

Testimony before the Administrative Rules Committee
OMB Risk Management Division
December 15, 2011

Chairman Koppelman, and members of the North Dakota Legislative Management Administrative Rules Committee. My name is Vicki Ableidinger. I am here on behalf of the Risk Management Division of OMB to provide testimony on the amendments to North Dakota Administrative Code chapter 4-11-01.

The Risk Management Accident Review Board was statutorily established in 1999 and directed to review accidents involving state owned or leased motor vehicles. The purpose of the Board is to review accidents and make recommendations to reduce the overall number of accidents that occur with state vehicles.

However, experience has shown that for the vast majority of accidents, the determination of whether the accident is preventable and what recommendations are appropriate as corrective measures is not an inquiry that requires a deliberative body comprised of members from the Highway Patrol, Risk Management, the Department of Corrections, the University System, and the Department of Transportation. As a result, HB 1118 was introduced and ultimately enacted this past legislative session to streamline the process. Under the current law, the Department of Transportation is charged with internally reviewing and addressing the most common accidents with the Accident Review Board reviewing only those more serious accidents involving injuries or significant property damage as well as state employee appeals of Department findings and recommendations. The rule changes to North Dakota Administrative Code chapter 4-11-01 reflect these statutory changes.

Notice of the proposed changes was published in all of the required newspapers and included notice of the date, time and place for the public hearing. The public hearing was held on September 26, 2011. No one presented any testimony at the public hearing on these rules and no written comments to the proposed rules were received by the Risk Management Division. The approximate cost of providing public notice and holding the public hearing is \$907. No regulatory analysis, small entity regulatory analysis or economic impact statement, or constitutional takings assessment was required.

This concludes my prepared remarks and I would be happy to answer any questions you may have. Thank you.