

TESTIMONY OF

Major Tom Iverson

Good morning Chairman Ruby and members of the committee. My name is Tom Iverson and I serve as the chief of operations for the North Dakota Highway Patrol. I am here to provide testimony in support of Senate Bill 2132 which provides enhanced protections for our emergency responders.

This bill amends NDCC 39-09-01 pertaining to careless driving. This section of law currently states that an individual may not drive a vehicle at a speed greater than is reasonable and prudent under the conditions and shall drive with regard to existing and potential hazards.

Each year, emergency responders across North Dakota face life-threatening risks while serving our communities. Many emergency vehicles are struck, resulting in injuries, fatalities, and significant operational costs. This bill is intended to help ensure the safety of those who dedicate themselves to protecting others.

Between 2023 and 2024, the North Dakota Highway Patrol (NDHP) experienced 13 crashes involving department vehicles while personnel were acting in an official capacity with overhead lights activated. Of these, nine patrol vehicles were totaled, with the majority being directly related to inclement weather conditions. These incidents highlight the challenges faced by troopers operating in adverse conditions, particularly during North Dakota's harsh winters.

A significant majority—11 of the 13 crashes—occurred during traffic stops or while personnel were providing traffic control at crash scenes. All 11 incidents tied to traffic stops or traffic control occurred during inclement weather, underscoring the heightened risks associated with responding to crash scenes in these conditions.

The crashes were concentrated in the colder months, spanning October through March, a period marked by frequent snow and ice. In all cases, overhead emergency lights were documented as being in use, with most incidents also noting the activation of directional arrow boards to guide traffic. Despite these precautions, the data indicates that working in hazardous weather conditions remains a significant risk factor for NDHP personnel. This highlights the need for continued emphasis on safety measures, training, and public awareness to reduce these incidents in the future.

The suggested change mirrors the existing protections for snowplows and would provide clear, enforceable guidelines to safeguard emergency responders when on the scene of an incident.

By including the term "authorized emergency vehicle," this change would protect law enforcement officers, firefighters, EMS personnel, and tow truck operators engaged in recovery activities, ensuring their safety in hazardous conditions.

Current citations for drivers who strike emergency vehicles are often insufficient to address the severity of such incidents. For example, drivers responsible for damaging patrol cars have been charged with "Failure to Move Over" or "Care Required," carrying fines as low as \$30 or \$50. These penalties fail to reflect the gravity of endangering emergency personnel.

Striking emergency vehicles imposes significant financial burdens on agencies. When our patrol vehicles are damaged, it impacts fleet rates and incurs costs for replacement vehicles, equipment, and response times. Furthermore, in cases where drivers lack insurance, these costs fall directly on the state.

This bill provides immediate clarity and enforceable protections, ensuring accountability for drivers who disregard the safety of emergency responders.

This legislation is not merely about penalties—it is about respect and responsibility. Every emergency responder should return home safely to their families after serving their community. The safety of our emergency personnel should always be a top priority.

Thank you for your time and consideration. This concludes my testimony. I am happy to answer any questions you may have.