2025 HOUSE TRANSPORTATION

HB 1614

2025 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Room JW327E, State Capitol

HB 1614
2/13/2025

Relating to the definition of an automated truck tractor.

10:50 a.m. Chairman D. Ruby opened the hearing.

Members Present: Chairman D. Ruby, Vice Chairman Grueneich, Representatives Christianson, Dressler, Finley-DeVille, Frelich, Johnston, Hendrix, Kasper, Koppelman, Maki, Morton, Osowski, Schatz

Discussion Topics:

- Public safety
- Automated Vehicle accident data
- Tech evolution
- Cybersecurity
- Autonomous attenuator
- Platoon technology
- CDL driver shortage
- Transportation costs

10:50 a.m. Representative Jared Hendrix introduced the bill.

11:00 a.m. Representative Hendrix suggested an amendment to add exemption for state sanctioned research programs.

11:04 a.m. Scott Meske, North Dakota Motor Carriers Association, Lobbyist, testified in opposition and submitted testimony #37518.

11:09 a.m. Matt Linneman, North Dakota Department of Transportation, Deputy Director for Engineering, testified in opposition and submitted testimony #37455.

11:18 a.m. Dr. Mike Metzger, Minn-Dak Farmers' Cooperative, Vice President - Agriculture & Research, testified in opposition and submitted testimony #37530 and presented video.
https://ndlegis.gov/downloads/bill-history-media-file/69-2025/htrn/htrn-02132025-hb1614-Metzger.MP4

11:33 a.m. Harrison Weber, Red River Valley Sugarbeet Growers Association, Executive Director, testified in opposition and submitted testimony #37515.

11:37 a.m. Parrell Grossman, North Dakota Soybean Growers Association, Legislative Director, testified in opposition and submitted testimony #37442.

11:40 a.m. Ryan Gregg, North Dakota Farmers Union, Legislative Counsel, testified in opposition and submitted testimony #37575.

11:41 a.m. Dan Wogsland, North Dakota Grain Growers Association, Lobbyist, testified in opposition and submitted testimony #37561.

11:42 a.m. Laura Lacher, North Dakota Ethanol Producers Association, testified in opposition and submitted testimony #37528.

11:43 a.m. Chairman D. Ruby closed the hearing.

Additional Written Testimony:

Renee Gibson, Autonomous Vehicle Industry Association, submitted testimony in opposition #36208.

Richard Steiner, Gatik, submitted testimony in opposition #37272.

Rose Feliciano, TechNet, testimony in opposition #36753.

Denver D. Tolliver, Upper Great Plains Transportation Institute, North Dakota State University, submitted neutral testimony #37357.

Zachary S. Kahn, Tesla, Senior Managing Policy Advisor, testimony in opposition #37408.

Stu Letcher, NDGDA, EVP, testimony in opposition #37477.

Maynard J. Factor, Kratos Defense, Vice President of Business Development, submitted testimony in opposition #37494.

Heidi St Clair, CHS Inc., testimony in opposition #37525.

11:45 a.m. Chairman D. Ruby adjourned the meeting.

Janae Pinks, Committee Clerk

February 7, 2025

Representative Dan Ruby
Chair, House Transportation Committee
State Capitol
600 East Boulevard Avenue
Bismarck, ND 58505

Dear Chair Ruby and members of the House Transportation Committee,

The Autonomous Vehicle Industry Association ("AVIA") writes to express our opposition to HB 1614. By requiring a human observer to be present in all "automated truck tractors," HB 1614 would impede the ability of autonomous vehicle ("AV") operators to bring the many benefits of AV technology to North Dakota residents. For these reasons, we respectfully encourage the Committee to ***vote against HB 1614***.

By way of background, AVIA is comprised of the world's leading technology, ridesharing, trucking, and automotive companies. Our mission is to realize the benefits of AVs (*i.e.*, SAE Levels 4- and 5-capable vehicles equipped with automated driving systems that are capable of driving the vehicle without human intervention) and support the safe and expeditious deployment of these technologies. With its broad array of technical expertise and experience in the technology, automobile, and transportation network sectors, AVIA welcomes this opportunity to engage with the Committee to develop the right solutions that will promote the deployment of AVs on North Dakota roads.

HB 1614 would impose a permanent ban on automated truck tractors in North Dakota. A regulatory framework that supports the deployment of all AVs will better equip North Dakota's transportation system and workforce to take advantage of the benefits presented by this technology. Unfortunately, HB 1614 jeopardizes this future by requiring a human observer in all automated truck tractors, which would effectively ban autonomous trucking operations in North Dakota in perpetuity.

HB 1614 would cause North Dakota to fall behind other states on AV innovation. The majority of states recognize the many benefits of AVs and authorize driverless AV operations, including autonomous trucks. No state that authorizes AV deployment requires a human observer to remain in the vehicle. If North Dakota were to move forward with this bill, it would become a national outlier as the *only* state to single out automated truck tractors and bar them from effectively deploying in the state.

AVs will support road safety. This data demonstrates that there has never been a fatality involving an autonomous truck and shows remarkably few incidents involving the vehicles.

Autonomous trucks are safely operating across the country, but HB 1614 would prevent North Dakota residents from reaping these safety benefits.

AVs will create new, high-quality jobs while improving our supply chain. In addition to enhancing safety on our roadways, the AV industry is currently leveraging the existing workforce to create new roles for different education and skill levels. Many of the jobs created will not require a college degree, such as service technicians, remote assistance operators, mapping data collectors, and delivery packers. Workers with experience in the trucking industry specifically, particularly as truck drivers, offer valuable skills to AV trucking employers. Unfortunately, the U.S. trucking industry is currently short of an estimated 78,000 truck drivers due to a long-term decline in new drivers entering the profession, and an annual turnover rate exceeding 90%. This truck driver shortage is estimated to reach 160,000 in 2031. We believe autonomous trucks are one part of the suite of solutions and that autonomous trucks will augment the important work that truck drivers do for our country. We also believe autonomous trucks will help to increase quality of life for workers in the logistics industry and develop a strong workforce.

Autonomous trucks will bring economic and environmental benefits. Autonomous trucks that operate in interstate commerce will fundamentally change the manner and speed in which goods move in our country while making roads safer for everyone. This technology also presents an array of environmental benefits, including greater fuel efficiency, more efficient use of physical infrastructure, reduced congestion, and reduced agricultural spoilage and related preservation of soil and water resources. Moreover, autonomous long-haul trucking has the potential to broadly benefit the economy by improving the efficiency of countless industries that rely on moving goods on trucks, such as agriculture, retail, and manufacturing. According to a study funded by the U.S. Department of Transportation and Federal Highway Administration, automating long-haul trucking will spur $111 billion in aggregate investment spending across the U.S. economy, and will increase total U.S. employment by 26,400 to 35,100 jobs per year on average.

AVs will usher in a new era of mobility that will make North Dakota's transportation system safer and more efficient. We strongly believe North Dakota should support safety-enhancing policies without foreclosing a future with AVs. For the reasons described above, we respectfully strongly oppose HB 1614.

Sincerely,

Jeff Farrah
Chief Executive Officer
Autonomous Vehicle Industry Association

TECHNET
THE VOICE OF THE INNOVATION ECONOMY

TechNet Northwest | Telephone 206.326.0712
1102 A Street POB 445, Tacoma WA 98401
www.technet.org | @TechNet_NW

February 10, 2025

The Honorable Dan Ruby, Chair
House Committee on Transportation
500 East Capitol Avenue
Pierre, SD 57501

RE: Hb 1614 relating to the operation of an automated truck tractor.

Dear Chair Ruby:

Thank you for the opportunity to explain why TechNet opposes HB 1614.

I am Rose Feliciano, Executive Director of Washington + Northwest for TechNet. TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50-state level. TechNet's diverse membership includes dynamic American businesses ranging from startups to the most iconic companies on the planet and represents over 4.5 million employees and countless customers in the fields of information technology, artificial intelligence, e-commerce, the sharing and gig economies, advanced energy, transportation, cybersecurity, venture capital, and finance. TechNet has offices in Austin, Boston, Chicago, Denver, Harrisburg, Olympia, Sacramento, Silicon Valley, Tallahassee, and Washington, D.C.

The requirement in Section 2 of having an "individual with a valid commercial driver's license is physically present in the automated truck tractor" effectively bans autonomous deployments in the State of North Dakota.

I understand the Minn-Dak Cooperative have been safely utilizing autonomous trucks in the Red River Valley for the past few years. This legislation would effectively end this successful project.

Autonomous vehicles will make our roads safer, boost supply chain efficiency, and create new, high-quality career opportunities for workers without causing significant job displacement.

An outright prohibition of the operation of Avs truck tractor unless a human operator is physically present in the vehicle is effectively a permanent ban on driverless vehicles. It would undermine the spirit of North Dakota's innovation economy, block the state's residents and businesses from accessing the benefits of AV technology, and further set North Dakota back on this critical innovation relative to other states.

The AV industry is working towards improving road safety and generating new job opportunities for people with different levels of education and skills. Several new roles that

do not necessarily require a college degree are being created, such as service technicians, remote assistance operators, mapping data collectors, delivery packers, and more.

Finally, I would like to highlight that no state has enacted driver-in legislation.

For these reasons, TechNet urges you not to move HB 1614 forward. I appreciate your consideration.

Sincerely,

Rose Feliciano
Executive Director
Washington + Northwest

February 12, 2025

Chair Dan Ruby
4620 46th Avenue NW
Minot, ND 58703

Dear Chair Ruby and Members of the House Transportation Committee,

The undersigned write to express our strong opposition to HB 1614. By requiring a commercially licensed human driver to be present in all "automated truck tractors," HB 1614 would effectively ban autonomous truck deployments in the state, and therefore prevent communities in North Dakota from experiencing the many benefits of autonomous trucking. Autonomous trucks will make our roads safer, enable greater supply chain efficiencies for North Dakota industries such as soybean, sugar beet as well as oil and gas, and create new, high-quality career opportunities for workers without causing significant job displacement. For these reasons, we respectfully ask the Committee to vote against HB 1614.

As the leading autonomous trucking companies in the U.S., we have come together out of a shared commitment to ensure that North Dakota does not become the first state in the nation to enact legislation that would effectively ban our companies from operating. Collectively, we are hauling freight in states like Texas, Arkansas and Arizona for some of the biggest brands in trucking, retail, and eCommerce, including Walmart, IKEA, FedEx, JB Hunt, Werner Enterprises, Tyson Foods, Kroger and many more. These household names have chosen to partner with our companies because they see the incredible safety and efficiency benefits that autonomous technology presents both today, and for generations to come. Additionally, autonomous trucks are serving oil & gas customers in the Permian Basin, and customers in the Bakken have expressed interest in similar service in North Dakota. Should HB 1614 proceed, this critical work could be shelved. We welcome the opportunity to engage with the Committee to develop the right solutions that will promote the deployment of autonomous trucks on North Dakota roads.

The vast majority of states have recognized the many benefits that autonomous vehicles (AVs) bring, and as a result, many expressly authorize driverless AV operations - including autonomous trucks. This includes neighboring South Dakota which enacted

legislation in 2024 expressly permitting driverless AV operations. Additionally, no state that authorizes AV deployment requires a commercially licensed human driver to remain in the vehicle, meaning that if North Dakota moves forward with this bill, it would become the only state to single out "automated truck tractors" and indefinitely ban their driverless deployment in the state.

The status quo for road safety is unacceptable, and HB 1614 would lock it in.

The National Highway Traffic Safety Administration (NHTSA) estimates that nearly 43,000 traffic deaths occurred in 2022, which amounts to approximately 100 fatalities per day[1]. North Dakota should support driverless autonomous truck operation because autonomous trucks do not drive impaired, do not text while driving, do not fall asleep at the wheel, or recklessly speed. Indeed, for over a dozen years, AV technology has been tested on America's public roads and maintains a remarkable safety record. With every delivery, autonomous trucking technology is helping to increase safety on America's roads, and contribute to a more responsible and reliable freight ecosystem. HB 1614 would prevent North Dakota communities from reaping these benefits.

Autonomous trucks bring economic, supply chain and environmental benefits.

Autonomous trucks are fundamentally changing the manner in which goods move in our country, ensuring that every day items and America's best-loved products are available with higher frequency and closer to home. Additionally, autonomous trucking is poised to benefit the economy by improving the efficiency of countless industries that rely on moving goods. According to a study funded by the U.S. Department of Transportation and Federal Highway Administration, automating long-haul trucking will spur $111 billion in aggregate investment spending across the U.S. economy, increase total U.S. employment by 26,400 to 35,100 jobs per year on average, and raise annual earnings for all U.S. workers by more than $200 per worker per year. This technology also presents an array of environmental benefits, including greater fuel efficiency, more efficient use of physical infrastructure, reduced congestion, and reduced agricultural spoilage and related preservation of soil and water resources.

[1] National Highway Traffic Safety Administration, DOT HS 813 428, Early Estimate of Motor Vehicle Traffic Fatalities in 2022, 1 (2023): https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813428.

Autonomous trucks are creating new, high-quality, well-paid jobs.

Our companies are currently leveraging the existing workforce to create new, well-paid roles for a wide variety of education and skill levels, including technicians, remote assistance operators, community engagement officers and data collectors. Workers with

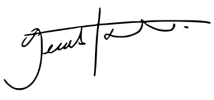
experience in the trucking industry specifically, particularly as truck drivers, offer incredibly valuable skills to autonomous trucking employers. Unfortunately, the U.S. trucking industry is currently short approximately 80,000 truck drivers due to a long-term decline in new drivers entering the profession, and an annual turnover rate exceeding 90%. This truck driver shortage is estimated to reach 160,000 in 2031. As our customers frequently attest, autonomous trucks are one of the ways to combat this acute supply chain challenge.

Autonomous trucks will make North Dakota's transportation system safer, more efficient, and more accessible. They will create new, high-quality jobs while avoiding displacement of current drivers, and will ensure communities in North Dakota have access to the goods they need, where and when they need them. For the reasons described above, we respectfully oppose HB 1614.

Sincerely,

Rich Steiner, VP Government Relations and Public Affairs, Gatik

Dan Goff, Head of External Affairs, Kodiak



Gerardo Interiano, SVP Government Relations and Public Affairs, Aurora

Liz Fishback

Liz Fishback, Director of State and Local Affairs, Stack AV

Brian Moore

Brian Moore, Vice President of Policy, Bot Auto

Anita Kim, Director of Government Affairs and Policy, TORC Robotics

NDSU UPPER GREAT PLAINS TRANSPORTATION INSTITUTE

February 12, 2025

Representative Dan Ruby
Chair, House Transportation Committee
State Capitol
600 East Boulevard Avenue
Bismarck, ND 58505

Dear Chairman Ruby and Members of the House Transportation Committee:

My name is Denver Tolliver. I am Director of North Dakota State University's Upper Great Plains Transportation Institute. For the past few years, I have studied the potential benefits of autonomous trucks in North Dakota, working with autonomous truck companies, the Autonomous Vehicle Industry Association (AVIA), agricultural industries and companies that utilize truck services, and the North Dakota Motor Carriers Association. In addition to my brief statement, I would like to draw the committee's attention to the detailed statement of Jeff Farrah of the AVIA.

In my short statement, I will focus on the potential economic benefits of autonomous trucks, which offer an effective way of preserving and improving freight services in areas with driver shortages. In addition to labor savings, autonomous trucks offer enhanced fuel efficiency by optimizing highway speeds and vehicle controls and reducing idling time. In one study, a savings in diesel fuel consumption of 11% was estimated for autonomous trucks.[1]

Because of more uniform driving practices and speeds, autonomous operations can reduce the wear and tear of vehicle components. According to one manufacturer, vehicle maintenance has been reduced by 13% for autonomous haulage trucks used in mining operations, with a 40% improvement in tire and brake life[2].

When considered collectively, the efficiency gains offered by autonomous trucks can dramatically reduce trucking costs in North Dakota, benefiting all sectors of the state's economy. Moreover, autonomous trucks offer a pathway to Vision Zero by preventing many of the highway fatalities associated with large trucks.

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[1] TuSimple. (2023, September). *TuSimple Demonstrates Autonomous System Fuel Efficiency Improvements Through On-Road Maneuver Performance Study.*
[2] Komatsu. *FrontRunner Autonomous Haulage System (AHS)*.

In addition to cost savings, the unprecedented productivity and reliability of autonomous trucks have the potential to transform agricultural logistics. During harvest and other periods of peak demand, autonomous trucks can operate nearly 24/7, moving the maximum quantity of goods possible during a day. In the future, autonomous trucks may benefit North Dakota's oil and gas industry by hauling non-hazardous inputs such as proppants and supplies, much like the operations currently underway in the Permian Basin.[3]

My purpose in providing this brief statement is to highlight the potential economic benefits of autonomous trucks in North Dakota. My statement is neutral in status.

Sincerely

Denver Tolliver
Director, Upper Great Plains Transportation Institute
North Dakota State University
Room 418 Quentin Burdick Building 1320 Albrecht Blvd, Fargo, ND 58102
Phone: 701.231.7190
Email: denver.tolliver@ndsu.edu

[3] Atlas Energy Solutions. *Kodiak Delivers Customer-Owned Autonomous RoboTrucks to Atlas Energy Solutions, Completes 100 Loads of Proppant with First-Ever Driverless Commercial Semi-Truck Service*, 01/24/2025.

