

**1999 HOUSE TRANSPORTATION**

**HB 1336**

1999 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1336

House Transportation Committee

Conference Committee

Hearing Date January 21, 1999

Tape Number	Side A	Side B	Meter #
1 (1/21/99)	x		21.7-41.6
2 (1/28/99)	x		50.0-55.0
2 (1/29/99)	x		46.0-55.0
1 (2/5/99)		x	37.2-52.0
Committee Clerk Signature <i>Laura Jensen</i>			

Minutes:

CHAIRMAN KEISER OPENED THE HEARING ON HB 1336; A BILL RELATING TO STATUTORY FEES FOR EXCEEDING THE SPEED LIMIT.

REP. ROXANNE JENSEN introduced HB 1336. (See attached testimony).

REP. MEYER asked if an amendment could be added to the bill to bring some of the money collected back to the towns.

REP. JENSEN stated that she had no preference where the money went as long as safety was stressed.

REP. WEISZ asked if there were any specific numbers or statistics that Rep. Jensen could provide.

REP. JENSEN replied that she would provide them.

Page 2

House Transportation Committee

Bill/Resolution Number 1336

Hearing Date January 21, 1999

REP. MAHONEY questioned how we compare to other states speed and fine related. He asked if stiffer fines would in fact deter speeders.

REP. MAHONEY further asked what the general public would think of this.

REP. JENSEN said that the public and safety officials would likely agree that speed kills.

REP. SCHMIDT questioned if this would affect parking violations.

REP. JENSEN said only moving violations would be affected.

REP. LEMIEUX asked REP. MAHONEY as a state attorney if he knew what it costs to handle traffic citations through the court.

REP. MAHONEY said that there is not a significant expense to handle the administrative hearings.

KEITH MAGNUSON, North Dakota Department of Transportation, testified in support of HB 1336. He said that the department has a vested interest in the safety of North Dakota and it is a national fact that speeding causes more crashes. He explained that the fiscal note is created for the number of speeding charges in every category relative to the last biennium's statistics. They could be more, but those are based on the minimum.

REP. MICKELSON asked Keith where we are as far as fines?

KEITH said that he wasn't sure but that we are likely one of the lowest.

REP. MEYER asked if fees are posted anywhere throughout the state currently?

KEITH said no they are not.

CHAIRMAN KEISER questioned the safety factor. Is that the primary concern of this bill?

KEITH answered that at the lower rates, the increase is 100% in the fee. The higher rate varies slightly. Safety is the second part. He noted that they don't plan to ask for an increase in points for violations.

BOB GRAVELINE, North Dakota Safety Council testified in support of HB 1336. He said that they support the increase in fines as they serve as a deterrent, and a means of enforcing the laws. The two main causes of accidents in North Dakota are alcohol and speeding.

DICK PECK, North Dakota Peace Officers Association, testified in support of HB 1336. He emphasized that safety is the number one factor in their opinion.

CHAIRMAN KEISER CLOSED THE HEARING ON HB 1336.

January 28, 1999

GENERAL DISCUSSION ON HB 1336 TOOK PLACE. CHAIRMAN KEISER and REPS. SCHMIDT, THORPE, PRICE, MEYER, MICKELSON, JENSEN, and SVEEN participated. REP. JENSEN submitted amendments to the bill, raising the fines at the higher levels as had been discussed previously. (See attached testimony).

#### COMMITTEE ACTION

REP. SCHMIDT moved to ADOPT the AMENDMENTS. REP. SVEEN seconded the motion. The motion carried.

REP. LEMIEUX moved a DO PASS AS AMENDED on HB 1336. REP. SVEEN seconded the motion. The motion failed.

ROLL CALL - 6 YEA, 7 NAE, 2 ABSENT AND NOT VOTING.

REP. WEISZ moved a DO NOT PASS on HB 1336. REP. THORPE seconded the motion. The motion carried.



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House Transportation Committee  
Bill/Resolution Number 1336  
Hearing Date January 21, 1999

ROLL CALL - 7 YEA, 6 NAE, 2 ABSENT AND NOT VOTING.

FLOOR ASSIGNMENT - REP. THORPE.

January 29, 1999

CHAIRMAN KEISER reopened the hearing on HB 1336.

REP. KELSCH moved to RECONSIDER HB 1336 due to her absence during the roll call vote.

REP. MAHONEY seconded the motion to RECONSIDER.

ROLL CALL - 14 YEA, 0 NAE, 1 ABSENT AND NOT VOTING.

CHAIRMAN KEISER appointed a sub committee to work on the amendments to HB 1336.

SUBCOMMITTEE MEMBERS - REPS. JENSEN, KELSCH, KEISER, MAHONEY.

GENERAL DISCUSSION TOOK PLACE ON HB 1336.

February 5, 1999

COMMITTEE ACTION

REP. JENSEN introduced new amendments to HB 1336. The committee voted unanimously to accept the amendments. (See attached amendments).

REP. SVEEN moved a DO PASS AS AMENDED. REP. LEMIEUX seconded the motion. The motion carried.

ROLL CALL - 9 YEA, 6 NAE, 0 ABSENT AND NOT VOTING

FLOOR ASSIGNMENT - REP. KELSCH

## FISCAL NOTE

Return original and 10 copies)

Bill/Resolution No.: \_\_\_\_\_ Amendment to: HB 1336

Requested by Legislative Council \_\_\_\_\_ Date of Request: 2-10-99

- Please estimate the fiscal impact (in dollar amounts) of the above measure for state general or special funds, counties, cities, and school districts. Please provide breakdowns, if appropriate, showing salaries and wages, operating expenses, equipment, or other details to assist in the budget process.

Narrative: See Attached.

- State fiscal effect in dollar amounts:

	1997-99 Biennium		1999-2001 Biennium		2001-03 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues	-0-	-0-	-0-	-0-	-0-	-0-
Expenditures	-0-	-0-	-0-	-0-	-0-	-0-

What, if any, is the effect of this measure on the budget for your agency or department:

- For rest of 1997-99 biennium:

(Indicate the portion of this amount included in the 1999-2001 executive budget:)

- For the 1999-2001 biennium:

(Indicate the portion of this amount included in the 1999-2001 executive budget:)

- For the 2001-03 biennium:

- County, city, and school district fiscal effect in dollar amounts:

1997-99 Biennium			1999-2001 Biennium			2001-03 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts

See Narrative

See Narrative

Signed: \_\_\_\_\_

*Marsha M. Lembke*

Typed Name: \_\_\_\_\_

Marsha M. Lembke

Department: \_\_\_\_\_

Drivers License and Traffic Safety

Phone Number: \_\_\_\_\_

(701) 328-4865

Date Prepared: \_\_\_\_\_

February 11, 1999

The following tables reflect the number of speeding convictions Drivers License and Traffic Safety processed for the calendar years 1997 and 1998. It is broken down by speed zones less than 65 miles per hour and speed zones 65 miles per hour or greater. Each table shows the number of speeding convictions for each speed increment as provided in NDCC 39-06.1-06.

The estimates are only for the minimum increase per speed increment. At this time, we only have increments as listed; we do not have the breakdown for each mile-per-hour over the speed limit.

We are unable to determine the dollar breakdown between the state general fund and the dollars received by cities as the number of speeding convictions are not divided by district court or city court.

### SPEED ZONES UNDER 65 MILES PER HOUR

Miles Per Hour Over the Speed Limit	1998	1997	Possible Dollar Increase per Biennium
1 - 5 MPH over the speed limit	63	91	\$ 0
6 - 10 MPH over the speed limit	6,979	5,146	\$ 0
11 - 15 MPH over the speed limit	14,241	12,466	\$ 0
16 - 20 MPH over the speed limit	8,786	10,451	\$ 307,792
21 - 25 MPH over the speed limit	2,789	3,388	\$ 129,717
26 - 35 MPH over the speed limit	870	1,189	\$ 53,534
36 - 45 MPH over the speed limit	93	137	\$ 8,280
46 or more MPH over the speed limit	12	23	\$ 1,575
<b>TOTAL</b>	<b>33,833</b>	<b>32,891</b>	<b>\$ 500,898</b>

### SPEED ZONES 65 MILES PER HOUR OR GREATER

Miles Per Hour Over the Speed Limit	1998	1997	Possible Dollar Increase per Biennium
1 - 5 MPH over the speed limit	399	320	\$ 0
6 - 10 MPH over the speed limit	16,186	9,928	\$ 0
11 - 15 MPH over the speed limit	6,479	4,716	\$ 0
16 - 25 MPH over the speed limit	2,072	1,675	\$ 97,422
26 - 35 MPH over the speed limit	167	141	\$ 11,088
35 or more MPH over the speed limit	22	24	\$ 2,070
<b>TOTAL</b>	<b>25,325</b>	<b>16,804</b>	<b>\$ 110,580</b>

<b>TOTAL FOR BOTH TABLES</b>	<b>59,158</b>	<b>49,695</b>	<b>\$ 611,478</b>
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FISCAL NOTE

(Return original and 10 copies)

Bill/Resolution No.: HB 1336 Amendment to: \_\_\_\_\_

Requested by Legislative Council Date of Request: 1-13-99

- 1. Please estimate the fiscal impact (in dollar amounts) of the above measure for state general or special funds, counties, cities, and school districts.

Narrative: See attached.

- 2. State fiscal effect in dollar amounts:

Table with 7 columns: 1997-99 Biennium (General Fund, Special Funds), 1999-2001 Biennium (General Fund, Special Funds), 2001-03 Biennium (General Fund, Special Funds). Rows: Revenues, Expenditures.

