

**Energy Development and Transmission Committee
Thursday, July 26, 2012
1:00 p.m. - Roughrider Room**

**North Dakota Department of Transportation
Francis G. Ziegler, P.E., Director**

Mr. Chairman and members of the committee, I'm Francis Ziegler, Director of the North Dakota Department of Transportation (DOT). Thank you for giving me the opportunity to present information to you today. I will present information on the following:

- Construction Projects
- Motor Vehicle and Commercial Drivers License
- Federal Funding
- Cost of Construction

Construction Projects

The construction program for 2012 is approximately \$550 million. Additionally there is \$81 million in carry over for 2011 on the state system and \$105 million to be completed on county roads in oil country. A majority of the state projects have been bid for 2012. As of July 24th, approximately 22% of this year's state construction work is completed.

- **Truck reliever routes/temporary bypasses:**

The Department is going through the environmental evaluation process for truck reliever routes/bypasses in several areas including: Williston, Dickinson, New Town, Watford City, Alexander, and Killdeer.

A temporary truck bypass is currently being constructed and is nearing completion northwest of Williston. The route will help to alleviate truck traffic through the city of Williston.

- **Oil impact county projects**

Work is progressing on the county and township projects. The chart on the next page lists allocations and reimbursement each county receives from the \$142 million fund.

\$142 Million County and Township Road Fund for Oil Impact Areas

County	Allocations			Reimbursement Requests		
	Paved	Unpaved	Total	Paved	Unpaved	Total
Billings	\$1,204,030	\$773,205	\$1,977,235	\$1,204,030	\$773,205	\$1,977,235
Bottineau	\$4,968,000	\$165,854	\$5,133,854	\$1,640,056	\$156,641	\$1,796,697
Bowman	\$400,000	\$99,128	\$499,128	\$357,318	\$99,128	\$456,446
Burke	\$4,860,000	\$663,415	\$5,523,415	\$0	\$485,838	\$485,838
Divide	\$6,293,430	\$1,948,780	\$8,242,210	\$6,212,240	\$0	\$6,212,240
Dunn	\$7,600,000	\$3,429,860	\$11,029,860	\$6,361,621	\$1,538,615	\$7,900,236
Golden Valley	\$1,034,000	\$852,509	\$1,886,509	\$12,677	\$443,936	\$456,612
McHenry	\$0	\$20,732	\$20,732	N/A	\$0	\$0
McKenzie	\$20,004,030	\$3,608,292	\$23,612,322	\$0	\$3,608,292	\$3,608,292
McLean	\$0	\$829,268	\$829,268	N/A	\$829,268	\$829,268
Mercer	\$0	\$39,655	\$39,655	N/A	\$39,655	\$39,655
Mountrail	\$38,604,510	\$3,296,341	\$41,900,851	\$31,574,069	\$1,816,126	\$33,390,196
Renville	\$4,932,000	\$100,000	\$5,032,000	\$4,932,000	\$31,579	\$4,963,579
Slope	\$0	\$100,000	\$100,000	N/A	\$0	\$0
Stark	\$8,500,000	\$1,605,888	\$10,105,888	\$8,164,703	\$352,301	\$8,517,004
Ward	\$6,120,000	\$1,285,366	\$7,405,366	\$5,343,992	\$895,308	\$6,239,300
*Williams	\$13,680,000	\$4,187,805	\$17,867,805	\$5,051,593	\$4,187,805	\$9,239,398
Total	\$118,200,000	\$23,006,098	\$141,206,098	\$70,854,300	\$15,257,696	\$86,111,996

Used all of their allocation

*\$4 million of Williams County unpaved allocation was used as part of their contribution for the NW Temporary bypass in Williston.

Motor Vehicle and Commercial Drivers License

Please refer to the attached email document to provide information relating to Motor Vehicle and Commercial Drivers License topics requested by the committee.

Federal Funding

On June 29th, the House and Senate passed a new two-year \$105 billion surface transportation reauthorization bill, called Moving Ahead for Progress in the 21st Century (MAP-21). The bill reauthorizes the federal-aid highway, highway safety, and transit programs which were last authorized by the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) passed in 2005.

