

2015 HOUSE TRANSPORTATION

HB 1123

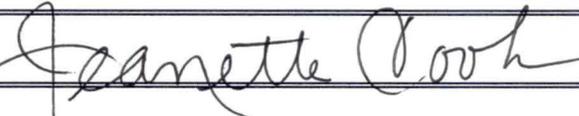
2015 HOUSE STANDING COMMITTEE MINUTES

Transportation Committee
Fort Totten Room, State Capitol

HB 1123
1/9/2015
#21789 and 21797

Subcommittee
Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to driver training schools and to the definition of a certificate of course completion; and relating to driver education requirements, driver's license examinations, instructors at commercial driver training schools, and driver education schools.

Minutes:

Attachment #1

(9:00 AM)The hearing on HB 1123 was opened by **Chairman Dan Ruby**.

Glenn Jackson introduced the HB 1123. See attachment #1.

Representative Robin Weisz: For clarification, when my son took his test last summer, he wouldn't have had to take the skills test because he had taken the tests already through a private company.

Glenn Jackson: Yes, that is correct.

Chairman Dan Ruby: Are there currently private testing companies that are approved in North Dakota?

Glenn Jackson: There are none.

Chairman Dan Ruby: Do you think this will be like the motorcycle training?

Glenn Jackson: We envision the curriculum that we require to be adopted by the schools and the private driving schools. If they do that, then they will be approved.

Chairman Dan Ruby: What was Subsection 1?

Glenn Jackson: It deals with minor driver's licenses.

Representative Gary Sukut: We are not eliminating the skill test, but we are just making sure that they are being met through other courses?

Glenn Jackson: That is correct. We have 1,100 -1,200 course completions a year via public and private entities. So, we are going to give them a higher level of curriculum and a higher standard to meet. The ones that do, we will accept those certificates as evidence of the skill test, and we will not perform it.

Representative Mike Schatz: Will it make it easier for a person to get a license?

Glenn Jackson: No, it will make it comparative. They will still have to demonstrate the same skills through a certified course.

Representative Mike Schatz: Will this take a longer period of time?

Glenn Jackson: No, and this deals only with Class D.

Chairman Dan Ruby: It takes so long to get an appointment to take a test in Minot, my wife made an appointment in Rugby.

Glenn Jackson: We are trying to do everything we can to speed the process up.

Rep. Mark Owens: After this law then the school driver's training courses would apply for the skills training test?

Glenn Jackson: They could. We just want to make sure by having an agreement with the schools that they are meeting this level of curriculum. They must observe the specific skills that we require when we do our evaluation. If they certify that they are, then we will accept that.

Representative Mike Schatz: Do you have any outside testing companies that come in and help the Department of Transportation with driver's license tests?

Glenn Jackson: We do have. Williston State College performs their own tests for commercial drivers after they complete their curriculum. There are three operations in Dickinson that do the same function. We have one company that tests their own drivers. We constantly advertise in trying to find other large companies, such as bus companies, to get certified to test their own drivers. We have about 5 companies that are going through the process right now.

Vice Chairman Lisa Meier: What is the fee to take the test?

Glenn Jackson: It may be \$5.00 or \$10 dollars. It is a low fee.

Vice Chairman Lisa Meier: Will there still be a fee required if the skill test is administered by the schools or driver's license schools?

Glenn Jackson: That is a very good question. We will have to look at that.

There was no further support on HB 1123.

There was no opposition to HB 1123.

The hearing on HB 1123 was closed. The bill will be held until Glenn Jackson finds the answer to Vice Chairman Lisa Meier's question.

The hearing on HB 1123 was closed.

(1-9-15 at 11:08 AM) The hearing on HB 1123 was reopened by **Chairman Dan Ruby**.

Chairman Dan Ruby: This morning the question was raised if there would still be a fee, if Department of Transportation doesn't do the testing.

Glenn Jackson: The statute says that for a new applicant that the fee is required IF THEY ARE REQUIRED TO TEST. Since they are not required to test, a fee will not be required.

Representative Ben Hanson moved a DO PASS on HB 1123.
Representative Chris Olson seconded the motion.

There was no further discussion.

