

2009 HOUSE TRANSPORTATION

HB 1356

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1356

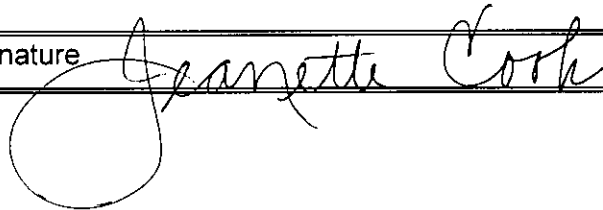
House Transportation Committee

☐ Check here for Conference Committee

Hearing Date: 01/22/09

Recorder Job Number: 7562

Committee Clerk Signature



Minutes:

Representative R. Kelsch introduced HB 1356 and spoke in support of the bill. The bill states that the director of the Department of Transportation **shall** give priority to putting new pavement on a portion of US Highway 83 in the south bound lane from the intersection of Highway 37 north for approximately 13.4 miles. It is the area coming south from Max.

Representative R. Kelsch explained that the bill is not only important to her, but also to two of her constituents, Tom and Patty Regan. A crash history list is attached for the section of road in this bill. See attachment # 1. This report covers the period from 01/01/ 01 through 07/31/08. The report shows four fatalities, 84 total accidents, and 59 animal crashes that are not shown in the report that have taken place on this stretch of highway. Representative R. Kelsch told of an accident that involved the death of Marlo Regan on this stretch of highway. She introduced the bill to emphasize that this stretch of road is not safe and needs to be a priority in the DOT's budget.

Representative R. Kelsch has been told by the DOT that they know this stretch of highway needs to be done and have a project planned. This bill does not appropriate money to build the road. It just makes it a priority so no more lives are lost because of the unsafe roadway.

Representative Heller: What makes this stretch of road so dangerous? I have driven it many times and haven't noticed that it is dangerous.

Representative R. Kelsch: It has to do with the grade of the shoulder. It is not a wide shoulder, and also the rumble strips add to the danger.

Tom Regan from Mandan spoke to tell of the story of his daughter's accident. He feels that there is no shoulder on the road at that point, and it causes a real danger. He spoke of others that have also regarded that stretch of road dangerous, including Ken's Towing from Garrison who know of many fatalities in that area. It is Mr. Regan's understanding that the state has been asked by many to improve this section of highway because it is unsafe. He wants to try to do anything that he can to try to get this south bound section of road improved to make it safer for everyone.

Grant Levi, Deputy Director for Engineering for the North Dakota DOT expressed his sympathy to Mr. and Mrs. Regan. He spoke in opposition of HB 1356 on behalf of the DOT. He introduced a map that tracked all the fatal crashed in North Dakota from 2003-2007. See attachment #2. Mr. Levi explained that whenever a fatality occurs the DOT puts together a team to look at the site and to study and analyze it. They want to know if there is anything that they should be doing differently. Mr. Levi provided written testimony that explains the process that the DOT follows when making decisions on road projects (STIP). See attached testimony #3. He added that from an engineering prospective that section of Highway 83 is not dangerous. However, it is not constructed to the same standards as the portions north and south of it. When it is redone in 2010 or 2011, it will be a corridor that is consistent with wide shoulders and rumble strips.

Representative Schmidt: Are economic recovery dollars, Federal dollars?

Grant Levi: Yes, they would be 100% Federal, with no match.

Representative Schmidt: Since North Dakota has the best economic situation in the Union, do you think we will get economic recovery dollars?

Grant Levi: The Federal government has using the traditional distribution method. We are watching closely to see that it stays on that course.

Representative Heller: Why do you think that the road is not dangerous without a wider shoulder?

Grant Levi: When we study the crash histories, the additional width for roadways does not always result in the reduction of crashes that occur. Width is not always a contributing factor to safety.

Chairman Ruby: Considering the language in this bill, why would it be a problem for you? Would a wording change make it more acceptable to you?

Grant Levi: Philosophically, the DOT believes that it is in the state's best interest not to have the legislative body start earmarking highway projects. We feel that the process that is in place allows us to select projects according to engineering data and other factors as explained before. This is in the state's best interest.

Representative Thorpe: I understand that this stretch of road is already in your plan. Is this bill necessary?

Grant Levi: It is in our program, and we do intend to proceed. From our prospective we are opposing the bill because we do not feel it is necessary at this point.

Representative Weiler: When did the new director come on?

Grant Levi: Mr. Frances Ziegler joined the department as the director about two and one half years ago.

Representative Weiler: Was this prior to this unfortunate accident? When the team was formed, did you go out inspect this location?

Grant Levi: We did an extensive review of this location this past summer. We shared with Representative R. Kelsch that we feel that the project that we are proceeding with will address her concerns.

Representative Weiler: How soon after an accident does your team go out and inspect a site?

Grant Levi: The first step is to look at the crash report. Based on the information that the team sees in the crash report and conversations with district engineer and safety personal in DOT, they will make a decision whether to go out and inspect the site. For example, if a fatality occurs because of an icy road, and it is noted by the Highway Patrol, they will not go out to look at that fatality site. If they know there is an engineering concern, the team will get out as soon as they can to look at it.

Representative Weiler: So, the team that went out to inspect this site didn't go out until over a year after the accident?

Grant Levi: On this particular fatality, that is correct.

Representative Weiler: Does that seem like a long time to you?

Grant Levi: We have changed our process and tried to look at the sites more quickly. It places more emphasis on getting out sooner.

Representative Delmore: Does the Highway Patrol file a report?

Grant Levi: That is correct. They file a report and note if there is an engineering concern.

Representative Delmore: In this case and the other three fatalities, would they list roadway as being a cause? Or is that your job to figure out what the cause was?

Grant Levi: The Highway Patrol fills out a crash report. They will make a decision whether or not they feel that there were any roadway or engineering concerns. They will list it on the

report. We are in constant contact with the Highway Patrol. If they see a concern, they do bring it to our attention.

There were no other questions.

No one else spoke in opposition to HB 1356.

