

FISCAL NOTE
HOUSE BILL NO. 1253
LC# 23.0705.01000
02/01/2023

1 - State Fiscal Effect

Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.

	2021-2023 Biennium		2023-2025 Biennium		2025-2027 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures				\$2,573,000		
Appropriations				\$2,573,000		

2 - County, City, School District, and Township Fiscal Effect

Identify the fiscal effect on the appropriate political subdivision.

	2021-2023 Biennium	2023-2025 Biennium	2025-2027 Biennium
Counties			
Cities			
School Districts			
Townships			

3 - Bill and Fiscal Impact Summary

Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).

This bill would require when transporting aggregate that the load be covered or secured in a manner that prevents the aggregate from escaping the vehicle.

4 - Fiscal Impact Sections Detail

Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.

Section 1 provides a \$100 fee for violation of the provision set forth in Section 2 of the bill.

Section 2 provides that an individual may not operate a vehicle on a highway if the vehicle is transporting aggregate material less than 2" in diameter unless the load is covered by a tarp or other cover in a manner that prevents the material from escaping, or the vehicle uses another method that prevents the aggregate from escaping the vehicle.

Section 2 also provides limited exemptions, including vehicles involved in the maintenance of public roads during snow & ice control operations.

NDDOT does haul aggregate for operations other than snow & ice control. Thus, we would need to either purchase tarps for our trucks and trailers to prevent material from escaping or use another method to prevent aggregate from escaping.

5 - Revenues Detail

For information shown under state fiscal effect in 1 or 2, please explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.

We have no way to determine the number of citations that may be issued under the provisions of this bill. Therefore, we cannot estimate the associated revenue impacts.

6 - Expenditures Detail

For information shown under state fiscal effect in 1 or 2, please explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.

We based the costs in section 1A of this fiscal note on the premise that we would use a tarp method to contain the aggregate. Under this option, the expenditures to purchase tarps for our plow trucks and trailers are estimated as follows:

369 plow trucks x \$6,850/truck = \$2,527,650
7 side dump trailers x \$5,500/trailer = \$38,500
1 belly dump trailer x \$6,850/trailer = \$6,850
Total = \$2,573,000

In discussions with the ND Highway Patrol, we learned of another method that could possibly be successful in containing aggregate loads. That method would involve the use of side boards and filling the truck only to a certain level to prevent material from escaping. It should be noted that this method may not consistently prove successful which would then necessitate reverting to the tarp method. Furthermore, trucks would not be able to be filled as full under this method, thus more loads may be required to accomplish the same task; this would inject a certain level of inefficiency into the operation which would add some additional costs (currently undetermined) to the operation. If we were able to use this method, we would use our existing side boards on our plow trucks and load the trucks at a lower level to prevent material from escaping as well as installing automatic tarps on our trailers. If our entire operation could utilize this alternate method, the initial costs would be considerably lower than the tarp only option (note that this does not include any additional costs resulting from an increased number of loads required to achieve the same result). These costs are as follows:

7 side dump trailers x \$5,500/trailer = \$38,500
1 belly dump trailer x \$6,850/trailer = \$6,850
Total = \$45,350

It should be noted that other governmental entities such as cities, counties, and townships could incur similar per unit costs to comply with the provisions of this bill. We have no way to reasonably determine those costs; accordingly, we have not included any such costs in part 1B of this fiscal note.

7 - Appropriations Detail

For information shown under state fiscal effect in 1 or 2, please explain the appropriation amounts. Provide detail, when appropriate, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.

NDDOT did not include the cost of purchasing tarps for its aggregate hauling operations in its appropriation request. Therefore, in accordance with the expenditures shown in section 1A of this fiscal note, we would need an addition to our appropriation in the amount of \$2,573,000.

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