1 Tesla Road, Austin, TX 78725
www.tesla.com/contact

TESTIMONY REGARDING HB1614
Being heard by the North Dakota House Transportation Committee
On Thursday, February 13, 2025 at 10:30 AM

Dear Chairman Ruby, Vice Chairman Grueneich, and Members of the Committee,

Thank you for the opportunity to provide these comments in opposition to HB1614, Relating to the operation of an automated truck tractor; and to amend and reenact section 39-01-01 of the North Dakota Century Code, relating to the definition of an automated truck tractor. Tesla's mission is to accelerate the transition to sustainable energy and transportation. Autonomous vehicle technology is key to achieving this objective. Furthermore, this technology is critical to improving transportation safety, increasing freight efficiency, and addressing future goods movement needs in North Dakota.

By requiring human operators in autonomous trucks—with no articulated path for the state to approve fully autonomous solutions—HB1614 would impose a clear ban on autonomous trucks in North Dakota. Prohibiting the deployment of autonomous trucks in the state would ensure that other states lead the way on trucking, while precluding North Dakota consumers, businesses, and its supply chain from realizing the benefits of this critical technology. To restrict heavy-duty autonomous vehicles (AVs) before the technology has had the opportunity to develop is excessive and risks the tremendous benefits to road users in North Dakota. Twenty-five states have recognized the numerous benefits of AVs by explicitly authorizing AV deployment, encouraging investment in AV technology in those states. This bill would forestall AV investment, development, and operations in North Dakota and make it an outlier nationally.

Further, this bill would effectively lock North Dakota into the current unacceptable level of traffic accidents on its roads by discouraging AV companies from investing in this life-saving technology in the state, given the significant restrictions on AV operations under this bill. AVs are safely operating commercially without a human driver across the country, and they will continue to make our roads safer. NHTSA estimates that nearly 43,000 traffic deaths occurred in 2022—approximately 100 fatalities per day. These deaths are overwhelmingly caused by human error. In fact, studies have found that driver behavior was the critical reason assigned to 87% of fatal injury crashes caused by large trucks.

Rather than increase barriers to AV operations, North Dakota should open the state to AV operations precisely *because it removes* human error from the equation. Unlike human drivers, AVs do not drive impaired, text while driving, fall asleep at the wheel, or recklessly speed. AVs have a 360 degree view of the world around them without blind spots and use advanced technology to make faster decisions than humans.

In addition to enhancing safety on our roadways, the AV industry is currently leveraging the existing workforce to create new roles for different education and skill levels. Many of the jobs created do not require a college degree, such as service technicians, remote assistance operators, mapping data collectors, and delivery packers. Workers with experience in the trucking industry specifically, particularly as truck drivers, offer valuable skills to AV trucking employers. Unfortunately, the U.S. trucking industry is currently short of around 80,000 truck

drivers due to a long-term decline in new drivers entering the profession, and an annual turnover rate exceeding 90%. This truck driver shortage is estimated to double by 2031. North Dakota must find ways to move *more* freight with *fewer* truck drivers to do it. Autonomous trucks are one part of the suite of solutions and will augment the important work that truck drivers do for our country.

AVs can also help reduce traffic congestion, improve environmental quality, and advance transportation efficiency. In particular, autonomous heavy-duty vehicles that operate in interstate commerce hold the promise of increasing the safety and efficiency of freight movement. According to a recent study funded by the U.S. Department of Transportation and Federal Highway Administration, automating long-haul trucking will spur $111 billion in aggregate investment spending across the U.S. economy, increase total U.S. employment by 26,400 to 35,100 jobs per year on average, and raise annual earnings for all U.S. workers by more than $200 per worker per year.

Tesla looks forward to working with this Committee to put forward a regulatory framework that supports the full deployment of AVs which would better equip North Dakota's transportation system, environment, and workforce to take advantage of the benefits presented by this technology.

I apologize for not being able to be with you in person to share these comments but am available to speak with the committee as it moves forward.

Thank you for your consideration.

Sincerely,

Zachary Kahn
Senior Managing Policy Advisor
Tesla, Inc.

HOUSE BILL NO. 1614
HOUSE TRANSSPORTATION COMMITTEE
DAN RUBY, CHAIR
TESTIMONY IN OPPOSITION TO HOUSE BILL 1614

Chairman Ruby and members of the House Finance and Taxation Committee. I am Parrell Grossman, and it is my privilege to be the Legislative Director for the North Dakota Soybean Growers Association. I appear on behalf of the Association in opposition to House Bill 1614.

The Association advocates for more than 8,900 operations that raise soybeans in North Dakota. In 2024, North Dakota farmers planted 6.6 million acres of soybeans, producing over 245 million bushels of soybeans in North Dakota.

Although this new law certainly is well-intended, this legislation is the wrong direction for the North Dakota agricultural industry, including our farmers and ranchers.

Requiring the physical presence of an operator with a valid commercial license in an autonomous truck in North Dakota appears to be contrary to what the majority of states are doing, and simply is unworkable in using this technology in North Dakota.

The Association believes autonomous trucks will provide tangible benefits in many North Dakota sectors, whether agricultural such as soybeans and sugar beets, or other important industries like oil and gas.

Autonomous trucking presents an important opportunity and will provide significant benefits for rural agriculture for several reasons:

1. Addressing Labor Shortages

Rural areas often struggle with a shortage of truck drivers, especially during peak harvest seasons. Autonomous trucks can help fill this gap, ensuring that crops are transported efficiently without relying solely on human drivers.

2. Reducing Transportation Costs

Farmers and agricultural businesses operate on thin profit margins. Autonomous trucks can lower fuel consumption, reduce labor costs, and optimize routes, making transportation more affordable.

3. Enhancing Road Safety

Trucking can be dangerous due to driver fatigue. Autonomous trucks can reduce the risk of accidents, leading to safer roads for both agricultural and general traffic in rural areas.

4. Supporting Precision Agriculture

Autonomous vehicles can well-integrate with other smart farming technologies in North Dakota. Our farmers are very familiar with this technology today and have already adapted to technology options in practice across the state every day.

Mr. Chairman and members of the House Transportation Committee, for these reasons, and others already stated, the Association respectfully asks the House Transportation Committee to give House Bill 1614 a “Do Not Pass” recommendation.

NORTH Dakota | Transportation
Be Legendary.

House Bill 1614

House Transportation Committee

Room 327E | February 13, 2025, 10:30 am

Matt Linneman, Deputy Director for Engineering

Greetings, Chair and members of the Committee. I am Matt Linneman, Deputy Director for Engineering for the North Dakota Department of Transportation (NDDOT). I'm here today to oppose House Bill 1614.

The bill mandates that automated truck tractors may not be operated on highways unless an individual with a commercial driver's license (CDL) be physically present in the automated vehicle.

Automated vehicle and platooning technologies offer a valuable opportunity to enhance safety, stimulate rural economies, and help inform regulatory frameworks for autonomous vehicles – all while addressing the growing driver shortage. In North Dakota, there are 49,591 registered CDL drivers, but with nearly 61% of them age 50 or older, the need for innovative solutions is becoming increasingly urgent. Twenty-nine states have enacted laws to enable and regulate autonomous vehicle deployments.

The North Dakota Century Code 39-10-74 grants the NDDOT, in coordination with the North Dakota Highway Patrol (NDHP), the authority to approve operational plans submitted by a platooning technology provider or commercial vehicle operator to operate in the state. Leader-follower platooning technology is currently being used by two companies, Cenex Harvest States and Minn-Dak Farmers' Cooperative. The autonomous follower vehicle is connected by the technology to a lead vehicle with a driver. Both companies are currently operating with a safety driver in the follower vehicle as required by their operational plan and the approval memo signed by NDDOT and NDHP.

Minn-Dak Cooperative has tested over 50,000 miles of this technology on our state highways for the past three years. Cenex Harvest States has been running dry goods from Minot to Grand Forks to Fargo for the past year.

Seasonal CDL drivers are very hard to find, and agriculture is one of the industries experiencing this shortage and working to advance the technology. This bill will not allow the eventual removal of the safety driver from the follower vehicle, thus none of the gains of the technology will be realized.

The NDDOT is currently testing an autonomous attenuator truck (ATMA). The ATMA is also using leader-follower platooning technology. The autonomous follower vehicle is a snowplow truck outfitted with crash attenuator and is virtually tethered to a lead vehicle with a driver. Currently we drive the ATMA to the work zone independently then set up the technology

connection once on site. The ATMA is designed to absorb impacts in works zones, reducing risk to maintenance team members, and removing the driver offers further protection to our team.

Given that this technology is utilized in NDDOT trucks for maintenance operations and is not a truck-tractor configuration for transporting people or goods, we don't believe our current operations of the ATMA conflict with the proposed legislation.

The NDDOT agrees that this technology should be carefully implemented but not eliminated. Thank you for the opportunity to testify, and I'm happy to answer any questions.

NDGDA
ND Grain Dealers Association

2417 N University Dr, Suite A, Fargo, ND 58102-1820 • Ph: 701.235.4184 • Fax: 701.235.1026 • www.ndgda.org

North Dakota Grain Dealers Association
Testimony in Opposition of HB 1614
House Transportation Committee-Rep Dan Ruby, Chairman
February 13, 2025

The North Dakota Grain Dealers Association is a 113-year-old organization whose purpose is to further the interests of the cooperative and independent concerns of North Dakota engaged in the handling, processing and distribution of grain and other like commodities. Our membership comprises over 90% of the commercial grain handling facilities in North Dakota.

Many grain companies offer their producer customers a benefit and convenience of shorter hauls to market by manning branch locations or "truck houses" that are close to the producer's location. The grain dumped at these branch locations is then moved to terminals to be loaded onto railcars. This grain movement is accomplished by truck hauls using licensed CDL drivers.

If you ask most elevator managers what their biggest challenge is they will tell you labor, specifically finding qualified CDL drivers. Recent changes made to the CDL licensing requirements have made the issue much worse. As the number of licensed CDL drivers declines, the cost of keeping them employed increases. This creates higher transportation costs which may get to a point where it is no longer feasible to operate truck houses. Producers will bear the expense of longer hauls to deliver their crops to market. Autonomous trucks could offer a key efficiency tool that could help alleviate the shortage of CDL drivers.

We understand the safety considerations, but also feel that with advancements in technology those concerns will wane over time. We don't feel that putting a prohibition of autonomous trucks into North Dakota law would be a wise decision when we are at the threshold of being able to adapt this technology.

We urge you to oppose HB 1614.

Sincerely,

Stu Letcher
Executive Vice President

Testimony Opposing House Bill Number 1614 Limiting Driverless Truck Deployment in North Dakota

Mr. Chairman, Members of the Committee, and esteemed colleagues, thank you for the opportunity to provide testimony at this hearing.

My name is Maynard Factor, and I am the Vice President of Business Development for the Kratos Defense Unmanned Systems Division, a leader in providing driverless vehicle solutions for the US Department of Defense, allied nations, and global commercial markets.

Kratos deploys driverless trucks in a unique multi-vehicle platoon configuration, where a human-driven "Leader" truck transmits navigation data to a self-driving "Follower" truck, both equipped with Kratos' automated systems. This human-in-the-loop approach optimizes the performance of the driverless truck by allowing the human driver to adjust speed, gaps, and maneuvers in response to changing conditions. By pairing a human-driven Leader with a driverless Follower, we've created a flexible deployment model that prioritizes both safety and productivity. This deployment model also provides job security to maintain existing drivers to drive the Leader truck. It also offers significant opportunities for workforce transformation enabling drivers to transition into high-skill roles as system operators. This innovative approach has proven effective across multiple industries, providing real solutions to enhance supply chain reliability.

Our technology is already delivering results in North Dakota, with two active auto-platooning projects underway. I come before you today with firsthand experience, underscoring our commitment to advancing this technology safely and responsibly.

The first project currently underway in North Dakota is the Autonomous Truck Mounted Attenuator (ATMA), deployed in a platoon configuration with field-proven driverless technology to enhance work zone safety. A standard Truck Mounted Attenuator (TMA) truck is essentially a human-driven mobile crash barrier used to shield workers in highway maintenance zones. Currently, a human operator has to drive the TMA truck which puts them at risk of severe injury or death from collisions of errant vehicles, sometimes 80,000-pound tractor/trailers, entering the work zone. In 2022 alone, 96,000 work zone crashes occurred in the United States that resulted in multiple injuries and fatalities. By operating the TMA vehicle as an ATMA using driverless technology to remove the driver from the truck and assigning them to a different task in the work zone, we have effectively eliminated one of the most dangerous assignments in the work zone—driving a truck designed to be hit. However, Passing House Bill 1614 will halt the implementation of this life-saving innovation.

The second deployment, also in a platoon configuration, is underway in Wahpeton, North Dakota, in partnership with Minn-Dak Farmers Cooperative. Here, driverless trucks are used to haul Sugarbeets from satellite piling locations to the processing plant. This technology helps mitigate the impacts of the ongoing driver shortage, ensuring uninterrupted supply chain operations critical to food security and national security. The important work being conducted through this pilot will be halted if House Bill 1614 is passed. Both of these deployments showcase the practical, field-proven benefits of driverless truck technology addressing critical operational challenges faced in North Dakota

I believe it is critical for the committee to hear from those of us who are on the front lines of deploying this technology. The Kratos Defense deployment approach follows a "crawl, walk, run" methodology

to ensure that autonomous vehicles are tested and implemented in a controlled, progressive manner. This strategy ensures that we take the necessary time to work through any challenges and continuously improve safety standards before scaling up deployment efforts.

In addition to the internal rigor of Kratos technology and deployment validation methods, we also maintain a close working relationship with the North Dakota Department of Transportation (NDDOT), the North Dakota Highway Patrol, and other relevant roadway authorities. These agencies serve as an essential steering committee for our deployment efforts, providing valuable oversight and guidance. Through this partnership, we have provided complete transparency into our actions, offering full visibility into our intentions, safety cases, and the progress of our deployments. This collaborative effort ensures that every step we take aligns to the highest standards of safety, regulatory compliance, and public interest.

With that context in mind, I urge you to consider the significant, far-reaching benefits that driverless truck technology can bring to North Dakota, especially in the context of our rural communities, agricultural industry, and national security. As we stand on the edge of transformative technological innovation, I believe this bill could inadvertently harm our state's position as a leader in future-focused economic development. I will address several critical reasons why this legislation should not move forward.

1. **North Dakota's Competitive Position in Technology Development**
   North Dakota has an extraordinary opportunity to become a prime location for autonomous vehicle technology deployment. However, if this bill is passed, it will signal to technology companies, especially those working on autonomous trucking solutions, that North Dakota is not a forward-thinking state willing to embrace innovation. As a result, tech companies could take their investments and jobs elsewhere, leaving North Dakota behind in the race to lead the future of autonomous vehicle technology. Once this opportunity is missed, it may be nearly impossible to catch up with other states that are more progressive in supporting emerging technologies.

2. **Strengthening Economic Vitality in Rural and Agricultural Communities**
   The economy of North Dakota relies heavily on agriculture, including industries like Sugarbeet farming, which are particularly vulnerable to the impact of driver shortage the industry is currently facing. The impact of driver shortage is not just a minor inconvenience; it impacts business continuity, delays shipments, and reduces productivity. Driverless trucks can help alleviate these issues by ensuring the timely delivery of agricultural goods, stabilizing the supply chain, and strengthening the economic vitality of communities that rely on agriculture for their livelihood. To limit or delay this technology is to prolong the challenges our farmers face, affecting their profitability and sustainability.

3. **Supporting Rural Communities with Innovative Technology**
   Driverless truck technology offers an incredible opportunity to empower rural communities in North Dakota, where access to cutting-edge technology is often limited. The rural-urban divide in terms of technological advancement has been a longstanding issue, and North Dakota has the chance to become a leader in providing these communities with access to technological advancements that will improve their quality of life. By blocking the deployment of driverless trucks, we are inadvertently holding back the rural areas of North

Dakota from benefiting from the job creation, economic growth, and infrastructure enhancements that come with these advancements.

4. **Enhancing National and Food Security**
   The connection between supply chain security and national security is undeniable. As our country becomes increasingly dependent on global supply chains, the ability to move goods quickly, efficiently, and safely is paramount. The driver shortage is a direct threat to that security, and driverless trucking technology can help ensure the uninterrupted flow of goods, especially essential supplies. By embracing driverless technology, North Dakota can play a key role in fortifying the nation's supply chain resilience. In the same vein, food security is tied to the timely transportation of agricultural products, and the ability to deploy driverless trucks ensures that crops like Sugarbeets, grains, and other vital produce reach markets without delay.

5. **Workforce Development and Skills Enhancement**
   Driverless trucking is not about eliminating jobs; rather, it is about creating new opportunities for a workforce skilled in technology, robotics, and advanced manufacturing. The growth of autonomous vehicles will generate a demand for workers in roles such as vehicle maintenance, fleet management, technology development, and logistics optimization. Limiting the deployment of this technology prevents North Dakota from developing a highly skilled workforce that is well-equipped for the future. This also means fewer opportunities for workers in our state to gain the expertise necessary to participate in an increasingly tech-driven economy.

6. **Safety and Reducing Risks from Human Drivers**
   One of the most compelling reasons to support autonomous trucking is the potential for enhanced safety. Driver fatigue, traffic violations, and human impairments are persistent issues that contribute to accidents on our roads, particularly in the trucking industry. Driverless trucks can address these challenges by eliminating human error, which accounts for a large percentage of traffic accidents. The deployment of autonomous trucks could significantly reduce the number of fatalities and injuries caused by these factors, making our roads safer for everyone.

