

Sixty-third
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2012

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the department of
2 transportation; to provide appropriations to the state treasurer for transportation funding
3 distributions; to provide an appropriation to the department of corrections and rehabilitation for
4 costs related to a general license plate issue; to create and enact a new section to chapter
5 24-02 and section 39-04-14.4 of the North Dakota Century Code, relating to highway-rail grade
6 crossing safety projects and motor vehicle registration renewals; to amend and reenact sections
7 39-02-03 ~~and~~, 39-04-09, and 39-04-14 of the North Dakota Century Code and section 27 of
8 chapter 579 of the 2011 Session Laws, relating to department of transportation motor vehicle
9 branch offices ~~and~~, the issuance of license plates, motor vehicle registration renewals, and
10 transportation funding distributions to non-oil-producing political subdivisions; to provide for
11 transfers and contingent transfers; to provide exemptions; to provide for budget section reports;
12 to provide for ~~a~~ legislative management ~~study~~ studies; and to declare an emergency.

13 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

14 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
15 as may be necessary, are appropriated out of any moneys in the general fund in the state
16 treasury, not otherwise appropriated, and from special funds derived from federal funds and
17 other income, to the department of transportation for the purpose of defraying the expenses of
18 the department of transportation, for the biennium beginning July 1, 2013, and ending June 30,
19 2015, as follows:

	Base Level	Adjustments or Enhancements	Appropriation
22 Salaries and wages	\$165,966,396	\$32,880,464	\$198,846,860
23 Operating expenses	204,090,250	173,731,465	377,821,715
24 Capital assets	709,079,831	560,431,376	1,269,511,207

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1	County and township road	0	142,000,000	142,000,000
2	reconstruction program			
3	County and township bridge	0	27,000,000	27,000,000
4	reconstruction program			
5	Grants	67,767,407	30,420,623	98,188,030
6	Total all funds	\$1,146,903,884	\$966,463,928	\$2,113,367,812
7	Less estimated income	1,146,903,884	956,463,928	2,103,367,812
8	Total general fund	\$0	\$10,000,000	\$10,000,000
9	Salaries and wages	\$165,966,396	\$18,610,837	\$184,577,233
10	Accrued leave payments	0	7,280,897	7,280,897
11	Operating expenses	204,090,250	172,631,465	376,721,715
12	Capital assets	709,079,831	560,431,376	1,269,511,207
13	County and township road	0	190,000,000	190,000,000
14	reconstruction program			
15	County and township bridge	0	20,000,000	20,000,000
16	reconstruction program			
17	Grants	67,767,407	21,520,623	89,288,030
18	Total all funds	\$1,146,903,884	\$990,475,198	\$2,137,379,082
19	Less estimated income	1,146,903,884	932,475,198	2,079,379,082
20	Total general fund	\$0	\$58,000,000	\$58,000,000
21	Full-time equivalent positions	1,063.50	16.00	1,079.50

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO

SIXTY-FOURTH LEGISLATIVE ASSEMBLY. The following amounts reflect the one-time funding items approved by the sixty-second legislative assembly for the 2011-13 biennium and the 2013-15 one-time funding items included in the appropriation in section 1 of this Act:

26	One-Time Funding Description	2011-13	2013-15
27	Federal stimulus funds	\$24,119,575	\$0
28	Devils Lake area highway project	5,850,000	0
29	Extraordinary state highway maintenance	228,600,000	0
30	County and township road reconstruction	142,000,000	142,000,000
31	County and township bridge reconstruction	0	27,000,000

