

2021 HOUSE TRANSPORTATION

HB 1100

2021 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Room JW327E, State Capitol

HB 1100
1/7/2021

A bill relating to commercial driver's license disqualifications.

2:00 AM **Chairman Ruby** opened the hearing opened on HB 1100.

Members present: Rep Dan Ruby, Rep Tom Kading, Rep Rick Becker, Rep. Cole Christensen, Rep LaurieBeth Hager, Rep Jared C. Hagert, Rep Karla Rose Hanson, Rep Terry B. Jones, Rep Emily O'Brien, Rep Mark S. Owens, Rep Bob Paulson, Rep Gary Paur, Rep Robin Weisz, Rep Greg Westlind.

Discussion Topics:

- Penalties for CLD drivers
- Penalty for leaving scene of accident

2:01 **Brad Schaffer, Director of Transportation Programs, ND Department of Transportation**, introduced HB 1100. Testimony #141.

2:10 **Arik Spencer, ND Motor Carriers Association**, spoke in opposition to HB 1100. Testimony provided #260.

2:13 **Chairman Ruby** closed the hearing on HB 1100.

2:13 **Representative Becker** moved DO NOT PASS on HB 1100.
Representative Christensen seconded the motion.

Representatives	Vote
Representative Dan Ruby	Y
Representative Tom Kading	Y
Representative Rick Becker	Y
Representative Cole Christensen	Y
Representative LaurieBeth Hager	Y
Representative Jared C. Hagert	Y
Representative Karla Rose Hanson	Y
Representative Terry B. Jones	Y
Representative Emily O'Brien	Y
Representative Mark S. Owens	Y
Representative Bob Paulson	Y
Representative Gary Paur	Y
Representative Robin Weisz	Y
Representative Greg Westlind	Y

Roll Call Vote: Motion passed 14-0-0

Representative Christensen will carry HB 1100.

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2:17 **Chairman Ruby** adjourned the meeting.

Jeanette Cook, Committee Clerk

REPORT OF STANDING COMMITTEE

HB 1100: Transportation Committee (Rep. D. Ruby, Chairman) recommends **DO NOT PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1100 was placed on the Eleventh order on the calendar.

HOUSE TRANSPORTATION COMMITTEE
January 7, 2021 – 2:00 p.m. - Room 327E

North Dakota Department of Transportation
Brad Schaffer, Director of Driver License

HB 1100

Good morning Mr. Chairman and members of the committee. I'm Brad Schaffer, Director of Driver License for the North Dakota Department of Transportation (DOT). I am here to provide information related to HB 1100. Thank you for giving me the opportunity to address you today.

House Bill 1100 provides for the adding of 39-08-08 Duty upon striking highway fixtures or other property to 39-06.2-10(b) Disqualification and cancellation. The reason for this change is due to the Federal Motor Carrier Safety Administration's clarification of leaving the scene of an accident, which now includes striking of highway fixtures. Striking highway fixtures was not previously considered an offense which resulted in disqualification.

This concludes my testimony. Thank You.

TESTIMONY
HOUSE BILL 1100
TRANSPORTATION COMMITTEE
JANUARY 7th, 2021

Mr. Chairman and members of the House Transportation Committee, my name is Arik Spencer. I appear on behalf of the North Dakota Motor Carriers Association (NDMCA) in opposition to HB 1100.

While NDMCA agrees that Commercial Drivers License (CDL) holders who damage infrastructure and leave the scene without reporting the accident should be subject to severe penalties, HB 1100 is problematic.

HB 1100 seeks to add NDCC 39-08-08 to the list of violations, which result in the loss of a drivers CDL and thus livelihood. NDCC 39-08-08 refers to damage to a highway fixture or other property only, but this term, to our knowledge, is not defined in statute. Does this term include a road sign or other similar fixtures that could be damaged without drivers' knowledge or realization? It is entirely plausible that a truck driver could accidentally turn too sharp and strike a street sign without the driver's knowledge.

While damaging or knocking down a traffic control sign is still serious, only those drivers who knowingly damage infrastructure and still leave the scene should be subject to the penalties proposed by HB 1100. NDMCA urges that this concern be addressed before passage of HB 1100. Thank you for your consideration, and I would be happy to answer any questions.