

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1184

2001 HOUSE TRANSPORTATION

HB 1184

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 1184

House Transportation Committee

☐ Conference Committee

Hearing Date January 18, 2001

Tape Number	Side A	Side B	Meter #
1	x		3,930
1		X	4,053
Committee Clerk Signature <i>Lauren B. Fink</i>			

Minutes: Rep. Weisz - Chairman opened the hearing on HB 1184; A BILL to amend and reenact subsection 2 of section 39-04-36 of the North Dakota Century Code, relating to license fee credits.

Keith Kiser, Motor Vehicle Division Director, North Dakota Department of Transportation appeared in support of this DOT sponsored bill. See a copy of his written testimony attached.

Rep. Weisz - Chairman (4142) Does this prohibit the ability of a person to buy personalized license plates?

Keith Kiser: No, not a bit.

Rep. Weisz - Chairman: I guess the question is, the language says the owner "must" use the license plates.

Keith Kiser: No that is not the intent. You still have the option to purchase new plates.

Rep. Mahoney: You say we are selling more plates now than before we wrote the law, if that is the case then maybe we should throw out the law.

Keith Kiser: I do not advocate do that. The citizens like this law because it gives them credits.

Rep. Mahoney: I am one of those who likes to run his vehicle into the ground. I usually have 5 or 6 vehicles setting around my yard. This last year I got rid of several of those vehicles and wasn't purchasing anything else at the time. I could hang on to the license plates. It just seems strange you want to force people to take a credit and yet it is a cost to the Department. You say you are making more license -- I am assume that more expense to the Department -- but you are also loosing the credits people lost under the old law. It just seems that this new law isn't working that well.

Keith Kiser: Let me explain why we are selling more plates. If a person trades his car, instead of buying new plates --- we are trying to mandate that the old plates be used even though we give them credits -- it is still less work and cheaper for the department to have you make use of the old plates. The same is true, if you buy a new car, instead of buying new plates it would save us work and expense if you would use your old plates. Under the old law people were not using their old plates and not taking advantage of the credits-- and sometimes the credits are small -- but unless we try to mandate that they use to old plates experience has shown they will buy new plates.

Rep. Mahoney: If I have an old plate in my garage which I am not using and I buy a new vehicle and order new plates, am I subject to a penalty under this bill?

Keith Kiser: The way we would enforce this -- the way we see this whether there is a trade in -- we are not going to be spending time to track back in your records to say that you should have used on of your old plates.

Rep. Mahoney: What if I admit it? What would my penalty be?

Kieth Kiser: Under this statute I believe it would be a class B misdemeanor because there are no specific penalties provided in this statute.

Keith Kiser: The important part of this bill is the part that deals with the lessor's credits. If the committee is uncomfortable with the other requirements we certainly don't object to you taking them out.

Rep. Thoreson: (4840) I think you have pretty much answered my question but the main part of bill is to sort out the lessor/ lessee issue.

Keith Kiser: Yes sir you are exactly right.

Rep. Koppang: (4920) I didn't sign this bill but I am supporting because I did introduce a similar bill which will come up later. The main thing in this bill is the transfer of credits. I encourage you to vote a "Do Pass" on this bill.

Rep. Weisz - Chairman: (5040) There being no one wishing to present further testimony either for or against HB 1184, the hearing for testimony is closed.

Discussion followed. (Tape 1 Side B Meter at 4053)

Rep. Carlson: I move a Do Pass as amended and I would move we remove line 9 to line 12 from the word "the transferor" down to the word Plates 'period' be removed from the bill.

Rep. Mahoney: I second that amendment. Motion carried on a voice vote.

Rep. Carlson: I move a 'Do Pass as amended'.

Rep. Kelsch: I second the motion.

Roll call vote: 13 aye 0 nays 1 absent.

Rep. Thorpe was assigned to carry HB 1184 on the floor.