1	<u>County and township road reconstruction program</u>	<u>142,000,000</u>	<u>190,000,000</u>
2	<u>County and township bridge reconstruction program</u>	<u>0</u>	<u>20,000,000</u>
3	Emergency relief program borrowing authority	200,000,000	0
4	Road grade raising grants	6,000,000	0
5	Highway-rail grade crossing safety grants	1,431,000	0
6	Enhanced state highway investments	0	541,600,000
7	Federal TIGER III grant match	<u>0</u>	<u>10,000,000</u>
8	Total all funds	\$608,000,575	\$720,600,000
9	Total special funds	602,150,575	710,600,000
10	Total general fund	\$5,850,000	\$10,000,000
11	<u>Total all funds</u>	<u>\$608,000,575</u>	<u>\$761,600,000</u>
12	<u>Total special funds</u>	<u>602,150,575</u>	<u>703,600,000</u>
13	<u>Total general fund</u>	<u>\$5,850,000</u>	<u>\$58,000,000</u>

14 The 2013-15 one-time funding amounts are not part of the entity's base budget for the 2015-17
 15 biennium. The department of transportation shall report to the appropriations committees of the
 16 sixty-fourth legislative assembly on the use of the one-time funding for the biennium beginning
 17 July 1, 2013, and ending June 30, 2015.

18 **SECTION 3. LINE ITEM TRANSFERS.** The director of the department of transportation
 19 may transfer between the salaries and wages, operating, capital assets, and grants line items in
 20 section 1 of this Act when it is cost-effective for construction and maintenance of highways. The
 21 department of transportation shall notify the office of management and budget of any transfers
 22 made pursuant to this section.

23 **SECTION 4. COUNTY AND TOWNSHIP ROAD RECONSTRUCTION PROGRAM -**
 24 **CARRYOVER AUTHORITY.**

25 1. The sum of ~~\$142,000,000~~\$190,000,000, or so much of the sum as may be necessary,
 26 included in the county and township road reconstruction program line item in section 1
 27 of this Act, must be used to rehabilitate or reconstruct county and township paved and
 28 unpaved roads needed to support oil and gas production and distribution in North
 29 Dakota.

- 1 a. Funding allocations to counties are to be made by the department of
2 transportation based on data supplied by the upper great plains transportation
3 institute.
- 4 b. Counties identified in the data supplied by the upper great plains transportation
5 institute are eligible for this funding.
- 6 2. Each county requesting funding under this section for county or township roads shall
7 submit the request in accordance with criteria developed by the department of
8 transportation.
 - 9 a. The request shall include a proposed plan for funding projects that rehabilitate or
10 reconstruct paved and unpaved roads within the county.
 - 11 b. The plan shall be based on data supplied by the upper great plains transportation
12 institute, actual road conditions, and integration with state highway and other
13 county road projects.
 - 14 c. Funds shall not be used for routine maintenance.
- 15 3. The department of transportation, in consultation with the county, may approve the
16 plan or approve the plan with amendments.
- 17 4. The funding included in the county and township road reconstruction program line item
18 in section 1 of this Act may be used for:
 - 19 a. Ninety percent of the cost of the approved roadway projects not to exceed the
20 funding available for that county.
 - 21 b. Funding may be used for construction, engineering, and plan development costs.
- 22 5. Upon approval of the plan, the department of transportation shall transfer to the county
23 the approved funding for engineering and plan development costs.
- 24 6. Upon execution of a construction contract by the county, the department of
25 transportation shall transfer to the county the approved funding to be distributed for
26 county and township road rehabilitation and reconstruction projects.
- 27 7. The recipient counties shall report to the department of transportation upon awarding
28 of each contract and upon completion of each project in a manner prescribed by the
29 department.

1 8. The funding included in the county and township road reconstruction line item in
2 section 1 of this Act may be applied to engineering, design, and construction costs
3 incurred on related projects as of January 1, 2013.

4 9. Section 54-44.1-11 does not apply to funding included in the county and township road
5 reconstruction program line item in section 1 of this Act. Any funds not spent by
6 June 30, 2015, must be continued into the biennium beginning July 1, 2015, and
7 ending June 30, 2017, and may be expended only for county and township paved and
8 unpaved road rehabilitation and reconstruction projects.

