

**March 13, 2025**

**House Transportation Committee  
SB 2183**

Mr. Chairman and members of the House Transportation Committee, my name is Russ Hanson, and I am with the Associated General Contractors of North Dakota (AGC of ND). The AGC of ND is the largest construction trade association in North Dakota representing 400 members who perform all types of commercial construction (highway/bridge, vertical commercial, water/utility). Our membership also consists of equipment and material suppliers and has been in existence since 1951.

SB 2183 is introduced at the request of the AGC of ND and other stakeholders interested in work zone safety. We believe the requested increase is far overdue – the last being adjusted in 2001, I believe. First, the requested \$150 minimum from the current \$80 reflects the rate of inflation from 2001 to 2024 (\$131) with a slight “round up” to the \$150. The second part of this legislation is the request to remove “when workers are present” from the current law and make a speeding violation applicable regardless. The Safety Experts who will testify after me provide you with why this is an important amendment address the common questions about work zones and the safety issues within them – regardless of whether workers are present.

To be candid, we fully understand that this legislation, if enacted, will not completely solve safety problems in work zones. It is a rarity when there is a year without a work zone fatality and there are hundreds of instances annually (see attached statistics). If SB 2183 results in one fewer fatality or one less injury – then we believe this change in the policy is a success.

Situations like this sometimes tend to get personal and this issue is no different. See the attached photos. That was an incident in a construction work zone in the spring of 2024. It occurred in Wells County on an Asphalt Paving job by one of our AGC of ND members. The pickup truck in the photos hit one of the flaggers. The flaggers nick name is Pee Wee. Thankfully Pee Wee survived – but how he did is a miracle.

While the illustration I provided is a construction industry member who was injured, most instances and fatalities in construction work zones impact the general public. This is a public safety effort. The NDDOT has a goal of overseeing a transportation system that efficiently and safely moves people and commerce. We believe that SB 2183 will help with this goal.

We appreciate the opportunity to present this legislation for your consideration and request a **Do Pass Recommendation**. Thank you for allowing me to present this testimony and I will attempt to answer any questions prior to turning the podium to the safety experts here to testify.

| ND Motor Vehicle Crashes in Work Zones by Crash Severity, 2019 - 2024* |      |      |      |      |      |      |      |
|------------------------------------------------------------------------|------|------|------|------|------|------|------|
|                                                                        | 2019 | 2020 | 2021 | 2022 | 2023 | 2024 |      |
| O - No Apparent Injury                                                 | 195  | 125  | 168  | 134  | 205  | 171  | 998  |
| K - Fatal injury                                                       | 2    | 1    | 3    | 2    | 0    | 0    | 8    |
| A - Suspected Serious Injury                                           | 6    | 6    | 5    | 7    | 7    | 6    | 37   |
| B - Suspected Minor Injury                                             | 24   | 17   | 34   | 22   | 44   | 27   | 168  |
| C - Possible injury                                                    | 33   | 17   | 36   | 11   | 34   | 29   | 160  |
| Total                                                                  | 260  | 166  | 246  | 176  | 290  | 233  | 1371 |

Source: TraCS and CRS Data, January 2025

\* 2024 Data is Preliminary

| ND Motor Vehicle Crash Fatalities in Work Zones by Person in a Fatal Crash, 2019-2024* |      |      |      |      |      |      |   |
|----------------------------------------------------------------------------------------|------|------|------|------|------|------|---|
| Fatal Injury - Person                                                                  | 2019 | 2020 | 2021 | 2022 | 2023 | 2024 |   |
| Driver of Vehicle                                                                      | 1    | 1    | 4**  | 2    | 0    | 0    | 8 |
| Passenger of Vehicle                                                                   | 1    | 0    | 0    | 0    | 0    | 0    | 1 |
| Total                                                                                  | 2    | 1    | 4    | 2    | 0    | 0    | 9 |

NOTE: \*\* There were 2 fatalities in 1 (one) of the 3 fatal crashes in 2021.

Source: TraCS January 2025

\* 2024 Data is Preliminary