FISCAL NOTE

Requested by Legislative Council

04/02/2001

Bill/Resolution No.:

Amendment to: Engrossed
HB 1184

1A. **State fiscal effect:** *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				(\$37,800)		(\$41,580)
Expenditures				\$15,000		\$15,000
Appropriations				\$15,000		\$15,000

1B. **County, city, and school district fiscal effect:** *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
			(\$17,250)	(\$10,500)		(\$18,630)	(\$11,340)	

2. **Narrative:** *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

This bill, as amended, provides for a license fee credit for lessees that is not currently available to them. Since the leasing companies do not customarily use the credit available to them under current law, it is anticipated there will be a small reduction in revenue if lessees take advantage of the provisions of this bill. It is not possible to accurately estimate the fiscal impact as it is not known how many lessees will have credit available at the end of their leases or how many will purchase a replacement vehicle and use any remaining credit they may have.

This bill also requires the DOT to print a temporary registration certificate on the reverse side of each vehicle registration card. This will result in an increase in printing costs.

3. **State fiscal effect detail:** *For information shown under state fiscal effect in 1A, please:*

A. **Revenues:** *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

For purposes of this fiscal note, it was estimated the revenue loss to the Highway Tax Distribution Fund under the amendments to subsection 2 of 39-04-36 of the 1999 Supplement to the North Dakota Century Code would be \$60,000 in the 2001-2003 biennium and \$66,000 for the 2003-2005 biennium. The state's share of this revenue loss is 63%. The counties share is 23% and the cities share is 14%.

This bill as amended would also require the DOT to print a temporary registration certificate on the reverse

side of each vehicle registration card. This will result in an increase in printing costs of approximately \$15,000 per biennium. These costs will reduce the revenue available to the Highway Tax Distribution Fund.

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

This bill as amended would require the DOT to print a temporary registration certificate on the reverse side of each vehicle registration card. This will result in an increase in printing costs of approximately \$15,000 per biennium.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

The Motor Vehicle Division will require a budget enhancement to cover the additional printing costs that will be incurred.

Name:	Shannon L. Sauer	Agency:	NDDOT
Phone Number:	328-4375	Date Prepared:	04/03/2001

FISCAL NOTE

Requested by Legislative Council
03/07/2001

Bill/Resolution No.:

Amendment to: Engrossed
HB 1184

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				(\$12,600)		(\$12,600)
Expenditures				\$20,000		\$20,000
Appropriations				\$20,000		\$20,000

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
			(\$4,600)	(\$2,800)		(\$4,600)	(\$2,800)	

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

This bill, as amended, requires the Motor Vehicle Division to send a special insert with each registration renewal notice mailed to vehicle owners each year. It is estimated the biennium cost for printing the inserts (\$19,000) plus some additional mailing costs (\$1,000) will be \$20,000.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

Since the Motor Vehicle Division will require a budget enhancement to cover the costs associated with the amendments to this bill, it will reduce revenue available to the Highway Tax Distribution Fund.

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

It is estimated the Motor Vehicle Division will spend \$20,000 to implement the provisions of the amendments to this bill.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and*

appropriations.

The Motor Vehicle Division will need a budget enhancement to cover the postage and printing costs we will incur to implement the amendments to this bill.

Name:	Keith Kiser	Agency:	NDDOT
Phone Number:	328-2725	Date Prepared:	03/07/2001

FISCAL NOTE
Requested by Legislative Council
01/22/2001

Bill/Resolution No.:

Amendment to: HB 1184

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				(\$37,800)		(\$41,580)
Expenditures						
Appropriations						

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
			(\$13,800)	(\$8,400)		(\$15,180)	(\$9,240)	

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

The amendment to this bill removes the requirement that vehicle owners used previous license plates they have available rather than obtain new license plates. The previous fiscal note for this bill estimated we could reduce expenditures for license plates by \$3,000 during the 2001-2003 biennium and \$3,300 for the 2003-2005 biennium. The amendment to remove this requirement eliminates this potential cost savings.