The hearing was closed on HB 1356.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1356

House Transportation Committee

☐ Check here for Conference Committee

Hearing Date: 01/23/09

Recorder Job Number: 7648

Committee Clerk Signature

Jeannette Cook

Minutes:

Chairman Ruby brought up HB 1356 that provides repaving on a section of road south of Max.

Representative Weiler: I am going to support this bill for a couple of reasons. We had a good discussion about telling the DOT what to do. But, they acknowledge that is a bad area.

It is already on their priority list. By passing this it won't do anything one way or the other, just nudge them a little bit.

Representative Potter: I feel just the opposite. Since the DOT says that the road will be repaired and is already on their list, and could even be bumped up with Economic Recovery money, I think that we should just let them go with their plan. We should do the same as we did with the last bill.

The committee reviewed the map and the area where the accidents occurred on Highway 83. It was also confirmed that there were four fatalities on the south bound lane.

Chairman Ruby stated that this bill does set a precedence. The DOT did say that they would bump this road project up, if they get the funding. It is in their plan, and it may be a couple of years down the road.

Representative Heller: If you go through this crash report, it shows 18 accidents attributed to the bad shoulder on that stretch of road. How long does it take for it to sink in that there is a shoulder problem in that area?

Chairman Ruby: The DOT has been updating Highway 83 for years. If it is the last section, it may be the one that has the most issues.

Representative Weisz: There are thousands of roads in North Dakota without shoulders. It is not just a simple issue of the DOT blowing it off. They have a certain amount of money, and they have to figure out how to spend in the best way. The question is if we want to force them into something.

Representative Heller: I wasn't necessarily speaking in favor of the bill. I was just pointing out that that section of road is bad.

Representative Schmidt: I believe that the DOT will move the project up without us telling them to.

Representative Frantsovog: I want go on record as supporting this bill. I think in both cases the intent is to create awareness.

Representative Potter moved a **Do Not Pass** on HB 1356.

Representative Griffin seconded the motion.

A roll call vote was taken: **Aye 11 Nay 3 Absent 0**

Representative Thorpe will carry HB 1356

Date: 1-23-09

Roll Call Vote #: 1

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES

BILL/RESOLUTION NO. 1356

House TRANSPORTATION

Committee

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Legislative Council Amendment Number _____

Action Taken ☐ Do pass ☒ Don't Pass ☐ Amended

Motion Made By Potter Seconded By Griffin

Representatives	Yes	No	Representatives	Yes	No
Representative Ruby - Chairman	✓		Representative Delmore	✓	
Rep. Weiler - Vice Chairman		✓	Representative Griffin	✓	
Representative Frantsvog		✓	Representative Gruchalla	✓	
Representative Heller	✓		Representative Potter	✓	
Representative R. Kelsch		✓	Representative Schmidt	✓	
Representative Sukut	✓		Representative Thorpe	✓	
Representative Vigesaa	✓				
Representative Weisz	✓				

Total Yes 11 No 3

Absent 0

Bill Carrier Thorpe

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

REPORT OF STANDING COMMITTEE (410)
January 23, 2009 5:00 p.m.

Module No: HR-14-0887
Carrier: Thorpe
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE

HB 1356: Transportation Committee (Rep. Ruby, Chairman) recommends DO NOT PASS
(11 YEAS, 3 NAYS, 0 ABSENT AND NOT VOTING). HB 1356 was placed on the
Eleventh order on the calendar.

2009 TESTIMONY

HB 1356

Crash Summary
1/1/2001 - 7/31/2008
Hwy: 83 R/P: 159.621 (ND 37) to 173.0

Summary:	Animal	59
Ran off Road	21	
Overturn / Rollover	32	
Other	31	
TOTAL # OF CRASHES:	143	

-Animal crashes are not shown in the sheets below.
-Angle = 15, Rear End = 4, SS SD = 4, Other = 8

