was.

Senator Flakoll said these can be found anywhere. He had a nine page document where the devices can be bought (copied off the Internet).

Senator Bercier wondered how this could have slipped by the FCC and are not covered by their guidelines.

Senator Flakoll said the FCC is probably more in tune to providing with a different wave length that they cover. These are more like light emissions. (Meter 2390)

Senator Bercier said that in his opinion this was a national issue, not just pertinent to ND. Have other states enacted laws on this?

Senator Flakoll said that Michigan was one of the first states to enact laws. He thought Congress dealt with this in about 1993, but it failed in one chamber.

Gary Berreth (ND DOT) Testified in support of SB 2049. See attached testimony.

Senator Bercier asked if they have had problems to date where they have found people using these devices.

Gary Berreth replied not personally, but have received information from other states. The potential exists for it to happen and the availability of the equipment is becoming a lot more prevalent.

Senator Mutch asked if using this device throws the timing off of the stoplights.

Gary Berreth (Meter 2975) There are several types of signal systems out there. Most of these are set up so that, if something preempts it, after a while it will go through and recycle and get back on track.

Bill Wocken (City Administrator for the City of Bismarck) Testified in support of SB 2049 and offered a friendly amendment (see attached). They feel it is necessary to safeguard the integrity of the traffic signal system and also the emergency preemption to the system. Their only concern is that the maintenance to the system and the installation of the system would also be provided. The purpose of the amendment would be that the maintenance mechanics and those installing signals would have preemption devices that could be used in the process of either installing or servicing those signals.

Bruce Hoover (Fargo Fire Chief, represents the ND Fire Chief Association) Supported SB 2049 as well as the amendment. See attached testimony.

There was no opposition to SB 2049.

The hearing was closed.

2005 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2049

Senate Transportation Committee

☐ Conference Committee

Hearing Date 1-14-05

Tape Number	Side A	Side B	Meter #
1	x		2900-3025
Committee Clerk Signature <i>Mary K Monson</i>			

Minutes:

Senator Trenbeath opened SB 2049 for action.

Senator Espegard motioned a **Do Pass** on SB 2049. Second by **Senator Bercier**.

Roll call vote 5-0-1. **Passed**. Floor carrier is **Senator Espegard**.

Date: 1-14-05
Roll Call Vote #: 1

2005 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO SB 2049

Senate TRANSPORTATION Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Sen. Espegard Seconded By Sen. Bercier

Senators	Yes	No	Senators	Yes	No
Senator Espegard			Senator Bercier		
Senator Mutch			Senator Warner		
Senator Nething					
Senator Trenbeath, Chairman					

Total (Yes) 5 No 0

Absent 1

Floor Assignment Senator Espegard

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

REPORT OF STANDING COMMITTEE (410)
January 14, 2005 10:16 a.m.

Module No: SR-09-0472
Carrier: Espegard
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2049: Transportation Committee (Sen. Trenbeath, Chairman) recommends DO PASS
(5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2049 was placed on the
Eleventh order on the calendar.

2005 HOUSE TRANSPORTATION

SB 2049


2005 HOUSE STANDING COMMITTEE MINUTES

BILL NO. SB 2049

House Transportation Committee

☐ Conference Committee

Hearing Date March 10, 2005

Tape Number	Side A	Side B	Meter #
1		X	30.2-51.2
2	X		11.5-15.9
Committee Clerk Signature 			

Minutes:

Chairman Weisz opened the hearing on SB 2049 A Bill for an Act to create and enact a new section to chapter 39-21 and a new section to Chapter 51-07 of the North Dakota Century Code, relating to a traffic control signal preemption device; to amend and reenact section 39-06.1-05 of the North Dakota Century Code, relating to offenses excepted from the administrative traffic procedures; and to provide a penalty.

Senator Flakoll (See attached testimony #1)

Rep. Delmore(34.1) Senator Flakoll, I see you have put in place a Class B Misdemeanor. How are we going to track down the sales and find those people?

Senator Flakoll: Those are very difficult issues. (See Handout #2) In testimony on the senate side Senator Bercy talked about; there is a signal light in his town that changes oddly at certain times. I don't think we will be able to track them down on the Internet purchases.

Rep. Delmore (35.3) Would we send a notice to those people. Would we try immediately to convict them of a Class B Misdemeanor. What would the process be? I see if I am a person using one I would have an infraction. Am I correct? But we are saying someone who sells that would get the Class B misdemeanor? How can we track them down?