The amended bill continues to provides for a license fee credit for lessees that is not currently available to them. Since the leasing companies do not customarily use the credit available to them under current law, it is anticipated there will be a small reduction in revenue if lessees take advantage of the provisions of this bill. It is not possible to accurately estimate the fiscal impact as it is not known how many lessees will have credit available at the end of their leases or how many will purchase a replacement vehicle and use any remaining credit they may have.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1.A, please:*

A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate for each revenue type and fund affected and any amounts included in the executive budget.*

For purposes of this worksheet, it was estimated the total revenue loss to the Highway Tax Distribution Fund would be \$60,000 in the 2001-2003 biennium and \$66,000 for the 2002-2005 biennium. The state's share of this revenue loss is 63%. The counties share is 23% and the cities share is 14%.

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each*

agency, line item, and fund affected and the number of FTE positions affected.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

Name:	Keith Kiser	Agency:	NDDOT
Phone Number:	328-2725	Date Prepared:	01/22/2001

FISCAL NOTE
 Requested by Legislative Council
 12/26/2000

Bill/Resolution No.: HB 1184

Amendment to:

1A. State fiscal effect: *Identify the state fiscal effect and the fiscal effect on agency appropriations compared to funding levels and appropriations anticipated under current law.*

	1999-2001 Biennium		2001-2003 Biennium		2003-2005 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues				(\$37,800)		(\$41,580)
Expenditures				(\$3,000)		(\$3,300)
Appropriations				(\$3,000)		(\$3,300)

1B. County, city, and school district fiscal effect: *Identify the fiscal effect on the appropriate political subdivision.*

1999-2001 Biennium			2001-2003 Biennium			2003-2005 Biennium		
Counties	Cities	School Districts	Counties	Cities	School Districts	Counties	Cities	School Districts
			(\$13,110)	(\$7,980)		(\$14,421)	(\$8,778)	

2. Narrative: *Identify the aspects of the measure which cause fiscal impact and include any comments relevant to your analysis.*

This bill provides for a license fee credit for lessees that is not currently available to them. Since the leasing companies do not customarily use the credit available to them under current law, it is anticipated there will be a small reduction in revenue if lessees take advantage of the provisions of this bill. It is not possible to accurately estimate the fiscal impact as it is not known how many lessees will have credit available at the end of their leases or how many will purchase a replacement vehicle and use any remaining credit they may have. The bill also requires vehicle purchasers to use their previous license plates, even if there is no remaining credit on the plates. This should result in the need to purchase approximately 1,000 less license plates each year.

3. State fiscal effect detail: *For information shown under state fiscal effect in 1A, please:*
A. Revenues: *Explain the revenue amounts. Provide detail, when appropriate, for each revenue type and fund affected and any amounts included in the executive budget.*

For purposes of this worksheet, it was estimated the total revenue loss to the Highway Tax Distribution Fund would be \$60,000 in the 2001-2003 biennium and \$66,000 for the 2003-2005 biennium. The state's share of this revenue loss is 63%. The counties share is 23% and the cities share is 14%.

B. Expenditures: *Explain the expenditure amounts. Provide detail, when appropriate, for each agency, line item, and fund affected and the number of FTE positions affected.*

We expect to purchase approximately 1,000 less license plates each year as a result of this legislation.

C. Appropriations: *Explain the appropriation amounts. Provide detail, when appropriate, of the effect on the biennial appropriation for each agency and fund affected and any amounts included in the executive budget. Indicate the relationship between the amounts shown for expenditures and appropriations.*

If we purchase fewer license plates, we will be able to make a reduction in our needed appropriation.

Name:	Keith Kiser	Agency:	NDDOT
Phone Number:	328-2725	Date Prepared:	12/27/2000

18251.0101
Title.0200

Adopted by the Transportation Committee
January 18, 2001

V/K
1/18/01

House Amendments to HB 1184

House Trn 1-19'01

Page 1, line 9, remove "The transferor must use a license plate previously removed"

Page 1, remove lines 10 and 11

Page 1, line 12, remove "may apply for duplicate plates."