- 3. What, if any, is the effect of this measure on the appropriation for your agency or department: a. For rest of 1997-99 biennium: \_\_\_\_\_ b. For the 1999-2001 biennium: \_\_\_\_\_ c. For the 2001-03 biennium: \_\_\_\_\_

- 4. County, City, and School District fiscal effect in dollar amounts:

Table with 9 columns: 1997-99 Biennium (Counties, Cities, School Districts), 1999-2001 Biennium (Counties, Cities, School Districts), 2001-03 Biennium (Counties, Cities, School Districts).

See Narrative

See Narrative

If additional space is needed, attach a supplemental sheet.

Signed Marsha M. Lembke  
Typed Name Marsha M. Lembke

Date Prepared: January 14, 1999

Department Department of Transportation

Phone Number 328-4865

The following tables reflect the number of speeding convictions Drivers License and Traffic Safety processed for the calendar years 1997 and 1998. It is broken down by speed zones less than 65 miles per hour and speed zones 65 miles per hour or greater. Each table shows the number of speeding convictions for each speed increment as provided in NDCC 39-06.1-06.

The estimates are only for the minimum increase per speed increment. At this time, we only have increments as listed; we do not have the breakdown for each mile-per-hour over the speed limit.

We are unable to determine the dollar breakdown between the state general fund and the dollars received by cities as the number of speeding convictions are not divided by district court or city court.

### SPEED ZONES UNDER 65 MILES PER HOUR

Miles Per Hour Over the Speed Limit	1998	1997	Possible Dollar Increase per Biennium
1 - 5 MPH over the speed limit	63	91	\$ 770
6 - 10 MPH over the speed limit	6,979	5,146	\$ 72,750
11 - 15 MPH over the speed limit	14,241	12,466	\$ 293,777
16 - 20 MPH over the speed limit	8,786	10,451	\$ 307,792
21 - 25 MPH over the speed limit	2,789	3,388	\$ 129,717
26 - 35 MPH over the speed limit	870	1,189	\$ 53,534
36 - 45 MPH over the speed limit	93	137	\$ 8,280
46 or more MPH over the speed limit	12	23	\$ 1,575
<b>TOTAL</b>	<b>33,833</b>	<b>32,891</b>	<b>\$ 868,195</b>

### SPEED ZONES 65 MILES PER HOUR OR GREATER

Miles Per Hour Over the Speed Limit	1998	1997	Possible Dollar Increase per Biennium
1 - 5 MPH over the speed limit	399	320	\$ 4,314
6 - 10 MPH over the speed limit	16,186	9,928	\$ 417,824
11 - 15 MPH over the speed limit	6,479	4,716	\$ 235,095
16 - 25 MPH over the speed limit	2,072	1,675	\$ 97,422
26 - 35 MPH over the speed limit	167	141	\$ 11,088
35 or more MPH over the speed limit	22	24	\$ 2,070
<b>TOTAL</b>	<b>25,325</b>	<b>16,804</b>	<b>\$ 767,813</b>

<b>TOTAL FOR BOTH TABLES</b>	<b>59,158</b>	<b>49,695</b>	<b>\$1,636,008</b>
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VK  
1/28/99

**HOUSE** AMENDMENTS TO HOUSE BILL NO. 1336 **1/29/99 TRN**

Page 1, line 24, replace "45" with "50" and replace "4" with "5"

Page 2, line 1, replace "65" with "80" and replace "4" with "5"

Page 2, line 2, replace "105" with "140" and replace "4" with "5"

Page 2, line 3, replace "145" with "200"

Page 2, line 19, replace "45" with "50" and replace "4" with "5"

Page 2, line 20, replace "65" with "80" and replace "4" with "5"

Page 2, line 21, replace "105" with "140" and replace "4" with "5"

Page 2, line 22, replace "145" with "200"

Renumber accordingly



Date: 1/28  
Roll Call Vote #: 1

**1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO.**

House Transportation Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken adopt amm

Motion Made By Rep Schmidt Seconded By Rep Sreen

Representatives	Yes	No	Representatives	Yes	No
Representative Keiser, Chair			Representative Thorpe		
Representative Mickelson, V. Ch.					
Representative Belter					
Representative Jensen					
Representative Kelsch					
Representative Kempenich					
Representative Price					
Representative Sveen					
Representative Weisz					
Representative Grumbo					
Representative Lemieux					
Representative Mahoney					
Representative Meyer					
Representative Schmidt					

Total (Yes) 13 No 0  
ADOPTED

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

Date: 1/28  
Roll Call Vote #: 2

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1336

House Transportation Committee

- Subcommittee on \_\_\_\_\_
- or
- Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass as amended

Motion Made By Rep Lemieux Seconded By Rep Sveen

Representatives	Yes	No	Representatives	Yes	No
Representative Keiser, Chair	✓		Representative Thorpe		✓
Representative Mickelson, V. Ch.		✓			
Representative Belter		✓			
Representative Jensen	✓				
Representative Kelsch					
Representative Kempenich		✓			
Representative Price	✓				
Representative Sveen	✓				
Representative Weisz		✓			
Representative Grumbo	✓				
Representative Lemieux	✓				
Representative Mahoney					
Representative Meyer		✓			
Representative Schmidt		✓			

Total (Yes) 6 No 7

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

Date: 1/28  
Roll Call Vote #: 3

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO.

House Transportation Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken DO NOT PASS

Motion Made By Rep Weisz Seconded By Rep Thorpe

Representatives	Yes	No	Representatives	Yes	No
Representative Keiser, Chair		✓	Representative Thorpe	✓	
Representative Mickelson, V. Ch.	✓				
Representative Belter	✓				
Representative Jensen		✓			
Representative Kelsch					
Representative Kempenich	✓				
Representative Price		✓			
Representative Sveen		✓			
Representative Weisz	✓				
Representative Grumbo		✓			
Representative Lemieux		✓			
Representative Mahoney					
Representative Meyer	✓				
Representative Schmidt	✓				

Total (Yes) 7 No 6

Absent \_\_\_\_\_

Floor Assignment Rep Thorpe

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**HB 1336: Transportation Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 2 ABSENT AND NOT VOTING). HB 1336 was placed on the Sixth order on the calendar.

Page 1, line 24, replace "45" with "50" and replace "4" with "5"

Page 2, line 1, replace "65" with "80" and replace "4" with "5"

Page 2, line 2, replace "105" with "140" and replace "4" with "5"

Page 2, line 3, replace "145" with "200"

Page 2, line 19, replace "45" with "50" and replace "4" with "5"

Page 2, line 20, replace "65" with "80" and replace "4" with "5"

Page 2, line 21, replace "105" with "140" and replace "4" with "5"

Page 2, line 22, replace "145" with "200"

Renumber accordingly

Date: 1/29/99  
Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO.

House Transportation Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Reconsider

Motion Made By Rep Kelson Seconded By Rep Mahoney

Representatives	Yes	No	Representatives	Yes	No
Representative Keiser, Chair			Representative Thorpe		
Representative Mickelson, V. Ch.					
Representative Belter					
Representative Jensen					
Representative Kelsch					
Representative Kempenich					
Representative Price					
Representative Sveen					
Representative Weisz					
Representative Grumbo					
Representative Lemieux					
Representative Mahoney					
Representative Meyer					
Representative Schmidt					

Total (Yes) 14 No 0

Absent 1

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

Date: 2/5  
Roll Call Vote #: 1

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1336

House Transportation Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number 90245.0103

Action Taken adopt am

Motion Made By Rep Jensen Seconded By Rep Sveen

Representatives	Yes	No	Representatives	Yes	No
Representative Keiser, Chair			Representative Thorpe		
Representative Mickelson, V. Ch.					
Representative Belter					
Representative Jensen					
Representative Kelsch					
Representative Kempenich					
Representative Price					
Representative Sveen					
Representative Weisz					
Representative Grumbo					
Representative Lemieux					
Representative Mahoney					
Representative Meyer					
Representative Schmidt					

Total (Yes) 15 No 0

Absent \_\_\_\_\_

Floor Assignment \_\_\_\_\_

If the vote is on an amendment, briefly indicate intent:

37.2-52

Date: 2/5  
Roll Call Vote #: 2

1999 HOUSE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 1330

House Transportation Committee

Subcommittee on \_\_\_\_\_  
or  
 Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken DO PASS AS AM

Motion Made By Rep. Green Seconded By Rep. Lemieux

Representatives	Yes	No	Representatives	Yes	No
Representative Keiser, Chair	✓		Representative Thorpe		✓
Representative Mickelson, V. Ch.		✓			
Representative Belter		✓			
Representative Jensen	✓				
Representative Kelsch	✓				
Representative Kempenich	✓				
Representative Price	✓				
Representative Sveen	✓				
Representative Weisz		✓			
Representative Grumbo	✓				
Representative Lemieux	✓				
Representative Mahoney		✓			
Representative Meyer		✓			
Representative Schmidt	✓				

Total (Yes) 9 No 6

Absent \_\_\_\_\_

Floor Assignment Rep. ~~Svein~~ Kelson

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

**HB 1336: Transportation Committee (Rep. Keiser, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (9 YEAS, 6 NAYS, 0 ABSENT AND NOT VOTING). HB 1336 was placed on the Sixth order on the calendar.

Page 1, line 20, remove the overstrike over "5" and remove "10"

Page 1, line 21, remove the overstrike over "5", remove "10", remove the overstrike over "4", and remove "2"

Page 1, line 22, remove the overstrike over "40", remove "20", remove the overstrike over "4", and remove "2"

Page 2, line 17, remove the overstrike over "40", remove "20", remove the overstrike over "4", and remove "2"

Page 2, line 18, remove the overstrike over "45", remove "30", remove the overstrike over "2", and remove "3"

Page 2, line 19, remove the overstrike over "25", remove "45", remove the overstrike over "3", and remove "4"

Renumber accordingly



**1999 SENATE TRANSPORTATION**

**HB 1336**

1999 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1336

Senate Transportation Committee

Conference Committee

Hearing Date March 11, 1999

Tape Number	Side A	Side B	Meter #
1	x		1,981-4609
March 25, 1999 - Tape 1	x		2,765-3633
Committee Clerk Signature <i>Aori A. Schaeffner</i>			

Minutes:

SENATOR B. STENEHJEM opened the hearing on HB 1336. Committee members present included: Sens. Bob Stenehjem, R. Schobinger, D. Mutch, D. Cook, D. O'Connell, V.