9 **SECTION 5. COUNTY AND TOWNSHIP BRIDGE RECONSTRUCTION PROGRAM -**

10 **STRATEGIC INVESTMENT AND IMPROVEMENTS FUND - EXEMPTION.** The county and

11 township bridge reconstruction program line item in section 1 of this Act contains the sum of

12 ~~\$27,000,000~~\$20,000,000 from the strategic investment and improvements fund which must be

13 used by the department of transportation for a county and township road bridge rehabilitation

14 and reconstruction program, for the period beginning with the effective date of this Act and

15 ending June 30, 2015, as follows:

16 1. The funding must be used to rehabilitate or reconstruct county and township road
17 bridges needed for the safe conveyance of persons and commerce in this state. The
18 director of the department of transportation shall distribute the funding based on data
19 available from studies conducted by the upper great plains transportation institute with
20 priority given to bridge projects located on roadways defined by the department of
21 transportation as a county major collector roadway.

22 2. Each county requesting funding for a county or township road bridge project or for
23 multiple projects shall submit the request in accordance with criteria developed by the
24 department of transportation. The department of transportation, in consultation with
25 the county, may approve a project or approve a project with amendments.

26 a. Funding must be distributed for projects based on data available from upper
27 great plains transportation institute studies, actual road conditions, and the level
28 of integration with state highway and other county road projects.

29 b. Funding may not be distributed for the routine maintenance of bridges.

30 3. The funding may be used to provide up to ninety percent of the cost of an approved
31 bridge project, including engineering and plan development costs.

- 1 4. Upon approval of a project, the department of transportation shall transfer to the
2 county the approved funding for engineering and plan development costs. The funding
3 provided for construction, engineering, and project development costs may be applied
4 to costs incurred as of January 1, 2013.
- 5 5. Upon execution of a construction contract by the county, the department of
6 transportation shall transfer to the county the funding to be used for the approved
7 bridge project.
- 8 6. Each recipient county shall report to the department of transportation upon awarding
9 each contract and upon completion of each project in a manner prescribed by the
10 department.
- 11 7. Section 54-44.1-11 does not apply to funding included in the county and township
12 bridge reconstruction program line item in section 1 of this Act. Any funds not spent by
13 June 30, 2015, may be continued into the biennium beginning July 1, 2015, and
14 ending June 30, 2017, and may be expended only for county and township road
15 bridge rehabilitation and reconstruction projects.
- 16 8. For purposes of this section, a "bridge" is a structure that ~~extends over a river, stream,~~
17 ~~depression, or other obstacle and has an end area of fifty square feet [4.65 square~~
18 ~~meters] or greater.~~ has an opening of more than 20 feet [6.096 meters] as measured
19 along the centerline of the roadway. It may also be the clear openings of more than
20 20 feet [6.096 meters] of a group of pipes as long as the pipes are spaced less than
21 half the distance apart of the smallest diameter pipe.
- 22 9. To be eligible to receive a grant under this section, the existing roadway width on
23 which the bridge will be constructed must meet current design standards, as on file
24 with the department of transportation, for the county for which it is being constructed.
25 The county or township road bridge project must be located within a county that levies
26 a combined total of seven or more mills for county road and bridge, farm-to-market
27 and federal aid road, and county road purposes.

28 **SECTION 6. HIGHWAY-RAIL GRADE CROSSING SAFETY PROJECTS FUND.** The
29 grants line item in section 1 of this Act includes the sum of \$640,000 from the highway-rail
30 grade crossing safety projects fund which may be used by the department of transportation to
31 continue highway-rail grade crossing safety projects approved by the department and for which

1 funding was obligated prior to January 1, 2013. On June 30, 2015, the state treasurer shall
2 transfer any unexpended and unobligated balance in the highway-rail grade crossing safety
3 projects fund to the highway tax distribution fund.