Renumber accordingly

Date: 01/18/01
Roll Call Vote #:

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1184

House Transportation Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass as Amended

Motion Made By Rep. Carlson Seconded By Rep. Kelsch

Representatives	Yes	No	Representatives	Yes	No
Robin Weisz - Chairman	✓		Howard Grumbo	✓	
Chet Pollert - Vice Chairman	✓		John Mahoney	✓	
Al Carlson	✓		Arlo E. Schmidt	✓	
Mark A. Dosch	✓		Elwood Thorpe	✓	
Kathy Hawken	✓				
Roxanne Jensen	✓				
RaeAnn G. Kelsch	✓				
Clara Sue Price	A				
Dan Ruby	✓				
Laurel Thoreson	✓				

Total (Yes) 13 No 0

Absent 1

Floor Assignment Rep. Thorpe

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

REPORT OF STANDING COMMITTEE

HB 1184, as amended, Transportation Committee (Rep. Welsz, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). placed on the Sixth order on the calendar.

Page 1, line 9, remove "The transferor must use a license plate previously removed"

Page 1, remove lines 10 and 11

Page 1, line 12, remove "may apply for duplicate plates."

Renumber accordingly

2001 SENATE TRANSPORTATION

HB 1184

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1184

Senate Transportation Committee

☐ Conference Committee

Hearing Date 3-1-01;3-5-01

Tape Number	Side A	Side B	Meter #
1	x		13.6-29.4
1	x		8.0-14.8
Committee Clerk Signature <i>Suzette Schaffer</i>			

Minutes: **HB 1184** relates to license fee credits.

Kelth Magnusson: (NDDOT; Supports) See attached testimony.

Senator Espgaard: So what this is saying is that any credit remaining goes back to the person leasing the car?

Kelth Magnusson: Correct.

Senator Bercler: Will this impact the cost of the lease?

Senator Stenchjem: No, the person leasing the vehicle already pays the registration fee.

Rep. Koppelman: (District 13; Supports) See attached proposed amendment.

Senator Trenbeath: What does law enforcement think about this?

Rep. Koppelman: I haven't spoke to them but I don't think they would have problems. This is just a technicality.

Senator Trenbeath: If I were to buy a vehicle privately and I went down to the sheriff's office, would they be able to give me a self-certification certificate? Is it the law that I need one?

Page 2

Senate Transportation Committee

Bill/Resolution Number HB 1184

Hearing Date 3-1-01;3-5-01

Kelth Magnusson: We've sent them out, I would hope they could find one for you. Also, after five days it's the law.

Senator Stenehjem: Here's where I have the problem: If I take a license off an old 73 pickup and put it on a new cadillac, I could drive around for another six months until the fee is due. The registration fee for an old truck is way less than a brand new cadillac. Also, there could be confusion if pulled over by law enforcement.

Senator Espegard: I think that is covered in here. It says five days.

Rep. Koppelman: True. I think what Senator Stenehjem is getting to is how law enforcement knows if your registered. There is a potential for abuse. I think this would simplify this as a procedural matter.

Hearing closed.

Committee reopened on HB 1184 on 3-5-01.

Senator Trenbeath hands out two separate proposed amendments.

Senator Trenbeath motions to accept proposed amendment # 18251.0202. Seconded by Senator O'Connell. Roll call taken. 5-0-1. Senator O'Connell motions to Do Pass as amended. Seconded by Senator Espegard. Roll call taken 5-0-1. Floor carrier is Senator Trenbeath.

Committee closed.

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1184

Page 1, line 1, remove "subsection 2 of"

Page 1, line 2, replace "license" with "registration"

Page 1, line 4, replace "Subsection 2 of section" with "Section"

Page 1, after line 5, insert:

**"39-04-36. Transfer of registered vehicle - Removal of number plates -
Transfer of number plates.**

1. Whenever the ownership of a vehicle registered under the provisions of this chapter or chapter 39-18 is transferred or assigned, the registration of the vehicle expires and the transferor shall remove the number plates."