Senator Flakoll: I think that would be up to law enforcement. To my knowledge there is no one in the state of ND that currently sells them. There is one in Fridley, Minnesota where you can buy them via the internet. I think by being proactive we can discourage some of this from occurring.

Rep. Meyer Rep. Iverson, when he heard a bill similar to this he had expressed a concern and I would guess I would wonder if it was addressed in this? The million power watt lights that you buy; they can stop a traffic light with that. Under that, would this be covered under that? Because this device means any device that gives a pulse of light we would be at fault; is that a Class B misdemeanor?

Senator Flakoll: There are also a variety of these devices. The courts would certainly know there are different uses and would know that.

Bill Wocken: (38.7) Bismarck City Administrator I am here to offer an amendment to SB 2049 (see attached amendment #3) Explained amendment to everyone. We encourage the bill with the amendment to be passed.

Robert Wilson:(40.5) (see attached testimony #4) Because they devices are low prices and easily available. I believe this bill is necessary.

Rep. Meyer (41.7) Under the provisions of this bill, am I guilty of a Class B misdemeanor? Our light for checking our heifers is in our pickup.

Robert Wilson: I think you would be lucky to be able to do it with a light like that. I think it would be very hard to do that. I don't see that you would have any problem with that.

Rep. Schmidt(42.7) This is a case again. How can a company make these things to cheat the federal government? Here we are going to put some kid in jail and the company gets off Scott free. Don't you think this should be a federal issue and they should deal with this?

Robert Wilson:(43.3) I certainly could not agree any more. The problem was they use to be very expensive. All of a sudden the prices have gone down.

Rep. Delmore Does the price tag make them any better?

Robert Wilson: I don't know.

Rep. Delmore Are some of these people that sell these machines the same ones that would sell them to people like you that need excess to these devices?

Robert Wilson: It is highly unlikely. When we buy them they are very expensive.

Rep. Vigesaa (44.6) Yesterday, I was at a stop light with a red light and a fire engine came and went right through. It was a red light and there was also a green light that was blinking at us. Is that telling us that this system is in use at the present time?

Robert Wilson: Yes, that was what was going on.

Chairman Weisz Anyone else in support of SB2049?

Gary Berreth:(46.6) Testify in support of SB 2049, which prohibits the unauthorized use and sale of preempted devices. ND DOT also supports the proposed amendment offered by Mr. Wockem from the city of Bismarck. SB 2049 will be a more effective bill than HB 1096 was. It also addressed penalties for the sale of these devices in the state. (see attached testimony #5)

Page 4
House Transportation Committee
Bill Number SB 2049
Hearing Date March 10, 2005

Chairman Weisz Anyone here in opposition of SB 2049?

closed hearing (51.2)

Discussion:

reopened hearing on SB 2049 Tape 2 Side A (11.5)

Chairman Weisz I met with the Senate Transportation Committee this morning on this and I will only relay what they told me. They liked our version allot better; thought our version was cleaner and neater. I understand some from DOT prefer this version. We did have the same discussion when we heard the HB over here having to do with selling the devices and what ever and we amended that out of it because it made it clear that you couldn't mess with the device. So for what it is worth.

Rep. Bernstein (12.4) I thought they said this bill was more strigent than the one we passed out?

Chairman Weisz It is, the reason the senate committee liked ours better is that ours is practical and enforceable. The reality is this would be non enforceable.

Rep. Delmore Are they really right to charge them with an infraction when they know those devices are out there.

Chairman Weisz Our amendment says person without lawful authority may not interfere so that would take care of this. Any further discussion.

Motion Made By Rep. Bernstein Seconded By Rep. Vigesaa

DO NOT PASS 12 Yes 0 No 3 Absent Carrier: Rep. Weiler

closed (15.9)

Date: 3-10-05
Roll Call Vote #:

2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2049

House Transportation Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken No Not Pass

Motion Made By Rep. Bernstein Seconded By Rep. Vigasaa

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

Total (Yes) 12 No 0

Absent 3

Floor Assignment Rep. Weiler

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

REPORT OF STANDING COMMITTEE (410)
March 11, 2005 7:33 a.m.