4 **SECTION 7. APPROPRIATION - CONTINGENT TRANSFERS - GENERAL FUND TO**

5 **PUBLIC TRANSPORTATION FUND.** There is appropriated out of any moneys in the general
6 fund in the state treasury, not otherwise appropriated, the sum of \$1,100,000, or so much of the
7 sum as may be necessary, which the office of management and budget shall transfer to the
8 public transportation fund pursuant to this section during the biennium beginning July 1, 2013,
9 and ending June 30, 2015. The office of management and budget shall transfer the sum of
10 \$550,000 on July 1, 2013, if deposits in the public transportation fund from the highway tax
11 distribution fund are \$5,000,000 or less during the period beginning July 1, 2012, and ending
12 June 30, 2013. The office of management and budget shall transfer the sum of \$550,000 on
13 July 1, 2014, if deposits in the public transportation fund from the highway tax distribution fund
14 are \$5,000,000 or less during the period beginning July 1, 2013, and ending June 30, 2014.

15 **SECTION 8. APPROPRIATION - STATE TREASURER - TOWNSHIP TRANSPORTATION**

16 **FUNDING DISTRIBUTIONS.** There is appropriated out of any moneys in the general fund in the
17 state treasury, not otherwise appropriated, the sum of ~~\$10,000,000~~\$9,100,000, or so much of
18 the sum as may be necessary, to the state treasurer for the purpose of providing township
19 transportation funding distributions, for the period beginning with the effective date of this Act
20 and ending June 30, 2015.

- 21 1. The state treasurer shall distribute the funds provided under this section to counties
22 and townships in oil-producing counties through a distribution of \$15,000 to each
23 organized township and a distribution of \$15,000 for each unorganized township to the
24 county in which the unorganized township is located.
- 25 2. If any funds remain after the distributions provided under subsection 1, the state
26 treasurer shall distribute the remaining funds to counties and townships in
27 oil-producing counties pursuant to section 54-27-19.1. Organized townships are not
28 required to provide matching funds to receive a distribution under this subsection.

29 For purposes of this section, an "oil-producing county" means a county that received total
30 allocations under section 57-51-15 of \$500,000 or more during state fiscal year 2012. All funds

1 distributed under this section must be used for roadway maintenance purposes. The funding
2 provided in this section is considered a one-time funding item.

3 ~~SECTION 9. APPROPRIATION - STATE TREASURER - 2011-13 BIENNIUM - TOWNSHIP~~
4 ~~TRANSPORTATION FUNDING DISTRIBUTIONS CORRECTION - EXEMPTION.~~ There is
5 ~~appropriated out of any moneys in the general fund in the state treasury, not otherwise~~
6 ~~appropriated, the sum of \$590,000, or so much of the sum as may be necessary, to the state~~
7 ~~treasurer for the purpose of providing transportation funding distributions to counties and~~
8 ~~townships in accordance with this section, for the period beginning with the effective date of this~~
9 ~~Act and ending June 30, 2013. The state treasurer shall distribute the funding provided under~~
10 ~~this section to counties and townships that are eligible to receive a distribution under subsection~~
11 ~~3 of section 27 of chapter 579 of the 2011 Session Laws and have not already received a~~
12 ~~distribution under that subsection. Section 27 of chapter 579 of the 2011 Session Laws is not~~
13 ~~subject to section 54-11-01 and the state treasurer may not require a political subdivision to~~
14 ~~return an overpayment of funds received from distributions under the section.~~

15 **SECTION 9. APPROPRIATION - STATE TREASURER - 2011-13 BIENNIUM - TOWNSHIP**
16 **TRANSPORTATION FUNDING DISTRIBUTIONS CORRECTION - EXEMPTION.** There is
17 appropriated out of any moneys in the general fund in the state treasury, not otherwise
18 appropriated, the sum of \$700,000, or so much of the sum as may be necessary, to the state
19 treasurer for the purpose of providing transportation funding distributions to counties and
20 townships in accordance with this section, for the period beginning with the effective date of this
21 Act and ending June 30, 2013. The state treasurer shall distribute the funding provided under
22 this section to counties and townships that are eligible to receive a distribution under
23 subsection 3 of section 27 of chapter 579 of the 2011 Session Laws and have not already
24 received a distribution under that subsection. Beginning with the effective date of this Act,
25 section 27 of chapter 579 of the 2011 Session Laws is not subject to section 54-11-01 and the
26 state treasurer may not require a political subdivision to return an overpayment of funds
27 received from distributions under the section.

