

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

2088

2001 SENATE TRANSPORTATION

SB 2088


2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2088

Senate Transportation Committee

Conference Committee

Hearing Date 1-18-01,1-25-01

Tape Number	Side A	Side B	Meter #
1		x	0-end
2	x		0-10.7
1-25-01	1	x	18.1-24.0
Committee Clerk Signature 			

Minutes:SB 2088 relates to fees for traffic offenses and to provide penalties.

**Doyle Schulz:** (Motor Carrier Operations Director/NDHP; Supports) See attached testimony.

**Senator O'Connell:** What's the difference between modified and unsafe vehicles?

**Doyle Schulz:** Modified is the little "Extras", little lights that glow, etc. and "Unsafe" is improperly working vehicles such as headlights not working.

**Senator Mutch:** In Section 2, you want \$250; what is this?

**Doyle Schulz:** It's the Hazardous Material section.

**Doyle Schulz:** Gives more examples of what is stated in his testimony relating to current laws on drivers and bonds.

**Marv Scar:** ( President of PW Wiley in Fargo; Supports) States that his employees carry very little money and if they are stopped by a small town trooper, it is hard to get money there quickly. His load will set for maybe a day until they can post a bond and it is not profitable for him as a trucking company.

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Senate Transportation Committee

Bill/Resolution Number 2088

Hearing Date ~~1-24-01~~, 1-25-01

Hearing closed.

**Committee meeting opened for SB 2088 on 1-25-01.**

**Doyle Schulz:** (Director of Motor Carrier Operations for State Patrol) Gives background and summary of SB 2088. States bill does three things. It decriminalizes federal motor carrier regulations. It decriminalizes hazardous material regulations and also separates "modified" and "unsafe" motor vehicles- divides into subdivisions A & B.

**Senator Stenchjem:** Currently, if I have a vehicle with those extra lights underneath, it's illegal?

**Doyle Schulz:** Yes, according to current law.

Motion made by Senator Espegard for a "Do Pass". Seconded by Senator O'Connell. Roll call vote 6-0-0. Senator Trenbeath is floor carrier.

**FISCAL NOTE**  
 Requested by Legislative Council  
 04/26/2001

Bill/Resolution No.:

Amendment to: SB 2088

**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
<b>Revenues</b>						
<b>Expenditures</b>						
<b>Appropriations</b>						

**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

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

This bill as amended will generate an additional \$1.1 million for the Common Schools Trust Fund.

**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.*

The estimated increased amount is based upon averaging the fees paid within each speeding group, multiplied by total number of convictions for each speeding category. From January 1, 1999, through December 31, 2000, a total of \$1,431,851 was collected. An estimated \$2,553,819 will be collected during 2001-2003, based on the same number of convictions for speeding issued in speed zones greater than 70 mph. Based on this, we estimate an additional \$1,121,968 would be generated by this bill as amended.

**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.*

<b>Name:</b>	Lynn Helbert	<b>Agency:</b>	NDDOT
<b>Phone Number:</b>	328-4352	<b>Date Prepared:</b>	04/26/2001

**FISCAL NOTE**  
 Requested by Legislative Council  
 04/23/2001

Bill/Resolution No.:

Amendment to: SB 2088

**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
<b>Revenues</b>						
<b>Expenditures</b>						
<b>Appropriations</b>						

**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

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

If the current amendment is passed, we are estimating additional revenue of \$33,500 per biennium, based on an average of speeding citations issued between January 1999 through December 2000. This total estimate represents both state and city revenue as there is no way of differentiating between speeding citations previously issued by either city or state.

**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.*

By using current statistics available for the period of January 1, 1999, through December 31, 2000, an estimated number of projected citations was used, then multiplied by the rate adjustment indicated on the amendment, to arrive at the \$33,500 estimate

**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.*

<b>Name:</b>	Lynn Helnerl	<b>Agency:</b>	NDDOT
<b>Phone Number:</b>	328-4352	<b>Date Prepared:</b>	04/23/2001



**FISCAL NOTE**  
 Requested by Legislative Council  
 04/20/2001

Bill/Resolution No.:

Amendment to: SB 2088

**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
<b>Revenues</b>						
<b>Expenditures</b>						
<b>Appropriations</b>						

**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

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

The bill specifies violations of the Federal Motor Carrier Safety Regulations and the Hazardous Materials Regulations. The fees listed follow a "Uniform Infraction Disposition Schedule" approved by the Council of Presiding Judges on April 15, 1999. This bill will not change the amount previously charged but will decriminalize the violations.

The Highway Patrol does not have adequate data to provide a fiscal note on the conference committee amendments. The Department of Transportation is the holder of those records.

**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.*

N/A

**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.*

N/A

**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.*

N/A

<b>Name:</b>	James M. Hughes	<b>Agency:</b>	Highway Patrol
<b>Phone Number:</b>	328-2455	<b>Date Prepared:</b>	04/20/2001

## FISCAL NOTE

Requested by Legislative Council  
12/14/2000

Bill/Resolution No.: SB 2088

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
<b>Revenues</b>						
<b>Expenditures</b>						
<b>Appropriations</b>						

**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

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

Section 2 and 3 of this bill specify fees for violations of the Federal Motor Carrier Safety Regulations and the Hazardous Materials Regulations. The fees listed follow a "Uniform Infraction Disposition Schedule" approved by the Council of Presiding Judges on April 15, 1999. This bill will not change the amount previously charged but will decriminalize the violations.

**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.*

N/A

**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.*

N/A

**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.*

N/A

<b>Name:</b>	James M. Hughes	<b>Agency:</b>	Highway Patrol
<b>Phone Number:</b>	328-2455	<b>Date Prepared:</b>	12/21/2000

Date: 1-25-01  
Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 2088

Senate Transportation Committee

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

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

Action Taken Do Pass

Motion Made By Espegard Seconded By O'Connell

Senators	Yes	No	Senators	Yes	No
1 Senator Stenehjem, Chairman	X		Senator Bercier	6 X	
2 Senator Trenbeath, Vice-Chair	X		Senator O'Connell	5 X	
4 Senator Espegard	X				
3 Senator Mutch	X				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Sen. Trenbeath

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

**REPORT OF STANDING COMMITTEE (410)**  
January 25, 2001 3:40 p.m.

**Module No: SR-13-1658**  
**Carrier: Tronbeath**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**SB 2088: Transportation Committee (Sen. Stenehjem, Chairman)** recommends **DO PASS**  
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2088 was placed on the  
Eleventh order on the calendar.

2001 HOUSE TRANSPORTATION

SB 2088