Module No: HR-45-4708
Carrier: Weller
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

SB 2049: Transportation Committee (Rep. Welsz, Chairman) recommends DO NOT PASS
(12 YEAS, 0 NAYS, 3 ABSENT AND NOT VOTING). SB 2049 was placed on the
Fourteenth order on the calendar.

2005 TESTIMONY

SB 2049

SB 2049
January 13, 2005

Vice-Chairman Espegard and members of the Senate Transportation committee. For the record I am Senator Tim Flakoll of District 44 of Fargo.

When emergency vehicles are speeding toward the scene of a fire, accident or crime, they often use an electronic device that changes traffic lights to green to get there quickly and safely. These devices are critical to getting first responders to the scene on time and to help them save property and lives. They are used in a number of cities across the state. As an example, in Fargo there are about 165 intersections and approximately 125 of them have the preemption capability.

A traffic preemption system (sometimes called MIRT - Mobile Infrared Transmitter) is an electrical device that allows a traffic control signal to respond to the approach of an emergency vehicle at an intersection that is controlled by traffic lights. A signal mounted preemption system triggers the light to turn from red to green or to keep a green light going longer at an intersection. They are designed to allow for the intersection traffic to clear in front of the emergency vehicles. Since most brands emit an infrared signal, and not radio signals like radar; they are not covered by FCC guidelines.

Unfortunately these devices are now also available to the general public via the Internet (see handout). In the hands of the general public, these devices could wreak havoc on the orderly function of our streets and put lives in danger. Many of the original devices carried prohibitive costs in the neighborhood of \$1,500/unit but now one can buy them for less than \$300/unit, which adds to the potential problem.

SB 2049 provides a greater penalty for unauthorized use of these devices. SB 2049 will punish offenders and deter others from buying and using the devices.

- ✓ SB 2049 will provide a penalty of an **"infraction" for possession or use of the device.**
- ✓ Under SB 2049 **sale** of the devices in the state to unauthorized individuals can earn you a **class B misdemeanor penalty.**

The question has been asked, "is this a problem and are there a lot of people misusing of these units?" My answer to this is simply that I do not know of problems, but lets not wait until people buy these and misuse these before we tell them that they are banned for use by the general public.

Rogue use of preemption devices is a real threat to emergency personnel who are already at risk while responding, especially at intersections. Sometimes the most dangerous part of an emergency run is the trip to the call by fire fighters, lets not allow an additional burden to be added.

Imagine other scenarios for improper use of these devices such as a bank robber fleeing a scene, a car loaded with people out on a fast joy ride or an aggressive driver who at 5:07 PM has the ability to control traffic lights at their whim.

This is a soluable bill that might require some tweaking with an amendment. I believe there is a friendly amendment that might be forwarded to allow use by city personal who service the stop lights (and possibly persons who deliver these via mail) and I would support that amendment. I will note that there are officials from Fargo and Bismarck who have joined us here today to testify in support of the bill.

That concludes my testimony and I would be happy to stand for any questions.

Quick Facts:

- ❑ Generally the devices can emit beams up to 1,500-foot range but some can range up to 4,000 feet.
- ❑ Many of the devices can simply be plugged into any standard 12-volt vehicle accessory outlet.
- ❑ Some of the devices are as small as 5" wide by 1 ¾" high by 2" deep.
- ❑ Many can be easily mounted in concealed areas and have no visible flashing light.
- ❑ Some sellers are as close as Fridley, MN
- ❑ Infraction – penalty up to a \$500 fine
- ❑ Class B misdemeanor – maximum of 30 days, a fine of \$1,000 or both.

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SENATE TRANSPORTATION COMMITTEE

January 13, 2005

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

SB 2049

Good morning Mr. Chairman and members of the committee. I'm Gary Berreth, Director of Operations for the North Dakota Department of Transportation. I'm here to testify in support of SB 2049 which prohibits the unauthorized use and sale of preemption devices to interfere with the normal operation of traffic signals.

Currently, a majority of our larger cities use a preemption system to allow emergency and traffic signal maintenance vehicles to control a traffic signal so they will receive a green light when approaching an intersection.

Present state statute does not limit the use or the sale of the preemption system to authorized operators. As a result, the possibility exists that non emergency vehicles could preempt a signal system. Senate Bill 2049 would make it unlawful to use or sell such equipment.

