

# MICROFILM DIVIDER

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



ROLL NUMBER

DESCRIPTION

1255

2005 HOUSE TRANSPORTATION

HB 1255

2005 HOUSE STANDING COMMITTEE MINUTES

BILL NO. 1255

House Transportation Committee

Conference Committee

Hearing Date January 20, 2005

Tape Number	Side A	Side B	Meter #
1	X		16.3-25.5
4	X		15.0-16.1

Committee Clerk Signature *DeLour Al Shermik*

Minutes:

**Chairman Weisz** opened the hearing on HB 1255 An Bill for an Act to create and enact a new subsection to section 39-01-15 of the North Dakota Century Code, relating to mobility-impaired parking permits.

**Rep. Kroeber, District 12:** I introduced HB 1255, which is going to sound very familiar to you. Warren Tobin, our Veterans Service Officer for Studeman County. They had contacted DOT on a handicapped parking permit for VA vehicles that were transporting veterans to appointments. They were informed by DOT that there was limiting legislation, which prohibits them from issuing such permits. This bill is simply to take and help veterans with this problem. It is basically the same issue that you have just been discussing with HB 1229. I would be more than happy to answer any questions that you may have.

**Rep. Weiler (17.7)** In light of the last bill we just heard; if that bill does pass it is going to include you as well. Are you OK with that, if it was the committees wishes to Not Pass your bill are you comfortable with the fact that this is going to be covered in HB1229?

**Rep. Kroeber:** I don't care who gets the credit for the bill, I just want to be sure that the veterans organizations are included and certainly the number of permits that Mr. Keiser talked about it very important. If they were going to try to limit it to just one or two I would not be too please with that, but as he had talked about the number that you have licensed the number you may be transferring..

**Rep. Ruby (18.9)** Rep. Hawken brought up a really good question and I think everyone needs to look at it. The availability of parking spaces with all the different groups. Maybe DOT should weigh in on how many are available to people who need those. If the number keeps going up, is there not a certain number of parking spaces in a parking lot that has to be designed handicapped?

**Chairman Weisz (19.6)** The city has an ordinance that determines how many spots based on size of the lot.

**Rep. Kroeber:(20.0)** I think on the handicapped parking permits. They have become very well accepted. Early on there was allot of grief about it. I know Keiser has problems with plates that had the handicapped on it and how that didn't really allow you to park in those spots just because you have a license plate. It was simply because anyone could drive that vehicle. I think over all the people have really stepped to the plate and left these spaces open. These organizations are going to be much more aware of it than anyone else. If they are limiting spots they will take and move some other place so they are open when they want to pick their people up. Again, if we

have 50,000 + out already it doesn't seem to be a problem and I don't think this is going to complicate it any.

**Rep. Kelsch (21.1)** Typically these organizations have policies and if they are going to be at a location for any length of time, they drop people off. I know if you go to a mall you will see some of those vehicles parked away until they need to pick some one up. If you go there, there is a ton of handicapped spots at WalMart. These spots are wide open because people are dropping people off. Personally I think it is not an issue.

**Shelly Peterson:(22.1)**I support what the issue is. Generally when we take handicapped residence to appointments, what we are doing is loading and unloading in front of the building. We are not even using the handicapped parking. So generally those vehicles always transport residence and are not usually parked in a handicapped parking place. The police indicated to us, even in loading and unloading, if we don't have a handicapped sticker they could ticket us. It is not so much we need the parking place, but we need the authority to load and unload.

**Rep. Thorpe (23.1)** Number of spaces available. Seems like in Minot those spots are pretty well full all the time. Would these organizations also instruct their people not to use the handicapped parking unless they have to?

**Shelly Peterson:** I don't know the policies of all the facilities. Generally that would be my understanding. 1. You don't use that handicapped placard. It stays in the vehicle for transporting resident. 2. We are always taking residents to medical appointments and we may leave the vehicle to assist them into their appointment. Generally we are not parking there for any period of time. All facilities have policies for the drivers to follow and we are very highly regulated so I can not imagine that it would be that bad.

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**Vice Chairman Hawken:** Is there any other testimony in favor of HB 1255? Is there any testimony opposed to HB 1255?

Closed meeting (25.4)

**Tape 4, Side A (15.0)**

**Chairman Weisz (15.0)** opened the hearing again on HB 1255.

**Motion Made By Rep. Kelsch      Seconded By Rep. Weiler**

**No Not Pass   14 Yes      0 No   1 Absent      Carrier: Rep. Weiler**

Hearing closed (16.0)

Date: *1-20-05*  
Roll Call Vote #:

**2005 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. *1255***

House **Transportation Committee**

Check here for Conference Committee

Legislative Council Amendment Number

Action Taken *No Not Pass*

Motion Made By *Rep Kelsch* Seconded By *Rep. Weiler*

Representatives	Yes	No	Representatives	Yes	No
Rep. Weisz - Chairman	✓		Rep. Delmore	✓	
Rep. Hawken - Vice Chair.	✓		Rep. Meyer	✓	
Rep. Bernstein	✓		Rep. Schmidt	✓	
Rep. Dosch	✓		Rep. Thorpe	✓	
Rep. Iverson	✓				
Rep. Kelsch	✓				
Rep. Owens	<i>Abst</i>				
Rep. Price	✓				
Rep. Ruby	✓				
Rep. Vigesaa	✓				
Rep. Weiler	✓				

Total (Yes) *14* No *0*

Absent *1*

Floor Assignment *Rep. Weiler*

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

**REPORT OF STANDING COMMITTEE (410)**  
January 20, 2005 4:35 p.m.

**Module No: HR-13-0807**  
**Carrier: Weiler**  
**Insert LC: . Title: .**

**REPORT OF STANDING COMMITTEE**

**HB 1255: Transportation Committee (Rep. Weisz, Chairman) recommends DO NOT PASS**  
**(14 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HB 1255 was placed on the**  
**Eleventh order on the calendar.**