CRASH NO.	FILE NO.	DATE	DAY	TIME	LOC	DRG	BLDR	VEH1	VEH2	VEH3	VEH4	VEH5	VEH6	VEH7	VEH8	VEH9	VEH10	VEH11	VEH12	VEH13	VEH14	VEH15	VEH16	VEH17	VEH18	VEH19	VEH20	VEH21	VEH22	VEH23	VEH24	VEH25	VEH26	VEH27	VEH28	VEH29	VEH30	VEH31	VEH32	VEH33	VEH34	VEH35	VEH36	VEH37	VEH38	VEH39	VEH40	VEH41	VEH42	VEH43	VEH44	VEH45	VEH46	VEH47	VEH48	VEH49	VEH50	VEH51	VEH52	VEH53	VEH54	VEH55	VEH56	VEH57	VEH58	VEH59	VEH60	VEH61	VEH62	VEH63	VEH64	VEH65	VEH66	VEH67	VEH68	VEH69	VEH70	VEH71	VEH72	VEH73	VEH74	VEH75	VEH76	VEH77	VEH78	VEH79	VEH80	VEH81	VEH82	VEH83	VEH84	VEH85	VEH86	VEH87	VEH88	VEH89	VEH90	VEH91	VEH92	VEH93	VEH94	VEH95	VEH96	VEH97	VEH98	VEH99	VEH100	VEH101	VEH102	VEH103	VEH104	VEH105	VEH106	VEH107	VEH108	VEH109	VEH110	VEH111	VEH112	VEH113	VEH114	VEH115	VEH116	VEH117	VEH118	VEH119	VEH120	VEH121	VEH122	VEH123	VEH124	VEH125	VEH126	VEH127	VEH128	VEH129	VEH130	VEH131	VEH132	VEH133	VEH134	VEH135	VEH136	VEH137	VEH138	VEH139	VEH140	VEH141	VEH142	VEH143	VEH144	VEH145	VEH146	VEH147	VEH148	VEH149	VEH150	VEH151	VEH152	VEH153	VEH154	VEH155	VEH156	VEH157	VEH158	VEH159	VEH160	VEH161	VEH162	VEH163	VEH164	VEH165	VEH166	VEH167	VEH168	VEH169	VEH170	VEH171	VEH172	VEH173	VEH174	VEH175	VEH176	VEH177	VEH178	VEH179	VEH180	VEH181	VEH182	VEH183	VEH184	VEH185	VEH186	VEH187	VEH188	VEH189	VEH190	VEH191	VEH192	VEH193	VEH194	VEH195	VEH196	VEH197	VEH198	VEH199	VEH200	VEH201	VEH202	VEH203	VEH204	VEH205	VEH206	VEH207	VEH208	VEH209	VEH210	VEH211	VEH212	VEH213	VEH214	VEH215	VEH216	VEH217	VEH218	VEH219	VEH220	VEH221	VEH222	VEH223	VEH224	VEH225	VEH226	VEH227	VEH228	VEH229	VEH230	VEH231	VEH232	VEH233	VEH234	VEH235	VEH236	VEH237	VEH238	VEH239	VEH240	VEH241	VEH242	VEH243	VEH244	VEH245	VEH246	VEH247	VEH248	VEH249	VEH250	VEH251	VEH252	VEH253	VEH254	VEH255	VEH256	VEH257	VEH258	VEH259	VEH260	VEH261	VEH262	VEH263	VEH264	VEH265	VEH266	VEH267	VEH268	VEH269	VEH270	VEH271	VEH272	VEH273	VEH274	VEH275	VEH276	VEH277	VEH278	VEH279	VEH280	VEH281	VEH282	VEH283	VEH284	VEH285	VEH286	VEH287	VEH288	VEH289	VEH290	VEH291	VEH292	VEH293	VEH294	VEH295	VEH296	VEH297	VEH298	VEH299	VEH300	VEH301	VEH302	VEH303	VEH304	VEH305	VEH306	VEH307	VEH308	VEH309	VEH310	VEH311	VEH312	VEH313	VEH314	VEH315	VEH316	VEH317	VEH318	VEH319	VEH320	VEH321	VEH322	VEH323	VEH324	VEH325	VEH326	VEH327	VEH328	VEH329	VEH330	VEH331	VEH332	VEH333	VEH334	VEH335	VEH336	VEH337	VEH338	VEH339	VEH340	VEH341	VEH342	VEH343	VEH344	VEH345	VEH346	VEH347	VEH348	VEH349	VEH350	VEH351	VEH352	VEH353	VEH354	VEH355	VEH356	VEH357	VEH358	VEH359	VEH360	VEH361	VEH362	VEH363	VEH364	VEH365	VEH366	VEH367	VEH368	VEH369	VEH370	VEH371	VEH372	VEH373	VEH374	VEH375	VEH376	VEH377	VEH378	VEH379	VEH380	VEH381	VEH382	VEH383	VEH384	VEH385	VEH386	VEH387	VEH388	VEH389	VEH390	VEH391	VEH392	VEH393	VEH394	VEH395	VEH396	VEH397	VEH398	VEH399	VEH400	VEH401	VEH402	VEH403	VEH404	VEH405	VEH406	VEH407	VEH408	VEH409	VEH410	VEH411	VEH412	VEH413	VEH414	VEH415	VEH416	VEH417	VEH418	VEH419	VEH420	VEH421	VEH422	VEH423	VEH424	VEH425	VEH426	VEH427	VEH428	VEH429	VEH430	VEH431	VEH432	VEH433	VEH434	VEH435	VEH436	VEH437	VEH438	VEH439	VEH440	VEH441	VEH442	VEH443	VEH444	VEH445	VEH446	VEH447	VEH448	VEH449	VEH450	VEH451	VEH452	VEH453	VEH454	VEH455	VEH456	VEH457	VEH458	VEH459	VEH460	VEH461	VEH462	VEH463	VEH464	VEH465	VEH466	VEH467	VEH468	VEH469	VEH470	VEH471	VEH472	VEH473	VEH474	VEH475	VEH476	VEH477	VEH478	VEH479	VEH480	VEH481	VEH482	VEH483	VEH484	VEH485	VEH486	VEH487	VEH488	VEH489	VEH490	VEH491	VEH492	VEH493	VEH494	VEH495	VEH496	VEH497	VEH498	VEH499	VEH500	VEH501	VEH502	VEH503	VEH504	VEH505	VEH506	VEH507	VEH508	VEH509	VEH510	VEH511	VEH512	VEH513	VEH514	VEH515	VEH516	VEH517	VEH518	VEH519	VEH520	VEH521	VEH522	VEH523	VEH524	VEH525	VEH526	VEH527	VEH528	VEH529	VEH530	VEH531	VEH532	VEH533	VEH534	VEH535	VEH536	VEH537	VEH538	VEH539	VEH540	VEH541	VEH542	VEH543	VEH544	VEH545	VEH546	VEH547	VEH548	VEH549	VEH550	VEH551	VEH552	VEH553	VEH554	VEH555	VEH556	VEH557	VEH558	VEH559	VEH560	VEH561	VEH562	VEH563	VEH564	VEH565	VEH566	VEH567	VEH568	VEH569	VEH570	VEH571	VEH572	VEH573	VEH574	VEH575	VEH576	VEH577	VEH578	VEH579	VEH580	VEH581	VEH582	VEH583	VEH584	VEH585	VEH586	VEH587	VEH588	VEH589	VEH590	VEH591	VEH592	VEH593	VEH594	VEH595	VEH596	VEH597	VEH598	VEH599	VEH600	VEH601	VEH602	VEH603	VEH604	VEH605	VEH606	VEH607	VEH608	VEH609	VEH610	VEH611	VEH612	VEH613	VEH614	VEH615	VEH616	VEH617	VEH618	VEH619	VEH620	VEH621	VEH622	VEH623	VEH624	VEH625	VEH626	VEH627	VEH628	VEH629	VEH630	VEH631	VEH632	VEH633	VEH634	VEH635	VEH636	VEH637	VEH638	VEH639	VEH640	VEH641	VEH642	VEH643	VEH644	