Thompson, and D. Bercier.

REPRESENTATIVE ROXANNE JENSEN, DISTRICT 17 testified in support of HB 1441 (see testimony).

SENATOR THOMPSON 69 people from ages 14-19 were killed in motor vehicle accidents-do you know what the breakdown is about those wearing seat belts or alcohol consumption?

REPRESENTATIVE JENSEN I don't have it but I will get it.

SENATOR THOMPSON My point-is speed the highest cause of deaths?

REPRESENTATIVE JENSEN Everything I have read points to speed as the highest cause.

SENATOR THOMPSON From visiting with residents about this issue, many feel fines don't deter but points do because points affect your insurance premium.

REPRESENTATIVE JENSEN I would not be opposed to raising the points. We may be missing revenue by not having it at the same level as our neighboring states.

SENATOR B. STENEHJEM You are interested in this as a revenue enhancer.

REPRESENTATIVE JENSEN It is not my initial action but it will produce additional revenue.

SENATOR B. STENEHJEM This is about the highway speed limits not city speed limits.

REPRESENTATIVE JENSEN The money goes to the jurisdictions where the fine was assessed.

SENATOR B. STENEHJEM The fine money that is collected on the highway system goes to the district court system and that money goes to the Common Schools Trust Fund.

REPRESENTATIVE JENSEN The answer I got was based on what Keith Magnusson told me.

SENATOR O'CONNELL All fines against the state go to the Common Schools Trust Fund, if there is cost that goes to the jurisdiction but any fine against the state goes to the Common Schools Trust Fund.

REPRESENTATIVE JENSEN I had made the same statement as Senator O'Connell and was told these are not funds but are fees and do not go to the Common Schools Trust Fund.

BOB GRAVELINE, ND SAFETY COUNCIL testified in support of HB 1336. Alcohol and speed are the two largest causes of fatalities in our state (handed out statistics). Speed is the largest cause nationwide.

SENATOR THOMPSON I know speed has an impact and when you increase your speed it takes you double the length, I didn't support the increase in the speed limits.

HEIDI TRAUTMANN, ELLENDALE STUDENT testified in opposition.

SENATOR O'CONNELL What is your personal feeling? What is more of a deterrent?

HEIDI TRAUTMANN I think the point system would prevent me from speeding more.

TOM O'NEILL, ELLENDALE STUDENT testified in opposition of HB 1336. It doesn't make a difference. The points do have an effect on it.

SENATOR O'CONNELL If you had a choice of losing points or paying the fine.

TOM O'NEILL I would say the points.

SENATOR COOK Do you know what the fines and points are on given speeds over the limit?

TOM O'NEILL I don't know what the fines and points are.

TOM KAISER, ELLENDALE STUDENT I would be in favor of this bill. My parents would much rather have me pay the money then they pay the money for insurance. I think I would support this proposal.

LUKAS TUEDT, ELLENDALE STUDENT I would be in favor of the bill more if I would be penalized with the points. It takes insurance a while before it goes back down and that would be more of a deterrent.

SENATOR SCHOBINGER There is another option and that is to leave the fees as they are.

LUKAS TUEDT I would stay with the fees lower.

VIRGIL RUDE I don't think we have any deterrents. The point system is a deterrent but it is not strict enough.

JARED KILMER, ELLENDALE STUDENT Don't the fine and the points go together?

SENATOR B. STENEHJEM They do go together but we can change each separately.

SENATOR B. STENEHJEM We will close HB 1336

March 25, 1999 - Tape 1

Page 4  
Senate Transportation Committee  
Bill/Resolution Number Hb 1336  
Hearing Date March 11, 1999

SENATOR COOK I motion a Do Not Pass.

SENATOR MUTCH Second.

SENATOR SCHOBINGER I wanted to make an amendment.

SENATOR COOK I'll withdraw my motion.

SENATOR MUTCH I'll withdraw my motion.

SENATOR SCHOBINGER I'll make an amendment to raise the speed limit on interstate to 75 mph.

SENATOR O'CONNELL I'll second.

SENATOR B. STENEHJEM If we're going to raise the fine then the speed limit should be at 75 mph. If we go to a new fine structure then the speed limit should be at least 75 mph.

SENATOR O'CONNELL Will it be 75 mph at night too?

SENATOR SCHOBINGER Yes, on the interstate. Many states have the higher speed limit.

SENATOR COOK I would support the amendment. My concern would be that most people on the interstate can drive that fast but there are a lot of vehicles out there that shouldn't be driven that fast and generally they are driven by young kids.

Amendment passed by a voice vote.

SENATOR COOK I motion for a Do Not Pass as Amended.

SENATOR SCHOBINGER I second.

The roll call vote was taken (5 Yeas, 1 Nay, and 1 Absent and Not Voting).

Senator Thompson will carry HB 1336.

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1336

Page 1, line 1, after "39-09-01" insert "and subdivision h of subsection 1 of section 39-09-02"

Page 1, line 2, after "limit" insert "; and to amend and reenact subdivision h of subsection 1 of section 39-09-02 of the North Dakota Century Code, relating to speed limitations on interstate highways."

"and" the

Page 2, after line 23, insert:

**SECTION 2. AMENDMENT.** Subdivision h of subsection 1 of section 39-09-02 of the North Dakota Century Code is amended and reenacted as follows:

- h. ~~Seventy~~ Seventy-five miles [~~112.65~~ 120.69 kilometers] an hour on access-controlled, paved and divided, multilane interstate highways, unless otherwise permitted, restricted, or required by conditions.

Renumber accordingly

Date: March 25, 1999

Roll Call Vote #: 7

1999 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. HB1330

Senate Transportation Committee

Subcommittee on \_\_\_\_\_

or

Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken As Not Pass as Amended

Motion Made By Sen. Cook Seconded By Sen. Schobinger

Senators	Yes	No	Senators	Yes	No
Sen. B. Stenehjem-Chairman	X				
Sen. R. Schobinger-V. Chair	X				
Sen. Duane Mutch	X				
Sen. Dwight Cook	X				
Sen. David O'Connell		X			
Sen. Vern Thompson	X				
Sen. Dennis Bercier					

Total (Yes) 5 No 1

Absent 1

Floor Assignment Senator Thompson

If the vote is on an amendment, briefly indicate intent:

**REPORT OF STANDING COMMITTEE**

HB 1336, as engrossed: Transportation Committee (Sen. B. Stenehjem, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (5 YEAS, 1 NAY, 1 ABSENT AND NOT VOTING). Engrossed HB 1336 was placed on the Sixth order on the calendar.

Page 1, line 1, after "39-06.1-06" insert "and subdivision h of subsection 1 of section 39-09-02"

Page 1, line 2, after "limit" insert "and to the speed limit on interstate highways"

Page 2, after line 23, insert:

**"SECTION 2. AMENDMENT.** Subdivision h of subsection 1 of section 39-09-02 of the North Dakota Century Code is amended and reenacted as follows:

- h. ~~Seventy~~ Seventy-five miles [~~112.65~~ 120.69 kilometers] an hour on access-controlled, paved and divided, multilane interstate highways, unless otherwise permitted, restricted, or required by conditions."