Conclusion

In conclusion, the potential benefits of driverless truck technology for North Dakota far outweigh the risks proposed by this bill. By passing House Bill 1614, we risk weakening the competitive edge of North Dakota, hindering economic growth, limiting technological innovation in rural areas, and threatening our national and food security. Instead, we should work toward embracing this technology, advancing workforce development, and continue positioning North Dakota as a leader in autonomous vehicle innovation. I urge you to consider these long-term benefits and reject this House Bill 1614, so that North Dakota can continue to thrive and lead in the future of transportation.

Thank you for your time and consideration.

RED RIVER VALLEY Sugarbeet GROWERS ASSOCIATION
Minnesota • North Dakota
1401 32nd Street SW • Fargo, ND 58103 • Phone: 701-239-4151 • Fax: 701-239-4276
email: information@rrvsga.com

February 13th, 2025

Chairman Ruby and members of the House Transportation Committee,

My name is Brent Baldwin, I am a farmer and President of the Red River Valley Sugarbeet Growers Association. We represent the sugarbeet grower/owners of American Crystal Sugar Company. Thank you for the opportunity to submit testimony in OPPOSITION of HB 1614.

American Crystal Sugar Company is not currently using any self-driving or leader/follower technology for sugarbeet hauling. However, we are exploring the opportunities. Getting qualified CDL truck drivers for the "re-haul" has become more of a challenge in recent years. Currently, we use a third-party company called Transystems to haul our sugarbeets from the piling sites to the factory. Exploring and utilizing automation could make us more efficient in the future for the "re-haul" and by potentially not needing as many drivers.

One important distinction to flag for the committee is the difference between the main harvest and the re-haul trucks. We hope this distinction may help reassure the public that we won't be seeing beet automated farm level beet trucks any time soon. During the main harvest, growers will transport about 10-11 million tons of sugarbeets in about 10-14 days, dumping 50,000 truckloads every 24-hour period. **HOWEVER,** farmers do not have any intent on using this technology at the farm level during the main harvest. Any form of automation will strictly be used for the re-haul of sugarbeets for the foreseeable future. There are several reasons why we farmers do not intend to utilize this technology at the farm gate.

- **Cost**: Our farm trucks are "cheap horsepower" for us. They are high milage, used trucks. We invest in keeping them safe and in good working order for harvest but generally do not invest in comforts or other technology for them. They are used for beet harvest then put away for an entire year. Additionally, most beet trucks are worth about $20,000-$25,000, the investment of this technology is substantial per truck, and it will not make financial sense at the farm level for some time.
- **Truck personality**: Each truck on the farm has its own "personality." Meaning even if they are the same brand, motor and transmission they will shift differently, and act differently. Our farm level trucks are far more diverse than the professional fleet of trucks that Transystems maintains.
- **On Farm/In Field Variables**: There are countless more variables at the farm level that will be very challenging for the technology to compensate for at this time. Often the fields are muddy, the township roads are narrow and each time the route out of the field and to the piler may be slightly different. These variables are substantially minimized during the "re-haul" where the route is identical each time, the trucks are always on pavement and are on much wider roads.

We support North Dakota in adopting a safe framework that is consistent throughout the United States. However, as written, we feel this bill will put handcuffs on future development of this technology. Please consider a DO NOT PASS recommendation of HB 1614.

Brent Baldwin
St. Thomas, ND
President – Red River Valley Sugarbeet Growers

TESTIMONY
HOUSE BILL 1614
HOUSE TRANSPORTATION COMMITTEE
FEBRUARY 13, 2025

Chairman Ruby and members of the House Transportation Committee, my name is Scott Meske. I appear on behalf of the North Dakota Motor Carriers Association (NDMCA) in opposition to HB 1614.

The NDMCA represents the hundreds of companies and thousands of professionals who efficiently and safely move goods and services in North Dakota across our highways and roads. The motor carrier industry is one of the most regulated sectors of our transportation system. According to a recent NDSU Challey Institute study, North Dakota is THE most freight dependent state in our country, with 60% of our economy relying on surface transportation in one form or another. In fact, in October 2024, an autonomous transportation conference was held in Bismarck, bringing together experts from the industry, companies who are employing autonomous trucks in other parts of the country, insurance specialists, and law enforcement. The curious point of that conference is that there were possibly more questions raised than answers given.

Without question autonomous technology is an emerging field in the freight delivering business. There are tremendous advancements being made to ensure that the use of such technologies actually improves efficiency and reliability while remaining safe for the traveling public. Other testimony has been submitted that details some of the trials currently being conducted by or being considered by North Dakota companies. We must allow these companies to innovate in a way that makes sense for them. And our concern is that if passed, HB 1614 could seriously hinder those efforts.

Placing a definition of autonomous truck within our Century Code at this stage of industry development is premature and could have an adverse effect on our companies and the testing they are exploring. Employing autonomous trucks shows promise of addressing workforce shortages and even reducing motor vehicle accidents. But we have to allow the industry to continue their research and testing. As written, this bill puts into Code a definition that we believe is not warranted nor needed at this time. We are particularly concerned with Section 2, as the definition may not be the right approach to address all of the issues surrounding this opportunity for the trucking industry.

Going forward, the NDMCA would gladly be a part of the discussion that helps update our motor vehicle laws to include autonomous trucking, including all stakeholders and law enforcement in that effort. We DO need a definition and reasonable regulatory framework to keep the traveling public safe, while allowing our companies to employ this exciting technology. Let's not handcuff the industry before it even gets started.

This concludes my testimony. NDMCA urges the Committee to issue a DO NOT PASS recommendation on HB 1614, and I would be happy to answer any questions, although I believe there are others following me who might be more suitable to answer technical questions.

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HOUSE BILL 1614
HOUSE TRANSPORTATION COMMITTEE
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This concludes my testimony. NDMCA urges the Committee to issue a DO NOT PASS recommendation on HB 1614, and I would be happy to answer any questions, although I believe there are others following me who might be more suitable to answer technical questions.

CHS
5500 Cenex Drive
Inver Grove Heights, MN 55077-1721

Creating connections to empower agriculture

Wednesday, February 12

The Honorable Dan Ruby
Chairman North Dakota House Transportation Committee Chairman
State Capitol
600 East Boulevard Avenue
Bismarck, ND 58505

Re: HB1614, relating to the operation of an automated truck tractor

Chairman Ruby, members of the Committee, my name is Heidi St. Clair, Director of Supply Chain Automation for CHS Inc. Governed by a 17-member farmer board, CHS is a diversified agriculture and energy cooperative based in Minnesota, with significant North Dakota investment.

Since 2022, CHS has been piloting automated driving technology to supplement our workforce and streamline some of our operations. One challenge we – and many businesses – face is demographic trends that forecast an increasing shortage of labor. As we work to address that challenge, we look to innovation and technology that could help supplement our workforce.

To that end, CHS has been conducting research and development on how automated driving systems might further support our integrated, end-to-end supply chain. At the beginning of the project, CHS identified safety as the number one priority for testing automated driving technology and we developed a rigorous five-step testing plan.

Over the past few years, we have had a specialized team of drivers participating in this pilot who are trained to expertly guide and monitor the vehicles. We have logged more than 20,000 miles, 250 loads and 12.4 million pounds of soybean oil between two facilities in Minnesota.

As you review HB1614, I encourage you and North Dakota officials to help companies stay competitive and move supply chains forward. To do so, please consider a consistent framework for automated vehicle testing that is grounded in safety and accessibility and based on economic realities.

CHS looks forward to working with you and partners like the North Dakota Department of Transportation, North Dakota Motor Carrier Association and commodity organizations to test automated vehicle technology safely in agriculture, energy and transportation supply chains.

Thank you for your time and consideration.

Sincerely,

Heidi St. Clair
Director, Supply Chain Automation
CHS Inc.

NDEPA
NORTH DAKOTA ETHANOL PRODUCERS ASSOCIATION

Testimony of Laura Lacher

North Dakota Ethanol Producers Association

Opposition of HB 1614

February 13, 2025

Chairman Ruby and members of the House Transportation Committee,

My name is Laura Lacher, I am the executive director of the North Dakota Ethanol Producers Association (NDEPA). Thank you for the opportunity to provide testimony on HB 1614, this legislation could have significant implications for the future of transportation and commerce in North Dakota. The ability to efficiently and reliably move goods across our state is essential to maintaining our economic growth and competitiveness. HB 1614 would place unnecessary restrictions on innovative technologies that could help address workforce shortages and enhance supply chain efficiency, particularly in industries that rely on heavy freight transportation like ethanol production.

The ethanol industry is a key driver of North Dakota's economy, supporting rural communities, creating jobs and fostering innovation. A critical component of our industry's success is the ability to efficiently transport feedstocks, finished products and byproducts. Given the persistent challenges in securing truck drivers and the significant freight need in our state, we believe that emerging autonomous transportation technologies offer a viable solution to support our supply chain and maintain North Dakota economic competitiveness.

For years, North Dakota has successfully utilized lead-follow autonomous trucking operations, such as those employed in the sugar beet industry, which have demonstrated both safety and efficiency. These operations, supported by extensive research from institutions like North Dakota State University's Upper Great Plains Transportation Institute, provide a roadmap for expanding autonomous transportation in a way that enhances productivity while maintaining safety.

Autonomous trucking holds great potential for our industry, particularly in moving freight to and from ethanol facilities and farms supplying out sites. Additionally, emerging technologies could play a key role

1605 E. Capitol Avenue
PO Box 1091 • Bismarck, ND 58502
701.355.4458 • 701.223.4645 (fax) • www.ndethanol.org

in supporting enhanced oil recovery (EOR) by enabling this transportation of CO2 through lead-follow or other autonomous methods. Prohibiting autonomous trucking in North Dakota would not only stifle innovation but also place unnecessary restrictions on industries looking to improve logistics, reduce costs and address workforce shortages.

Rather than outright prohibition, we would like to encourage the Legislator to work with industry stakeholders, researchers and transportation experts to establish a framework that ensures the safe and responsible deployment of autonomous trucking technologies in our state. By fostering innovation, North Dakota can remain at the forefront of economic and technological advancement in freight transportation.

For these reasons, the North Dakota Ethanol Producers Association respectfully urge a “Do Not Pass” recommendation on HB 1614. Thank you for your time and consideration, I would be happy to answer any questions.

Wednesday, February 12, 2025

The Honorable Dan Ruby
Chairman – North Dakota House Transportation Committee
State Capitol
600 East Boulevard Ave.
Bismarck, ND 58505

Re: Testimony in Opposition of HB1614

Chairman Ruby, members of the committee, thank you for the opportunity to testify. My name is Dr. Mike Metzger and I am the Vice President of Agriculture and Research for Minn-Dak Farmers Cooperative and stand before you in OPPOSITION to House Bill 1614.

Minn-Dak Farmers Cooperative is a grower-owned sugarbeet processing facility located at the southern end of the Red River Valley in Wahpeton, North Dakota. We have proudly been in business since 1974 and continue to be one of the industry's most advanced and proficient sugar production facilities today. As Vice President of Agriculture and Research, my primary area of responsibility is focused upon the research and production aspects of the agricultural arena. I am responsible for both the current production techniques and future technologies encompassing the growing, harvesting and delivering of sugarbeets for processing from 500 shareholders raising sugarbeets on 105,000+ acres.

Every year, Minn-Dak Farmers Cooperative utilizes a fleet of tractor/trailer units to transport over two million tons of sugarbeets from outside receiving stations into the factory for processing. During our processing campaign, our fleet of 14 trucks runs 24-hours per day / 7-days per week. Collectively, our Fleet puts on over 2.5 million miles during a single hauling campaign (August – April). To put this into perspective, this collective distance is enough to circumnavigate the earth over 1,000 times during a seven-month period. I am also happy to report that our Fleet has not had a moving violation of any sort within the past six seasons. This speaks volumes about the safety culture and professionalism of the drivers employed at Minn-Dak.

Commercial truck drivers are getting VERY hard to come by not only on a national level, but even more so locally. I truly believe that the new rules/regulations to acquire a Commercial Driver's License will only exacerbate this already troubling issue, especially in rural areas. In order to continue to operate, we as a business need to be able to more with less. Leader-Follower Platoon Technology has proven to be both effective and safe in other geographies and is the reason behind our cooperative selected this technology for our ongoing pilot project. The hope going forward is that we can easily adjust or increase our haul capacity by simply adding automated trucks to each of our human operated trucks.

In May of 2022 Minn-Dak announced its partnership with Kratos Defense & Security Solutions to deploy a set of trucks that could operate as a Leader/Follower Platoon. It is of note that Driverless

Truck Leader/Follower Platooning is different from Autonomous Trucks independently driving themselves. Leader-Follower Platooning includes one human-driven truck followed by one driverless truck. In this scenario, we maintain a human decision maker who is always within 300 feet or less of the driverless vehicle. This enables the human-driver to make all the “hard” decisions for the driverless vehicle as it travels along the route. For example, if there is a work zone on the route, a stalled car, an emergency vehicle, etc. we rely on the human in the leader vehicle to make decisions versus full reliance on Machine Learning and Artificial Intelligence. This is a huge safety and reliability advantage that Leader-Follower Platooning has versus an independently operating driverless truck.

When Minn-Dak started this Leader-Follower pilot project, safety was the primary concern. With this in mind, Kratos and Minn-Dak developed a deployment strategy to introduce this technology to North Dakota roadways in a “crawl-walk-run” as we vetted the technology within our operating environment in the safest possible way. For example, we have pre-run all our sugarbeet hauling routes in manual mode with the system in idle. This enabled us to evaluate all routes for any kind of anomalies as well as ‘environmentally stress-test’ the sensors and navigation equipment. From there, we systematically started implementing more and more of the automated system until we got to where we were operating the system in full driverless Leader-Follower Platooning mode with a CDL Safety Rider onboard the driverless follower who could take over manual control at any time. This is the current protocol that we are utilizing today and is basis of the Platooning Plan approved by both the North Dakota Department of Transportation and the North Dakota Highway Patrol. To continue to improve and enhance the system, we need to have it on the road running the routes and functioning as needed to support our sugarbeet rehaul operations. As the system is running, we are obtaining valuable data regarding the system, environment, operators, and the interactions with other vehicles on the road. This kind of data will enable us to continue to improve performance and ensure the highest levels of safety as we move forward through our crawl-walk-run process.

To date, we have successfully logged over 50,000 miles on North Dakota highways with our Leader-Follower Platoon with the Follower vehicle in ‘autonomous’ mode. The equivalent of driving from Fargo to Beach, ND, over 150 times on two lane roads, this has been done without a single moving violation, accident, or system failure. As mentioned earlier, we continue to operate the remote Follower vehicle with a CDL Safety Rider onboard and have no near-term plans to remove the Safety Rider while we progress through the ‘crawl-walk-run’ mentality of our ongoing pilot program. While the CDL Safety Rider fine for now, moving forward, in order to make economic sense, we will at some point need to remove the requirement for a Safety Rider altogether or, at the very minimum, eliminate the need for the Safety Rider to have a CDL endorsement. Just like what got us this point, I envision this future milestone as a close collaboration working with policy regulators and roadway authorities. Keeping everyone on the same page will help move projects like this forward through project visibility and collaboration. This is exactly what we have done since our initial deployment hauling sugarbeets from our receiving stations to the factory for processing. It’s like a three-legged stool that has one leg as government entities, one as academia, and the other as agricultural industry to ensure a solid base for implementation and proliferation of beneficial technology.

House Bill 1614 would prohibit us from even getting to this point or having these future conversations. It would essentially stop the development and implementation process as it stands today and keeping it static going forward. The regulatory environment focused on this type of technology in the U.S. is very good overall and continuing to improve. Over 32 states currently have some form of driverless/autonomous vehicle legislation in place with 13 states having legislation in place specifically aligned to Leader-Follower Platooning, North Dakota included. At Minn-Dak, we have been safely operating under the current legislation and this type of Leader-Follower technology is what will enable us to efficiently operate in the future as the CDL driver shortage continues to plague rural areas of the state.

The current legislation surrounding the use of Leader-Follower Platoon technology ensures that North Dakota companies can remain competitive, are able to maintain their supply chains, and enables the state to continue to develop a future framework for automated driving technology focused on safety, accessibility, and economic growth. Again, House Bill 1614 puts an end to this progress.

Chairman Ruby, members of the committee….On behalf of Minn-Dak Farmers Cooperative and our 500 growers/owners, we encourage a DO NOT PASS recommendation on House Bill 1614.

Mike S. Metzger, Ph.D.
VP – Agriculture & Research
Minn-Dak Farmers Cooperative

North Dakota Grain Growers Association
Testimony in Opposition to HB 1614
House Transportation Committee
February 13, 2025

Chairman Ruby, Members of the House Transportation Committee, for the record my name is Dan Wogsland representing the North Dakota Grain Growers Association (NDGGA). NDGGA appears before you today in opposition to HB 1614.

HB 1614, while seemingly prioritizing safety, stifles innovation and imposes unnecessary restrictions on the development and deployment of autonomous trucking technology in North Dakota. It effectively prevents the state from realizing the potential benefits of this technology, including increased safety, improved fuel efficiency, and reduced transportation costs.