VEH645	VEH646	VEH647	VEH648	VEH649	VEH650	VEH651	VEH652	VEH653	VEH654	VEH655	VEH656	VEH657	VEH658	VEH659	VEH660	VEH661	VEH662	VEH663	VEH664	VEH665	VEH666	VEH667	VEH668	VEH669	VEH670	VEH671	VEH672	VEH673	VEH674	VEH675	VEH676	VEH677	VEH678	VEH679	VEH680	VEH681	VEH682	VEH683	VEH684	VEH685	VEH686	VEH687	VEH688	VEH689	VEH690	VEH691	VEH692	VEH693	VEH694	VEH695	VEH696	VEH697	VEH698	VEH699	VEH700	VEH701	VEH702	VEH703	VEH704	VEH705	VEH706	VEH707	VEH708	VEH709	VEH710	VEH711	VEH712	VEH713	VEH714	VEH715	VEH716	VEH717	VEH718	VEH719	VEH720	VEH721	VEH722	VEH723	VEH724	VEH725	VEH726	VEH727	VEH728	VEH729	VEH730	VEH731	VEH732	VEH733	VEH734	VEH735	VEH736	VEH737	VEH738	VEH739	VEH740	VEH741	VEH742	VEH743	VEH744	VEH745	VEH746	VEH747	VEH748	VEH749	VEH750	VEH751	VEH752	VEH753	VEH754	VEH755	VEH756	VEH757	VEH758	VEH759	VEH760	VEH761	VEH762	VEH763	VEH764	VEH765	VEH766	VEH767	VEH768	VEH769	VEH770	VEH771	VEH772	VEH773	VEH774	VEH775	VEH776	VEH777	VEH778	VEH779	VEH780	VEH781	VEH782	VEH783	VEH784	VEH785	VEH786	VEH787	VEH788	VEH789	VEH790	VEH791	VEH792	VEH793	VEH794	VEH795	VEH796	VEH797	VEH798	VEH799	VEH800	VEH801	VEH802	VEH803	VEH804	VEH805	VEH806	VEH807	VEH808	VEH809	VEH810	VEH811	VEH812	VEH813	VEH814	VEH815	VEH816	VEH817	VEH818	VEH819	VEH820	VEH821	VEH822	VEH823	VEH824	VEH825	VEH826	VEH827	VEH828	VEH829	VEH830	VEH831	VEH832	VEH833	VEH834	VEH835	VEH836	VEH837	VEH838	VEH839	VEH840	VEH841	VEH842	VEH843	VEH844	VEH845	VEH846	VEH847	VEH848	VEH849	VEH850	VEH851	VEH852	VEH853	VEH854	VEH855	VEH856	VEH857	VEH858	VEH859	VEH860	VEH861	VEH862	VEH863	VEH864	VEH865	VEH866	VEH867	VEH868	VEH869	VEH870	VEH871	VEH872	VEH873	VEH874	VEH875	VEH876	VEH877	VEH878	VEH879	VEH880	VEH881	VEH882	VEH883	VEH884	VEH885	VEH886	VEH887	VEH888	VEH889	VEH890	VEH891	VEH892	VEH893	VEH894	VEH895	VEH896	VEH897	VEH898	VEH899	VEH900	VEH901	VEH902	VEH903	VEH904	VEH905	VEH906	VEH907	VEH908	VEH909	VEH910	VEH911	VEH912	VEH913	VEH914	VEH915	VEH916	VEH917	VEH918	VEH919	VEH920	VEH921	VEH922	VEH923	VEH924	VEH925	VEH926	VEH927	VEH928	VEH929	VEH930	VEH931	VEH932	VEH933	VEH934	VEH935	VEH936	VEH937	VEH938	VEH939	VEH940	VEH941	VEH942	VEH943	VEH944	VEH945	VEH946	VEH947	VEH948	VEH949	VEH950	VEH951	VEH952	VEH953	VEH954	VEH955	VEH956	VEH957	VEH958	VEH959	VEH960	VEH961	VEH962	VEH963	VEH964	VEH965	VEH966	VEH967	VEH968	VEH969	VEH970	VEH971	VEH972	VEH973	VEH974	VEH975	VEH976	VEH977	VEH978	VEH979	VEH980	VEH981	VEH982	VEH983	VEH984	VEH985	VEH986	VEH987	VEH988	VEH989	VEH990	VEH991	VEH992	VEH993	VEH994	VEH995	VEH996	VEH997	VEH998	VEH999	VEH1000	VEH1001	VEH1002	VEH1003	VEH1004	VEH1005	VEH1006	VEH1007	VEH1008	VEH1009	VEH1010	VEH1011	VEH1012	VEH1013	VEH1014	VEH1015	VEH1016	VEH1017	VEH1018	VEH1019	VEH1020	VEH1021	VEH1022	VEH1023	VEH1024	VEH1025	VEH102
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Case #	Date	Day	Time	Unit	Driver	Vehicle	Location	Mileage	Speed	Weather	Event	Description	Possible Cause
122802	6/7/2006	Wed	1:35 PM	X	Dry	3+ Axl	South	51	M		Overturn / Rollover	V1's tire blew, causing V1 to go into the west ditch and roll over into a slough.	Possible Cause: Tires
81148	3/6/2004	Sat	9:52 PM	X	Ice/Sno	Pickup - Van - Utility	North	39	M		Overturn / Rollover	Strong winds and icy roads. D1 was travelling ~60mph and lost control of veh on icy road. V1 spun into the median and rolled over.	
21685	1/6/2001	Tue	11:25 AM	X	Ice/Sno	Passenger Car	South	49	F		Ran Off Roadway	No narrative available.	
46104	6/12/2002	Wed	2:20 PM	X	Wet	Truck Tractor	North	38	M		Jackknife	No narrative available.	
131861	11/18/2006	Sat	11:15 PM	X	Dry	Passenger Car	South	19	M		Overturn / Rollover	D1 swerved into the median to avoid a deer. V1 slid sideways in the median, and V1 rolled over when its tires caught the snow.	
82900	4/22/2004	Fri	11:10 AM	X	Dry	Passenger Car	North	39	M		Other	V1's hood blew off and hit the windshield and roof. It was discovered the hood had a defective latch.	
46162	6/17/2002	Mon	1:05 PM	X	Dry	Truck Tractor	South	24	M		Fire / Explosion	No narrative available.	
27816	6/12/2001	Fri	11:35 AM	X	Dry	Passenger Car	South	17	F		Overturn / Rollover	No narrative available.	
92412	10/18/2004	Mon	7:30 AM	X	Ice/Sno	Pickup - Van - Utility	North	47	M		Separation of Units	V1 was pulling two trailers. The end trailer broke free on icy road, went into the east ditch, and rolled over.	
10436	6/11/2005	Sat	5:11 PM	X	Dry	Pickup - Van - Utility Motorcycle	South South	54 40	M M		Other	V1's left front tire came loose, and rolled into V2 (which was passing V1 at the time).	