Renumber accordingly



**1999 TESTIMONY**

**HB 1336**

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	TOTAL
VIOLATION/CONVICTION													
RECKLESS DRIVING	49	72	69	70	58	76	64	79	25	117	8	72	751
VIOLATED EYE RESTRICTION	2	3	6	4	6	4	6	7	9	3	31	3	61
VIOLATED RESTRICTIONS	7	11	7	17	16	39	14	18	28	14	14	14	216
AGGRAVATED RECKLESS DRIV	1	1	1	2	3	1	1	1	1	1	14	1	9
FLEEING LAW OFFICER	2	11	13	5	3	1	15	6	1	5	25	25	101
IMPROPER MODIFIED MV													
LEAVING THE SCENE	9	21	40	31	25		43	15	2	15	22	34	257
LEAVING THE SCENE		3	2	3				1				4	13
FAIL DISPLAY PLACARD/FLG													
OPERATE UNSAFE MV				2									2
IMPLIED CONSENT O/S													
IMPLIED CONSENT													
INTOXICATING LIQUOR-DUI	344	248	335	405	259	340	322	373	158	456	15	371	3626
INTOX-LIQUOR-DUI-OS	48	68	42	38	51	36	50	65	15	14	13	11	451
PHYSICAL CONTROL-UI	20	21	28	45	28	19	28	27	15	38	2	29	300
PHYSICAL CONTROL-UI-OS			1		1								2
NO LIABILITY INSURANCE- <sup>4</sup> PTS	286	69	40	265	343	182	45	320	128	66	97	236	2077
NO LIABILITY INSURANCE- <sup>14</sup> PTS	46	8	25	24	45	17	5	30	21	4	18	28	271
NO LIABILITY INSURANCE- <sup>12</sup> PTS	49	9	14	37	59	41	11	62	34	11	15	40	382
DRIVING UNDER SUSPENSION	289	259	228	282	245	248	212	355	192	451	249	255	3265
DRIVING UNDER REVOCATION	51	53	38	67	59	52	40	62	42	76	63	57	660
NEGLIGENT HOMICIDE MV				1									1
MANSLAUGHTER WITH MV													
FELONY INVOLVING A MV													
1-5 OVER 65 SPEED LIMIT	22	33	35	62	68	47	24	14	22	31	17	24	399
6-10 OVER 65 SPEED LIMIT	725	1060	979	1938	1731	2284	1320	1425	1547	925	1372	880	16186
11-15 OVR 65 SPEED LIMIT	309	377	376	728	552	755	545	592	686	443	674	442	6479
16-25 OVER SPEED LIMIT	81	111	109	180	258	238	202	174	197	174	207	141	2072
26-35 OVR 65 SPEED LIMIT	7	10	8	10	23	25	10	8	16	20	21	9	167
36 + OVER 65 SPEED LIMIT	1	3	1	2	2	4	1	1	3	2	2	2	22
CARELESS DRIVING	25	29	33	78	40	91	55	58	49	55	63	42	618
FAIL TO YIELD/STOP	247	382	418	1002	747	804	554	480	579	303	686	402	6604
FLEEING LAW OFF IN MV													
IMPROPER MODIFIED MV	4	2	3	6	6	6	10	8	5	2	4	1	57
SPEEDING 80/65													
DRAG RACING MV ON HWY	1	2	3	3	1	1	4	3	5	4	4	3	34
RACING													
FUNERAL PROCESSION													
FAIL DISPLAY LIC PLATES	62	56	116	279	346	516	322	190	198	75	249	145	2554
EXHIBITION DRIVING	40	24	35	101	103	151	83	95	127	51	166	55	1031
DISREGARDED TRAF CONTROL	185	243	255	486	337	366	270	225	224	163	367	215	3336
PERMIT UNAUTH. PERSON DR	3	4	9	16	17	17	15	7	22	8	11	8	137
DRIVING ON LEFT SIDE HWY	4	3	3	13	10	9	7	5	8	6	11	10	89
FAIL TO DIM HEADLIGHTS	7	1	5	14	7	15	8	6	18	7	11	8	107
STOP/STAND, PARK ON HWY	1			2	3	4	7	5	11				33
IMPROPER BRAKES			1	3	2	7	6	6	2	3	3	3	36
DISREGARDING LAW OFFICER		1		1	4	1	1	1	1		1		10
OVERTAKING PROHIBITED	11	16	15	28	45	71	34	42	42	25	42	27	398
PARK IN PROHIBITED PLACE	3	13	9	25	13	22	8	6	5	2	4	9	119
PASSING SCHOOL BUS	13	16	6	36	24	26	9	2	3	5	24	18	182
UNATTENDED VEHICLE	3	5	4	1	4	2	4	1	1	1	5	1	31
RAILROAD CROSSING	1	6	4	8	9	6	4	4	4	3	7	3	59
UNSAFE OPENING OF DOORS				1	1							1	3
IMPROPER EQUIPMENT	25	21	28	69	52	44	36	36	38	16	35	24	424
OPERATING W/O REQ EQUIP								9	4	5	5	1	24
IMP. MOUNT CLEARANCE LGH													
IMPROPER CLEARANCE LGH													
IMPROPER LIGHTING ON PMV													
OPEN CONTA ALCOHOL IN MV	47	56	67	134	105	146	104	120	89	49	130	70	1117
FAIL TO REPORT ACCIDENT	16	24	35	50	34	44	37	31	41	16	46	27	401
IMPROPER MC OPERATION					1	1	1	1	1		1		5
IMPROPR MC LANED TRAFFIC													1
CLINGING WHILE RIDING MC				1		2	2	1					6
CARRY PASS. W/O FOOTREST					1	1							2
OPERATE MC W/O HEADGEAR				3	3	19	9	10	20	4	4	2	74
OPERATE MV WITHOUT LIC	116	128	138	316	238	310	275	207	208	127	208	160	2431
CARE RECALLED	171	181	212	434	324	377	238	266	290	144	333	239	3209
1-5 OVR 65 SPEED LIMIT	5	6	15	17	17	6	6	2	2				63
6-10MPH OVER SPEED LIMIT	251	370	333	754	7	897	864	603	843	328	699		6979
11-15 OVR 65 SPEED LIMIT	532	888	839	1832	161	1816	1343	1159	1307	645	1634		14241

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YEAR TO DATE 1998

NORTH DAKOTA DEPARTMENT OF TRANSPORTATION  
DRIVERS LICENSE AND SAFETY DIVISION

DL3-387-BB

PAGE

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEPT	OCT	NOV	DEC	TOTAL
INTOXICATING LIQUOR-DUI	344	248	335	405	259	340	322	373	158	456	15	371	3626
INTOX-LIQUOR-DUI-OS	48	68	42	38	51	36	50	65	15	14	13	11	451
PHYSICAL CONTROL	20	21	28	45	28	19	28	27	15	38	2	29	300
PHYSICAL CONTROL-UI-OS			1		1								2
CARELESS DRIVING	25	29	33	78	40	91	55	58	49	55	63	42	618
RACING MV ON HIGHWAY	1	2	3	3	1	1	4	3	5	4	4	3	34
EXHIBITION DRIVING	40	24	35	101	103	151	83	95	127	51	166	55	1031
DISREGARDED TRAFFIC CONT	185	243	255	486	337	366	270	225	224	163	367	215	3336
DISREGARD LAW OFFICER IN		1		1	4	1	1		1		1		10
NO LIABILITY INSURANCE	332	77	65	289	388	199	50	350	149	70	115	264	2348
OPERATE MV WITHOUT LICEN	116	128	138	316	238	310	275	207	208	127	208	160	2431
CARE REQUIRED	171	181	212	434	324	377	238	266	290	144	333	239	3209
FAIL TO YIELD/STOP	247	382	418	1002	747	804	554	480	579	303	686	402	6604
OPEN CONTAINER IN MV	47	56	67	134	105	146	104	120	89	49	130	70	1117
FAIL/FALSE REPORT OF CRA	16	24	35	50	34	44	37	31	41	16	46	27	401
RECKLESS DRIVING	50	72	70	72	58	77	65	80	26	117		73	760
VIOLATED RESTRICTIONS	9	14	13	21	22	43	20	25	37	17	39	17	277
LEAVING SCENE OF CRASH	9	24	42	34	25		43	16	2	15	22	38	270
DRIVING UNDER SUPS./REVO	340	312	266	349	304	300	252	417	234	527	312	312	3925
SPEEDING	3090	4704	4533	9458	7883	9801	6992	6363	7048	4125	7344	4141	75482
MISCELLANEOUS	1244	1599	1757	3963	3480	4110	2710	2396	2725	1291	2646	1560	29481
TOTAL	6334	8209	8348	17279	14432	17216	12153	11597	12022	7582	12512	8029	135713

NORTH DAKOTA HOUSE OF REPRESENTATIVES  
TRANSPORTATION COMMITTEE

1/21/99

CHAIRMAN KEISER, MEMBERS OF THE COMMITTEE

I AM ROXANNE JENSEN, STATE REPRESENTATIVE FROM DISTRICT 17, AND A MEMBER OF THIS ILLUSTRIOUS, BRILLIANT, WELL EDUCATED AND WELL REASONING COMMITTEE. I APPEAR BEFORE YOU AS THE SPONSOR OF HB 1336- A BILL THAT WOULD INCREASE HIGHWAY SPEEDING FINES IN NORTH DAKOTA, MAKING THEM MORE NEARLY EQUAL TO THOSE CHARGED BY NEIGHBORING STATES.

SPEEDING FINES IN N.D. ARE VERY LOW COMPARED TO OUR NEIGHBORS--S.D. AND MINNESOTA. IT IS GENERALLY WELL ACCEPTED THAT HEAVIER FINES ACT AS A DETERRENT TO SPEEDING MOTORISTS. I KNOW WHEN I SEE THAT LARGE SIGN SOUTH DAKOTA HAS, JUST INSIDE ITS BORDER, INFORMING DRIVERS EXACTLY HOW MUCH IT WILL COST IF THEY SPEED ON THEIR HIGHWAYS, OR KNOWING THAT MINNESOTA FINES ARE ALSO HEFTY, I DECIDE I AM NOT IN SUCH A HURRY. I DRIVE SLOWER AND THEREBY, ACCORDING TO STATISTICS, AM SAFER.

SO THIS IS THE FIRST REASON FOR YOU TO CONSIDER RECOMMENDING PASSAGE OF THIS BILL--THE SAFETY ISSUE. WITH INCREASED SPEED LIMITS, HIGHWAY DEATH RATES ELSEWHERE HAVE RISEN. IT IS NO DOUBT JUST A MATTER OF TIME UNTIL N.D. RATES WILL REFLECT THE SAME RATES. THIS SITUATION COULD BE MADE WORSE BY THE REPUTATION FOR LOW FINES THAT WE HAVE. PEOPLE SPEED THROUGH THE STATE, KNOWING THAT IF THEY ARE STOPPED, THE FINE IS SO SMALL IT IS NO HARDSHIP TO PAY IT. HENCE OUR ROADS BECOME RACEWAYS.

THINK OF THIS IN ANOTHER WAY. WE AS LEGISLATORS LOVE THE IDEA OF VALUE-ADDED. THIS IS PERFECT OPPORTUNITY TO APPLY THIS CONCEPT. WE HAVE THE HIGHWAY PATROL--MEN AND EQUIPMENT ALREADY IN PLACE. LET'S SIMPLY MAKE A BETTER RETURN FROM OUR INVESTMENT BY RAISING THE FINES.

IN BUSINESS, WE KEEP AN EYE ON WHAT OTHERS IN THE SAME LINE ARE DOING. IF OTHERS RAISE PRICES, IT IS A PERFECT TIME TO FOLLOW THEIR LEAD.

FINALLY, THE FISCAL NOTE SAYS THIS ACTION WOULD RAISE CONSERVATIVELY \$1.6 MILLION FOR OUR CITIES AND THE GENERAL FUND.

WHAT ARE THE ARGUMENTS AGAINST? POLITICALLY UNPOPULAR?