Specific Points of Opposition:

* Premature Regulation: The technology for automated truck tractors is still under development. Imposing strict operational requirements at this stage is premature and could stifle research and development within the state. It's more appropriate to establish performance-based standards and regulations as the technology matures and its capabilities are better understood.

* Unnecessary Human Presence Requirement: The requirement for a human driver to be physically present and able to take control defeats the purpose of autonomous trucking. The primary benefits of this technology stem from the potential to reduce human error, which is a major contributing factor to accidents. Mandating a human driver undermines this core safety advantage. Furthermore, it limits the potential for efficiency gains, as it still requires a driver's salary and associated costs.

* Competitive Disadvantage: By imposing these restrictions, North Dakota risks creating a less attractive environment for companies developing and testing autonomous trucking technology. This could lead to businesses choosing to operate and invest in other states with more forward-thinking regulatory frameworks, thereby hindering economic growth and job creation in North Dakota.

* Safety Concerns Addressed by Technology: While safety is a valid concern, autonomous driving systems are designed with multiple layers of redundancy and fail-safe mechanisms to mitigate risks. Rigorous testing and validation processes are already in place to ensure the safety of these systems before they are deployed on public roads. The presence of a human driver does not guarantee safety and, in some cases, could even introduce new risks due to fatigue or distraction.

* Focus on Performance-Based Standards: Instead of mandating a human driver, North Dakota should focus on developing performance-based standards for autonomous trucking systems. This approach allows for flexibility and innovation while ensuring that these systems meet rigorous safety requirements. These standards could address specific aspects of autonomous driving, such as object detection, navigation, and emergency response.

* Economic Impact: The bill ignores the potential economic benefits of autonomous trucking, such as reduced transportation costs, increased efficiency, and improved supply chain logistics. These benefits could be particularly significant for North Dakota's agricultural and energy industries, which rely heavily on trucking for transportation.

* Data-Driven Approach: Regulations should be based on data and evidence, not on speculation and fear. As more data becomes available on the safety and performance of autonomous trucking systems, regulations can be adjusted accordingly. A more flexible and adaptive regulatory approach is needed to keep pace with technological advancements.

Conclusion:
House Bill No. 1614, in its current form, is not a sound approach to regulating autonomous trucking technology. It is premature, unnecessarily restrictive, and could put North Dakota at a competitive disadvantage. Therefore Chairman Ruby, Members of the House Transportation Committee, NDGGA would respectfully request a Do Not Pass recommendation for HB 1614 and would hope the full House would concur.

NORTH DAKOTA Farmers Union

Contact:
Matt Perdue, Lobbyist
mperdue@ndfu.org I 701.641.3303

Testimony of
Matt Perdue
North Dakota Farmers Union
Regarding HB 1614
House Transportation Committee
February 13, 2025

Chairman Ruby and members of the committee,

Thank you for the opportunity to testify on House Bill No. 1614. My name is Matt Perdue, and I am testifying on behalf of North Dakota Farmers Union's (NDFU) members. NDFU opposes HB 1614.

HB 1614 would prohibit the operation of autonomous trucks on state highways, unless a driver with a commercial driver's license (CDL) is physically present in the truck. We believe this legislation is unnecessary and may prevent innovation that may benefit North Dakota farmers

Farmers are currently struggling with significant labor shortages, especially during the peak harvest season. That labor shortage is particularly severe for trucking, given the declining number of CDL drivers. Demographic trends indicate that labor shortages across our economy are likely to persist for decades. The development of autonomous truck technology could help address that challenge in the future. Autonomous trucking may also lower costs, helping farmers capture key efficiencies.

While we appreciate safety concerns regarding autonomous trucks, it is important to note that use of autonomous trucks in North Dakota is currently limited to a few pilot projects, most of which utilize "leader-follower" technology. The North Dakota Department of Transportation already has authority to regulate these uses. HB 1614 would unnecessarily stifle that innovation.

We respectfully request a "Do Not Pass" on HB 1614. Thank you for your consideration. I will stand for any questions.

2025 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Room JW327E, State Capitol

HB 1614
2/13/2025

Relating to the definition of an automated truck tractor.

5:07 p.m. Chairman D. Ruby opened the meeting.

Members Present: Chairman D. Ruby, Vice Chairman Grueneich, Representatives Christianson, Dressler, Finley-DeVille, Frelich, Johnston, Hendrix, Kasper, Koppelman, Maki, Morton, Osowski, Schatz

Discussion Topics:

- Passenger transport
- Highway operation

5:09 p.m. Representative Hendrix requested to hold the bill and submitted testimony #37689.

5:10 p.m. Chairman D. Ruby adjourned the meeting.

Janae Pinks, Committee Clerk

From: Hendrix, Jared
To: Reed, Joseph - HTechClerk1 - HFIN - HTRN
Subject: Fw: HB 1614 - Automated Truck Tractors - NDDOT Information
Date: Thursday, February 13, 2025 5:11:55 PM

Representative Jared Hendrix
State House - District 10 - Fargo

From: Linneman, Matthew G. <mlinneman@nd.gov>
Sent: Thursday, February 13, 2025 5:03:27 PM
To: Ruby, Dan J. <druby@ndlegis.gov>; Hendrix, Jared <jhendrix@ndlegis.gov>
Cc: Henke, Ron J. <rhenke@nd.gov>
Subject: HB 1614 - Automated Truck Tractors - NDDOT Information

Chairman Ruby and Representative Hendrix,

During the hearing on HB 1614 pertaining to autonomous truck tractors, the NDDOT was asked about the total vehicle miles traveled in the state. In 2023 the total vehicle miles traveled in the state, on all roadways was 9,921,000,000.

The full ND Traffic Report can be found here:
https://www.dot.nd.gov/sites/www/files/documents/maps/traffic/reports/Annual-Traffic-Report-2023.pdf

Also, as stated in the hearing, we would be willing to discuss and work on amendment language. Let us know your thoughts.

Matt Linneman, PE
NDDOT Deputy Director for Engineering
Office: (701) 328-6904
Cell: (701) 299-8277

2025 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Room JW327E, State Capitol

HB 1614
2/20/2025

Relating to the definition of an automated truck tractor.

4:01 p.m. Chairman D. Ruby opened the meeting.

Members Present: Chairman D. Ruby, Vice Chairman Grueneich, Representatives Christianson, Dressler, Frelich, Johnston, Hendrix, Koppelman, Maki, Morton, Osowski, Schatz
Members Absent: Representatives Kasper, Finley-DeVille

Discussion Topics:

- Platooning programs
- NDDOT approval
- Automated vehicle
- Study funding
- Upper Great Plains Transportation Institute

4:02 p.m. Representative Hendrix proposed an amendment to grandfather in existing programs, or to turn the bill into a study. LC# 25.1255.01001 testimony #38260, #38262.

4:07 p.m. Matt Linemann, Deputy Director of Engineering, ND DOT, stood for questions.

4:20 p.m. Representative Koppelman moved to adopt amendment changing 'bill to a study'.

4:20 p.m. Representative Hendrix seconded the motion.

4:21 p.m. Voice vote - Motion Passed.

4:22 p.m. Representative Grueneich moved a Do Pass as Amended.

4:22 p.m. Representative Frelich seconded the motion.

Representatives	Vote
Representative Dan Ruby	Y
Representative Jim Grueneich	Y
Representative Nels Christianson	Y
Representative Ty Dressler	Y
Representative Lisa Finley-DeVille	AB
Representative Kathy Frelich	Y
Representative Jared Hendrix	Y
Representative Daniel Johnston	Y
Representative Jim Kasper	AB
Representative Ben Koppelman	Y
Representative Roger A. Maki	Y

Representative Desiree Morton	Y
Representative Doug Osowski	Y
Representative Mike Schatz	Y

4:22 p.m. Motion passed 12-0-2.

4:22 p.m. Representative Hendrix will carry the bill.

4:24 p.m. Chairman D. Ruby adjourned the meeting.

Janae Pinks, Committee Clerk

25.1255.01002
Title.02000

Adopted by the Transportation Committee
February 20, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1614

Introduced by

Representatives Hendrix, D. Johnston

A BILL ~~for an Act to create and enact a new section to chapter 39-10 of the North Dakota Century Code, relating to the operation of an automated truck tractor; and to amend and reenact section 39-01-01 of the North Dakota Century Code, relating to the definition of an automated truck tractor.~~for an Act to provide for a department of transportation study regarding autonomous and semiautonomous vehicle technologies; and to provide a legislative management report.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

~~**SECTION 1. AMENDMENT.** Section 39-01-01 of the North Dakota Century Code is amended and reenacted as follows:~~

~~**39-01-01. Definitions.**~~

~~In this title, unless the context or subject matter otherwise requires:~~

~~1. "Appropriate licensed addiction treatment program" means an addiction treatment program conducted by an addiction facility licensed by the department of health and human services or conducted by a licensed individual specifically trained in addiction treatment.~~

~~2. "Authorized emergency vehicles":~~

~~a. "Class A" authorized emergency vehicles means:~~

~~(1) Vehicles of a governmentally owned fire department.~~

~~(2) Vehicles when operated by or under the control of a police officer having authority to enforce the provisions of this title or by a salaried employee of a~~

~~municipal police department within the municipality or by a sheriff or deputy sheriff not including special deputy sheriffs, or by the director of the department of corrections and rehabilitation and the director's authorized agents who have successfully completed training in the operation of class A authorized emergency vehicles.~~

~~(3) Vehicles clearly identifiable as property of the department of corrections and rehabilitation when operated or under the control of the director of the department of corrections and rehabilitation.~~

~~(4) Ambulances and other vehicles authorized by licensure granted under chapter 23-27.~~

~~(5) Vehicles operated by or under the control of the director, district deputy director, or a district deputy game warden of the game and fish department.~~

~~(6) Vehicles owned or leased by the United States and used for law enforcement purposes.~~

~~(7) Vehicles designated for the use of the adjutant general or assistant adjutant general in cases of emergency.~~

~~(8) Vehicles operated by or under the control of the director of the parks and recreation department.~~

~~(9) Vehicles operated by or under the control of a licensed railroad police officer and used for law enforcement purposes.~~

~~(10) Vehicles operated by or under the control of the state forester.~~

~~(11) Vehicles operated by or under the control of the bureau of criminal investigation and used for law enforcement purposes.~~

~~(12) Vehicles operated by or under the department of health and human services in cases of emergencies.~~

~~(13) Vehicles used or operated by governmental search and rescue personnel while performing emergency operations or duties. As used in this paragraph, "search and rescue" means deployment, coordination, and use of available resources and personnel in locating, relieving the distress, and preserving the life of and removing an individual who is missing, trapped, or lost in the~~

backcountry, remote areas, or waters of the state. The term includes water and dive rescue.

b. "Class B" authorized emergency vehicles means wreckers and such other emergency vehicles as are authorized by the local authorities.

c. "Class C" authorized emergency vehicles means:

(1) Vehicles used by the state division of homeland security or local division of emergency management organizations.

(2) Vehicles used by volunteer firefighters while performing their assigned disaster and emergency responsibilities.

(3) Vehicles, other than ambulances, used by emergency medical services personnel.

(4) Vehicles used by volunteer search and rescue personnel if performing an emergency operation or duty upon the request of a state entity, political subdivision, or volunteer fire department. A volunteer organization may classify a personal vehicle as a class C emergency vehicle if needed to assist in a search and rescue operation in accordance with this paragraph. As used in this paragraph, "search and rescue" means deployment, coordination, and use of available resources and personnel in locating, relieving the distress, and preserving the life of and removing an individual who is missing, trapped, or lost in the backcountry, remote areas, or waters of the state. The term includes water and dive rescue.

3. "Automated truck tractor" means a truck tractor that is towing a trailer or semitrailer and at least one aspect of a safety critical control function of the truck tractor occurs without direct input from an individual operating the truck tractor.

4. "Bicycle" means every device propelled solely by human power upon which any person may ride, having two tandem wheels or two parallel wheels and one forward or rearward wheel. The term includes an electric bicycle and a multipassenger bicycle.

4.5. "Bus" means every motor vehicle designed for carrying more than ten passengers and used for the transportation of persons, and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation. Provided,

~~every motor vehicle designed for carrying not more than fifteen persons and used for a ridesharing arrangement, as defined in section 8-02-07, is not a "bus".~~

~~5.~~6. ~~"Business district" means the territory contiguous to a highway when fifty percent or more of the frontage thereon for a distance of three hundred feet [91.44 meters] or more is occupied by buildings in use for business.~~

~~6.~~7. ~~"Camping trailer" means a vehicular portable unit mounted on wheels and constructed with collapsible partial side walls that fold for towing by another vehicle and unfold at the campsite to provide temporary living quarters for recreational, camping, or travel use.~~

~~7.~~8. ~~"Cancellation" means a license is annulled and terminated because of an error or defect or because the licensee is no longer entitled to the operator's license, but the cancellation of a license is without prejudice and application for a new license may be made at any time after the cancellation.~~

~~8.~~9. ~~"Child restraint system" means a specifically designed device, built-in seating system, or belt-positioning booster that meets the federal motor vehicle safety standards and is permanently affixed to a motor vehicle, is affixed to the vehicle by a safety belt or universal attachment system, or is combined with a federally compliant safety belt system.~~

~~9.~~10. ~~"Commercial freighting" means the carriage of things other than passengers, for hire, except that such term does not include:~~

~~a. The carriage of things other than passengers within the limits of the same city;~~

~~b. Carriage by local dray lines of baggage or goods to or from a railroad station from or to places in such city or in the immediate vicinity thereof, in this state, and not to exceed two miles [3.22 kilometers] from the corporate or recognized limits of said city; or~~

~~c. Hauling done by farmers for their neighbors in transporting agricultural products to or from market.~~

~~10.~~11. ~~"Commercial passenger transportation" means the carriage of passengers for hire, except that the term does not include:~~

~~a. The carriage of passengers within the limits of a city.~~

~~b. The carriage by local buslines of passengers to or from a railroad station from or to places within any city or within two miles [3.22 kilometers] of the limits of the city.~~

~~c. The carriage of passengers under a ridesharing arrangement, as defined in section 8-02-07.~~

~~11.~~12. ~~"Commissioner" means the director of the department of transportation of this state, acting directly or through authorized agents as provided by section 24-02-01.3.~~

~~12.~~13. ~~"Controlled-access highway" means every highway, street, or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street, or roadway.~~

~~13.~~14. ~~"Conviction" means a final order or judgment or conviction by the North Dakota supreme court, any lower court having jurisdiction, a tribal court, or a court in another state if an appeal is not pending and the time for filing a notice of appeal has elapsed. Subject to the filing of an appeal, the term includes:~~

~~a. An imposed and suspended sentence;~~

~~b. A deferred imposition of sentence under subsection 4 of section 12.1-32-02; or~~

~~c. A forfeiture of bail or collateral deposited to secure a defendant's appearance in court and the forfeiture has not been vacated.~~

~~14.~~15. ~~"Crosswalk" means that part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or, in the absence of curbs, from the edges of the traversable roadway; or any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.~~

~~15.~~16. ~~"Dealer" means every person, partnership, corporation, or limited liability company engaged in the business of buying, selling, or exchanging motor vehicles, or who advertises, or holds out to the public as engaged in the buying, selling, or exchanging of motor vehicles, or who engages in the buying of motor vehicles for resale. Any person, partnership, corporation, limited liability company, or association doing~~

~~business in several cities or in several locations within a city must be considered a separate dealer in each such location.~~

~~16.~~17. ~~"Department" means the department of transportation of this state as provided by section 24-02-01.1.~~

~~17.~~18. ~~"Director" means the director of the department of transportation of this state as provided by section 24-02-01.3.~~

~~18.~~19. ~~"Driver" means every person who drives or is in actual physical control of a vehicle.~~

~~19.~~20. ~~"Electric bicycle" means a bicycle equipped with fully operable pedals, a saddle or seat for the rider, and an electric motor of seven hundred fifty or fewer watts which meets the requirements of one of the following three classes:~~

~~a. A class 1 electric bicycle if the motor provides assistance only when the individual is pedaling and the motor ceases to provide assistance when a speed of twenty miles [32 kilometers] per hour is achieved.~~

~~b. A class 2 electric bicycle if the motor is capable of propelling the bicycle without the individual pedaling and the motor ceases to provide assistance when a speed of twenty miles [32 kilometers] per hour is achieved.~~

~~c. A class 3 electric bicycle if the motor provides assistance only when the individual is pedaling and the motor ceases to provide assistance when a speed of twenty-eight miles [45 kilometers] per hour is achieved.~~

~~20.~~21. ~~"Electronic communication device" means an electronic device, including a wireless telephone, personal digital assistant, a portable or mobile computer or other device, and video display equipment. The term does not include a global positioning system or navigation system or a device that is physically or electronically integrated into the motor vehicle.~~

~~21.~~22. ~~"Essential parts" means all integral and body parts of a vehicle of a type required to be registered hereunder, the removal, alteration, or substitution of which would tend to conceal the identity of the vehicle or substantially alter its appearance, model, type, or mode of operation and includes all integral parts and body parts, the removal, alteration, or substitution of which will tend to conceal the identity or substantially alter the appearance of the vehicle.~~

~~22.~~23. ~~"Explosives" means any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustive units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or by destroying life or limb.~~

~~23.~~24. ~~"Farm tractor" includes every motor vehicle designed and used primarily as a farm implement for drawing plows, moving machines, and other implements of husbandry.~~