Crash Listing
1/1/2001 - 7/31/2008
 Hwy: 83 R/P: 159.621 (ND 37) to 173.0

Case No.	County	Section	Date	Time	Day	Weather	Vehicle	Location	Direction	Severity	Crash Type	Crash Description	Possible Cause				
64831	83	163.200	6/9/2003	Mon	5:30 AM		X	Dry	Truck Tractor	South	39	M		X	Overtum / Rollover	D1 swerved right and went slightly into the ditch to avoid a group of three deer. When D1 attempted to turn left to get back onto the roadway, V1's trailer overturned.	Possible Rumble Strips or Stripes
65874	83	163.300	6/27/2003	Fri	6:30 AM		X	Dry	Truck Tractor	South	34	M		X	Overtum / Rollover	D1 fell asleep while driving and V1 drifted into the west ditch. When D1 awoke he steered left to get back onto the roadway, and V1's trailer overturned.	Possible Rumble Strips or Stripes
157983	83	163.300	3/6/2008	Thu	8:45 PM		X	Dry	3+ Axle	South	38	M		X	Overtum / Rollover	D1 was checking gauges, looked up and saw a small animal, swerved right, overcorrected to left, spun on roadway, and rolled over into the median.	
152641	83	163.720	12/26/2007	Wed	8:00 AM		X	Dry	Passenger Car	South	23	M		X	Ran Off Roadway	There was no shoulder. V1 drifted off the west side of the road, hit a culvert marker post, and went over a culvert.	Possible Rumble Strips or Stripes
53887	83	164.020	11/9/2002	Sat	10:10 PM		X	Ice/Sno	Pickup - Van - Utility	North	21	M		X	Overtum / Rollover	D1 lost control of veh on black ice. V1 spun into the median and rolled over.	Possible Wider Shoulder
85749	83	164.200	6/27/2004	Sun	11:08 AM		X	Dry	Passenger Car	South	16	F		X	Overtum / Rollover	V1 drifted off the west side of the roadway, overcorrected to left, went into median, overcorrected to right, and rolled over.	Possible Rumble Strips or Stripes
127096	83	164.300	9/15/2006	Fri	7:10 AM		X	Dry	3+ Axle	South	40	M		X	Overtum / Rollover	D1 was travelling ~65-70mph and drifted off the west edge of the roadway. D1 overcorrected to left and lost control of veh. V1 went back onto the roadway, swerved left and right, then rolled over into the west ditch.	Possible Wider Shoulder
87366	83	164.500	7/18/2004	Sun	5:35 PM		X	Dry	Pickup - Van - Utility	North	22	M		X	Ran Off Roadway	D1 fell asleep while driving, drifted into the east ditch, and hit a one-way sign (at the intersection with 21st St NW).	(US 83 & 21st St NW)
116188	83	165.000	1/15/2006	Sun	7:50 PM		X	Ice/Sno	Pickup - Van - Utility	North	39	M		X	Ran Off Roadway	A veh passed V1 and cut back into the driving lane too soon. D1 braked to avoid hitting the other veh, lost control of veh on icy road, slid into the east ditch, and struck a delineator post.	Possible Rumble Strips or Stripes
126091	83	165.000	8/21/2006	Mon	3:10 PM		X	Dry	Passenger Car	South	18	F		X	Ran Off Roadway	D1 was briefly distracted, drifted off the west edge of the roadway, overcorrected to left, overcorrected to right, and went into the west ditch.	Possible Wider Shoulder

Crash Listing
1/1/2001 - 7/31/2008
Hwy: 83 R/P: 159.621 (ND 37) to 173.0

FILE NO.	CRASH NO.	DATE	DAY	TIME	LOCATION	TYPE	SEVERITY	VEHICLE TYPE	DRIVER	AGE	SEX	HEIGHT	WEIGHT	HAIR	EYES	SKIN	CRASH TYPE	COMMENTS	Possible Corrective Action (Intersection or Crash)	
32446	83	165.200	9/7/2001	Fri	9:17 AM	X		Dry	Pickup - Van - Utility	North	19	M					Angle	No narrative available.		
									Pickup - Van - Utility	South	37	M								
140613	83	165.300	5/28/2007	Mon	8:00 PM	X		Dry	Passenger Car	South	19	M					X	Ran Off Roadway	D1 reached down to grab a CD, drifted off west edge of roadway, overcorrected to left, went back onto road, overcorrected to right, went into the west ditch, overcorrected to left, and V1's bumper dug into the side of the ditch.	Possible Rumble Strips or Stripes Possible Wider Shoulder
97761	83	165.750	1/20/2005	Thu	10:50 AM	X		Ice/Sno	Pickup - Van - Utility	South	39	M					X	Overtum / Rollover	D1 was travelling ~65mph (with cruise control on) and lost control of veh on a patch of ice. V1 spun into the median, rolled over, and came to rest in the NB driving lane.	
111006	83	166.000	11/6/2005	Sun	1:30 AM	X		Dry	Truck Tractor	South	35	M					X	Overtum / Rollover	V1's trailer tires drifted off the west edge of the roadway and the trailer tipped over.	Possible Wider Shoulder
133004	83	166.000	12/29/2006	Fri	6:00 PM	X		Ice/Sno	Pickup - Van - Utility	South	23	M					X	Ran Off Roadway	D1 lost control of veh on icy road. V1 slid into the west ditch, hit a delineator post, and hit a fence.	
92185	83	166.050	10/18/2004	Mon	8:50 AM	X		Ice/Sno	Passenger Car	North	32	M					X	Ran Off Roadway	Freezing rain. D1 lost control of veh on icy road and slid into the median.	
53886	83	166.090	11/9/2002	Sat	9:15 PM	X		Ice/Sno	Passenger Car	North	34	M					X	Overtum / Rollover	D1 lost control of veh on black ice, spun into the median, and rolled over.	
89602	83	166.900	9/1/2004	Wed	5:05 PM	X		Dry	Pickup - Van - Utility	South	37	M					X	Overtum / Rollover	D1 lost control of veh while swatting at a bee in the veh. V1 went out of control, rolled over on the roadway, and rolled into the west ditch.	
66482	83	166.920	7/9/2003	Wed	4:00 AM	X		Wet	Passenger Car	South	19	M					X	Ran Off Roadway	V1 drifted off the west edge of the roadway and went into the west ditch.	Possible Rumble Strips or Stripes Possible Wider Shoulder
131562	83	167.000	11/16/2006	Thu	10:40 PM	X		Frost	Pickup - Van - Utility	North	28	M					X	Ran Off Roadway	D1 swerved to avoid a large animal (possibly a moose), went into the east ditch, and struck a delineator post.	