28 **SECTION 10. APPROPRIATION - STATE TREASURER - TOWNSHIP**
29 **TRANSPORTATION FUNDING DISTRIBUTIONS CORRECTION.** There is appropriated out of
30 any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of
31 \$415,000, or so much of the sum as may be necessary, to the state treasurer for the purpose of

1 providing transportation funding distribution to counties and townships in accordance with this
2 section, for the period beginning with the effective date of this Act and ending June 30, 2015.
3 The state treasurer shall use the funding provided under this section to ensure that all eligible
4 counties and townships receive a distribution in accordance with subsection 3 of section 2 of
5 Senate Bill No. 2176 as approved by the sixty-third legislative assembly. Any funds that remain
6 after the distributions to eligible counties and townships must be distributed by the state
7 treasurer pursuant to the method provided in subsection 3 of section 2 of Senate Bill No. 2176
8 as approved by the sixty-third legislative assembly.

9 **SECTION 11. APPROPRIATION - DEPARTMENT OF TRANSPORTATION -**
10 **TRANSPORTATION FUNDING ALLOCATIONS TO NON-OIL-PRODUCING COUNTIES.**

11 There is appropriated out of any moneys in the general fund in the state treasury, not otherwise
12 appropriated, the sum of \$150,000,000, or so much of the sum as may be necessary, to the
13 department of transportation for the purpose of providing transportation funding allocations to
14 counties that did not receive \$5,000,000 or more of allocations under subsection 2 of section
15 57-51-15 in the most recently completed state fiscal year, for the period beginning with the
16 effective date of this Act and ending June 30, 2015. The funding provided under this section
17 must be allocated in the amount of \$45,000,000 on June 1, 2013, and in the amount of
18 \$105,000,000 on June 1, 2014. Allocations among counties under this section must be prorated
19 among eligible counties on the basis of miles of roadways defined by the department of
20 transportation as county major collector roadways in each county. Projects to be funded under
21 this section must comply with American association of state highway and transportation officials
22 pavement design procedures and department of transportation local government requirements.
23 The funds provided under this section are considered a one-time funding item.

24 **SECTION 12. APPROPRIATION - DEPARTMENT OF TRANSPORTATION - GENERAL**
25 **LICENSE PLATE ISSUE - BUDGET SECTION APPROVAL - EXEMPTION.** There is

26 appropriated out of any moneys in the general fund in the state treasury, not otherwise
27 appropriated, the sum of ~~\$6,200,000~~\$6,820,000, or so much of the sum as may be necessary,
28 to the department of transportation for the purpose of defraying the expenses for a general
29 license plate issue, for the biennium beginning July 1, 2013, and ending June 30, 2015. The
30 general license plate issue must be made using digitally printed license plates. The department
31 of transportation shall develop a process to select a new design to be used for the general

1 license plate issue and shall develop guidelines regarding the administration of the license plate
2 issue. The department shall provide its recommendation for the new license plate design to the
3 budget section, and budget section approval must be received prior to the issuance of the new
4 license plates. The one-time general fund appropriation provided under this section is not
5 subject to section 54-44.1-11 and may be continued into the biennium beginning July 1, 2015,
6 and ending June 30, 2017.

7 **SECTION 13. APPROPRIATION - DEPARTMENT OF CORRECTIONS AND**
8 **REHABILITATION - GENERAL LICENSE PLATE ISSUE.** There is appropriated from special
9 funds and other income received, the sum of ~~\$4,280,000~~\$4,900,000, or so much of the sum as
10 may be necessary, to the department of corrections and rehabilitation for expenses incurred by
11 roughrider industries related to the general license plate issue, for the biennium beginning
12 July 1, 2013, and ending June 30, 2015.