~~24.~~25. ~~"Farm trailer" includes those trailers and semitrailers towed by a bona fide resident farmer hauling the farmer's own agricultural, horticultural, dairy, and other farm products if the gross weight, not including the towing vehicle, does not exceed twenty-four thousand pounds [10886.22 kilograms].~~

~~25.~~26. ~~"Fifth-wheel travel trailer" means a vehicular unit mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use, of such size or weight as not to require a special highway movement permit and designed to be towed by a motorized vehicle that contains a towing mechanism that is mounted above or forward of the tow vehicle's rear axle.~~

~~26.~~27. ~~"Flammable liquid" means any liquid which has a flash point of seventy degrees Fahrenheit [21.11 degrees Celsius], or less, as determined by a tagliabue or equivalent closed-cup test device.~~

~~27.~~28. ~~"Foreign vehicle" means every motor vehicle which is brought into this state other than in the ordinary course of business by or through a manufacturer or dealer and which has not been registered in this state.~~

~~28.~~29. ~~"Gross weight" means the weight of a vehicle without load plus the weight of any load thereon.~~

~~29.~~30. ~~"Guest" means and includes a person who accepts a ride in any vehicle without giving compensation therefor.~~

~~30.~~31. ~~"Highway" means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel and of every way privately maintained within a mobile home park,~~

~~trailer park, or campground containing five or more lots for occupancy by mobile homes, travel trailers, or tents when any part thereof is open for purposes of vehicular travel.~~

~~31.~~32. ~~"House car" or "motor home" means a motor vehicle which has been reconstructed or manufactured primarily for private use as a temporary or recreational dwelling and having at least four of the following permanently installed systems:~~

~~a. Cooking facilities.~~

~~b. Icebox or mechanical refrigerator.~~

~~c. Potable water supply including plumbing and a sink with faucet either self-contained or with connections for an external source, or both.~~

~~d. Self-contained toilet or a toilet connected to a plumbing system with connection for external water disposal, or both.~~

~~e. Heating or air-conditioning system, or both, separate from the vehicle engine or the vehicle engine electrical system.~~

~~f. A 110-115 volt alternating current electrical system separate from the vehicle engine electrical system either with its own power supply or with a connection for an external source, or both, or a liquefied petroleum system and supply.~~

~~32.~~33. ~~"Implement of husbandry" means every vehicle designed and adapted exclusively for agricultural, horticultural, or livestock raising operations or for lifting or carrying an implement of husbandry and in either case not subject to registration if used upon the highway.~~

~~33.~~34. ~~"Intersection" means the area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict. Where a highway includes two roadways thirty feet [9.14 meters] or more apart, then every crossing of each roadway of such divided highway by an intersecting highway must be regarded as a separate intersection. In the event such intersecting highway also includes two roadways thirty feet [9.14 meters] or more apart, then every crossing of two roadways of such highways must be regarded as a separate intersection.~~

~~34.~~35. ~~"Intoxicating liquor" means and includes any beverage containing alcohol.~~

~~35.~~36. ~~"Judgment" means any judgment which has become final by expiration without appeal of the time within which an appeal might have been perfected, or by final affirmation on appeal, rendered by a court of competent jurisdiction of any state of the United States, upon a claim for relief arising out of ownership, maintenance, or use of any motor vehicle, for damages, including damages for care and loss of services, because of bodily injury to or death of any person, or for damages because of injury to or destruction of property, including the loss of use thereof, or upon a claim for relief on an agreement of settlement for such damages.~~

~~36.~~37. ~~"Legal owner" means a person who holds the legal title to a vehicle.~~

~~37.~~38. ~~"Licensed health care provider" means doctor of medicine, doctor of osteopathy, doctor of chiropractic, optometrist, psychologist, advanced practice registered nurse, or physician assistant who is licensed, certified, or registered in accordance with laws and regulations in this or another state.~~

~~38.~~39. ~~"Lienholder" means a person holding a security interest in a vehicle.~~

~~39.~~40. ~~"Local authorities" includes every county, municipal, and other local board or body having authority to adopt local police regulations under the constitution and laws of this state.~~

~~40.~~41. ~~"Mail" means to deposit mail properly addressed and with postage prepaid with the United States postal service.~~

~~41.~~42. ~~"Manifest injustice" means a specific finding by the court that the imposition of sentence is unreasonably harsh or shocking to the conscience of a reasonable person, with due consideration of the totality of circumstances.~~

~~42.~~43. ~~"Manufactured home" means a structure, transportable in one or more sections, that, in the traveling mode, is eight body feet [2.44 meters] or more in width or forty body feet [12.19 meters] or more in length, or, when erected onsite, is three hundred twenty square feet [29.73 square meters] or more, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. The term includes any structure that meets all of the requirements of this subsection except the size requirements and with~~

~~respect to whether the manufacturer voluntarily files a certification required by the United States secretary of housing and urban development and complies with the standards established under title 42 of the United States Code.~~

~~43.~~44. ~~"Manufacturer" means any person who manufactures, assembles, or imports and sells new motor vehicles to new motor vehicle dealers for resale in the state; but such term does not include a person who assembles or specially builds interior equipment on a completed vehicle supplied by another manufacturer, distributor, or supplier.~~

~~44.~~45. ~~"Metal tires" includes all tires the surface of which in contact with the highway is wholly or partly of metal or other hard, nonresilient material except that this provision does not apply to pneumatic tires.~~

~~45.~~46. ~~"Mobile home" means a structure, either single or multisectional, which is built on a permanent chassis, ordinarily designed for human living quarters, either on a temporary or permanent basis, owned or used as a residence or place of business of the owner or occupant, which is either attached to utility services or is twenty-seven feet [8.23 meters] or more in length.~~

~~46.~~47. ~~"Modular unit" includes every factory fabricated transportable building unit designed to be incorporated with similar units at a building site into a modular structure to be used for residential, commercial, educational, or industrial purposes.~~

~~47.~~48. ~~"Motor vehicle" includes every vehicle that is self-propelled, every vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, and, for purposes of motor vehicle registration, title registration, and operator's licenses, motorized bicycles. The term does not include a snowmobile as defined in section 39-24-01, an electric bicycle, or a multipassenger bicycle.~~

~~48.~~49. ~~"Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding implements of husbandry. The term does not include an electric bicycle.~~

~~49.~~50. ~~"Motorized bicycle" means a vehicle equipped with two or three wheels, foot pedals to permit muscular propulsion or footrests for use by the operator, a power source providing up to a maximum of two brake horsepower having a maximum piston or rotor displacement of 3.05 cubic inches [49.98 milliliters] if a combustion engine is used, which will propel the vehicle, unassisted, at a speed not to exceed thirty miles~~

~~[48.28 kilometers] per hour on a level road surface, and a power drive system that functions directly or automatically only, not requiring clutching or shifting by the operator after the drive system is engaged, and the vehicle may not have a width greater than thirty-two inches [81.28 centimeters]. The term does not include an electric bicycle.~~

~~50.~~51. ~~"Motor-powered recreational vehicle" means a motorcycle, unconventional vehicle, or off-highway vehicle as defined in section 39-29-01, or a snowmobile as defined in section 39-24-01. The term does not include an electric bicycle.~~

~~51.~~52. ~~"Multipassenger bicycle" means a vehicle that:~~

~~a. Has fully operative pedals for propulsion entirely by human power;~~

~~b. Has at least four wheels and is operated in a manner similar to a bicycle;~~

~~c. Has at least five seats for passengers;~~

~~d. Has been designed to be occupied by a driver and powered either by passengers providing pedal power to the drive train of the vehicle or by a motor capable of propelling the vehicle in the absence of human power;~~

~~e. Is used for commercial purposes;~~

~~f. Is operated by the owner of the vehicle or an employee of the owner of the vehicle;~~

~~g. Is equipped with a steering wheel that gives the driver exclusive control of the direction of the vehicle;~~

~~h. Is equipped with at least one taillamp in accordance with section 39-21-04;~~

~~i. Is equipped with a stop lamp in accordance with subsection 1 of section 39-21-19; and~~

~~j. Is equipped with headlamps in accordance with section 39-27-17.1.~~

~~52.~~53. ~~"Nonresident" means any person who is not a resident of this state.~~

~~53.~~54. ~~"Nonresident's operating privilege" means the privilege conferred upon a nonresident by the laws of this state pertaining to the operation by such person of a motor vehicle, or the use of a vehicle owned by such person, in this state.~~

~~54.~~55. ~~"Official traffic-control devices" means all signs, signals, markings, and devices not inconsistent with this title placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.~~

~~55.~~56. ~~"Operator" means every person who drives or is in actual physical control of a motor vehicle upon a highway or who is exercising control over or steering a vehicle being towed by a motor vehicle.~~

~~56.~~57. ~~"Operator's license", "driver's license", or "license to operate a motor vehicle" means any operator's or driver's license or any other license or permit to operate a motor vehicle issued under, or granted by, the laws of this state, including:~~

~~a. Any temporary license or instruction permit;~~

~~b. The privilege of any person to drive a motor vehicle whether such person holds a valid license; or~~

~~c. Any nonresident's operating privilege as defined in this section.~~

~~57.~~58. ~~"Owner" means a person, other than a lienholder, having the property in or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security.~~

~~58.~~59. ~~"Park", when prohibited, means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.~~

~~59.~~60. ~~"Passenger motor vehicle" means every motor vehicle designed principally for the transportation of persons and includes vehicles which utilize a truck chassis, but have a seating capacity for four or more passengers.~~

~~60.~~61. ~~"Pedestrian" means any person afoot.~~

~~61.~~62. ~~"Person" includes every natural person, firm, copartnership, association, corporation, or limited liability company.~~

~~62.~~63. ~~"Pneumatic tires" includes all tires inflated with compressed air.~~

~~63.~~64. ~~"Pole trailer" means every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.~~

~~64.~~65. ~~"Police officer" means every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.~~

~~65.~~66. ~~"Primary source identity document" means documentary evidence of an individual's name, date of birth, and legal presence required in chapters 39-06 and 39-06.2 related to the issuance of permits, licenses, and nondriver photo identification cards, and retained in the driver record.~~

~~66.~~67. ~~"Private road or driveway" means every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.~~

~~67.~~68. ~~"Proof of financial responsibility" means proof of ability to respond in damages for liability, on account of accidents occurring after the effective date of the proof, arising out of the ownership, maintenance, or use of a motor vehicle, in the amount of twenty-five thousand dollars because of bodily injury to or death of one person in any one accident, and, subject to the limit for one person, in the amount of fifty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and in the amount of twenty-five thousand dollars because of injury to or destruction of property of others in any one accident.~~

~~68.~~69. ~~"Railroad" means a carrier of persons or property upon cars, other than streetcars, operated upon stationary rails.~~

~~69.~~70. ~~"Railroad sign or signal" means any sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.~~

~~70.~~71. ~~"Reconstructed vehicle" means any vehicle, of a type required to be registered, materially altered from its original construction by the removal, addition, or substitution of new or used essential parts.~~

~~71.~~72. ~~"Recreational vehicle" means any motorcycle not qualified for registration, off-highway vehicle, snowmobile, vessel, or personal watercraft. The term does not include an electric bicycle.~~

~~72.~~73. ~~"Residence district" means territory contiguous to a highway not comprising a business district, when the frontage on such highway for a distance of three hundred~~

~~feet [91.44 meters] or more is occupied mainly by dwellings, or by dwellings and buildings in use for business.~~

~~73.~~74. ~~"Revocation" means that the operator's license is terminated and may not be renewed or restored, except on application for a new license presented to and acted upon by the director after the expiration of the period of revocation.~~

~~74.~~75. ~~"Right of way" means the privilege of the immediate use of a roadway.~~

~~75.~~76. ~~"Road tractor" means every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.~~

~~76.~~77. ~~"Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate roadways, the term "roadway" as used herein refers to any such roadway separately but not to all such roadways collectively.~~

~~77.~~78. ~~"Saddle mount" means placing the front wheels of the drawn vehicle upon the bed of the drawing vehicle.~~

~~78.~~79. ~~"Safety zone" means the area or space officially set aside within a highway for the exclusive use of pedestrians and which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set aside as a safety zone.~~

~~79.~~80. ~~"Salvage certificate of title" means a document issued by the department for purposes of proof of ownership of a salvage or destroyed vehicle and not acceptable for motor vehicle registration purposes.~~

~~80.~~81. ~~"Schoolbus" means a motor vehicle designed or used to carry more than ten passengers in addition to the driver, and is used for the purpose of transporting preprimary, primary, or secondary school students from home to school, from school to home, or to and from school-related events. For the purposes of chapter 39-21, "schoolbus" means any motor vehicle that is owned or leased by a public or governmental agency and used to transport preprimary, primary, or secondary school students to or from school or to or from school-related events, or is privately owned and operated for compensation to transport preprimary, primary, or secondary school students to or from school or to or from school-related events. Schoolbus does not include a bus used as a common carrier.~~

~~81.~~82. ~~"Semitrailer" includes every vehicle of the trailer type so designed and used in conjunction with a truck or truck tractor that some part of its own weight and that of its own load rests upon or is carried by a truck or truck tractor, except that it does not include a "housetrailer" or "mobile home".~~

~~82.~~83. ~~"Sidewalk" means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use of pedestrians.~~

~~83.~~84. ~~"Solid tire" includes every tire made of rubber or other resilient material other than a pneumatic tire.~~

~~84.~~85. ~~"Special mobile equipment" means every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway.~~

~~85.~~86. ~~"Specially constructed vehicle" means any vehicle which was not constructed originally under the distinct name, make, model, or type by a generally recognized manufacturer of vehicles.~~

~~86.~~87. ~~"Stand" or "standing" means the halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.~~

~~87.~~88. ~~"State" means a state, territory, or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or a province of the Dominion of Canada.~~

~~88.~~89. ~~"Stop", when required, means complete cessation from movement.~~

~~89.~~90. ~~"Stop" or "stopping", when prohibited, means any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.~~

~~90.~~91. ~~"Street" means the entire width between boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.~~

~~91.~~92. ~~"Superintendent" means the superintendent of the North Dakota state highway patrol, acting directly or through authorized employees of the superintendent.~~

~~92.~~93. ~~"Suspension" means that the operator's license is temporarily withdrawn but only during the period of the suspension.~~

~~93.~~94. ~~"Through highway" means every highway or portion thereof on which vehicular traffic is given preferential right of way, and at the entrances to which vehicular traffic from intersecting highways is required by law to yield right of way to vehicles on such through highway and in obedience to either a stop sign or yield sign, when such signs are erected by law.~~

~~94.~~95. ~~"Trackless trolley coach" means every motor vehicle which is propelled by electric power obtained from overhead trolley wires but not operated upon rails.~~

~~95.~~96. ~~"Traffic" means pedestrians, ridden or herded animals, vehicles, streetcars, and other conveyances either singly or together while using any highway for purposes of travel.~~

~~96.~~97. ~~"Traffic-control signal" means any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and to proceed.~~

~~97.~~98. ~~"Trailer" includes every vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle, except that it does not include a "housetrailer" or "mobile home", which terms mean a vehicle as defined in this subsection which is designed and intended for use as living or sleeping quarters for people and which is not used for commercial hauling of passengers.~~

~~98.~~99. ~~"Travel trailer" means a vehicular unit mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use, and of such size or weight as not to require a special highway movement permit when towed by a motorized vehicle.~~

~~99.~~100. ~~"Truck" includes every motor vehicle designed, used, or maintained primarily for transportation of property.~~

~~100.~~101. ~~"Truck camper" means a portable unit that is constructed to provide temporary living quarters for recreational, camping, or travel use; consists of a roof, floor, and sides; and is designed to be loaded onto and unloaded from the bed of a pickup truck.~~

~~101.~~102. ~~"Truck tractor" includes every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.~~

~~102.~~103. ~~"Urban district" means the territory contiguous to and including any street which is built up with structures devoted to business, industry, or dwelling houses situated at intervals of less than one hundred feet [30.48 meters] for a distance of a quarter of a mile [402.34 meters] or more.~~

~~103.~~104. ~~"Used vehicle" means a motor vehicle which has been sold, bargained, exchanged, given away, or the title to which has been transferred to another, by the person who first acquired it from the manufacturer or importer, dealer, or agent of the manufacturer or importer.~~

~~104.~~105. ~~"Vehicle" includes every device in, upon, or by which any person or property may be transported or drawn upon a public highway, except devices moved by human power or used exclusively upon stationary rails or tracks. The term does not include an electric bicycle.~~

~~**SECTION 2.** A new section to chapter 39-10 of the North Dakota Century Code is created and enacted as follows:~~

~~**Automated truck tractor operation requirement.**~~

~~An automated truck tractor may not be operated on a highway of this state to transport passengers or goods unless an individual with a valid commercial driver's license is physically present in the automated truck tractor. The individual must be able to monitor the performance of the automated truck tractor and take control of driving the automated truck tractor.~~

SECTION 1. DEPARTMENT OF TRANSPORTATION STUDY - AUTONOMOUS AND SEMIAUTONOMOUS VEHICLE TECHNOLOGIES - REPORT TO LEGISLATIVE MANAGEMENT.