Page 1, after line 18, insert:

- "3. Except as otherwise permitted in this chapter, before the transferee of a registered vehicle may operate the vehicle on a highway, the transferee must apply for and obtain a new registration of the vehicle, as on an original registration. A transferee with a credit on a license plate under subsection 2 may display that plate on the replacement motor vehicle before obtaining the new registration. To provide the transferee adequate time to obtain a new registration, the director may provide for the issuance of a temporary registration certificate to permit the transferee to operate the vehicle for thirty days after the date of acquisition. The certificate must be available to the transferee from licensed vehicle dealers, law enforcement agencies, and motor vehicle branch offices. The vehicle may be operated for five days from date of purchase without a plate or certificate of ownership if dated evidence of ownership is carried in the vehicle. The evidence of ownership must be in a form as prescribed by the department."

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1184

Page 1, line 1, replace "subsection" with "subsections" and after "2" insert "and 3"

Page 1, line 4, replace "Subsection" with "Subsections" and after "2" insert "and 3"

Page 1, line 5, replace "is" with "are"

Page 1, after line 18, insert:

- "3. Except as otherwise permitted in this chapter, before the transferee of a registered vehicle may operate the vehicle on a highway, the transferee must apply for and obtain a new registration of the vehicle, as on an original registration. To provide the transferee adequate time to obtain a new registration, the director may provide for the issuance of a temporary registration certificate to permit the transferee to operate the vehicle for thirty days after the date of acquisition. The certificate must be printed on the back of each registration card and must be available to the transferee from licensed vehicle dealers, law enforcement agencies, and motor vehicle branch offices. The vehicle may be operated for five days from date of purchase without a plate or certificate of ownership if dated evidence of ownership is carried in the vehicle. The evidence of ownership must be in a form as prescribed by the department."

Renumber accordingly

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1184

Page 1, line 1, replace "subsection" with "subsections" and after "2" insert "and 3"

Page 1, line 4, replace "Subsection" with "Subsections" and after "2" insert "and 3"

Page 1, line 5, replace "is" with "are"

Page 1, after line 18, insert:

- "3. Except as otherwise permitted in this chapter, before the transferee of a registered vehicle may operate the vehicle on a highway, the transferee must apply for and obtain a new registration of the vehicle, as on an original registration. To provide the transferee adequate time to obtain a new registration, the director may provide for the issuance of a temporary registration certificate to permit the transferee to operate the vehicle for thirty days after the date of acquisition. The certificate must be mailed with each renewal of registration notice and must be available to the transferee from licensed vehicle dealers, law enforcement agencies, and motor vehicle branch offices. The vehicle may be operated for five days from date of purchase without a plate or certificate of ownership if dated evidence of ownership is carried in the vehicle. The evidence of ownership must be in a form as prescribed by the department."

Renumber accordingly

3-5

HB 1184

Committee



18251.0202

Action Taken

Motion Made By

[illegible]

Total

Absent

Floor Assignment

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

3-5
Vote #: 2

O.
#B 1184

Senate Transportation

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number 8251.0202

Action Taken Do Pass As Amended

Motion Made By O'Connell Seconded By Espgaard

[illegible]

Total (Yes) 5 No 0

Absent

Floor Assignment Trenbeath

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

REPORT OF STANDING COMMITTEE

HB 1184, as engrossed: Transportation Committee (Sen. Stenehjem, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). Engrossed HB 1184 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "subsection" with "subsections" and after "2" insert "and 3"

Page 1, line 4, replace "Subsection" with "Subsections" and after "2" insert "and 3"

Page 1, line 5, replace "is" with "are"

Page 1, after line 18, insert:

- "3. Except as otherwise permitted in this chapter, before the transferee of a registered vehicle may operate the vehicle on a highway, the transferee must apply for and obtain a new registration of the vehicle, as on an original registration. To provide the transferee adequate time to obtain a new registration, the director may provide for the issuance of a temporary registration certificate to permit the transferee to operate the vehicle for thirty days after the date of acquisition. The certificate must be mailed with each renewal of registration notice and must be available to the transferee from licensed vehicle dealers, law enforcement agencies, and motor vehicle branch offices. The vehicle may be operated for five days from date of purchase without a plate or certificate of ownership if dated evidence of ownership is carried in the vehicle. The evidence of ownership must be in a form as prescribed by the department."