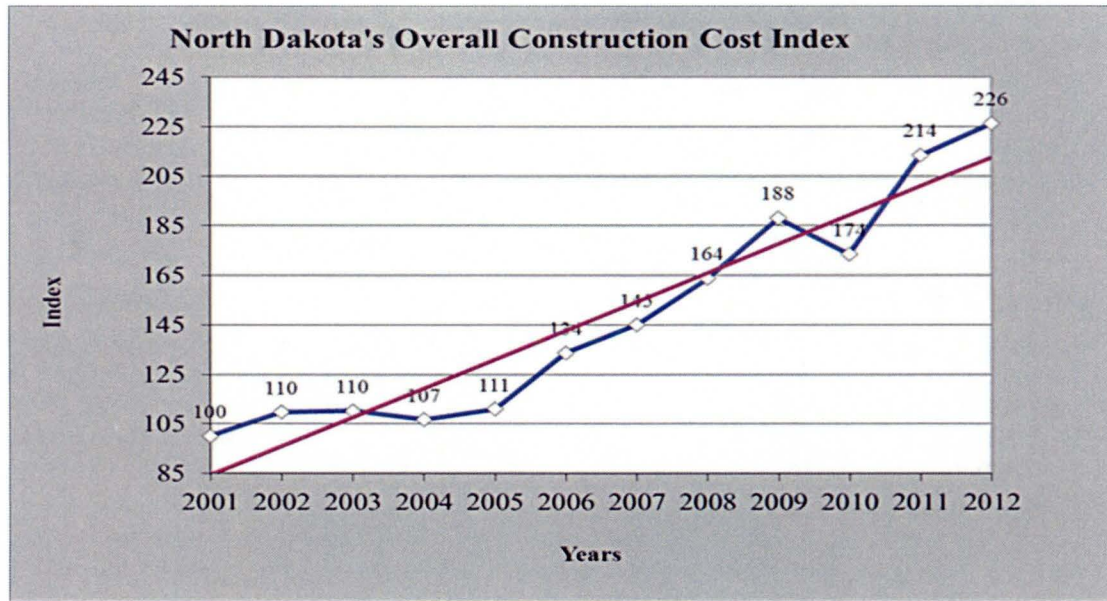
The DOT had been operating on nine short-term extensions of the surface transportation authorization since SAFETEA-LU expired September 30, 2009. The bill recognizes the need for transportation funding in North Dakota, as it allows us to move forward and work on road projects to 2014. The bill states North Dakota's apportionment will be:

- \$240.5 million in 2012 and 2013.
- \$242.5 million in 2014.

Over the past five years, DOT received an average of approximately \$245 million a year. The Department is currently reviewing MAP- 21 (nearly 600 pages of legislation) and we will report on more details at another time.

Cost of Construction

Construction project costs have increased as the price of materials used in highway construction have risen. The chart illustrates inflation is averaging about 11% per year since 2001.



**2012 construction year is not complete and values will change.*

This concludes my testimony, thank you for the opportunity to appear before the committee today.

ATTACHMENT = Email Message to Tim Dawson

From: Butts, Linda N.

Sent: Wednesday, July 25, 2012 1:29 PM

To: Ziegler, Francis G.; Dawson, Tim J.;

Subject: Tim Dawson EDTC Committee request

Tim here is a more succinct version of what we sent you earlier for tomorrow's EDTC hearing.

At the last meeting of the EDTC in Williston with the Education committee, the joint committees had a few concerns. The concerns were as follows: CDL and Bus driver endorsements transfers between states.

1. **How is it done procedurally and chronologically?** We do recognize license status from other jurisdictions, and we do verify license status and residency before issuing a license. On July 10th, we received word from Federal Motor Carrier Safety Administration (FMCSA) that all 50 states are in compliance with the school bus portion of Motor Carrier Safety Improvement Act (MCSIA) of 1999, so we will implement effective immediately the change in NOT requiring a written or road test for a licensed drivers from another state who holds an equivalent license and S (bus) endorsement. **What needs to be done besides trading licenses and why?** With the recent notification from FMCSA the process for both CDL and Bus drivers simply involves presenting their license from the former state and the background check we do by looking up the driver in two national databases to determine they have no outstanding issues in other states that would prevent us from issuing a license. **Is there any way to expedite the process or make the process easier?** The issue is that bus drivers are needed in oil country and bus drivers from other states that have moved to the area have procedural and time issues in getting a license from North Dakota. The ruling from FMSCA has already simplified the process.
2. **What were the recent legislative changes (2007 HB 1081 and 1334) to who can drive different vehicles with students in vehicles and what was the impetus for the change?** The issue is how does this fit in with who can drive busses of any size. In short, what does a driver need to drive each type of bus, school bus license requirements are regulated by the Federal Motor Carrier Safety Administration (FMCSA). However, the changes referred to below from the 2007 session are in Title 15, not Title 39. Syndi Worrel, our chief examiner, remembers reviewing these DPI initiated bills to ensure they did not conflict with CDL requirements. Essentially, in these two bills the DPI was clarifying their own rules for requirements to drive school vehicles that transport students that do not require a CDL license.
3. **Jurisdiction of the tribes as to motor vehicles. The committee was told that the Three Affiliated Tribes have highway patrol and require permits for trucks on the reservation. The concern is that this creates uncertainty for oil development. What are the tribes regulating and how is it within the tribe's jurisdiction?** This is an issue for the Attorney General.

Linda Butts, Deputy Director for Driver and Vehicles Services, North Dakota Department of Transportation