1. During the 2025-26 interim, the department of transportation shall study relevant issues in order to develop a preemptive regulatory and statutory framework for the operation of autonomous and semiautonomous vehicles on the North Dakota highway system. The study must include:
   a. A process for determining where the state's infrastructure may or may not be fully prepared for widespread deployment of autonomous and semiautonomous vehicle technologies;

b. A process to review accident and traffic data for autonomous and semiautonomous vehicle systems with independent oversight on the industry operators;

c. If there is a need to promulgate rules relating to accident liability regarding autonomous and semiautonomous vehicle technologies; and

d. A determination of common vulnerabilities relating to privacy concerns and data security with proposed solutions.

2. Before August 1, 2026, the department of transportation shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the legislative management.

REPORT OF STANDING COMMITTEE
HB 1614

Transportation Committee (Rep. D. Ruby, Chairman) recommends **AMENDMENTS (25.1255.01002)** and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 2 ABSENT OR EXCUSED AND NOT VOTING). HB 1614 was placed on the Sixth order on the calendar.

25.1255.01001
Title.

Prepared by the Legislative Council staff for Representative Hendrix
February 19, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1614

Introduced by

Representatives Hendrix, D. Johnston

A BILL for an Act to create and enact a new section to chapter 39-10 of the North Dakota Century Code, relating to the operation of an automated truck tractor; and to amend and reenact section 39-01-01 of the North Dakota Century Code, relating to the definition of an automated truck tractor.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 39-01-01 of the North Dakota Century Code is amended and reenacted as follows:

39-01-01. Definitions.

In this title, unless the context or subject matter otherwise requires:

1. "Appropriate licensed addiction treatment program" means an addiction treatment program conducted by an addiction facility licensed by the department of health and human services or conducted by a licensed individual specifically trained in addiction treatment.
2. "Authorized emergency vehicles":
   a. "Class A" authorized emergency vehicles means:
      (1) Vehicles of a governmentally owned fire department.
      (2) Vehicles when operated by or under the control of a police officer having authority to enforce the provisions of this title or by a salaried employee of a municipal police department within the municipality or by a sheriff or deputy sheriff not including special deputy sheriffs, or by the director of the

department of corrections and rehabilitation and the director's authorized agents who have successfully completed training in the operation of class A authorized emergency vehicles.

(3) Vehicles clearly identifiable as property of the department of corrections and rehabilitation when operated or under the control of the director of the department of corrections and rehabilitation.

(4) Ambulances and other vehicles authorized by licensure granted under chapter 23-27.

(5) Vehicles operated by or under the control of the director, district deputy director, or a district deputy game warden of the game and fish department.

(6) Vehicles owned or leased by the United States and used for law enforcement purposes.

(7) Vehicles designated for the use of the adjutant general or assistant adjutant general in cases of emergency.

(8) Vehicles operated by or under the control of the director of the parks and recreation department.

(9) Vehicles operated by or under the control of a licensed railroad police officer and used for law enforcement purposes.

(10) Vehicles operated by or under the control of the state forester.

(11) Vehicles operated by or under the control of the bureau of criminal investigation and used for law enforcement purposes.

(12) Vehicles operated by or under the department of health and human services in cases of emergencies.

(13) Vehicles used or operated by governmental search and rescue personnel while performing emergency operations or duties. As used in this paragraph, "search and rescue" means deployment, coordination, and use of available resources and personnel in locating, relieving the distress, and preserving the life of and removing an individual who is missing, trapped, or lost in the backcountry, remote areas, or waters of the state. The term includes water and dive rescue.

b. "Class B" authorized emergency vehicles means wreckers and such other emergency vehicles as are authorized by the local authorities.

c. "Class C" authorized emergency vehicles means:

(1) Vehicles used by the state division of homeland security or local division of emergency management organizations.

(2) Vehicles used by volunteer firefighters while performing their assigned disaster and emergency responsibilities.

(3) Vehicles, other than ambulances, used by emergency medical services personnel.

(4) Vehicles used by volunteer search and rescue personnel if performing an emergency operation or duty upon the request of a state entity, political subdivision, or volunteer fire department. A volunteer organization may classify a personal vehicle as a class C emergency vehicle if needed to assist in a search and rescue operation in accordance with this paragraph. As used in this paragraph, "search and rescue" means deployment, coordination, and use of available resources and personnel in locating, relieving the distress, and preserving the life of and removing an individual who is missing, trapped, or lost in the backcountry, remote areas, or waters of the state. The term includes water and dive rescue.

3. "Automated truck tractor" means a truck tractor that is towing a trailer or semitrailer and at least one aspect of a safety critical control function of the truck tractor occurs without direct input from an individual operating the truck tractor.

4. "Bicycle" means every device propelled solely by human power upon which any person may ride, having two tandem wheels or two parallel wheels and one forward or rearward wheel. The term includes an electric bicycle and a multipassenger bicycle.

~~4.~~5. "Bus" means every motor vehicle designed for carrying more than ten passengers and used for the transportation of persons, and every motor vehicle, other than a taxicab, designed and used for the transportation of persons for compensation. Provided, every motor vehicle designed for carrying not more than fifteen persons and used for a ridesharing arrangement, as defined in section 8-02-07, is not a "bus".

~~5.~~6. "Business district" means the territory contiguous to a highway when fifty percent or more of the frontage thereon for a distance of three hundred feet [91.44 meters] or more is occupied by buildings in use for business.

~~6.~~7. "Camping trailer" means a vehicular portable unit mounted on wheels and constructed with collapsible partial side walls that fold for towing by another vehicle and unfold at the campsite to provide temporary living quarters for recreational, camping, or travel use.

~~7.~~8. "Cancellation" means a license is annulled and terminated because of an error or defect or because the licensee is no longer entitled to the operator's license, but the cancellation of a license is without prejudice and application for a new license may be made at any time after the cancellation.

~~8.~~9. "Child restraint system" means a specifically designed device, built-in seating system, or belt-positioning booster that meets the federal motor vehicle safety standards and is permanently affixed to a motor vehicle, is affixed to the vehicle by a safety belt or universal attachment system, or is combined with a federally compliant safety belt system.

~~9.~~10. "Commercial freighting" means the carriage of things other than passengers, for hire, except that such term does not include:

a. The carriage of things other than passengers within the limits of the same city;

b. Carriage by local dray lines of baggage or goods to or from a railroad station from or to places in such city or in the immediate vicinity thereof, in this state, and not to exceed two miles [3.22 kilometers] from the corporate or recognized limits of said city; or

c. Hauling done by farmers for their neighbors in transporting agricultural products to or from market.

~~10.~~11. "Commercial passenger transportation" means the carriage of passengers for hire, except that the term does not include:

a. The carriage of passengers within the limits of a city.

b. The carriage by local buslines of passengers to or from a railroad station from or to places within any city or within two miles [3.22 kilometers] of the limits of the city.

c. The carriage of passengers under a ridesharing arrangement, as defined in section 8-02-07.

~~11.~~12. "Commissioner" means the director of the department of transportation of this state, acting directly or through authorized agents as provided by section 24-02-01.3.

~~12.~~13. "Controlled-access highway" means every highway, street, or roadway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such highway, street, or roadway.

~~13.~~14. "Conviction" means a final order or judgment or conviction by the North Dakota supreme court, any lower court having jurisdiction, a tribal court, or a court in another state if an appeal is not pending and the time for filing a notice of appeal has elapsed. Subject to the filing of an appeal, the term includes:

a. An imposed and suspended sentence;

b. A deferred imposition of sentence under subsection 4 of section 12.1-32-02; or

c. A forfeiture of bail or collateral deposited to secure a defendant's appearance in court and the forfeiture has not been vacated.

~~14.~~15. "Crosswalk" means that part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs, or, in the absence of curbs, from the edges of the traversable roadway; or any portion of a roadway at an intersection or elsewhere distinctly indicated for pedestrian crossing by lines or other markings on the surface.

~~15.~~16. "Dealer" means every person, partnership, corporation, or limited liability company engaged in the business of buying, selling, or exchanging motor vehicles, or who advertises, or holds out to the public as engaged in the buying, selling, or exchanging of motor vehicles, or who engages in the buying of motor vehicles for resale. Any person, partnership, corporation, limited liability company, or association doing business in several cities or in several locations within a city must be considered a separate dealer in each such location.

~~16.~~17. "Department" means the department of transportation of this state as provided by section 24-02-01.1.

~~17.~~18. "Director" means the director of the department of transportation of this state as provided by section 24-02-01.3.

~~18.~~19. "Driver" means every person who drives or is in actual physical control of a vehicle.

~~19.~~20. "Electric bicycle" means a bicycle equipped with fully operable pedals, a saddle or seat for the rider, and an electric motor of seven hundred fifty or fewer watts which meets the requirements of one of the following three classes:

a. A class 1 electric bicycle if the motor provides assistance only when the individual is pedaling and the motor ceases to provide assistance when a speed of twenty miles [32 kilometers] per hour is achieved.

b. A class 2 electric bicycle if the motor is capable of propelling the bicycle without the individual pedaling and the motor ceases to provide assistance when a speed of twenty miles [32 kilometers] per hour is achieved.

c. A class 3 electric bicycle if the motor provides assistance only when the individual is pedaling and the motor ceases to provide assistance when a speed of twenty-eight miles [45 kilometers] per hour is achieved.

~~20.~~21. "Electronic communication device" means an electronic device, including a wireless telephone, personal digital assistant, a portable or mobile computer or other device, and video display equipment. The term does not include a global positioning system or navigation system or a device that is physically or electronically integrated into the motor vehicle.

~~21.~~22. "Essential parts" means all integral and body parts of a vehicle of a type required to be registered hereunder, the removal, alteration, or substitution of which would tend to conceal the identity of the vehicle or substantially alter its appearance, model, type, or mode of operation and includes all integral parts and body parts, the removal, alteration, or substitution of which will tend to conceal the identity or substantially alter the appearance of the vehicle.

~~22.~~23. "Explosives" means any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustive units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden

generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or by destroying life or limb.

~~23.~~24. "Farm tractor" includes every motor vehicle designed and used primarily as a farm implement for drawing plows, moving machines, and other implements of husbandry.

~~24.~~25. "Farm trailer" includes those trailers and semitrailers towed by a bona fide resident farmer hauling the farmer's own agricultural, horticultural, dairy, and other farm products if the gross weight, not including the towing vehicle, does not exceed twenty-four thousand pounds [10886.22 kilograms].

~~25.~~26. "Fifth-wheel travel trailer" means a vehicular unit mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use, of such size or weight as not to require a special highway movement permit and designed to be towed by a motorized vehicle that contains a towing mechanism that is mounted above or forward of the tow vehicle's rear axle.

~~26.~~27. "Flammable liquid" means any liquid which has a flash point of seventy degrees Fahrenheit [21.11 degrees Celsius], or less, as determined by a tagliabue or equivalent closed-cup test device.

~~27.~~28. "Foreign vehicle" means every motor vehicle which is brought into this state other than in the ordinary course of business by or through a manufacturer or dealer and which has not been registered in this state.

~~28.~~29. "Gross weight" means the weight of a vehicle without load plus the weight of any load thereon.

~~29.~~30. "Guest" means and includes a person who accepts a ride in any vehicle without giving compensation therefor.

~~30.~~31. "Highway" means the entire width between the boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel and of every way privately maintained within a mobile home park, trailer park, or campground containing five or more lots for occupancy by mobile homes, travel trailers, or tents when any part thereof is open for purposes of vehicular travel.

~~31.~~32. "House car" or "motor home" means a motor vehicle which has been reconstructed or manufactured primarily for private use as a temporary or recreational dwelling and having at least four of the following permanently installed systems:

a. Cooking facilities.

b. Icebox or mechanical refrigerator.

c. Potable water supply including plumbing and a sink with faucet either self-contained or with connections for an external source, or both.

d. Self-contained toilet or a toilet connected to a plumbing system with connection for external water disposal, or both.

e. Heating or air-conditioning system, or both, separate from the vehicle engine or the vehicle engine electrical system.

f. A 110-115 volt alternating current electrical system separate from the vehicle engine electrical system either with its own power supply or with a connection for an external source, or both, or a liquefied petroleum system and supply.

~~32.~~33. "Implement of husbandry" means every vehicle designed and adapted exclusively for agricultural, horticultural, or livestock raising operations or for lifting or carrying an implement of husbandry and in either case not subject to registration if used upon the highway.

~~33.~~34. "Intersection" means the area embraced within the prolongation or connection of the lateral curb lines, or, if none, then the lateral boundary lines of the roadways of two highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict. Where a highway includes two roadways thirty feet [9.14 meters] or more apart, then every crossing of each roadway of such divided highway by an intersecting highway must be regarded as a separate intersection. In the event such intersecting highway also includes two roadways thirty feet [9.14 meters] or more apart, then every crossing of two roadways of such highways must be regarded as a separate intersection.

~~34.~~35. "Intoxicating liquor" means and includes any beverage containing alcohol.

~~35.~~36. "Judgment" means any judgment which has become final by expiration without appeal of the time within which an appeal might have been perfected, or by final affirmation

on appeal, rendered by a court of competent jurisdiction of any state of the United States, upon a claim for relief arising out of ownership, maintenance, or use of any motor vehicle, for damages, including damages for care and loss of services, because of bodily injury to or death of any person, or for damages because of injury to or destruction of property, including the loss of use thereof, or upon a claim for relief on an agreement of settlement for such damages.

~~36.~~37. "Legal owner" means a person who holds the legal title to a vehicle.

~~37.~~38. "Licensed health care provider" means doctor of medicine, doctor of osteopathy, doctor of chiropractic, optometrist, psychologist, advanced practice registered nurse, or physician assistant who is licensed, certified, or registered in accordance with laws and regulations in this or another state.

~~38.~~39. "Lienholder" means a person holding a security interest in a vehicle.

~~39.~~40. "Local authorities" includes every county, municipal, and other local board or body having authority to adopt local police regulations under the constitution and laws of this state.

~~40.~~41. "Mail" means to deposit mail properly addressed and with postage prepaid with the United States postal service.

~~41.~~42. "Manifest injustice" means a specific finding by the court that the imposition of sentence is unreasonably harsh or shocking to the conscience of a reasonable person, with due consideration of the totality of circumstances.

~~42.~~43. "Manufactured home" means a structure, transportable in one or more sections, that, in the traveling mode, is eight body feet [2.44 meters] or more in width or forty body feet [12.19 meters] or more in length, or, when erected onsite, is three hundred twenty square feet [29.73 square meters] or more, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein. The term includes any structure that meets all of the requirements of this subsection except the size requirements and with respect to whether the manufacturer voluntarily files a certification required by the United States secretary of housing and urban development and complies with the standards established under title 42 of the United States Code.

~~43.~~44. "Manufacturer" means any person who manufactures, assembles, or imports and sells new motor vehicles to new motor vehicle dealers for resale in the state; but such term does not include a person who assembles or specially builds interior equipment on a completed vehicle supplied by another manufacturer, distributor, or supplier.

~~44.~~45. "Metal tires" includes all tires the surface of which in contact with the highway is wholly or partly of metal or other hard, nonresilient material except that this provision does not apply to pneumatic tires.

~~45.~~46. "Mobile home" means a structure, either single or multisectional, which is built on a permanent chassis, ordinarily designed for human living quarters, either on a temporary or permanent basis, owned or used as a residence or place of business of the owner or occupant, which is either attached to utility services or is twenty-seven feet [8.23 meters] or more in length.

~~46.~~47. "Modular unit" includes every factory fabricated transportable building unit designed to be incorporated with similar units at a building site into a modular structure to be used for residential, commercial, educational, or industrial purposes.

~~47.~~48. "Motor vehicle" includes every vehicle that is self-propelled, every vehicle that is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, and, for purposes of motor vehicle registration, title registration, and operator's licenses, motorized bicycles. The term does not include a snowmobile as defined in section 39-24-01, an electric bicycle, or a multipassenger bicycle.

~~48.~~49. "Motorcycle" means every motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding implements of husbandry. The term does not include an electric bicycle.

~~49.~~50. "Motorized bicycle" means a vehicle equipped with two or three wheels, foot pedals to permit muscular propulsion or footrests for use by the operator, a power source providing up to a maximum of two brake horsepower having a maximum piston or rotor displacement of 3.05 cubic inches [49.98 milliliters] if a combustion engine is used, which will propel the vehicle, unassisted, at a speed not to exceed thirty miles [48.28 kilometers] per hour on a level road surface, and a power drive system that functions directly or automatically only, not requiring clutching or shifting by the operator after the drive system is engaged, and the vehicle may not have a width

greater than thirty-two inches [81.28 centimeters]. The term does not include an electric bicycle.

~~50.~~51. "Motor-powered recreational vehicle" means a motorcycle, unconventional vehicle, or off-highway vehicle as defined in section 39-29-01, or a snowmobile as defined in section 39-24-01. The term does not include an electric bicycle.

~~51.~~52. "Multipassenger bicycle" means a vehicle that:

a. Has fully operative pedals for propulsion entirely by human power;

b. Has at least four wheels and is operated in a manner similar to a bicycle;

c. Has at least five seats for passengers;

d. Has been designed to be occupied by a driver and powered either by passengers providing pedal power to the drive train of the vehicle or by a motor capable of propelling the vehicle in the absence of human power;

e. Is used for commercial purposes;

f. Is operated by the owner of the vehicle or an employee of the owner of the vehicle;

g. Is equipped with a steering wheel that gives the driver exclusive control of the direction of the vehicle;

h. Is equipped with at least one taillamp in accordance with section 39-21-04;

i. Is equipped with a stop lamp in accordance with subsection 1 of section 39-21-19; and

j. Is equipped with headlamps in accordance with section 39-27-17.1.