Renumber accordingly

2001 HOUSE TRANSPORTATION

CONFERENCE COMMITTEE

HB 1184

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1184 Conf.

House Transportation Committee

☒ Conference Committee

Hearing Date March 29, 2001

Tape Number	Side A	Side B	Meter #
1	x		1
			End 1828
Committee Clerk Signature <i>Lauren L. Fife</i>			

Conference Committee Minutes:

Committee Members:

Rep. Carlson - Chairman

Sen. Stenehjem

Rep. Ruby

Sen. Trenbeath

Rep. Mahoney

Sen. O'Connell

Rep. Carlson - Chairman called for the roll. All members were present.

Rep. Carlson: As house members we will ask the Senate to explain their amendments.

Sen. Stenehjem: All the amendment does is when you mail your registration and they mail you your registration card in the mail -- they need to print that little sticker that put in your when you sell it -- print that on the back of the registration card or provide you one with the registration card. Its that simple. When we passed the plate with owner bill 2 sessions ago -- it was the intent under that bill that is what they would do. Now in an effort not to cost them a lot of money and having them reprint a lot of registration cards -- they have already told us in testimony in the

committee -- they already make those things readily available at the county treasurer's office and all the car dealers -- and this is basically for those people that are selling their vehicle without going through a car dealer. That is all this does -- they just throw one in when they mail you your registration or with your license tabs. They certainly don't want to do it on their own as we have ask them for 2 sessions.

Rep. Carlson: (139) You are asking them to include with the registration renewal an additional form -- the 30 day certificate --

Sen. Stenehjem: If your were going to sell Rep. Mahoney your car -- when you look in your glove compartment with your registration card in that very same envelope -- there will be that form you need -- Rep. Carson sells this car to John Mahoney -- you place in on the window because you are going to be taking the license plates they are yours. Its right there -- you don't have to search for someone to have one -- its right there.

Sen. Trenbeath: Or drive to a car dealer to get one -- its the 30 days temporary registration.

Rep. Carlson: (320) Are those required to be notarized? ??? No one seemed to know for sure. So you are saying that every time I get my renewal I will get an extra form of this little certificate in there in case I want to sell my car -- I have got my 30 day renewal there -- my 30 day license tabs until my new tabs come -- It is already in that envelope---

Sen. Stenehjem: Or they have the option of when they are already running your registration cards they print it on the back because once you sell the car you don't need that registration. You could tape that to your window and you would be good for 30 days.

Rep. Carlson: (401) I have trouble with the idea that people are going to hang on to save this thing ---

Sen. Trenbeath: Mr. Chairman -- so what? If somebody throws it away and they sell their car they can go down to the car dealer and get one just like they do now.

Sen. Stenehjem: My intent and it was 4 years ago was to have it on the back of your registration card and you would have it.

Rep. Mahoney: (454) So that would go on there and so if I bought a car and I didn't register it for several months like a lot of people do -- could I just keep putting that 30 day things on the window? I suppose I could do that anyway.

Sen. Stenehjem: Yes, that is exactly what you could do but understand that is part of what happens with the plate with owner -- the seller is taking the license plate with him because he still has that credit-- what do you do in the mean time? -- The main emphasis of this is that we get the plates off the vehicle so that the new owners license them.

Rep. Carlson: (570) I don't think you will save it - I am not adverse to have it print it on the back of the registration card but to think that people are going to save that little piece of paper, I don't think its going to happen.

Sen. Stenehjem: Maybe in your case that is true but in my case I can tell you that my registration card is in the envelope in my glove compartment. My wish would be that it would be printed on the back of the registration card and then you wouldn't throw it away. In an effort not to get a huge fiscal note on here with them saying --gee we have got 10 million cards ready to come out and its not on the back of them -- now what do we do? -- and they come up with a \$985,000 fiscal note -- give them the option -- they are already giving those slips of paper away anyway. Just have them mail them out until they want to print on the back of the registration cards.

Sen. Trenbeath: That would help curb the problem of the stockpiling of them because they are

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probably going to through the old registration card away and so they would only have one to use anyway.