A roll call vote was taken for a DO PASS on HB 1123.
Aye 10 Nay 0 Absent 4
The motion passed.

Representative Gary Paur will carry the bill.

REPORT OF STANDING COMMITTEE

HB 1123: Transportation Committee (Rep. Ruby, Chairman) recommends DO PASS
(10 YEAS, 0 NAYS, 4 ABSENT AND NOT VOTING). HB 1123 was placed on the
Eleventh order on the calendar.

2015 SENATE TRANSPORTATION

HB 1123

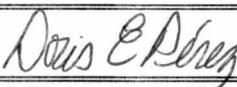
2015 SENATE STANDING COMMITTEE MINUTES

Transportation Committee
Lewis and Clark Room, State Capitol

HB 1123
2/20/2015
Recording job number 24206

Subcommittee Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

Relating to driver training schools and to the definition of a certificate of course completion; to driver education requirements, driver's license examinations, instructors at commercial driver training schools, and driver education schools.

Minutes:

Attachments: 1

Chairman Oehlke opened the hearing on HB 1123, all committee members were present.

Glenn Jackson, Director Drivers' License Division, North Dakota Department of Transportation (DOT) , Attachment #1, this bill provides DOT with the authority to promulgate rules to manage the commercial driver training school program. Commercial driver training schools and public driver education will receive certifications from DOT for their drivers' course.

Senator Rust: You waive the motorcycle skill test?

Glenn Jackson: The Motorcycle Safety Foundation has a course approved by DOT, if they have their certificate we waive the skills test.

Senator Sinner other states have similar programs, any concerns about fraudulent documents?

Glenn Jackson: We have copies of original documents they use, if they seem suspicious we contact them to verify.

Jed Geer, owner 1st Geer Driving School, told the committee what drivers' training consists of, number of hours required, failure rates, options if failed the test, the hourly rates, that vision problems can sometimes be detected during the training. He also told them about the requirements for the schools, I like registration with the secretary of state, cars need to be certified etc... (6:27 - 14:50)

Glenn Jackson: we didn't bring a big bill in because we are doing most of the regulation in the administrative rules, all the things we are laying out, as far as the various requirements.

There currently are administrative rules in the highway patrol, we will shift them to us and update them.

Senator Rust: if this bill became law you actually would have to spend fewer hours, save hours giving tests, thus saving the state money

Glenn Jackson Yes

Libby Gravning, Hettinger ND: what is the fail/ retake rate?

Glenn Jackson: We have a 69-74% pass rate. We don't keep track of who fails and how often.

Chairman Oehlke: there being no additional testimony in favor, in opposition or neutral, the hearing is closed.

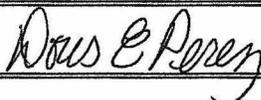
2015 SENATE STANDING COMMITTEE MINUTES

Transportation Committee
Lewis and Clark Room, State Capitol

HB 1123
3/12/2015
Recording job number 24720

Subcommittee Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

To create and enact a new section to chapter 39-25 and subsection 3 to section 39-25-01 of the North Dakota Century Code, relating to driver training schools and to the definition of a certificate of course completion; and to amend and reenact subsection 2 of section 39-06-01.1, subsection 2 of section 39-06-13, subsection 2 of section 39-25-04, and section 39-25-07 of the North Dakota Century Code, relating to driver education requirements, driver's license examinations, instructors at commercial driver training schools, and driver education schools.

Minutes:

Attachment: 0

Chairman Oehlke: opened the discussion on HB 1123, Senator Campbell was absent.

Chairman Oehlke: They spoke about the certificate of completion. I received an e-mail requesting a transcription of the hearing held, she does not like the bill says it will affect driver's education. Some states accept certificate of completion from somewhere else.

Senator Rust: Is there an ulterior motive? Are we creating a situation where we are forcing people to pay dollars to get a course? There is drivers class, behind the wheel training and a skills exam. I don't think it will affect the amount of business.

Vice Chairman Casper: I don't see that. If you are doing classroom and behind the wheel training; whoever is providing that service is going to be the same amount of business.