The NDDOT also has been concerned about this issue of availability and use of traffic control signal preemptive devices. In fact, we have introduced a bill similar to SB 2049 in the House prior to knowing about the senate bill. That bill is HB 1096. SB 2049, however, is more comprehensive in addressing penalties and goes beyond use and also addresses the sale of such devices. The department's desire would be for SB 2049 to be the surviving legislation.

Mr. Chairman, that concludes my testimony, and I would be happy to answer any questions the committee may have.

###

Senate Bill 2049

January 13, 2005

Testimony of Bruce Hoover, Fargo Fire Chief

Mr. Chairman, members of the committee, I am Bruce Hoover, Fargo Fire Chief, and I represent the North Dakota Fire Chiefs' Association. I am here to support this bill as well as the amendment permitting the use of traffic control signal preemption devices in vehicles doing maintenance on the system.

I have attached to my testimony, two advertisements printed off the internet on January 7, 2005. One vendor had five genuine 3M Opticom devices for sale on ebay. Another vendor had aftermarket units available for under \$300.00. There are numerous web sites that sell units for under \$400.00.

Because these units are low priced and easily available I believe this bill is necessary. If you have any questions I will be happy to respond to them.

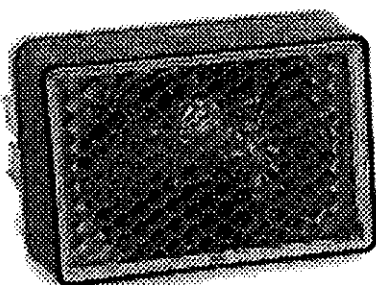
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3M Opticom

Item number: 3857569837

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Quantity: 5 available

History: [Purchases](#)Item location: Miami, FL
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Bruce Hoover
Attach #2



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MIRT - Traffic Preemptive Device - Turns RED Lights to GREEN

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MIRT is manufactured by a trusted name in the
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electronic components and assembly are top quality,
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SB 2049
10:00 AM
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Chairman Weisz and members of the House Transportation committee. For the record I am Senator Tim Flakoll of District 44 of Fargo.

When emergency vehicles are speeding toward the scene of a fire, accident or crime, they often use an electronic device that changes traffic lights to green to get there quickly and safely. These devices are critical to getting first responders to the scene on time and to help them save property and lives. They are used in a number of cities across the state. As an example, in Fargo there are about 165 intersections and approximately 125 of them have the preemption capability.

A traffic preemption system (sometimes called MIRT - Mobile Infrared Transmitter) is an electrical device that allows a traffic control signal to respond to the approach of an emergency vehicle at an intersection that is controlled by traffic lights. A signal mounted preemption system triggers the light to turn from red to green or to keep a green light going longer at an intersection. They are designed to allow for the intersection traffic to clear in front of the emergency vehicles. Since most brands emit an infrared signal, and not radio signals like radar; they are not covered by FCC guidelines.

Unfortunately these devices are now also available to the general public via the Internet. In the hands of the general public, these devices could wreak havoc on the orderly function of our streets and put lives in danger. Many of the original devices carried prohibitive costs in the neighborhood of \$1,500/unit but now one can buy them for less than \$300/unit, which adds to the potential problem.

SB 2049 provides a greater penalty for unauthorized use of these devices. SB 2049 will punish offenders and deter others from buying and using the devices. It has more teeth than an agency bill that recently passed both chambers.

- ✓ SB 2049 will provide a penalty of an **"infraction" for possession or use of the device.**
- ✓ Under SB 2049 **sale** of the devices in the state to unauthorized individuals can earn you a **class B misdemeanor penalty.**

The question has been asked, "is this a problem and are there a lot of people misusing of these units?" My answer to this is simply that I do not know of problems, but lets not wait until people buy these and misuse these before we tell them that they are banned for use by the general public.

Rogue use of preemption devices is a real threat to emergency personnel who are already at risk while responding, especially at intersections. Sometimes the most dangerous part of an emergency run is the trip to the call by fire fighters, lets not allow an additional burden to be added.

Imagine other scenarios for improper use of these devices such as a bank robber fleeing a scene, a car loaded with people out on a fast joy ride or an aggressive driver who at 5:07 PM has the ability to control traffic lights at their whim.

I believe there is a friendly amendment that might be forwarded to allow use by city personal who service the stop lights (and possibly persons who deliver these via mail) and I would support that amendment. I will note that there are officials from Fargo and Bismarck who have joined us here today to testify in support of the bill.