CASE#	FILE#	DATE	TIME	DAY	HOUR	MIN	SEC	TYPE	LOCATION	DIRECTION	WIND	TEMP	MOISTURE	ROAD	VEHICLE	DRIVER	AGE	SEX	RACE	HT	WT	EYES	HAIR	DOB	EDUCATION	OCCUPATION	STATUS	REMARKS	INVESTIGATOR
152304	83	167,500	12/24/2007	Mon	1:00 PM	X			Dry	Pickup - Van - Utility	North	15	F															D1 was distracted, drifted into the median, overcorrected to right, crossed the roadway, and rolled into the east ditch.	
36413	83	167,600	12/1/2001	Sat	12:33 PM	X			Frost	Passenger Car	South	18	F															No narrative available.	
76408	83	167,600	12/17/2003	Wed	6:55 PM				Ice/Sno	Pickup - Van - Utility	North	61	M															While V1 was attempting to pass V2, V1's trailer fishtailed and sideswiped V2.	
125763	83	167,800	8/16/2006	Wed	3:30 PM	X			Dry	2-Axle	South	19	M															When a semi passed V1, D1 lost control of veh due to turbulence. D1 went into the west ditch, overcorrected to left, went back onto the road, overcorrected to right, and rolled over into the west ditch.	Possible Wider Shoulder
100881	83	167,900	3/8/2005	Tue	5:45 PM				Ice/Sno	Pickup - Van - Utility	South	25	M															D1 lost control of veh while going up a hill, went into the west ditch, hit a cemetery fence, and hit a tree.	
81360	83	168,100	3/4/2004	Thu	5:35 PM	X			Dry	Passenger Car	South	17	M															D1 fell asleep while driving, went into the west ditch, and hit a cement post (which is part of the cemetery fence).	Possible Runoff Strips or Stripes
58888	83	168,700	1/30/2003	Thu	8:38 AM	X			Ice/Sno	Truck Tractor Passenger Car	South	35 18	M F															V2 passed V1, attempted to change back into the driving lane, and lost control of veh on icy road. V2 spun and was hit in the right rear bumper by V1.	
24124	83	168,980	2/9/2001	Sat	1:30 PM	X			Ice/Sno	Passenger Car	South	32	M															No narrative available.	
140401	83	169,100	5/17/2007	Thu	6:30 PM	X			Dry	Pickup - Van - Utility	South	51	M															D1 fell asleep while driving, went into the west ditch, overcorrected to left, went back onto the road, overcorrected to right, again went into the west ditch, struck an approach, and rolled over.	Possible Runoff Strips or Stripes
38114	83	169,800	12/26/2001	Wed	6:40 PM				Ice/Sno	Pickup - Van - Utility	North	22	M															No narrative available.	

Crash Listing
1/1/2001 - 7/31/2008
R/P: 159.621 (MD 37) to 173.0
Hwy: 83

CRASH NO.	DATE	TIME	DAY	LOCATION	WEATHER	VEHICLE TYPE	DIRECTION	INVESTIGATOR	CRASH TYPE	CRASH DESCRIPTION	CRASH LOCATION				
47636	83	169.970	7/16/2002	Tue	6:30 AM	X	Dry	Pickup - Van - Utility	South	49	M	X	Ran Off Roadway	No narrative available.	
77171	83	169.980	1/4/2004	Sun	9:20 AM	X	Snow	Passenger Car	South	24	M	X	Ran Off Roadway	V1 hit something that was on the road and went into the west ditch.	
136419	83	170.000	3/1/2007	Thu	8:00 AM	X	Ice/Sno	Pickup - Van - Utility	South	57	M	X	Ran Off Roadway	Freezing drizzle. D1 lost control of veh on icy road, slid into the west ditch, went over an approach (for a missile site), and hit a stop sign.	(US 83 & Missile Site)
22693	83	170.200	1/29/2001	Mon	5:10 PM	X	Dry	Truck Tractor	South	27	M	X	Overtum / Rollover	No narrative available.	
162736	83	170.200	7/9/2008	Wed	6:25 AM	X	Dry	Truck Tractor	South	39	M	X	Overtum / Rollover	V1 dropped off the west edge of the roadway. D1 attempted to drive back onto the roadway, but V1 and trailer (8500 gallons of gasoline) overturned and started on fire. D1 was unable to escape the fire.	Possible Runble Strips or Stripes Possible Wider Shoulder
121203	83	170.300	5/6/2006	Sat	3:18 PM	X	Dry	Pickup - Van - Utility	South	21	F	X	Overtum / Rollover	Witness stated V1 swerved right, then overcorrected left, spun into the median, and rolled over (across the NB roadway, and into the east ditch). D1 was belted, but was partially ejected.	Possible Runble Strips or Stripes Possible Wider Shoulder
53463	83	170.500	10/31/2002	Thu	2:30 PM	X	Dry	Pickup - Van - Utility	South	44	M	DUI	Ran Off Roadway	D1 (DUI) went off the west edge of the roadway, struck a delineator post, and came to rest partially in a slough.	
28179	83	170.700	6/30/2001	Sat	11:22 AM	X	Dry	Passenger Car	South	84	F	X	Overtum / Rollover	No narrative available.	
54218	83	170.990	11/16/2002	Sat	9:15 AM	X	Ice/Sno	Pickup - Van - Utility Passenger Car	South South	41 24	F F	X	Sideswipe Same Dir	Black ice. While V2 was attempting to pass V1, D1 lost control of veh on icy curve/hill, and sideswiped V2.	
160092	83	171.000	5/10/2008	Sat	7:15 AM	X	Slush	Passenger Car	South	34	M	X	Immersion	D1 was travelling ~60mph and lost control of veh on snow-covered roadway. V1 slid into the west ditch and was partially submerged in a slough.	

