

TESTIMONY
HOUSE BILL 1100
TRANSPORTATION COMMITTEE
JANUARY 7th, 2021

Mr. Chairman and members of the House Transportation Committee, my name is Arik Spencer. I appear on behalf of the North Dakota Motor Carriers Association (NDMCA) in opposition to HB 1100.

While NDMCA agrees that Commercial Drivers License (CDL) holders who damage infrastructure and leave the scene without reporting the accident should be subject to severe penalties, HB 1100 is problematic.

HB 1100 seeks to add NDCC 39-08-08 to the list of violations, which result in the loss of a drivers CDL and thus livelihood. NDCC 39-08-08 refers to damage to a highway fixture or other property only, but this term, to our knowledge, is not defined in statute. Does this term include a road sign or other similar fixtures that could be damaged without drivers' knowledge or realization? It is entirely plausible that a truck driver could accidentally turn too sharp and strike a street sign without the driver's knowledge.

While damaging or knocking down a traffic control sign is still serious, only those drivers who knowingly damage infrastructure and still leave the scene should be subject to the penalties proposed by HB 1100. NDMCA urges that this concern be addressed before passage of HB 1100. Thank you for your consideration, and I would be happy to answer any questions.