Rep. Carlson: Here is a comment from the DOT "We are concerned because the Senate amendment requires the sending the additional form with the registration form to be mailed out . The form would be used only in event you sell your vehicle and we believe very few vehicle owners would use the forms when we send them each year. It seems to us that it would be a waste money to send hundreds of thousands of forms each for people to retain and have them available in the event they would need them." There is some legitimacy to their concerns there.

Sen. Trenbeath: We could just specify that they have to print them on the back--

Sen. Stenehjem: I don't have any problem with that either -- how long do you think the --

Sen. Trenbeath: This language does not direct them to mail a separate piece of paper.

Rep. Carlson: (787) No it goes with the registration ---

Sen. Trenbeath: It doesn't even mandate a separate piece of paper needs to go with the registration it just simply say that this form goes with and it can be printed on the back of the registration.

Sen. Stenehjem: But they will not --

Rep. Ruby: Is there anything printed on the back of those cards right now?

?? Nothing ---

Rep. Mahoney: (861) I think these people change and upgrade the style of a lot of their forms and I don't think the printing is that big an issue -- I think Sen. Trenbeath has the right idea on this -- this doesn't say they have to print it on the back or do what ever is the cheapest or most efficient for them to do -- send them out this year and work into it when they go to print --

Sen. Stenchjem: That is exactly what we wanted when we went to the Council to have this drafted and that is why it is the way it is.

Rep. Carlson: (1149) I would go along with if we required them to print it on the back of the registration card if we specified that it would apply with all registrations at the beginning of the year like January 1, 2002.

Rep. Mahoney: You are still going to end up with two forms because they will still provide forms to law enforcement agencies, motor vehicle offices --

Sen. Trenbeath: They would still be printing the form like they do now but no more than they do now.

Sen. Trenbeath: I move that on page 2 line 1 we delete the words "mailed with each renewal of registration notice" and insert in its place after the first word thee ? B ? " printed on the reverse side of each vehicle registration card." Further to add another section for the effective date of 1-1-02.

Rep. Carlson: Scott (our intern) you have that and put it into the appropriate form -- OK -- by saying that we are saying they still have to print the other form for the dealer, etc. -- as long as didn't screw up that part of it --OK.

Sen. Stenchjem: I wonder if that 1-1-02 is the date you want in there because I think most motor vehicle registrations come due 12-1 --- (voice) that's for pickups and trucks. -- so they get a chance to use up what they in stock. If we went a couple of months like to the first of April would be a little better. -- (voice) March 31st. -- maybe that would be better.

Sen. O'Connell: Let me run this by you -- "March 31st or sooner"

Rep. Carlson: (1530) Will you make that in the form of a motion?
Sen. Trenbeath: I so move.

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Rep. Carlson: The date being March 31.

Sen. Trenbeath: 02

Rep. Mahoney: I second.

Motion carried unanimously on a voice vote.

Rep. Carlson: Lets see -- I have to find the right language -- The House accedes to the Senate amendments and further amends --

Rep. Mahoney: I so move.

Stenehjem: I second.

On a roll call vote the motion carried: 6 yeas 0 nays.

Rep. Ruby will carry the bill for the House and Sen. Trenbeath will carry the bill for the Senate.

END (1828).

VR
3/30/01

CONFERENCE COMMITTEE AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1184 3-30-01

That the Senate recede from its amendments as printed on page 839 of the House Journal and page 719 of the Senate Journal and that Engrossed House Bill No. 1184 be amended as follows:

Page 1, line 1, replace "subsection" with "subsections" and after "2" insert "and 3"

Page 1, line 2, after "credits" insert "; and to provide an effective date"

Page 1, line 4, replace "Subsection" with "Subsections" and after "2" insert "and 3"

Page 1, line 5, replace "is" with "are"

Page 1, after line 18, insert:

- "3. Except as otherwise permitted in this chapter, before the transferee of a registered vehicle may operate the vehicle on a highway, the transferee must apply for and obtain a new registration of the vehicle, as on an original registration. To provide the transferee adequate time to obtain a new registration, the director may provide for the issuance of a temporary registration certificate to permit the transferee to operate the vehicle for thirty days after the date of acquisition. The certificate must be printed on the reverse side of each vehicle registration card and must be available to the transferee from licensed vehicle dealers, law enforcement agencies, and motor vehicle branch offices. The vehicle may be operated for five days from date of purchase without a plate or certificate of ownership if dated evidence of ownership is carried in the vehicle. The evidence of ownership must be in a form as prescribed by the department.