~~52.~~53. "Nonresident" means any person who is not a resident of this state.

~~53.~~54. "Nonresident's operating privilege" means the privilege conferred upon a nonresident by the laws of this state pertaining to the operation by such person of a motor vehicle, or the use of a vehicle owned by such person, in this state.

~~54.~~55. "Official traffic-control devices" means all signs, signals, markings, and devices not inconsistent with this title placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning, or guiding traffic.

~~55.~~56. "Operator" means every person who drives or is in actual physical control of a motor vehicle upon a highway or who is exercising control over or steering a vehicle being towed by a motor vehicle.

~~56.~~57. "Operator's license", "driver's license", or "license to operate a motor vehicle" means any operator's or driver's license or any other license or permit to operate a motor vehicle issued under, or granted by, the laws of this state, including:

a. Any temporary license or instruction permit;

b. The privilege of any person to drive a motor vehicle whether such person holds a valid license; or

c. Any nonresident's operating privilege as defined in this section.

~~57.~~58. "Owner" means a person, other than a lienholder, having the property in or title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security.

~~58.~~59. "Park", when prohibited, means the standing of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in loading or unloading.

~~59.~~60. "Passenger motor vehicle" means every motor vehicle designed principally for the transportation of persons and includes vehicles which utilize a truck chassis, but have a seating capacity for four or more passengers.

~~60.~~61. "Pedestrian" means any person afoot.

~~61.~~62. "Person" includes every natural person, firm, copartnership, association, corporation, or limited liability company.

~~62.~~63. "Pneumatic tires" includes all tires inflated with compressed air.

~~63.~~64. "Pole trailer" means every vehicle without motive power designed to be drawn by another vehicle and attached to the towing vehicle by means of a reach, or pole, or by being boomed or otherwise secured to the towing vehicle, and ordinarily used for transporting long or irregularly shaped loads such as poles, pipes, or structural members capable, generally, of sustaining themselves as beams between the supporting connections.

~~64.~~65. "Police officer" means every officer authorized to direct or regulate traffic or to make arrests for violations of traffic regulations.

~~65.~~66. "Primary source identity document" means documentary evidence of an individual's name, date of birth, and legal presence required in chapters 39-06 and 39-06.2 related

to the issuance of permits, licenses, and nondriver photo identification cards, and retained in the driver record.

~~66.~~67. "Private road or driveway" means every way or place in private ownership and used for vehicular travel by the owner and those having express or implied permission from the owner, but not by other persons.

~~67.~~68. "Proof of financial responsibility" means proof of ability to respond in damages for liability, on account of accidents occurring after the effective date of the proof, arising out of the ownership, maintenance, or use of a motor vehicle, in the amount of twenty-five thousand dollars because of bodily injury to or death of one person in any one accident, and, subject to the limit for one person, in the amount of fifty thousand dollars because of bodily injury to or death of two or more persons in any one accident, and in the amount of twenty-five thousand dollars because of injury to or destruction of property of others in any one accident.

~~68.~~69. "Railroad" means a carrier of persons or property upon cars, other than streetcars, operated upon stationary rails.

~~69.~~70. "Railroad sign or signal" means any sign, signal, or device erected by authority of a public body or official or by a railroad and intended to give notice of the presence of railroad tracks or the approach of a railroad train.

~~70.~~71. "Reconstructed vehicle" means any vehicle, of a type required to be registered, materially altered from its original construction by the removal, addition, or substitution of new or used essential parts.

~~71.~~72. "Recreational vehicle" means any motorcycle not qualified for registration, off-highway vehicle, snowmobile, vessel, or personal watercraft. The term does not include an electric bicycle.

~~72.~~73. "Residence district" means territory contiguous to a highway not comprising a business district, when the frontage on such highway for a distance of three hundred feet [91.44 meters] or more is occupied mainly by dwellings, or by dwellings and buildings in use for business.

~~73.~~74. "Revocation" means that the operator's license is terminated and may not be renewed or restored, except on application for a new license presented to and acted upon by the director after the expiration of the period of revocation.

~~74.~~75. "Right of way" means the privilege of the immediate use of a roadway.

~~75.~~76. "Road tractor" means every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon either independently or any part of the weight of a vehicle or load so drawn.

~~76.~~77. "Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel, exclusive of the berm or shoulder. In the event a highway includes two or more separate roadways, the term "roadway" as used herein refers to any such roadway separately but not to all such roadways collectively.

~~77.~~78. "Saddle mount" means placing the front wheels of the drawn vehicle upon the bed of the drawing vehicle.

~~78.~~79. "Safety zone" means the area or space officially set aside within a highway for the exclusive use of pedestrians and which is so plainly marked or indicated by proper signs as to be plainly visible at all times while set aside as a safety zone.

~~79.~~80. "Salvage certificate of title" means a document issued by the department for purposes of proof of ownership of a salvage or destroyed vehicle and not acceptable for motor vehicle registration purposes.

~~80.~~81. "Schoolbus" means a motor vehicle designed or used to carry more than ten passengers in addition to the driver, and is used for the purpose of transporting preprimary, primary, or secondary school students from home to school, from school to home, or to and from school-related events. For the purposes of chapter 39-21, "schoolbus" means any motor vehicle that is owned or leased by a public or governmental agency and used to transport preprimary, primary, or secondary school students to or from school or to or from school-related events, or is privately owned and operated for compensation to transport preprimary, primary, or secondary school students to or from school or to or from school-related events. Schoolbus does not include a bus used as a common carrier.

~~81.~~82. "Semitrailer" includes every vehicle of the trailer type so designed and used in conjunction with a truck or truck tractor that some part of its own weight and that of its own load rests upon or is carried by a truck or truck tractor, except that it does not include a "housetrailer" or "mobile home".

~~82.~~83. "Sidewalk" means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for use of pedestrians.

~~83.~~84. "Solid tire" includes every tire made of rubber or other resilient material other than a pneumatic tire.

~~84.~~85. "Special mobile equipment" means every vehicle not designed or used primarily for the transportation of persons or property and only incidentally operated or moved over a highway.

~~85.~~86. "Specially constructed vehicle" means any vehicle which was not constructed originally under the distinct name, make, model, or type by a generally recognized manufacturer of vehicles.

~~86.~~87. "Stand" or "standing" means the halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

~~87.~~88. "State" means a state, territory, or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or a province of the Dominion of Canada.

~~88.~~89. "Stop", when required, means complete cessation from movement.

~~89.~~90. "Stop" or "stopping", when prohibited, means any halting, even momentarily, of a vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.

~~90.~~91. "Street" means the entire width between boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular travel.

~~91.~~92. "Superintendent" means the superintendent of the North Dakota state highway patrol, acting directly or through authorized employees of the superintendent.

~~92.~~93. "Suspension" means that the operator's license is temporarily withdrawn but only during the period of the suspension.

~~93.~~94. "Through highway" means every highway or portion thereof on which vehicular traffic is given preferential right of way, and at the entrances to which vehicular traffic from intersecting highways is required by law to yield right of way to vehicles on such

through highway and in obedience to either a stop sign or yield sign, when such signs are erected by law.

~~94.~~95. "Trackless trolley coach" means every motor vehicle which is propelled by electric power obtained from overhead trolley wires but not operated upon rails.

~~95.~~96. "Traffic" means pedestrians, ridden or herded animals, vehicles, streetcars, and other conveyances either singly or together while using any highway for purposes of travel.

~~96.~~97. "Traffic-control signal" means any device, whether manually, electrically, or mechanically operated, by which traffic is alternately directed to stop and to proceed.

~~97.~~98. "Trailer" includes every vehicle without motive power designed to carry property or passengers wholly on its own structure and to be drawn by a motor vehicle, except that it does not include a "housetrailer" or "mobile home", which terms mean a vehicle as defined in this subsection which is designed and intended for use as living or sleeping quarters for people and which is not used for commercial hauling of passengers.

~~98.~~99. "Travel trailer" means a vehicular unit mounted on wheels, designed to provide temporary living quarters for recreational, camping, or travel use, and of such size or weight as not to require a special highway movement permit when towed by a motorized vehicle.

~~99.~~100. "Truck" includes every motor vehicle designed, used, or maintained primarily for transportation of property.

~~100.~~101. "Truck camper" means a portable unit that is constructed to provide temporary living quarters for recreational, camping, or travel use; consists of a roof, floor, and sides; and is designed to be loaded onto and unloaded from the bed of a pickup truck.

~~101.~~102. "Truck tractor" includes every motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

~~102.~~103. "Urban district" means the territory contiguous to and including any street which is built up with structures devoted to business, industry, or dwelling houses situated at intervals of less than one hundred feet [30.48 meters] for a distance of a quarter of a mile [402.34 meters] or more.

~~103.~~104. "Used vehicle" means a motor vehicle which has been sold, bargained, exchanged, given away, or the title to which has been transferred to another, by the person who first acquired it from the manufacturer or importer, dealer, or agent of the manufacturer or importer.

~~104.~~105. "Vehicle" includes every device in, upon, or by which any person or property may be transported or drawn upon a public highway, except devices moved by human power or used exclusively upon stationary rails or tracks. The term does not include an electric bicycle.

SECTION 2. A new section to chapter 39-10 of the North Dakota Century Code is created and enacted as follows:

Automated truck tractor operation requirement.

1. An automated truck tractor may not be operated on a highway of this state to transport passengers or goods unless an individual with a valid commercial driver's license is physically present in the automated truck tractor. The individual must be able to monitor the performance of the automated truck tractor and take control of driving the automated truck tractor.
2. This section does not apply to an automated truck tractor operated under an individual operations plan approved by the department.
3. The department may adopt rules to enforce this section.

From: Hendrix, Jared
To: Reed, Joseph - HTechClerk1 - HFIN - HTRN; Deluca, Benjamin - NDLA, Intern 07
Subject: Fw: (Rep. Hendrix) Amendment Request - HB 1614 - LC# 25.1255.01001
Date: Thursday, February 20, 2025 4:26:59 PM

Representative Jared Hendrix
State House - District 10 - Fargo

From: Hendrix, Jared <jhendrix@ndlegis.gov>
Sent: Thursday, February 20, 2025 4:24 PM
To: Linneman, Matt G. <mlinneman@nd.gov>
Cc: Henke, Ron J. <rhenke@nd.gov>
Subject: Re: (Rep. Hendrix) Amendment Request - HB 1614 - LC# 25.1255.01001

Updated Language that passed committee as a shall study:

The Department of Transportation, with cooperation from stakeholders in the autonomous vehicle industry, shall study relevant issues in order to develop a preemptive regulatory and statutory framework for the operation of autonomous and semi-autonomous vehicles on the North Dakota highway system. The study shall include:

1. A process for determining where the state's infrastructure may or may not be fully prepared for widespread deployment of this technology.
2. A process by which to review accident and traffic data for these systems with independent oversight on the industry operators.
3. A determination if there is a need to promulgate rules relating to accident liability regarding these technologies.
4. A determination of common vulnerabilities relating to privacy concerns and data security and proposed solutions for addressing them.

Representative Jared Hendrix
State House - District 10 - Fargo

From: Hendrix, Jared <jhendrix@ndlegis.gov>
Sent: Thursday, February 20, 2025 3:35:41 PM
To: Linneman, Matt G. <mlinneman@nd.gov>
Cc: Henke, Ron J. <rhenke@nd.gov>
Subject: Re: (Rep. Hendrix) Amendment Request - HB 1614 - LC# 25.1255.01001

Okay, so we have two options:

1. We pass HB 1614 as amended, AND also pass a study resolution (see language below).
2. We hoghouse the bill into a study bill, using the same language as below (minus the WHEREASs and resolution formatting).

Thoughts?

======

WHEREAS, emerging autonomous vehicle technologies will impact our world in ways we cannot imagine, just as the advent of the automobile resulted in numerous accidents and engineering challenges faced through trial and error, resulting in state and federal authorities to adopt various laws, and;

WHEREAS, the widespread adoption of these systems will have a permanent impact on the jobs and economic security of those employed in transportation industries, and it is necessary to ensure public trust in our transportation system and the expectation to protect the safety, economic well-being, and infrastructure of North Dakota, and;

WHEREAS, autonomous systems, while promising and undoubtedly the future, are prone to errors and unexpected behavior as AI advances, and accident and safety datasets are insufficient in determining the effects of widespread adoption of these systems;

THEREFORE, BE IT RESOLVED, that the Department of Transportation, with cooperation from stakeholders in the autonomous vehicle industry, shall study relevant issues in order to develop a preemptive regulatory and statutory framework for the operation of autonomous and semi-autonomous vehicles on the North Dakota highway system. The study shall include:

1. The establishment of how a long term collaborative process between NDDOT, the legislature, and other stakeholders could function for the purposes of regularly reviewing and updating AV regulations based on research findings and technological advancements.
2. An internal NDDOT review process for determining where the state's infrastructure may or may not be fully prepared for widespread deployment of this technology.
3. Require how best to review accident and traffic data for these systems with independent oversight.
4. Determine if there is a need to promulgate rules relating to accident liability regarding these technologies.
5. Determine common vulnerabilities relating to privacy concerns and data security.

Representative Jared Hendrix
State House - District 10 - Fargo

From: Linneman, Matthew G. <mlinneman@nd.gov>
Sent: Thursday, February 20, 2025 2:28:47 PM
To: Hendrix, Jared <jhendrix@ndlegis.gov>
Cc: Henke, Ron J. <rhenke@nd.gov>
Subject: RE: (Rep. Hendrix) Amendment Request - HB 1614 - LC# 25.1255.01001

Representative Hendrix,
We still think there are many things to consider that a study could help inform.

Matt L.

From: Hendrix, Jared <jhendrix@ndlegis.gov>

Sent: Thursday, February 20, 2025 2:14 PM
To: Linneman, Matthew G. <mlinneman@nd.gov>
Cc: Henke, Ronald J. <rhenke@nd.gov>
Subject: Re: (Rep. Hendrix) Amendment Request - HB 1614 - LC# 25.1255.01001

I understand your points. Another option is that we COULD amend this language to simply say “autonomous vehicles” instead of “truck tractors” to be more broad.

Then, we could still put in a study to do the other things. Thoughts?

Jared

Representative Jared Hendrix
State House - District 10 - Fargo

From: Linneman, Matthew G. <mlinneman@nd.gov>
Sent: Thursday, February 20, 2025 1:38 PM
To: Hendrix, Jared <jhendrix@ndlegis.gov>
Cc: Henke, Ron J. <rhenke@nd.gov>
Subject: RE: (Rep. Hendrix) Amendment Request - HB 1614 - LC# 25.1255.01001

Representative Hendrix,
The bill and proposed amendments are focused on a specific use case “truck tractor hauling passengers or goods”. Although we do like the concept that every autonomous situation should have an operational plan, there are many questions that could be posed such as: there are no truck tractor configurations that haul passengers, but what is the intent on buses? This would not apply to straight trucks?. Are agricultural products considered “goods”?

Based on our discussions it seems that you are interested in a wider regulatory framework and I would still suggest that a study would be the best path forward.

Matt Linneman

From: Hendrix, Jared <jhendrix@ndlegis.gov>
Sent: Thursday, February 20, 2025 1:10 PM
To: Linneman, Matthew G. <mlinneman@nd.gov>
Subject: Fw: (Rep. Hendrix) Amendment Request - HB 1614 - LC# 25.1255.01001

Matt, my apologies for the last minute nature of this. I thought I had forwarded last night but I forgot. Please let me know if you have any thoughts.

Jared

Representative Jared Hendrix
State House - District 10 - Fargo

From: donotreply@ndlegis.gov <donotreply@ndlegis.gov>
Sent: Wednesday, February 19, 2025 8:14:55 PM
To: Hendrix, Jared <jhendrix@ndlegis.gov>
Cc: Orvedal, Casey <corvedal@ndlegis.gov>
Subject: (Rep. Hendrix) Amendment Request - HB 1614 - LC# 25.1255.01001

Please see the attached Amendment documents.

Thank you.

2025 SENATE TRANSPORTATION

HB 1614

2025 SENATE STANDING COMMITTEE MINUTES

Transportation Committee
Fort Totten Room, State Capitol

HB 1614
3/20/2025

A BILL for an Act to provide for a department of transportation study regarding autonomous and semiautonomous vehicle technologies; and to provide a legislative management report.

11:16 a.m. Chairman Clemens opened the hearing.

Members present: Chairman Clemens, Vice Chairwoman Cory, Senator Hogan, Senator Klein, Senator Paulson, Senator Rummel

Discussion Topics:

- Components of autonomous vehicles covered in study
- Appropriation amount for study

11:16 a.m. Representative Hendrix, District 10, introduced HB 1614, testified in favor, and submitted testimony #43271.

11:30 a.m. Scott Meske, Lobbyist, North Dakota Motor Carriers Association, testified in favor and submitted testimony #43175.

11:34 a.m. Terry Effertz, Lobbyist, Shortline Railroads, North Dakota Short Line Railroad Coalition, testified neutral.

Additional written testimony:

Laura Lacher, Executive Director, North Dakota Ethanol Producers Association, submitted written testimony in favor #43108.

11:35 a.m. Chairman Clemens adjourned the meeting.