Senator Rust: This is strictly for CDLs. He was talking about people that had never driven a car and they were trying to teach them, \$275/ 6 hrs. /student and \$46/hr. if they are not able to do it within the 6 hrs. If they pass driver's ed. class they wouldn't have to take the road test, if DOT thought they were reliable enough

Vice Chairman Casper: maybe we can wait and consider this at other time. We can talk to Arik Spencer.

Chairman Oehlke: Let's have Arik Spencer come here and clarify this for us. Meeting adjourned.

2015 SENATE STANDING COMMITTEE MINUTES

Transportation Committee Lewis and Clark Room, State Capitol

HB 1123

3/13/2015

Recording job number 24819

Subcommittee

Conference Committee

Committee Clerk Signature

David E. Perez

Explanation or reason for introduction of bill/resolution:

Relating to driver training schools and to the definition of a certificate of course completion; and to driver education requirements, driver's license examinations, instructors at commercial driver training schools, and driver education schools.

Minutes:

Attachment: 0

Chairman Oehlke opened the discussion on HB 1123, all committee members were present.

Committee members reviewed the engrossed bill and copies of Glen Jackson's (DOT) testimony. **Senator Rust** read segments of the testimony and highlighted fragments of the bill relating to commercial drivers' license schools.

Intern read segment from Chapter 39.25 regarding waiver of skills test which is for commercial drivers only.

Senator Sinner moved do pass

Senator Rust seconded the motion

Senator Rust there is really no downside here, is there?

Senator Sinner there would be no downside, DOT certifies the schools, if something is wrong they will find out and request they rectify; so one way or another there will be oversight, DOT will find out.

No further discussion.

Roll call vote was taken: Yes 6 No 0 Absent 0

Carrier: Senator Sinner

REPORT OF STANDING COMMITTEE

HB 1123: Transportation Committee (Sen. Oehlke, Chairman) recommends **DO PASS**
(6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1123 was placed on the
Fourteenth order on the calendar.

2015 TESTIMONY

HB 1123

#1

**HOUSE TRANSPORTATION COMMITTEE
January 9, 2015; 9:00 AM, Ft. Totten Room**

**North Dakota Department of Transportation
Glenn Jackson, Director, Driver's License Division
HB1123**

Good Morning Mr. Chairman, members of the committee, I am Glenn Jackson, Director of the Driver's License Division at the North Dakota Department of Transportation (DOT). Thank you for giving me the opportunity to address you today.

HB1123 provides the DOT with the authority to promulgate rules to effectively manage the commercial driver training school program. As you know, in the 2011-2013 legislative session, the responsibility for managing this program was transferred from the highway patrol to the DOT. This bill acts as the catalyst to enable the department to move forward with this program.

In addition, a major change in this bill is the ability for commercial driver training schools and public driver education to receive certification of their driver course from the DOT. This will enable the DOT to utilize the course completion certificate for these certified courses as evidence of satisfactory completion of the road skill test for licensing purposes.

Currently, the course completion certificate only serves the purpose of demonstrating compliance with statute for minor drivers. However, the department still completes a road skill test before licensing these drivers. By establishing a higher standard for driver education courses, we hope to enhance the safety of youth drivers through a more intensive curriculum, which will allow the department to waive these skill tests, similar to what we do today to waive the motorcycle skill test.

The specific rules and curriculum requirements will be included in administrative rules, to alleviate adding this detailed information in statute.

Thank you Mr. Chairman, I would be happy to answer any questions.

WT#1

SENATE TRANSPORTATION COMMITTEE
February 20, 2015; 10:00 AM, Lewis & Clark Room

North Dakota Department of Transportation
Glenn Jackson, Director, Driver's License Division
HB1123

Good Morning Mr. Chairman, members of the committee, I am Glenn Jackson, Director of the Driver's License Division at the North Dakota Department of Transportation (DOT). Thank you for giving me the opportunity to address you today.

HB1123 provides the DOT with the authority to promulgate rules to effectively manage the commercial driver training school program. As you know, in the 2011-2013 legislative session, the responsibility for managing this program was transferred from the highway patrol to the DOT. This bill acts as the catalyst to enable the department to move forward with this program.

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Thank you Mr. Chairman, I would be happy to answer any questions.