YES YOU HAVE THE CHARGE OF FOLLOWING YOUR CONSTITUENTS' VIEWS BUT YOU ALSO HAVE THE RESPONSIBILITY TO PROVIDE LEADERSHIP AND BUILD OPINION TO ACCOMPLISH RIGHT ACTION. THESE DOLLARS WOULD HELP US MEET PRESSING NEEDS THAT WILL OTHERWISE GO UNADDRESSED THIS BIENNIUM FOR LACK OF DOLLARS.

THIS IS ONE OF THOSE RARE BILLS THAT DOESN'T COST ANYTHING. IT RAISES MONEY AND CONTRIBUTES TO SAFER HIGHWAYS. I ASK YOU TO GIVE THIS BILL A FAVORABLE RECOMMENDATION.

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SUMMARY TABLE OF STATE SPEED LAWS

0

S T A T E	Sanctions for Exceeding the Speed Limit First Offense			Sanctions for Reckless Driving First Offense			Sanctions for Racing on the Highways First Offense		
	Jail	Fine (\$)	Licensing Action	Jail	Fine (\$)	Licensing Action	Jail	Fine (\$)	Licensing Action
AL	NMT 10 D	NMT 100	S-NMT 1 Y <sup>1</sup>	NMT 90 D	25-500	S-NMT 6 M	5-90 D	25-500	S-6 M
AK		NMT 300	S-NMT 1 M <sup>1</sup>	NMT 1 Y	NMT 1,000	R-NLT 30 D		NMT 300	S-1 M <sup>1</sup>
AZ		NMT 250	S-NMT 1 Y <sup>1</sup>	NMT 4 M	NMT 750	S-NMT 90 D	NMT 4 M	NMT 750	S-NMT 90 D
AR	NMT 10 D	NMT 100	S-NMT 1 Y <sup>2</sup>	5-90 D	25-500	S-NMT 1 Y <sup>2</sup>	NMT 1 Y	NMT 1,000	S-NMT 1 Y <sup>2</sup>
CA		NMT 100	S-NMT 30 D	5-90 D	145-1,000	S-NMT 30 D	90 D <sup>1</sup>	355-1,000	S-6 M <sup>1</sup>
CO		15-100	S-NMT 1 Y <sup>1</sup>	10-90 D	10-300	S-NMT 1 Y <sup>1</sup>		10-300	S-NMT 1 Y <sup>1</sup>
CT		NMT 50 <sup>4</sup>	S-NMT 30 D <sup>1</sup>	NMT 30 D	100-300	S-30 to 90 D	NMT 1 Y	75-600	S-NMT 30 D <sup>1</sup>
DE		20	S-2 to 12 M <sup>1</sup>	10-30 D	100-300	S-2 to 12 M <sup>1</sup>	10-30 D	25-200	S-NMT 6 M
DC		15-100	S-2 to 90 D <sup>3</sup>	NMT 3 M	NMT 250	R-6 M			
FL		25-250	S-30 D <sup>4</sup>	NMT 90 D	25-500	S-30 D <sup>4</sup>		NMT 500	S-30 D <sup>4</sup>
GA	NMT 12 M	NMT 1,000	S-1 to 5 Y <sup>7</sup>	NMT 12 M	NMT 1,000	S-1 to -5 Y <sup>7</sup>	NMT 12 M	NMT 1,000	S-1 to-5 Y <sup>7</sup>
HI		NMT 200	S-1 to 5 Y <sup>8</sup>	NMT 1 Y	NMT 1,000	S-1 to 5 Y <sup>8</sup>	NMT 6 M	NMT 500	S-1 to 5 Y <sup>9</sup>
ID		NMT 100	S-NMT 1 Y <sup>1</sup>	5-90 D	25-300	S-30 D	NMT 6 M	NMT 300	S-NMT 1 Y <sup>1</sup>
IL		NMT 1,000	S-NMT 1 Y <sup>10</sup>	NMT 1 Y	NMT 2,500	S-NMT 1 Y <sup>10</sup>	NMT 30 D	NMT 1,500	R-1 Y
IN		NMT 500	S-NMT 1 Y	NMT 180 D	NMT 1,000	S-NMT 1 Y	NMT 180 D	NMT 1,000	S-NMT 1 Y
IA	NMT 30 D	50-100	S-NMT 1 Y	NMT 30 D	50-100	S-NMT 1 Y	NMT 30 D	50-100	R-6 M
KS		NMT 500	S-NMT 1 Y <sup>11</sup>	5-90 D	25-500	R-NMT 1 Y	NMT 1 M	NMT 500	S-NMT 1 Y <sup>11</sup>
KY		NMT 100 <sup>12</sup>	S-90 D to 2 Y <sup>13</sup>		20-200	S-90 D to 2 Y <sup>13</sup>	NMT 30 D	60-200	S-90 D to 2 Y <sup>13</sup>
LA	NMT 30 D	NMT 175	S-NMT 1 Y <sup>14</sup>	NMT 90 D	NMT 200	S-NMT 1 Y <sup>14</sup>	NMT 30 D	NMT 175	S-NMT 1 Y <sup>14</sup>
ME		25-250	S-15 D <sup>1</sup>	(NMT 6 M <sup>15</sup> )	(NMT 1,000 <sup>15</sup> )	(S-30 to 180 D <sup>15</sup> )			

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SUMMARY TABLE OF STATE SPEED LAWS  
(continued)

S T A T E	Sanctions for Exceeding the Speed Limit First Offense			Sanctions for Reckless Driving First Offense			Sanctions for Racing on the Highways First Offense		
	Jail	Fine (\$)	Licensing Action	Jail	Fine (\$)	Licensing Action	Jail	Fine (\$)	Licensing Action
MD		NMT 500	S-NMT 2 Y <sup>1</sup>		NMT 500	S-NMT 2 Y <sup>1</sup>		NMT 500	S-NMT 2 Y <sup>1</sup>
MA		NLT 50 <sup>6</sup>		2 W-2 Y	20-200	R-60 D	2 W-2 Y	20-200	R-60 D
MI		NMT 100	S-NMT 1 Y <sup>1</sup>	NMT 90 D	NMT 100	R or S <sup>17</sup>	NMT 90 D	NMT 100	S-1 year <sup>1</sup>
MN		NMT 200	S-NMT 1 Y	NMT 90 D	NMT 700	S-NMT 1 Y			
MS	NMT 10 D	NMT 100	S <sup>18</sup>		5-100	S <sup>18</sup>			
MO	NMT-6 M	NMT 500	S-30 D to-1 Y <sup>1</sup>	(NMT 6 M <sup>18</sup> )	(NMT 500 <sup>18</sup> )	(S-30 D-1 Y <sup>18,19</sup> )			
MT		10-100	S-6 M <sup>20</sup>	NMT 90 D	25-300	S-6 M <sup>20</sup>	NMT 6 M	50-500	S-6 M <sup>20</sup>
NE		10-200	R-6 M <sup>1</sup>	NMT 3 M	NMT 500	R-6 M <sup>1</sup>	NMT 6 M	NMT 1,000	R-6 M <sup>1</sup>
NV	NMT 6 M	NMT 1,000	S-NMT 1 Y <sup>21</sup>	NMT 6 M	NMT 1,000	S-NMT 1 Y <sup>21</sup>	NMT 6 M	NMT 1,000	S-NMT 1 Y <sup>21</sup>
<del>ND</del>		NMT 1,000	S-NMT 30 D <sup>21</sup>		250-500	R-60 D		NMT 1,000	S-NMT 30 D <sup>21</sup>
NJ	NMT 15 D	50-200	S-30 to 180 D <sup>1</sup>	NMT 60 D	50-200	S-30 to 180 D <sup>1</sup>		25-100	S-30 to 180 D <sup>1</sup>
NM	NMT 90 D	NMT 300	S-NMT 1 Y <sup>1</sup>	5-90 D	25-100	S-NMT 90 D	NMT 90 D	NMT 300	S-NMT 1 Y <sup>1</sup>
<del>NY</del>	NMT 30 D	<del>30-400</del>	S/R <sup>23</sup>	NMT 30 D	NMT 200	S/R <sup>23</sup>	NMT 30 D	200-350	R-6 M
NC	NMT 60 D	100-1,000	NMT 1 Y <sup>1</sup>	1-60 D	NMT 1,000	NMT 1 Y <sup>1</sup>	1-60 D <sup>24</sup>	NMT 1,000 <sup>24</sup>	S-NMT 1 Y <sup>24</sup>
ND		5->100	S-≥7 D <sup>1</sup>	NMT 30 D	NMT 500	S-≥7 D <sup>1</sup>		50-100	S-≥7 D <sup>1</sup>
OH		NMT 100	S-6 M <sup>1</sup>		NMT 100	S-6 M <sup>1</sup>		NMT 100	S-6 M <sup>25</sup>
OK	5-30 D	10-200	S-NMT 1 Y <sup>1</sup>	5-90 D	25-500	S-NMT 1 Y <sup>1</sup>			
OR		75-600	.. <sup>26</sup>	NMT 1 Y	NMT 5,000	S-90 D		NMT 600	.. <sup>26</sup>
PA		35 <sup>27</sup>	S-NMT 1 Y <sup>1</sup>		200	S-6 M		200	S-6 M
PR	NMT 10 D	NMT 100	S-NMT 1 Y <sup>1</sup>	1-6 M	100-500	S-NMT 1 Y <sup>1</sup>		50-300	S-1 to 6 M
RI	NMT 1 Y	NMT 500	S-NMT 1 Y <sup>28</sup>	NMT 1 Y	NMT 500	S-NMT 1 Y <sup>28</sup>	NMT 1 Y	NMT 500	S-NMT 1 Y <sup>28</sup>



SUMMARY TABLE OF STATE SPEED LAWS  
(continued)