13 **SECTION 14. APPROPRIATION - TRANSFER - GENERAL FUND TO HIGHWAY FUND.**
14 There is appropriated out of any moneys in the general fund in the state treasury, not otherwise
15 appropriated, the sum of \$683,600,000, or so much of the sum as may be necessary, which the
16 office of management and budget shall transfer to the highway fund during the biennium
17 beginning July 1, 2013, and ending June 30, 2015. The office of management and budget shall
18 transfer the funds provided under this section to the state highway fund at the request of the
19 director of the department of transportation. The funding provided in this section is considered a
20 one-time funding item.

21 **SECTION 15. ENHANCED STATE HIGHWAY INVESTMENTS - CARRYOVER**
22 **AUTHORITY.** Section 54-44.1-11 does not apply to funding of \$541,600,000 in the capital
23 assets line item relating to enhanced state highway investments in section 1 of this Act. Any
24 funds not spent by June 30, 2015, must be continued into the biennium beginning July 1, 2015,
25 and ending June 30, 2017, and may be expended only for enhanced state highway
26 investments.

27 **SECTION 16. EXEMPTION - STATE DISASTER RELIEF FUND - ROAD GRADE**
28 **RAISING GRANTS.** The amount appropriated to the department of transportation from the
29 state disaster relief fund for road grade raising grants, as contained in section 14 of chapter 579
30 of the 2011 Session Laws, is not subject to the provisions of section 54-44.1-11. Any

1 unexpended funds from this appropriation are available to the department to provide road grade
2 raising grants during the biennium beginning July 1, 2013, and ending June 30, 2015.

3 **SECTION 17.** A new section to chapter 24-02 of the North Dakota Century Code is created
4 and enacted as follows:

5 **Highway-rail grade crossing safety projects - Funding.**

6 The director shall establish a highway-rail grade crossing safety program within the
7 department and develop guidelines for the distribution of program funds. Projects eligible to
8 receive funding under the program include railroad quiet zones and any other rail safety project
9 the director deems necessary for public safety. Each year, the director shall allocate one million
10 four hundred thousand dollars of highway tax distribution fund deposits in the state highway
11 fund for highway-rail grade crossing safety projects.

12 **SECTION 18. AMENDMENT.** Section 39-02-03 of the North Dakota Century Code is
13 amended and reenacted as follows:

14 **39-02-03. Powers and duties of director and department.**

15 The director, subject to the approval of the governor, may adopt and enforce such
16 administrative rules and designate such agencies and establish such branch offices as may be
17 necessary to carry out the laws applicable to the director's office and department. The director
18 shall provide suitable forms for applications, registration cards, license number plates, and all
19 other forms requisite for the operation of the director's office and department, and shall prepay
20 all transportation charges thereon. ~~In addition, the~~The director shall~~may~~ provide for a ~~uniform~~
21 maximum fee schedule for the various services provided by the branch offices, not to exceed
22 ten dollars for each service provided. Any branch office may establish a different fee schedule if
23 the schedule does not contain a fee that exceeds a maximum fee established by the director
24 and is approved by the director. All branch office managers must be bonded. The department
25 may lease or provide office space or other overhead costs as necessary to independent motor
26 vehicle branch managers. All rents collected under this section must be deposited in the state
27 highway fund. The department and the officers thereof shall enforce the provisions of all laws
28 pertaining to the director and the department.

29 **SECTION 19. AMENDMENT.** Section 39-04-09 of the North Dakota Century Code is
30 amended and reenacted as follows:

1 **39-04-09. Director may design and issue number plates.**

2 The director may design and issue plates of distinctly different color for each classification
3 of motor vehicle, and there must at all times be a marked contrast between the background
4 color of the plates and that of the numerals and letters thereon ~~on the plate~~. License plates must
5 be acquired from the North Dakota state penitentiary if the penitentiary has the facilities to
6 manufacture license plates. The director shall make a general issue during the biennium
7 beginning July 1, 2013, and ending June 30, 2015, and continuing into the biennium beginning
8 July 1, 2015, and ending June 30, 2017.