Crash Listing
 1/1/2001 - 7/31/2008
 Hwy: 83 R/P: 159.621 (ND 37) to 173.0

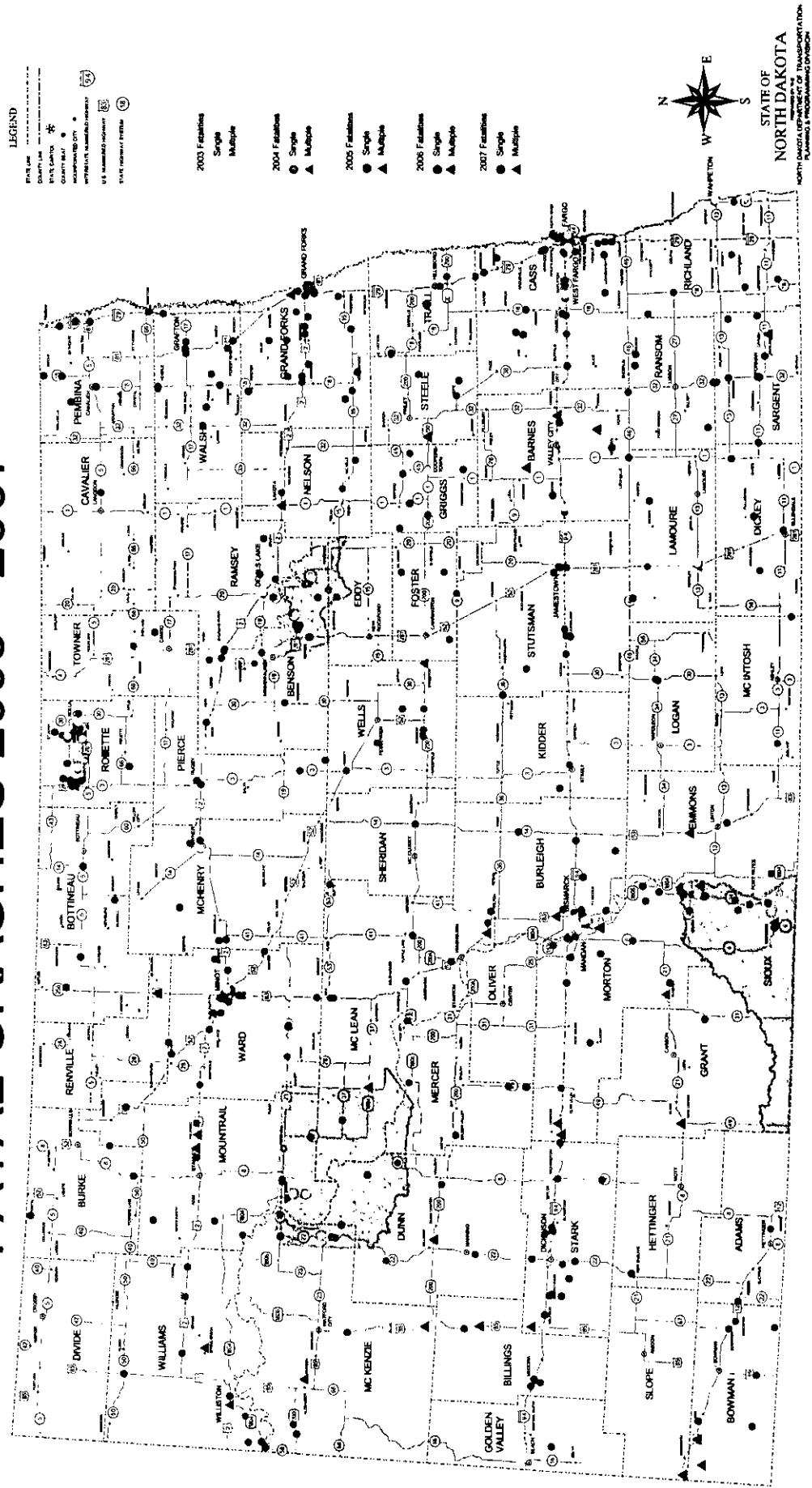
CRASH NUM.	HTY	LOC	DATE	TIME	DAY	COND	VEH TYPE	DIR	LANE	SPD	DUI	CRASH TYPE	COMMENTS	Location (Corrective Action Intersection of Crash)	
110690	83	171.400	10/14/2005	1:26 AM	Fri		Pickup - Van - Utility	North	38	F	DUI	X	Overtum / Rollover	D1 (DUI) lost control of veh, fishtailed, went into the east ditch, and rolled over.	
148668	83	171.500	10/27/2007	11:30 AM	Sat	Dry	Passenger Car	North	51	F		X	Ran Off Roadway	V2 was in the passing lane. When D1 (in the driving lane) attempted to pass V2, V2 began drifting towards the driving lane. D1 swerved right to avoid a sideswipe crash, then overcorrected to left (to avoid going into ditch), and lost control of veh. V1 slid through the median, and came to rest on the SB lanes.	
30742	83	171.616	8/6/2001	5:00 PM	Mon	Dry	Passenger Car	West	69	F		X	Angle	No narrative available.	(US 83 & ND 53)
44383	83	171.616	5/9/2002	2:50 PM	Thu	Dry	Pickup - Van - Utility	East	43	M		X	Angle	No narrative available.	(US 83 & ND 53)
45084	83	171.616	5/26/2002	7:05 PM	Sun	Dry	Passenger Car	South	25	M		X	Angle	No narrative available.	(US 83 & ND 53)
63071	83	171.616	5/3/2003	8:05 AM	Sat	Dry	Pickup - Van - Utility	East	31	M		X	Angle	V2 was in the NB left turn lane and was hit by V1 (EB).	(US 83 & ND 53)
85921	83	171.616	7/6/2004	7:05 PM	Tue	Dry	Pickup - Van - Utility	North	44	M	X		Angle	D2 (WB, had been drinking) ran stop sign and was hit by V1 (NB).	(US 83 & ND 53)
93987	83	171.616	12/4/2004	12:10 PM	Sat	Dry	Pickup - Van - Utility	North	79	M		X	Angle	D2 (EB) did not see V1, attempted to cross US 83 NB lanes, and was hit by V1 (NB).	(US 83 & ND 53)
111842	83	171.616	11/16/2005	1:30 PM	Wed	Dry	Passenger Car	North	57	M		X	Angle	D2 (EB) attempted to cross the US 83 NB lanes and was hit by V1 (NB).	(US 83 & ND 53)
128369	83	171.616	10/11/2006	8:40 AM	Wed	Dry	Passenger Car	North	78	M		X	Angle	D2 stated he could not see due to sun glare, attempted to cross the US 83 NB lanes, and was hit by V1 (NB).	(US 83 & ND 53)