S T A T E	Sanctions for Exceeding the Speed Limit First Offense			Sanctions for Reckless Driving First Offense			Sanctions for Racing on the Highways First Offense		
	Jail	Fine (\$)	Licensing Action	Jail	Fine (\$)	Licensing Action	Jail	Fine (\$)	Licensing Action
SC	NMT 30 D	15-200	S-3 to 6 M <sup>1</sup>	NMT-30 D	25-200	S-3 to 6 M <sup>1</sup>	2-6 M	200-600	R-1 Y
SD	NMT 30 D	NMT 200		NMT 1 Y	NMT 1,000	S-NMT 1 Y <sup>1</sup>	NMT 30 D	NMT 200	S-NMT 1 Y <sup>1</sup>
TN	NMT 30 D	NMT 50	S-6 M <sup>1</sup>	NMT 6 M	NMT 500	S-6 M <sup>1</sup>	NMT 6 M	NMT 500	R-1 Y
TX		1-200	S-NMT 1 Y <sup>29</sup>	NMT 30 D	NMT 200	S-NMT 1 Y <sup>29</sup>		1-200	S-NMT 1 Y <sup>29</sup>
UT	NMT 90 D	NMT 750	S-NMT 1 Y <sup>1</sup>	NMT 6 M	NMT 1,000	S-NMT 1 Y <sup>1</sup>	NMT 90 D	NMT 750	S-NMT 1 Y <sup>1</sup>
VT		NMT 175	S-≥30 D <sup>1</sup>	(NMT 1 Y <sup>30</sup> )	(NMT 1,000 <sup>30</sup> )	(S-30 D <sup>30</sup> )	(NMT 3 M <sup>31</sup> )	(NMT 300 <sup>31</sup> )	(S-≥30 D <sup>31</sup> )
VA		NMT 200	S-90 D <sup>1</sup>	NMT 12 M	NMT 2,500	S-90 D <sup>32</sup>	NMT 12 M	NMT 2,500	S-6 M to 2 Y
VI	NMT 6 M	NMT 200	R <sup>33</sup>	NMT 6 M	NMT 500	R <sup>33</sup>			
WA		NMT 250	S-NMT 1 Y <sup>34</sup>	NMT 1 Y	NMT 5,000	S-30 D to 1 Y	NMT 1 Y	NMT 5,000	S-30 D to 1 Y
WV		NMT 100	S-NMT 1 Y <sup>34</sup>	5-90 D	25-500	S-NMT 1 Y <sup>34</sup>		50-100	R-6 M
WI		30-300 <sup>35</sup>	S/R-NMT 1 Y <sup>36</sup>		25-200	S/R-NMT 1 Y <sup>37</sup>		20-400	S/R-NMT 1 Y <sup>37</sup>
WY	NMT 30 D <sup>38</sup>	NMT 200	S-NMT 12 M <sup>34</sup>	NMT 6 M	NMT 750	S-90 D	NMT 10 D	10-100	S-NMT 12 M <sup>34</sup>
UVC		NMT 200	S-NMT 1 Y <sup>1</sup>	5-90 D	25-500	S-NMT 1 Y <sup>1</sup>		NMT 200	S-NMT 1 Y <sup>1</sup>

D = Day(s) M = Month(s) S = Suspension R = Revocation W = Week(s) Y = Year(s) NLT = Not Less Than NMT = Not More Than UVC = Uniform Vehicle Code

- Licensing action is via a point system. Under this system a person's license is not usually suspended for just one offense. However, only when they have committed numerous traffic violations are they subject to licensing action.
- Suspension via the courts is for not more than 1 year. Suspension via the Point System is 3 to 6 months.
- The jail sanction is 24 hours to 90 days and the license suspension is 90 days to 6 months.
- I. For driving >55 MPH, the fine \$35 to \$90. However, for driving >70 MPH on multiple lane limited access highways, the fine range is between \$100 and \$150. II. For persons operating trucks the following fines apply. If driving >55 MPH on multiple lane limited access highways, the fine is between \$100 and \$150. Driving in >70 MPH limit on multiple lane limited access highways, the fine amount is \$100 to 200.

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SUMMARY TABLE OF STATE SPEED LAWS  
(continued)

5. A persons's license can also be revoked for 6 months. Licensing action (suspension or revocation) is via a point system.
6. The suspension is via a Point System. The suspension period could be 1 year depending upon the number of points that have been accumulated.
7. The licensing sanctions given are via a point system and apply (1) to persons over 21 years old and (2) to persons under such age who only commit either a 2 or 3 point speeding violation. However, persons under 21 years old who are convicted of either (1) a speeding offense requiring 4 or more points, (2) racing on the highways or (3) reckless driving are subject to license revocation. For a 1st offense, there is a 6 month mandatory revocation. And, for a subsequent offense, there is a mandatory 12 month revocation.
8. Suspension is via a court order. Note: The Point System has been repealed.
9. Suspension is via court order.
10. License suspension or revocation is based upon the frequency of traffic law violations. A Point System is used to assist the licensing agency in determining frequency of violations. Using this system, a person's license can also be revoked for 1 year.
11. The licensing agency has the authority to either suspend a person's license based on the frequency of traffic law violations.
12. Fines are determined via a matrix.
13. Suspension is via a Point System. If the requisite number of points are accumulated, a person's license can be suspended from 90 days to 2 years.
14. The licensing agency has the authority to either suspend, revoke or cancel a person's license based on the frequency of traffic law violations.
15. This State does not have a per se reckless driving law. The sanctions given are for the offense of Driving to Endanger.
16. The fine is not less than \$50. If a person was driving >10 MPH over the speed limit, there is an additional fine of \$10 for every MPH over such limit.
17. Suspension via the Point System for not more than 1 year or revocation from 90 days to 2 years.
18. The law does not specify either a minimum or a maximum period of suspension.
19. This State does not have a per se reckless driving law. The sanctions given are for a violation of the Basic Speed Rule which in this State includes driving at a rate of speed so as to endanger the life, limb or property of another person.
20. The State regulations limit the suspension period to 6 months. However, the law allows for a suspension period for not more than 1 year.
21. Suspension is via a Point System. A person's license can be suspended from 6 months to 1 year.
22. This suspension is via court order.
23. Suspension or revocation based upon a Point System. The law does not provide for specific periods of license suspension or revocation.

SUMMARY TABLE OF STATE SPEED LAWS  
(continued)

24. The sanctions listed apply to the offense of Willful Speed Competition which is racing which has not been prearranged.
25. The 6 month suspension is via a Point System. However, the court is authorized to suspend a person's license from 30 days to 3 years.
26. License suspension for 30 days via the Driver Improvement Program. A person has to commit numerous traffic law violations before licensing action is taken.
27. The fine is \$42.50 for exceeding the 65 MPH speed limit.
28. A person may also be subjected to a license revocation which has an indeterminate period.
29. A person's license may also be revoked for an indefinite period.
30. This State does not have a per se reckless driving law. The sanctions listed are for the offense of negligent motor vehicle operation.
31. This State does not have a law directly pertaining to racing on the highway. The sanctions listed are for the offense of excessive speeding.
32. This 90 day suspension is via a Point System. However, the courts can also suspend a person's license from 10 days to 6 months.
33. The period of license revocation is determined by the court. The law does not establish a maximum revocation period.
34. The suspension is based on the frequency of traffic law violations.
35. For violating the 65 MPH speed limit, the fine is \$50 to \$300. For violating other speed limits, the fine is \$30 to \$300.
36. Fifteen (15) day suspension or revocation via court action for driving  $\geq 25$  MPH over either the 55 or 65 MPH speed limit. For other speeding violations, the court can suspend or revoke a person's license for not more than 1 year. In addition, a person's license is subject suspension or revocation via a Point System from 2 months to 1 year.
37. The court can suspend or revoke a person's license for not more than 1 year. In addition, a person's license is subject suspension or revocation via a Point System from 2 months to 1 year.
38. There are no imprisonment sanctions either (1) for exceeding the 65 MPH speed but  $> 66$  MPH but  $< 74$  MPH or exceeding the 75 MPH speed limit.

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When considering the speed limit violation fee, one should keep in mind the deterrent impact of the fee. As shown by the attached information, speed was the second leading contributing factor of fatal crashes during 1997, following alcohol, drugs, or medication. These relationships during 1997 are typical of past years as well.

According to the National Safety Council, for every ten miles per hour over 50 miles per hour you drive, you double your chance of being killed if you are in a crash. Clearly, efforts to reduce speeding violators are in the best interests of society.

Information pages attached are copied from the North Dakota Vehicle Crash Facts for 1997, the most recent complete report available.

Attached for your information are:

- General "Did You Know" statistics
- Contributing Factors in 1997 Fatal Crashes
- Total Fatalities and Fatality Rate – ND vs: US
- Ten-year comparison of fatalities, injuries and property damage crashes along with an estimated cost of these crashes.

Additionally, attached you will find a copy of 1998 vs. 1997 North Dakota Traffic Crash Statistics summary.

## DID YOU KNOW?

1995	1996	1997	
6,628,947,000	6,767,750,000	6,885,835,000	vehicle miles traveled within the state.
14,275	15,962	16,662	traffic crashes occurred in North Dakota.
74	85	105	persons were killed in traffic crashes.
5,743	6,015	5,900	persons were injured in traffic crashes.
54%	49%	45%	of the fatal crashes occurred during daylight hours.
69%	78%	79%	of the fatal crashes occurred on dry surface with clear/cloudy weather conditions.

## 1997 FACTS AND FIGURES

### WHO?

5.9% of all licensed drivers in North Dakota were involved in a traffic crash.  
 66% of all fatalities were male.  
 32% of those killed were between the ages of 14-24. Males in this age group account for 36% of all male fatalities. Females in this age group account for 25% of all female fatalities.