9 **SECTION 20. AMENDMENT.** Section 39-04-14 of the North Dakota Century Code is
10 amended and reenacted as follows:

11 **39-04-14. Renewal of registration.**

12 Every vehicle registration, except those described in ~~section~~sections 39-04-14.1 and
13 39-04-14.4, under this chapter expires on December thirty-first each year and must be renewed
14 annually upon application by the owner and by payment of the fees required by law, such
15 renewal to take effect on the first day of January each year. An owner who has made proper
16 application for renewal of registration of a vehicle previous to January first but who has not
17 received the number plates, plate, or registration card for the ensuing year is entitled to operate
18 or permit the operation of such vehicle upon the highways upon displaying thereon the number
19 plates or plate issued for the preceding year for such time, to be prescribed by the department,
20 as may be required for the issuance of the new plates. ~~If a previously registered motor vehicle~~
21 ~~whose registered gross weight exceeds twenty thousand pounds [9071.84 kilograms] is~~
22 ~~purchased during the period the vehicle's registration in this state is expired, the registration fee~~
23 ~~must be prorated on a monthly basis from the date of purchase to January first.~~

24 **SECTION 21.** Section 39-04-14.4 of the North Dakota Century Code is created and enacted
25 as follows:

26 **39-04-14.4. Renewal of registration of motor vehicles over certain weight.**

27 Except as otherwise provided in section 39-04-14.2, the registration of a motor vehicle
28 whose registered gross weight exceeds twenty thousand pounds [9071.84 kilograms] expires
29 on June thirtieth of each year and must be renewed annually upon application by the owner and
30 by payment of fees required by law for a renewal to begin on the first day of July of that year. An
31 owner who has made proper application for renewal and registration of a vehicle before July

1 first but who has not received the number plates, plate, or registration card for the ensuing year
2 is entitled to operate or permit the operation of the vehicle upon the highways upon displaying
3 thereon the number plates or plate issued for the preceding year for such time, to be prescribed
4 by the department, as may be required for the issuance of new plates. If a previously registered
5 motor vehicle whose registered gross weight exceeds twenty thousand pounds
6 [9071.84 kilograms] is purchased during the period the vehicle's registration in the state is
7 expired, the registration fee must be prorated on a monthly basis from the date of purchase to
8 July first. The director shall provide for a one-time collection of eighteen months of registration
9 fees for the registration period of January 1, 2014, to June 30, 2015. Beginning on July 1, 2015,
10 the registration of motor vehicles under this section must be renewed annually.

11 **SECTION 22. AMENDMENT.** Section 27 of chapter 579 of the 2011 Special Session
12 Session Laws is amended and reenacted as follows:

13 **SECTION 27. CONTINGENT APPROPRIATION - STATE TREASURER -**
14 **TRANSPORTATION FUNDING DISTRIBUTIONS TO NON-OIL-PRODUCING**

15 **POLITICAL SUBDIVISIONS.** If the tax commissioner certifies that total oil and gas tax
16 revenue collections for the period July 1, 2011, through February 29, 2012, exceed
17 total oil and gas tax revenue collection projections for that period by at least
18 \$48,000,000, based on legislative estimates made at the close of the 2011 regular
19 legislative session, there is appropriated out of any moneys in the general fund in the
20 state treasury, not otherwise appropriated, the sum of \$23,000,000, or so much of the
21 sum as may be necessary, to the state treasurer for the purpose of providing
22 transportation funding distributions, for the period beginning with the effective date of
23 this Act and ending June 30, 2013. The funding provided in this section is considered
24 a one-time funding item. The state treasurer shall distribute the funds provided under
25 this section on April 1, 2012, as follows:

- 26 1. Six million eight hundred thousand dollars to non-oil-producing counties and
27 cities pursuant to subsection 4 of section 54-27-19.
- 28 2. One million seven hundred thousand dollars to counties and townships in non-oil-
29 producing counties pursuant to section 54-27-19.1. Organized townships are not
30 required to provide matching funds to receive distributions under this section.