Case #	Date	Time	Location	Direction	Type	Severity	Age	Sex	Race	Ethnicity	Height	Weight	Build	Hair Color	Eyes	Skin	Occupation	Education	Marital Status	Religion	Possession										
141527	83	171.616	6/11/2007	Mon	3:20 PM	X											Dry	Passenger Car	South	24	F					X	Angle			D2 (WB) attempted to cross the US 83 SB lanes and was hit by V1 (SB, travelling 70mph in a 50mph zone).	(US 83 & ND 53)
52614	83	171.700	10/27/2002	Sun	8:27 AM	X											Snow	Pickup - Van - Utility	South	70	M					X	Overtake / Rollback			D1 was travelling ~60mph and lost control of trailer while going over an icy viaduct. V1 and trailer continued south of the viaduct, went into the west ditch, and rolled over.	(US 83 & ND 53)
58835	83	171.700	1/28/2003	Tue	12:00 PM	X											Snow	Passenger Car	North	69	M					X	Rear End			D2 had turned onto NB US 83 at the ND 53 intersection and was in the passing lane. A semi (in the driving lane) passed V2 and created snow fog. D1 (NB) had been thinking about passing the semi, did not see V2 in the snow fog, and rear-ended V2.	
98306	83	171.800	1/23/2005	Sun	1:37 AM		X										Icy/Sno	Pickup - Van - Utility	South	30	M					X	Overtake / Rollback			Icy road with strong cross wind. D1 lost control of veh on icy road, fishtailed, spun into the median, and rolled over.	
162761	83	171.800	7/3/2008	Thu	4:38 PM	X											Dry	Pickup - Van - Utility	South	42	M					X	Separation of Units			Trailer separated from V1 and rolled onto its side.	
42852	83	171.900	4/1/2002	Mon	6:15 PM	X											Icy/Sno	Pickup - Van - Utility	North	28	F					X	Overtake / Rollback			No Narrative Available.	
28903	83	172.000	7/16/2001	Mon	3:15 PM	X											Dry	Passenger Car	South	17	M					X	Angle			No Narrative Available.	
46008	83	172.000	6/14/2002	Fri	12:10 PM	X											Dry	Passenger Car	East	71	M					X	Rear End			No Narrative Available.	(US 83 & Power St)
63612	83	172.000	5/11/2003	Sun	7:15 PM	X											Dry	Truck Tractor	North	43	M					X	Angle			D2 (EB) attempted to cross the US 83 NB lanes and was hit by V1 (NB).	(US 83 & Power St)
138286	83	172.000	4/9/2007	Mon	11:16 AM	X											Dry	Passenger Car	South	20	M					X	Angle			D2 was NB, made a left turn into the median, stopped at the stop sign (facing WB), did not see any traffic, attempted to cross the US 83 SB lanes, and was hit by V1 (SB).	(US 83 & Power St)
																															(US 83 & Power St)

[illegible]

(HB 1356) Attachment # 2

FATAL CRASHES 2003 - 2007



HOUSE TRANSPORTATION COMMITTEE

January 22, 2009

9:00 a.m. – Fort Totten Room

**North Dakota Department of Transportation
Grant Levi, P.E., Deputy Director for Engineering**

HB 1356

Good morning, Mr. Chairman and members of the committee. I'm Grant Levi, Deputy Director for Engineering for the North Dakota Department of Transportation (NDDOT). I'm here to oppose HB 1356.

The Department is responsible for the construction, reconstruction, rehabilitation, preservation, and maintenance of the 8,511 roadway miles on the state highway system. A combination of factors is used in selecting projects including: system condition, maintenance costs, roadway capacity, preservation needs, safety, and public input. The final selection of projects makes up the annual Statewide Transportation Improvement Program (STIP).

As the department develops the STIP, we work hard to ensure the resources made available to the department maximize the expenditures of state funds and allow the department to provide a transportation system that safely moves people and goods. In addition to safety, the department selects projects that will help improve the state highway system's ride quality and load carrying capacity. Even in periods of high inflation, this approach of selecting projects has resulted in maintaining the ride quality and load carrying capacity on the state's roadways. This was accomplished because the department focused the investments on pavement preservation projects. While we have not reached the department's system condition goals and construction inflation is starting to result in additional pavement distress: we believe our strategies are in the best interest of the state of North Dakota.

By using the STIP process we have already programmed a project for the segment of US 83 referenced in HB 1356. We completed the environmental document for the southbound segment of US 83 from Junction ND 37 north to 0.6 mile North of Max. We are working to have the project ready for Economic Recovery funds if they become available this year. If the Economic Recovery dollars become available and the project design and environmental permits can be completed, we will start construction this summer. If for some reason the economic recovery funds do not become available or federal requirement can't be met, then the project will be constructed in 2010 with a follow on paving project in 2011.

Even though we already have the project referenced in the bill programmed, we oppose HB 1356. We already have a process that we believe is in the best interest of the state. Establishing project priorities by statute diminishes the departments' ability to manage the state highway system.

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