Ratio of injured to killed was 5,900 to 105 or 56 to 1.

49% of the fatal crashes involved a single motor vehicle.

### WHERE?

10% of the fatal crashes occurred in urban areas.  
 90% of the fatal crashes occurred in rural areas.

62% of all fatal crashes occurred during July through November.  
 28% of all fatal crashes occurred on Saturday and Sunday.  
 28% of all fatal crashes occurred between 10:00 p.m. and 5:00 a.m.

### WHEN?

A reportable crash occurred every 31.5 minutes.  
 One person was injured every 1.5 hours.  
 One person was killed every 3.5 days.

58% of the vehicles involved in crashes were passenger cars.

The total number of registered motorcycles in 1997 was 16,021 compared to 16,394 in 1996.

Of the 122 motorcycles involved in crashes, 3 were involved in fatal crashes and 109 were involved in injury crashes.

Of the 118 pedalcycles involved in crashes, one was involved in a fatal crash and 106 were involved in injury crashes.

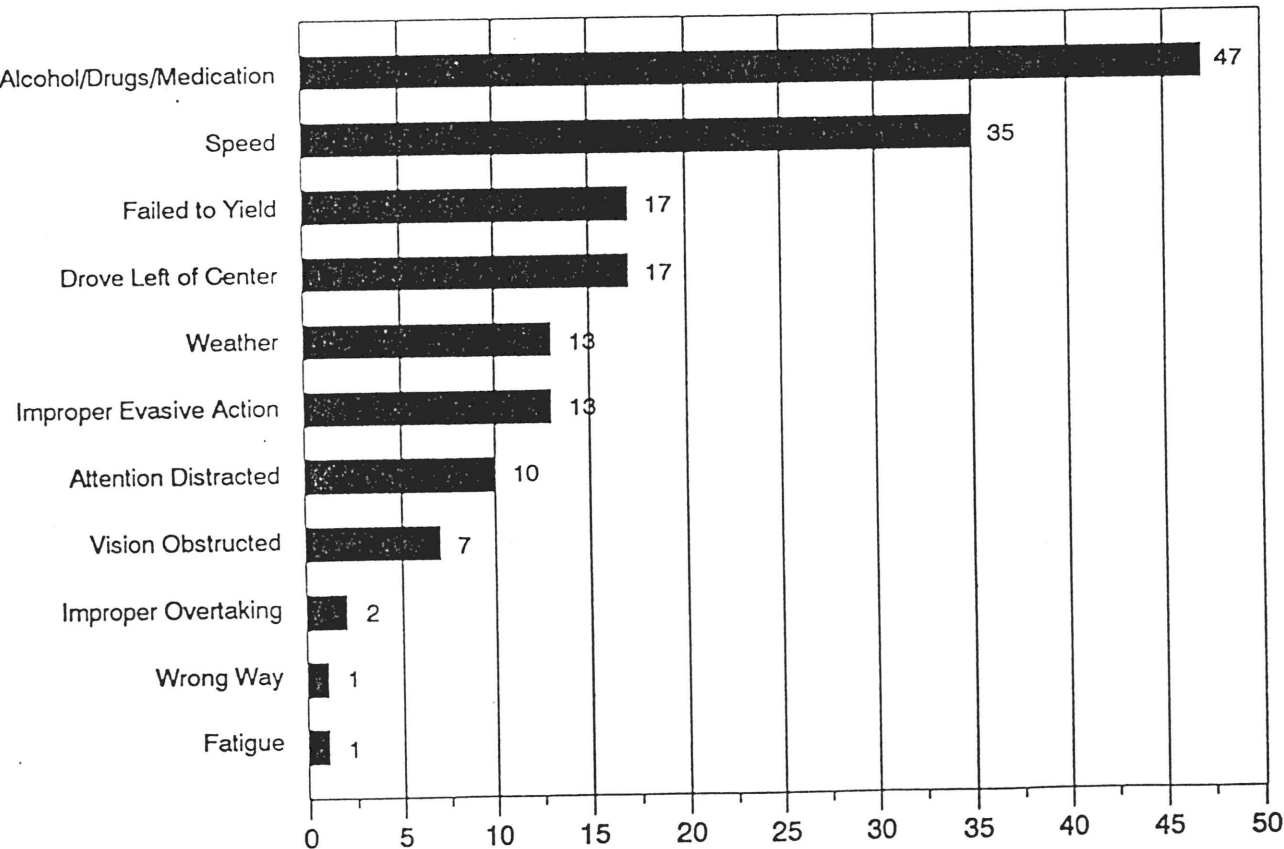
Of the 31 school buses involved in crashes, none were involved in a fatal crash and 18 were involved in injury crashes.

Twenty-six emergency vehicles were involved in crashes, none were involved in fatal crashes and were involved in injury crashes.

## NORTH DAKOTA/OUT-OF-STATE DRIVER INVOLVEMENT

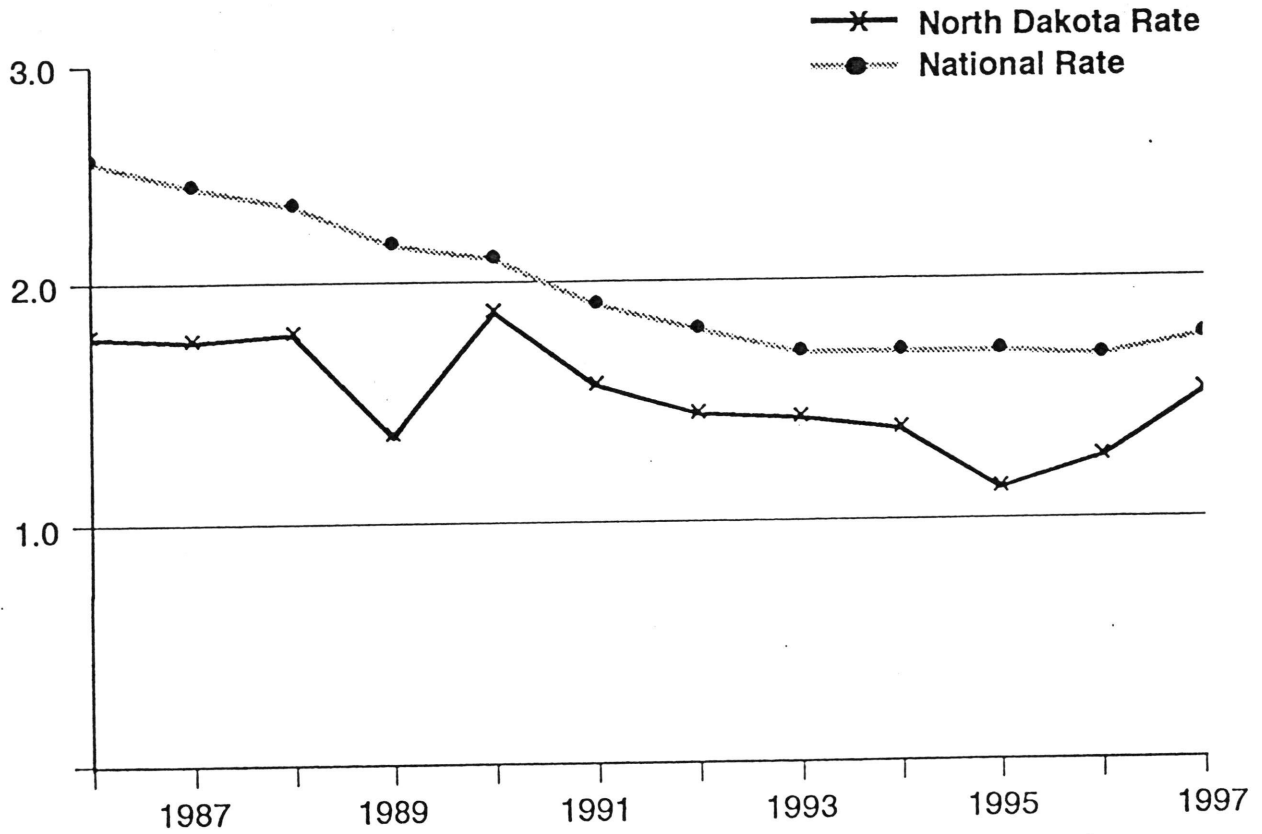
License	All Crashes	Fatal Crashes	Injury Crashes
North Dakota	23,009 or 87.6%	96 or 78.1%	5,435 or 87.0%
Out-of-State	3,220 or 12.3%	26 or 21.1%	807 or 12.9%
Unknown	22 or 0.1%	1 or 0.8%	6 or 0.1%
	26,251	123	6,248

## CONTRIBUTING FACTORS IN 1997 FATAL CRASHES\*



\* There were 89 fatal crashes in 1997. Multiple contributing factors may be associated with one fatal crash and are based on the officer's preliminary investigation.

## TOTAL FATALITIES AND FATALITY RATE\* NORTH DAKOTA VS. NATIONAL



YEAR	NORTH DAKOTA FATALITIES	NORTH DAKOTA RATE	NATIONAL** FATALITIES	NATIONAL* RATE
1987	101	1.76	46,383	2.40
1988	104	1.79	47,093	2.32
1989	81	1.37	45,555	2.16
1990	112	1.88	44,529	2.10
1991	94	1.57	41,462	1.91
1992	88	1.45	39,200	1.80
1993	89	1.43	39,850	1.70
1994	88	1.38	40,400	1.70
1995	74	1.13	41,700	1.70
1996	85	1.26	41,500	1.68
1997	105	1.53	42,000	1.76

\*Rate is based on deaths per 100 million vehicle miles traveled.

\*\*Fatal Accident Reporting System Annual Report.