Chance Anderson, Committee Clerk

NDEPA
NORTH DAKOTA ETHANOL PRODUCERS ASSOCIATION

Testimony of Laura Lacher

North Dakota Ethanol Producers Association

In Support of HB 1614

March 20, 2025

Chairman Clemens and members of the Senate Transportation Committee,

My name is Laura Lacher, executive director of the North Dakota Ethanol Producers Association. NDEPA represents North Dakota's ethanol plants, industry stakeholders and associated businesses. Thank you for the opportunity to provide testimony on the HB 1614 regarding a study of autonomous and semiautonomous vehicle technologies. This study is a critical step toward understanding how emerging transportation advancements can support North Dakota's economy, enhance supply chain efficiency, and address workforce challenges.

The ethanol industry is a key contributor to North Dakota's economic success, supporting rural communities, creating jobs, and driving innovation. Efficient and reliable transportation is essential to our industry, ensuring the movement of feedstocks, finished products, and byproducts. Given ongoing workforce shortages, particularly in trucking, autonomous transportation technologies offer a promising solution to maintaining supply chain stability and keeping North Dakota industries competitive.

North Dakota has already demonstrated success in lead-follow autonomous trucking operations, particularly in the sugar beet industry, where extensive research from institutions like North Dakota State University's Upper Great Plains Transportation Institute has shown both safety and efficiency benefits. Expanding these technologies could further support ethanol production by improving freight movement and logistics, as well as assisting in enhanced oil recovery (EOR) through CO_2 transportation.

This study provides an opportunity to establish a framework for safe and responsible deployment of autonomous trucking technologies in our state. By working with industry stakeholders, researchers, and transportation experts, North Dakota can lead in developing policies that foster innovation while ensuring public safety.

NDEPA appreciates the legislature's commitment to this important issue and thank you for your time and consideration. I would be happy to answer any questions.

1605 E. Capitol Avenue
PO Box 1091 • Bismarck, ND 58502
701.355.4458 • 701.223.4645 (fax) • www.ndethanol.org

TESTIMONY
HOUSE BILL 1614
SENATE TRANSPORTATION COMMITTEE
MARCH 20, 2025

Chairman Clemens and members of the Senate Transportation Committee, my name is Scott Meske. I appear on behalf of the North Dakota Motor Carriers Association (NDMCA) in support of HB 1614 as passed by the House of Representatives.

The NDMCA represents the hundreds of companies and thousands of professionals who efficiently and safely move goods and services in North Dakota across our highways and roads. The motor carrier industry is one of the most regulated sectors of our transportation system. According to a recent NDSU Challey Institute study, North Dakota is THE most freight dependent state in our country, with 60% of our economy relying on surface transportation in one form or another. In fact, in October 2024, an autonomous transportation conference was held in Bismarck, bringing together experts from the industry, companies who are employing autonomous trucks in other parts of the country, insurance specialists, and law enforcement. The curious point of that conference is that there were possibly more questions raised than answers given.

Without question autonomous technology is an emerging field in the freight delivering business. There are tremendous advancements being made to ensure that the use of such technologies actually improves efficiency and reliability while remaining safe for the traveling public. Other testimony has been submitted that details some of the trials currently being conducted by or being considered by North Dakota companies. We must allow these companies to innovate in a way that makes sense for them. We are encouraged by the Department of Transportation's efforts to work with the industry to fairly allow for the innovation of this sector, while maintaining safety standards expected by the motoring public.

Employing autonomous trucks shows promise of addressing workforce shortages and even reducing motor vehicle accidents. But we have to allow the industry to continue their research and testing.

Going forward, the NDMCA would gladly be a part of the discussion that helps update our motor vehicle laws to include autonomous trucking, including all stakeholders and law enforcement in that effort. As a point of reference, the National Council of State Legislatures reports that in 2015, 2017, and 2019 the North Dakota Legislative Assembly passed bills related to autonomous vehicle operations, including several studies (attached below). Technology continues to advance in this field at a rapid pace, and we DO need a definition and reasonable regulatory framework to keep the traveling public safe, while allowing our companies to employ this exciting technology.

This concludes my testimony. NDMCA urges the Committee to issue a DO PASS recommendation on HB 1614 as passed by the House.

North Dakota	HB 1065 (2015)	Provides for a study of autonomous vehicles. Includes research into the degree that automated motor vehicles could reduce traffic fatalities and crashes by reducing or eliminating driver error and the degree that automated motor vehicles could reduce congestion and improve fuel economy.
North Dakota	HB 1202 (2017)	Requires the department of transportation to study the use of vehicles equipped with automated driving systems on the highways in this state and the data or information stored or gathered by the use of those vehicles. Also requires that the study include a review of current laws dealing with licensing, registration, insurance, data ownership and use, and inspection and how they should apply to vehicles equipped with automated driving systems.
North Dakota	HB 1199 (2019)	Defines "platoon" to mean a group of motor vehicles using vehicle - to - vehicle communications to travel in a unified manner at close following distances on a multilane, limited-access, divided highway. Clarifies that the “following too closely” law does not apply to the operation of a non - lead vehicle in a platoon. The department of transportation, in coordination with the state highway patrol superintendent, must develop an operational plan that provides guidelines for operating a platoon. The plan must include operational information that must be provided by a platoon technology provider or commercial motor vehicle operator. The department may restrict platooning operations in accordance with the guidelines or the operational information provided in the plan. 2. A platoon may not operate unless the platoon technology provider or the commercial motor vehicle operator files an operational plan with the department and the plan is approved for general platoon operations. If the department does not approve the plan, the department shall inform the platoon technology provider or commercial motor vehicle operator of the reason for the disapproval and provide guidance on how to resubmit the plan to obtain approval. 3. A person operating a motor vehicle in a platoon without an approved plan must be assessed a one hundred dollar fee. 4. A person operating a motor vehicle in violation of the guidelines in an operational plan must be assessed a fee of one hundred dollars.
North Dakota	HB 1418 (2019)	Defines key terms. An autonomous vehicle must be capable of operating in compliance with all applicable federal and state law, except to the extent exempted under applicable

		federal or state law, and may operate on the public highways of this state in full compliance with all vehicle registration, title, insurance, and all other applicable requirements under this title. An autonomous vehicle with automated driving systems engaged does not require a human driver to operate on the public highway if the autonomous vehicle is capable of achieving a minimal risk condition in case a system failure occurs which renders the automated driving system unable to perform the entire dynamic driving task relevant to the vehicle's intended operational design domain. An individual using an autonomous vehicle is not driving or in actual physical control of the autonomous vehicle and, therefore, is exempt from licensing requirements if a. The automated driving system is completing the entire dynamic driving task; and b. The autonomous vehicle is capable of achieving a minimal risk condition if a system failure occurs that renders the automated driving system unable to perform the entire dynamic driving task relevant to the vehicle's intended operational design domain. Defines "On-demand autonomous vehicle network" to mean a transportation service network that uses a software application or other digital means to dispatch or otherwise enable the prearrangement of transportation with autonomous vehicles for purposes of transporting persons or goods, including for-hire transportation, transportation for compensation, and public transportation. Clarifies a person may operate an on-demand autonomous vehicle network. An on-demand autonomous vehicle network may provide transportation of persons or goods, including a. For-hire transportation; b. Public transportation; and c. Transportation for multiple passengers who agree to share the ride.

Chair Clemens & Members of the Senate Transportation Committee,

HB 1614 is an important study bill on autonomous and semiautonomous vehicle technology. It is critically important that we look deeper into the complexities of this emerging technology prior to its presumably inevitable widespread adoption.

Please note that all of the opposition testimony in LAWS was submitted before the bill was changed into a study. The original version was a bill requiring a human operator in automated truck tractors operating in North Dakota. This was due to a wide array of concerns relating to road safety, loss of critical trucking jobs, and the need for ensuring public trust as we transition into a new era. However, upon further discussion by the House Transportation committee, it was decided that the best path forward was to instead study the issue further.

Currently, autonomous vehicles (AV) technology is already in use on North Dakota's highway system. There is existing century code; 39-01-01.2. Autonomous vehicle operations (https://ndlegis.gov/cencode/t39c01.pdf#nameddest=39-01-01p2), and chapter 8-12 (https://ndlegis.gov/cencode/t08c12.pdf#nameddest=8-12-01), which addresses an on-demand autonomous vehicle network. The state allows the operation of AVs on public roads, provided they follow all applicable federal and state traffic laws, insurance requirements, accident reporting procedures, and titling and registration regulations.

The NDDOT approves limited trucking platooning operations, in which an AV follows another vehicle that does not have a human operator. They must present an operational plan to be approved by the NDDOT, and are allowed to operate with reduced following distances. Additionally, the NDDOT has also utilized federal grant dollars to operate an Autonomous Impact Protection Vehicle (AIPV), in controlled work zone environments. The state has not imposed additional requirements, taxes, or performance standards on autonomous vehicles beyond federal and state regulations.

Most of current law came out of a study bill from the 2017 session, HB 1202, which established a core working group on AV technology. This study reviewed current laws related to licensing, registration, insurance, data ownership, and inspection. The group ultimately agreed that existing state law and consumer protection/liability claims processes cover data issues and insurance issues, at least until the AV business and use/ownership models are better known.

There are three main reasons we need HB 1614:
1. These technologies have advanced significantly in the last 8 years since the previous study.
2. This study tasks the Upper Great Plains Transportation Institute (UGPTI) with research because they possess specialized expertise that NDDOT does not have.
3. We are behind some states in determining regulatory and statutory priorities.

The study will address four main areas:
1. Infrastructure
2. Accident & Safety Data

3. Liability
4. Data Privacy and Cybersecurity

Infrastructure
It is unclear if our state's infrastructure is fully prepared for widespread AV deployment. Uneven road surfaces, poorly marked lanes, and limited communication infrastructure can all pose challenges for AVs. This study will answer these questions.

Accident & Safety Data
In the future, after time and trial, AVs are likely to be significantly safer than their human counterparts. However, this technology is still evolving, and since operations have been limited in scope and geography, making clear safety claims on data is currently not sufficient to guarantee public safety should widespread adoption occur. As one example of how narrow safety data is, one operator in North Dakota states they have traveled 50,000 miles on our highways and have an unblemished safety record. That's promising, but consider that the total vehicle miles traveled in the state on all roadways by all vehicles was 9,921,000,000. Therefore, this safety data is simply not a large enough sample size from which to draw reasonable conclusions or develop expectations on how these systems might work on a wider scale.

According to the National Highway Traffic Safety Administration (NHTSA), there were 3,979 incidents involving autonomous vehicles reported from August 2019 through June 17, 2024, including 473 in 2024 so far. These incidents resulted in 496 injuries and fatalities, with 83 fatalities and 58 serious injuries reported. Tesla vehicles were involved in 53.9% of the total incidents. For Level 2 autonomous vehicles, which require full human attention, nearly 400 crashes were reported between July 2021 and May 2022, with Tesla accounting for 273 of these crashes. However, it's important to note that the data does not always clarify whether self-driving features were engaged at the time of the accidents or if the automated technology was directly connected to the incidents. Also, due to the wide variation of capability and design, the uniformity of this data is very limited. Therefore, HB 1614 attempts to develop a clearer uniformity for analyzing safety data.

Examples of Potential Problems with Safety Data:

1. Difficulty in formalizing driving behavior: Translating human-oriented rules of the road into formal specifications for AVs is challenging, which could lead to inconsistencies in how AVs interpret and follow traffic laws.
2. Variability in human benchmarks: The human driver benchmarks used for comparison may vary across studies and locations, making it difficult to establish a consistent baseline for comparison.
3. Lack of standardized metrics: There is no universally accepted set of metrics for comparing AV safety to human drivers, which can lead to inconsistencies in how safety is measured and reported across studies.
4. Evolving technology: As AV technology rapidly evolves, older data may not accurately represent the current state of AV safety, potentially leading to outdated conclusions.

Liability
In the event of an accident involving an autonomous vehicle, determining liability and ensuring accountability become incredibly complex and raises serious ethical and legal questions that must be addressed before widespread deployment is accelerated. Other states are looking into these topics with more detail. For example, a report from the Montana legislature's research office titled 'Autonomous Vehicle Legislation Review & Considerations' considered the varying complexity of liability presumption relating to the operation of AV technology. Montana

Research: https://archive.legmt.gov/content/Committees/Interim/2023-2024/Transportation/Meetings/240508-May-08-2024/06.010-AV-Report-LSD.pdf
HB 1614 seeks to answer some of these outstanding legal questions. Relatedly, the complexity of AV technology necessitates specialized oversight and regulation as it relates to safety, and this study will propose a framework by which they can occur.

Data Privacy and Cybersecurity:
The vast amount of data collected by AVs raises privacy and security concerns. I highly recommend reading this article on potential cyber threats or data misuse, raised in the Dakota Digital Review, published by the NDUS, and available here: https://dda.ndus.edu/ddreview/are-self-driving-cars-safe/

Conclusion
The reality is that autonomous systems, while promising and undoubtedly the future, are still prone to errors and unexpected behavior as AI advances. Inclement weather conditions in North Dakota, such as snow, ice, and high winds, can potentially impair the sensors and algorithms that AVs rely on. There is an extremely basic legal framework for the operation of AV technology in century code, but it fails to address many potential concerns. This study will notably address outstanding questions about accident liability, the readiness of highway infrastructure for these technologies, address concerns about data privacy and security, and present ideas for a regulatory framework to the legislature. It is a measured approach that allows for technological advancement while prioritizing safety, job protection, and oversight. The bill aligns with North Dakota's ongoing efforts to study and integrate AV technology safely, balancing innovation with caution.

25.1255.02001
Title.

Prepared by the Legislative Council staff for Representative Hendrix
March 19, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO FIRST ENGROSSMENT

ENGROSSED HOUSE BILL NO. 1614

Introduced by

Representatives Hendrix, D. Johnston

A BILL for an Act to provide for ~~a department of transportation~~an upper great plains transportation institute study regarding autonomous and semiautonomous vehicle technologies; ~~and~~ to provide for a legislative management report; and to provide an appropriation.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. ~~DEPARTMENT OF TRANSPORTATION~~UPPER GREAT PLAINS TRANSPORTATION INSTITUTE STUDY - AUTONOMOUS AND SEMIAUTONOMOUS VEHICLE TECHNOLOGIES - REPORT TO LEGISLATIVE MANAGEMENT.

1. During the 2025-26 interim, the upper great plains transportation institute, under the advisement of the department of transportation, shall study relevant issues ~~in order to develop~~to aid the department in developing a ~~preemptive~~ regulatory and recommended statutory framework for the operation of autonomous and semiautonomous vehicles on the North Dakota highway system. The study must include:
   a. A ~~process for determining where the state's infrastructure may or may not be fully prepared~~review of the state's infrastructure readiness for widespread deployment of autonomous and semiautonomous vehicle technologies;
   b. ~~A~~Development of a uniform process to review accident and traffic data for autonomous and semiautonomous vehicle systems with independent oversight on the industry operators;

c. ~~If there is a need to promulgate rules relating to~~A review of accident liability ~~regarding~~laws and how the laws may be applied to autonomous and semiautonomous vehicle technologies; and

d. A determination of ~~common~~potential vulnerabilities relating to privacy concerns and data security with proposed solutions for addressing the vulnerabilities.

2. Before August 1, 2026, the upper great plains transportation institute and the department of transportation shall report ~~its~~their findings and recommendations~~, together with any legislation required to implement the recommendations,~~ to the legislative management.

SECTION 2. APPROPRIATION - UPPER GREAT PLAINS TRANSPORTATION INSTITUTE - AUTONOMOUS AND SEMIAUTONOMOUS VEHICLE TECHNOLOGIES STUDY - ONE-TIME FUNDING. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $100,000, or so much of the sum as may be necessary, to the upper great plains transportation institute for the purpose of conducting an autonomous and semiautonomous vehicle study, for the biennium beginning July 1, 2025, and ending June 30, 2027. The funding provided in this section is considered a one-time funding item.

2025 SENATE STANDING COMMITTEE MINUTES

Transportation Committee
Fort Totten Room, State Capitol

HB 1614
3/27/2025

A BILL for an Act to provide for a department of transportation study regarding autonomous and semiautonomous vehicle technologies; and to provide a legislative management report.

10:42 a.m. Chairman Clemens opened the hearing.

Members present: Chairman Clemens, Vice Chairwoman Cory, Senator Hogan, Senator Klein, Senator Paulson, Senator Rummel

Discussion Topics:

- Study components

10:40 a.m. Senator Klein updated the committee on information regarding the funding and components of a potential autonomous and semiautonomous vehicle study.

10:51 a.m. Senator Klein moved a Do Not Pass.

10:51 a.m. Senator Rummel seconded the motion.

Senators	Vote
Senator David A. Clemens	N
Senator Claire Cory	Y
Senator Kathy Hogan	Y
Senator Jerry Klein	Y
Senator Bob Paulson	Y
Senator Dean Rummel	Y

Motion passed 5-1-0.

Senator Klein will carry the bill.

10:52 a.m. Chairman Clemens closed the hearing.

Chance Anderson, Committee Clerk

REPORT OF STANDING COMMITTEE
ENGROSSED HB 1614 (25.1255.02000)

Transportation Committee (Sen. Clemens, Chairman) recommends **DO NOT PASS** (5 YEAS, 1 NAY, 0 ABSENT OR EXCUSED AND NOT VOTING). HB 1614 was placed on the Fourteenth order on the calendar. This bill does not affect workforce development.