1 3. Fourteen million five hundred thousand dollars to counties and townships in non-
2 oil-producing counties through a distribution of \$10,000 to each organized
3 township and a distribution of \$10,000 for each unorganized township to the
4 county in which the unorganized township is located. If any funds remain after the
5 distributions provided under this subsection, the state treasurer shall distribute
6 eighty percent of the remaining funds to counties and cities pursuant to the
7 method provided in subsection 1 of this section and shall distribute twenty
8 percent of the remaining funds to counties and townships pursuant to the method
9 provided in subsection 2 of this section.

10 For purposes of this section, a "non-oil-producing county" means a county that
11 received no allocation of funding or a total allocation under section 57-51-15 of less
12 than \$500,000 for state fiscal year ~~2011~~2010. Any funds received by a county under
13 this section for an unorganized township distribution must be used for roadway
14 purposes in those unorganized townships located in the county. All funds distributed
15 under this section must be used for extraordinary roadway maintenance purposes.

16 **SECTION 23. LEGISLATIVE MANAGEMENT STUDY - RAILROAD ASSISTANCE**

17 **PROGRAMS.** During the 2013-14 interim, the legislative management shall consider studying
18 state railroad assistance programs. The study, if conducted, must review existing programs and
19 funding levels and whether the existing programs and funding levels are adequate to meet
20 current industry needs. The legislative management shall report its findings and
21 recommendations, together with any legislation required to implement the recommendations, to
22 the sixty-fourth legislative assembly.

23 **SECTION 24. LEGISLATIVE MANAGEMENT STUDY - TRANSPORTATION COSTS AND**

24 **FUNDING.** During the 2013-14 interim, the legislative management shall consider studying the
25 the long-term costs of transportation infrastructure maintenance and improvement projects and
26 methods for funding these projects. The legislative management shall report its findings and
27 recommendations, together with any legislation required to implement the recommendations, to
28 the sixty-fourth legislative assembly.

29 **SECTION 25. LEGISLATIVE MANAGEMENT STUDY - RENEWABLE FUEL**

30 **STANDARDS.** During the 2013-14 interim, the legislative management shall consider studying
31 potential statutory or administrative changes that could be made to assist parties in the fuel

1 supply chain in complying with federal renewable fuel standards, including compliance with the
2 renewable identification number credits requirements. The legislative management shall report
3 its findings and recommendations, together with any legislation required to implement the
4 recommendations, to the sixty-fourth legislative assembly.

5 **SECTION 26. LEGISLATIVE MANAGEMENT STUDY - MOTOR VEHICLE BRANCH**

6 **OFFICES.** During the 2013-14 interim, the legislative management shall consider studying the
7 use of branch offices by the department of transportation. The study must include a review of
8 the structure of agreements with operators of branch offices, the number of motor vehicles
9 registered at each office, the current locations of offices, the quality of data provided by the
10 offices, the staffing needs of the offices, and the fees received by offices for services provided.
11 The study must also include a review of the future use of branch offices, including office
12 locations, alternative uses for facilities, and other changes that may promote efficiencies. The
13 legislative management shall report its findings and recommendations, together with any
14 legislation required to implement the recommendations, to the sixty-fourth legislative assembly.

15 **SECTION 27. EMERGENCY.** Sections 4, 5, 8, 9, ~~and 10, 11, and 22~~ of this Act and funding
16 of ~~\$142,000,000~~\$190,000,000 in the county and township road reconstruction program line item
17 in section 1 of this Act, funding of ~~\$27,000,000~~\$20,000,000 in the county and township bridge
18 reconstruction program line item in section 1 of this Act, and funding of \$10,000,000 in the
19 grants line item in section 1 of this Act to match a federal TIGER III grant for railroad
20 improvements are declared to be an emergency measure.