## AVERAGE ECONOMIC COSTS OF NORTH DAKOTA TRAFFIC CRASHES

Year	Fatalities		Injuries		Property Damage Crashes		Total Est. Loss
	Number	Est. Loss	Number	Est. Loss	Number	Est. Loss	
1988	104	\$30,160,000	4,924	\$ 64,504,400	7,397	\$12,574,900	\$107,239,300
1989	81	23,490,000	4,973	70,119,300	8,040	24,120,000	117,729,300
1990	112	45,920,000	4,890	85,086,000	7,252	25,382,000	156,388,000
1991	94	42,300,000	4,939	100,261,700	8,080	33,936,000	176,497,700
1992	88	77,440,000	5,122	151,099,000	8,196	53,274,000	281,813,000
1993	89	80,100,000	5,507	180,629,600	9,176	53,220,800	313,950,400
1994	88	80,960,000	5,659	193,537,800	10,189	67,247,400	341,745,200
1995	74	68,080,000	5,743	196,410,600	10,303	67,999,800	332,490,400
1996	85	68,850,000	6,015	205,713,000	11,762	71,748,200	346,311,200
1997	105	82,950,000	5,900	189,980,000	12,589	75,534,000	348,464,000

Year	Per Fatality	Per Injury	Per Property Damage
1988 <sup>1</sup>	\$290,000	\$13,100	\$1,700
1989 <sup>1</sup>	290,000	14,100	3,000
1990 <sup>1</sup>	410,000	17,400	3,500
1991 <sup>1</sup>	450,000	20,300	4,200
1992 <sup>1</sup>	880,000	29,500	6,500
1993 <sup>1</sup>	900,000	32,800	5,800
1994 <sup>1</sup>	920,000	34,200	6,600
1995 <sup>1</sup>	920,000	34,200	6,600
1996 <sup>1</sup>	810,000	34,200	6,100
1997 <sup>1</sup>	790,000	32,200	6,000

<sup>1</sup>Estimated figures published by National Safety Council.

Economic costs estimate the economic impact of motor vehicle crashes based on five cost components: (a) wage and productivity losses, which include wages, fringe benefits, household production, and travel delay; (b) medical expenses including emergency service costs; (c) administrative expenses, which include the administrative cost of private and public insurance plus police and legal costs; (d) motor vehicle damage, including the value of damage to property; and (e) employer costs for injuries to workers.



# North Dakota Traffic Crash Statistics

	Year to Date 12/31/98	YTD 1997
Traffic Fatalities	92	105
Fatal Traffic Crashes	79	89
Alcohol Related Crashes	32	34
Alcohol Related Fatalities	38	43
Wearing Seat Belts	15	13
Crashes, No Seat Belt Worn	66	77
Unknown Seat Belt Usage	2	3
Crashes, Head On Collision	6	17
Rollovers	31	34
Fixed Object	11	6

## Motor Vehicle Fatalities & Injuries In North Dakota

- From 1993 to 1997, there were 198 deaths to North Dakota children ages 14-19. The leading cause of death 34.8 percent (69 deaths) was motor vehicles.

### *Leading Causes of Death North Dakota Residents - Ages 14-19 1993-1997*

<u>Cause</u>	<u>#</u>	<u>Percent</u>
→ <i>Motor Vehicle Accidents</i>	69	<u>34.8</u>
<i>Suicide</i>	54	27.3
<i>Other Accidents</i>	33	16.7
<i>Other</i>	24	12.1
<i>Cancer</i>	8	4.0
<i>Homicide</i>	6	3.0
<i>Heart</i>	4	2.0
	198	100%

- From 1995 to 1997, North Dakota ambulances responded to 10,421 calls involving children aged 0-21. Trauma calls (47.6 percent) accounted for the largest portion of ambulance runs in the pediatric population, followed by medical illness (26.7 percent) and transfers/other (25.7 percent).
- Of the trauma calls, 55 percent were for motor vehicle crashes, followed by other, falls, assaults, bicycle, and pedestrian.

Sources: ND Department of Health, Division of Vital Records  
ND Department of Health, Emergency Health Services

SEN. B. STENEHJEM, CHAIR

I AM ROXANNE JENSEN, STATE REPRESENTATIVE FROM DISTRICT 17 IN GRAND FORKS.

I INTRODUCED THIS BILL BECAUSE OF THE DISPARITY THAT EXISTS BETWEEN NORTH DAKOTA AND OUR NEIGHBORING STATES IN THE AMOUNT OF FINES THAT ARE ASSESSED FOR SPEEDING ON OUR HIGHWAYS.

ACCIDENTS ARE CAUSED BY SPEED. SPEEDING IS THE 2ND HIGHEST CAUSE OF HIGHWAY FATALITIES AFTER ALCOHOL, DRUG.

ANYTHING THAT CAN BE DONE TO PREVENT THE NUMBER OF CRASHES IS WORTH CONSIDERING. HIGHER SPEEDING FINES ARE BELIEVED TO BE A DETERRENT TO SPEEDING. THIS IS THE BEST OF ALL POSSIBLE SCENARIOS. IF HIGHER FINES ACT AS A DETERRENT, WE WILL HAVE SAFER HIGHWAYS. IF IT ISN'T WE WILL PRODUCE A HEALTHY INCREASE IN FEES THAT WILL GO TO CITIES AND COUNTIES. IF IT IS SUCCESSFUL IN FUTURE AS A DETERRENT, WE WILL HAVE RAISED \$600,000. THAT CAN PROVIDE FOR CURRENT UNMET NEEDS.

THE FEE SCHEDULE IS BASED ON THAT OF OUR NEIGHBORING STATES. THE INCREASED FINES KICK IN ONLY WHEN A DRIVER HAS EXCEEDED THE POSTED LIMIT BY 15 MPH.

THIS BILL IF ENACTED WILL REDUCE THE NUMBER OF SPEEDERS ON OUR HIGHWAYS AND IT WILL PUNISH THOSE WHO ABUSE OUR LAWS AND ENDANGER OUR DRIVERS.

I RESPECTFULLY REQUEST YOUR SUPPORT OF THIS MEASURE.

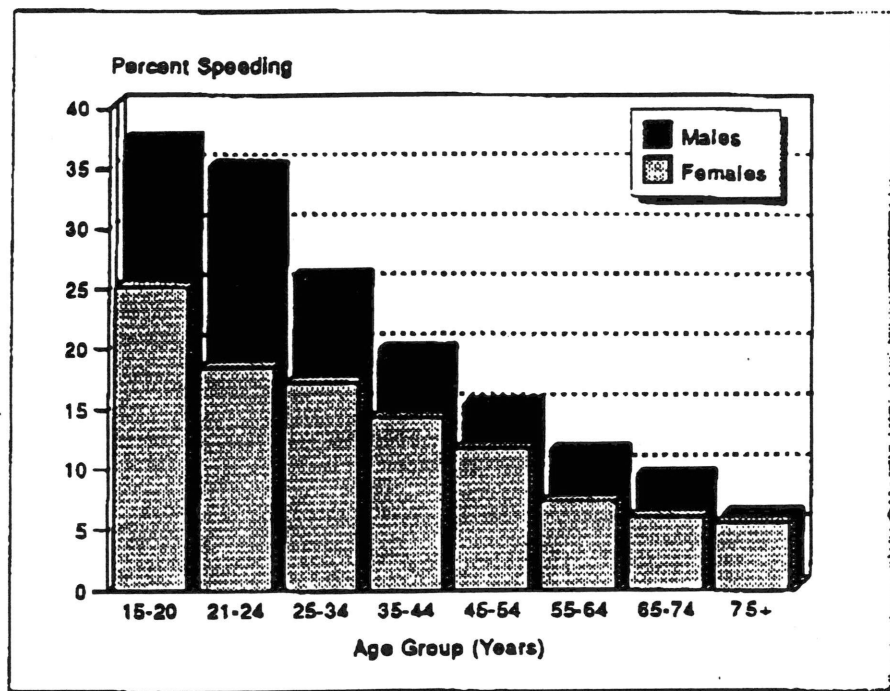
## Traffic Safety Facts 1997 — Speeding

In 1997, 626,000 people received minor injuries in speeding-related crashes. An additional 75,000 people received moderate injuries, and 41,000 received critical injuries in speeding-related crashes (based on methodology from *The Economic Cost of Motor Vehicle Crashes 1994*, NHTSA).

Speeding reduces a driver's ability to steer safely around curves or objects in the roadway, extends the distance necessary to stop a vehicle, and increases the distance a vehicle travels while the driver reacts to a dangerous situation.

For drivers involved in fatal crashes, young males are the most likely to be speeding. The relative proportion of speeding-related crashes to all crashes decreases with increasing driver age. In 1997, 37 percent of the male drivers 15 to 20 years old who were involved in fatal crashes were speeding at the time of the crash.

Figure 2. Speeding Drivers in Fatal Crashes by Age and Sex, 1997



**"In 1997, 37 percent of male drivers 15 to 20 years old involved in fatal crashes were speeding."**

Alcohol and speeding seem to go hand in hand. In 1997, 23 percent of the speeding drivers under 21 years old who were involved in fatal crashes were also intoxicated, with a blood alcohol concentration (BAC) of 0.10 (grams per deciliter [g/dl]) or greater. In contrast, only 9 percent of the nonspeeding drivers under age 21 involved in fatal crashes in 1997 were intoxicated.

For drivers between 21 and 24 years of age who were involved in fatal crashes in 1997, 45 percent of speeding drivers were intoxicated, compared with only 18 percent of nonspeeding drivers.

Alcohol and speeding are clearly a deadly combination. Alcohol involvement is prevalent for drivers involved in speeding-related crashes. In 1997, 43 percent of the intoxicated drivers (BAC = 0.10 or higher) involved in fatal crashes were speeding, compared with only 14 percent of the sober drivers (BAC = 0.00) involved in fatal crashes (Figure 3).