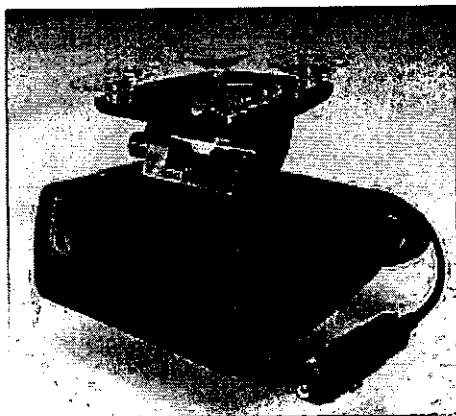
Quick Facts:

- ❑ Generally the devices can emit beams up to 1,500-foot range but some can range up to 4,000 feet.
- ❑ Many of the devices can simply be plugged into any standard 12-volt vehicle accessory outlet.
- ❑ Some of the devices are as small as 5" wide by 1 ¾" high by 2" deep.
- ❑ Many can be easily mounted in concealed areas and have no visible flashing light.
- ❑ Some sellers are as close as Fridley, MN
- ❑ Infraction – penalty up to a \$500 fine
- ❑ Class B misdemeanor – maximum of 30 days, a fine of \$1,000 or both.

MIRT...WHEN SECONDS COUNT!

BREAKTHROUGH TECHNOLOGY IN TRAFFIC LIGHT PREEMPTION

#2



PORTABLE

For the first time, a traffic light preemption emitter that is compact, mobile, and practical. "MIRT" (MOBILE INFRARED TRANSMITTER) can be securely positioned on the dash or inside windshield and moved from vehicle to vehicle with no installation required. Just plug it in and go! Its infrared technology emits no visible light, making it discrete and eliminating any distraction to the driver.

POWERFUL

Do not be fooled by MIRT's compact size. Emitting 15 watts of energy, more than any other portable unit, MIRT changes traffic lights from red to green in 2 to 3 seconds.

Mirt

How it works?

FAQ

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Returns

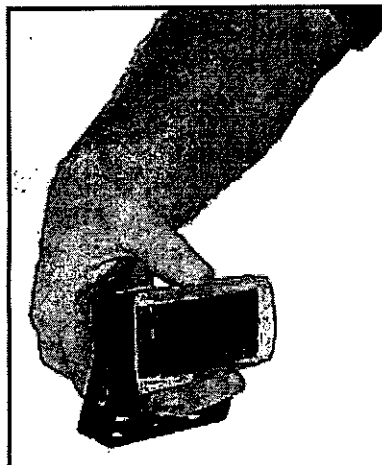
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THE SMALL SIZE OF THE

#3

PROPOSED AMENDMENTS TO SENATE BILL 2049

On Page 2 line 8 of the bill after vehicle insert "or a vehicle performing installation or maintenance on a traffic control signal preemption system"

On Page 2 line 19 of the bill after vehicle insert "or a vehicle performing installation or maintenance on a traffic control signal preemption system"

Renumber accordingly.

OFFERED BY:



W.C. (Bill) Wocken
City Administrator

Phone: 701-222-6471 * FAX: 701-222-6470
221 N. Fifth St. * P.O. Box 5503 * Bismarck, ND 58506-5503

#7

Senate Bill 2049
March 10, 2005
House of Representatives Transportation Committee
Testimony of Robert Wilson,
Assistant Chief, Fargo Fire Department

Mr. Chairman, members of the committee, I am Robert Wilson, I am an Assistant Chief with Fargo Fire Department. I am here to support this bill.

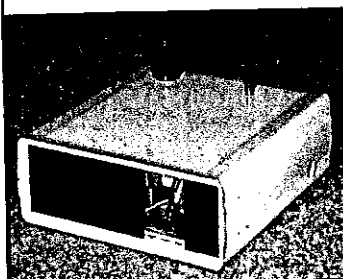
I have attached to my testimony some advertisements printed off the internet on March 4, 2005. Several vendors had units available for under \$300.00. The second attachment is printed from a web page that sells kits to build your own traffic light changer for as low as \$75.00.

Because these units are low priced and easily available I believe this bill is necessary. If you have any questions I will be happy to respond to them.