SECTION 2. EFFECTIVE DATE. This Act becomes effective on April 1, 2002."

Renumber accordingly

Mark Kal
Rustum

Date: **March 29, 2001**
Roll Call Vote #

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1184

House TRANSPORTATION Committee

☐ Subcommittee on _____
or _____

☒ Conference Committee

Legislative Council Amendment Number

Action Taken Do Pass as Amended in Conference

Motion Made By Rep. Trumbull Seconded By Rep. Mahoney

[illegible]

Total (Yes) 6 No 0

Absent 6

Floor Assignment Rep. Kirby

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

REPORT OF CONFERENCE COMMITTEE

HB 1184, as engrossed: Your conference committee (Sens. Stenehjem, Trenbeath, O'Connell and Reps. Carlson, Ruby, Mahoney) recommends that the **SENATE RECEDE** from the Senate amendments on HJ page 839, adopt further amendments as follows, and place HB 1184 on the Seventh order:

That the Senate recede from its amendments as printed on page 839 of the House Journal and page 719 of the Senate Journal and that Engrossed House Bill No. 1184 be amended as follows:

Page 1, line 1, replace "subsection" with "subsections" and after "2" insert "and 3"

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SECTION 2. EFFECTIVE DATE. This Act becomes effective on April 1, 2002."

Renumber accordingly

Engrossed HB 1184 was placed on the Seventh order of business on the calendar.

2001 TESTIMONY

HB 1184

HOUSE TRANSPORTATION COMMITTEE
JANUARY 18, 2001

North Dakota Department of Transportation
Keith Kiser, Motor Vehicle Division Director

HB 1184

The North Dakota Department of Transportation supports HB 1184, which would make two changes to the current plate-with-owner law.

1. **On page 1, lines 9 through 12,** we propose to add a requirement that transferors use license plates they have removed from a vehicle they previously sold or traded when registering a newly acquired vehicle, regardless of whether there is any remaining license fee credit on the previous vehicle. Since implementing the plate-with-owner legislation in 1997, we are using more license plates than ever before. In many cases, vehicle owners choose not to transfer license plates because they wish to get new plates for their new vehicle. While we understand their desire for new plates, issuing new plates when other plates are available is an unnecessary strain on our license plate budget. Passage of this suggested change will help to ease the strain on our budget while also making use of perfectly good license plates that will otherwise be needlessly discarded. Vehicle purchasers who do not wish to use a pre-existing plate would have the option to pay the \$5.00 duplicate plate fee and receive new license plates.
2. **On page 1, lines 14 through 16,** we propose to specify that license fee credits remaining on a leased vehicle belong to the lessee. Currently, license fee credits belong to the leasing company even though they are paid by the lessee. We have received hundreds of complaints from lessees regarding this situation and believe this is an appropriate change.

HOUSE TRANSPORTATION COMMITTEE
MARCH 1 , 2001

North Dakota Department of Transportation
Keith Kiser, Motor Vehicle Division Director

Magnusson

HB 1184

Chairman Stenehjem and members of the Senate Transportation Committee: The North Dakota Department of Transportation supports HB 1184, which would make a change to the current plate with owner law.

1. **On page 1, lines 11 and 12** of the engrossed House Bill, we propose to specify that license fee credits remaining on a leased vehicle belong to the lessee. Currently, license fee credits belong to the leasing company even though they are paid by the lessee. We have received hundreds of complaints from lessees regarding this situation and believe this is an appropriate change.

Mr. Chairman, this concludes my testimony on House Bill 1184. I would be happy to answer any questions the committee may have.