Kits

[VIEW CART](#)

TRAFFIC LIGHT CHANGER (rev 02)



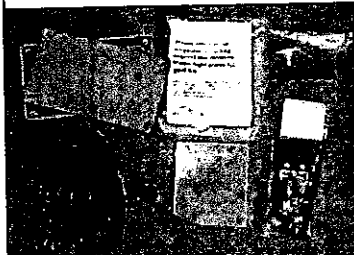
This kit is very easy to assemble using the easy to follow instructions ar board. The completed kit will turn traffic lights green in most U.S. and for where 3M Opticom preemption and 911 enacted county traffic control sig used. Emergency vehicles use this to pass through traffic lights quickly, the light from over 600 yards or more the light changes to yellow and t within 2 seconds. Fine tune adjustable rate to accommodate most area major cities are requiring gated communities to install special gate open utilize this same detector device to open the gates for emergency vehicl includes instructions, printed circuit board and all required components (to supply an enclosure, adjustment knob and power cord or adapter). Kit- everything in Kit-1 plus car cigarette plug adapter, knob and prefabri enclosure box.

Do not use this device unless you are authorized by your local, State or Federal Gove Purchaser takes full responsibility for misuse or damages incurred as a result of illeg Purchaser should verify with their employer or local government offices, whether it is l purchase or use this device, before ordering.

Add to Cart \$75.00 Item#traf-kit1

Add to Cart \$100.00 Item#traf-kit2

MIRT X (Mobile Infrared Transmitter)



This kit includes everything in traf-kit2 including a special IRT face plate so there is no visible light emitted from the device. There are currently no known laws banning the use of this device.

Do not use this device unless you are authorized by your local, State or Federal Government. Purchaser takes full responsibility for misuse or damages incurred as a result of illegal use. Purchaser should verify with their employer or local government offices, whether it is lawful to purchase or use this device, before ordering.

Add to Cart \$150.00 Item#mirtx-kit

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Please read carefully before you buy

We have got an offer for you! We have very few returns of the MIRT because of electronic failure (just a few percent), but the ones that we do get back are sent to the factory and reconditioned **COMPLETELY!** They go over everything and make sure that it is in top condition. In fact, they receive better testing than new products.

We won't sell these as new, they might have a ding or the box might be in rough shape, or there might not even be a box. But the MIRT will be in perfect working order, will have a full 10 year guarantee and will have the usual papers enclosed (instruction book, warranty card, etc). The unit will be marked **REFURB**; it won't take away from the quality but it will be marked. The price? That's the best part of this deal they are offered to you for... **only \$299.00**

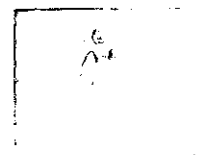
with full warranty

FREE SHIPPING

If you are interested in buying one of our refurbished MIRT units please e-mail us for availability. We **can not** and **will not** promise you to sell one if there is not available at this time.

We have a limited supply of these in stock **RIGHT NOW** and it is first come first served. Send us e-mail and we will get back to you **ASAP**.

By clicking Buy Now button I hereby agree to and accept
the terms of agreement.



Burning Grass
The dry spring in a lot of places has made the fire danger extremely **HIGH**



Southeast valley
A massive fire destroyed a luxury apartment complex that was under construction, summoning firefighters from across the valley and sending worried residents scrambling from their homes. Photo by K.M. Cannon



Emergency in front of Agnew
A motorcycle accident Monday night in front of Agnew Hall brought half a dozen emergency vehicles. One student was

HOUSE TRANSPORTATION COMMITTEE

March 10, 2005

#5

North Dakota Department of Transportation

Gary Berreth, Director of Operations

SB 2049

Good morning, Mr. Chairman and members of the committee. I'm Gary Berreth, Director of Operations for the North Dakota Department of Transportation. I'm here to testify in support of SB 2049, which prohibits the unauthorized use and sale of preemptive devices o interfere with the normal operation of traffic signals.

The North Dakota Department of Transportation previously introduced a similar bill before this committee, HB 1096, because of a concern that the equipment used for preemption was being marketed on the internet and several states have passed similar laws prohibiting unauthorized use.

SB 2049 offers a more comprehensive approach to addressing our concerns than HB 1096. SB 2049 goes beyond just addressing penalties for unauthorized use, it also address penalties for sale of these devices to unauthorized entities.

It is the NDDOT's desire that SB 2049 be the surviving legislation.

Mr. Chairman, this concludes my testimony. I would be happy to answer any questions the committee may have.