

FISCAL NOTE
Requested by Legislative Council
01/20/2015

Bill/Resolution No.: SB 2308

- 1 A. **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.*

	2013-2015 Biennium		2015-2017 Biennium		2017-2019 Biennium	
	General Fund	Other Funds	General Fund	Other Funds	General Fund	Other Funds
Revenues						
Expenditures						
Appropriations						

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

	2013-2015 Biennium	2015-2017 Biennium	2017-2019 Biennium
Counties			
Cities			
School Districts			
Townships			

- 2 A. **Bill and fiscal impact summary:** *Provide a brief summary of the measure, including description of the provisions having fiscal impact (limited to 300 characters).*

This plate will require NDDOT to create a new logo for volunteer emergency responders as well as allow them to receive a plate for a passenger motor vehicle, a truck that is registered with a gross weight that does not exceed ten thousand pounds, or a motorcycle.

- B. **Fiscal impact sections:** *Identify and provide a brief description of the sections of the measure which have fiscal impact. Include any assumptions and comments relevant to the analysis.*

This measure will require NDDOT to establish two different types of plates with the logo (motorcycle 4x7 and standard plate)

We estimate the total design cost to be approximately \$3,000 (\$1,500 x 2 plate designs).

While there will be additional costs for plate production, computer programming, administration, and shipping and handling, we have no way to determine the extent of those costs as we do not know how many plates will be requested under this provision.

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.*

- 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, for each agency and fund affected. Explain the relationship between the amounts shown for expenditures and appropriations. Indicate whether the appropriation or a part of the appropriation is included in the executive budget or relates to a continuing appropriation.*

Name: Linda Sitz

Agency: NDDOT

Telephone: 328-1986

Date Prepared: 01/27/2015

2015 SENATE GOVERNMENT AND VETERANS AFFAIRS

SB 2308

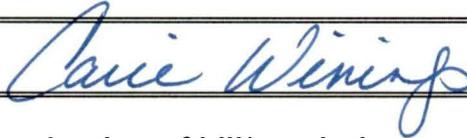
2015 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Missouri River Room, State Capitol

SB 2308
1/29/2015
Job # 22781

- Subcommittee
 Conference Committee

Committee Clerk Signature



Explanation or reason for introduction of bill/resolution:

A BILL for an Act to create and enact a new section to chapter 39-04 of the North Dakota Century Code, relating to volunteer emergency responder number plates.

Minutes:

Attachments 1-3

Chairman Dever: Opened the hearing on SB 2308.

Senator John Warner, District 4: See Attachment # 1 as sponsor and in support of the bill.

(1:38)Chairman Dever: I am looking at the fiscal note and is the cost just \$3000 or is that the design cost?

Senator Warner: That is the design cost. The plate fee is a standard plate.

Chairman Dever: When you talk about free admission to different kinds of events, I would think that would be to the benefit to those events to have emergency responders attend.

Senator Warner: I would think so to, but you would want to delineate areas of responsibility.

Senator Flakoll: How would it work as far as preventing transference to other members of the family?

Senator Warner: I do not know how to remedy that. There is no clean method to do that. You would hope the emergency personnel would be responsible with that.

(3:45) Renee Loh, Executive Director, North Dakota Firefighters Association: See Attachment #2 for testimony in support of the bill.

(6:43)Chairman Dever: So I am clear, we are talking about volunteer responders not professional?

Renee Loh: We feel that all responders should have that availability to have the plate; however, we feel that it should be monitored so that not just anyone is driving with that plate.

Chairman Dever: If we would do that, I am not aware that we have volunteer law enforcement.

Renee Loh: No, but if you have the firefighters, ambulance, and emergency responders.

Chairman Dever: The fee that is being waved is not the cost of the license; it is just the vanity fee if I understand?

Renee Loh: Others can answer that.

Senator Marcellais: Can you tell me if the Native American firefighters are members of the North Dakota Firefighters Association?

Renee Loh: Yes the tribes are a part of that.

(8:50) Mark Nelson for Linda Sitz, DOT Motor Vehicle Division Director: See Attachment #3 for testimony in a neutral position on the bill.

(12:30) Senator Nelson: Do you use the same plate for a truck and a car?

Mark Nelson: I understand that they are eligible for one plate under the bill and it is the same as a car.

Mark Nelson: (shows plate designs the motorcycle and the general vehicle that would cover both a truck and car)

Chairman Dever: If reference to firefighters is redundant to what already exists, and we remove that, then would the bill be consistent for volunteer ambulance with the firefighters that currently exist?

Mark Nelson: What we see in section 39 of the code is that when we have the organizational plates they are designated in their own section of law and we are wondering if there is any confusion here because we currently have a section of law that already deals with firefighters. So, should this be just EMS and not both. Firefighters already have ability to get the plate.

Chairman Dever: I understand that an organization can put together with a certain number of registrants.

Mark Nelson: That is correct. There is a set-up fee of \$1500 and there would have to be a minimum of 50 that would want the plate.

Chairman Dever: So this would end up being the same thing at no cost.

Mark Nelson: That is correct.

Senator Nelson: Could a firefighter get a firefighter plate for one of his cars and then get an EMS plate for another one since he had both categories?

Mark Nelson: I would think that the firefighter would be limited to one plate and then the other EMS personnel would be on the other plate. Those are questions that we would have to work through.

Senator Flakoll: Based on the testimony, do you think we need the firefighters in this bill?

Senator Warner: I think that would be adequate. I have not thought about volunteer law enforcement and I do not know how large that group is or if it is a coherent group pulled together for an occasion.

Senator Flakoll: What is your opinion in respect to Senator Nelson's question on limiting a person to one or the other?

Senator Warner: I would say one or the other.

Chairman Dever: Closed the hearing on SB 2308.

2015 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee

Missouri River Room, State Capitol

SB 2308
1/29/2015
Job # 22849

- Subcommittee
 Conference Committee

Committee Clerk Signature



Minutes:

No Attachments

Chairman Dever: Opened SB 2308 for committee discussion.

Senator Cook: I would take firefighters out of here and I would make sure that they paid the \$15 registration fee and I would also make sure that it is not just for volunteers.

Senator Nelson: Asked if it should look like 39:04-10.11 for the firefighter's association plate.

Senator Cook: Yes. My fire chief was sitting here and that is what he told me.

Senator Flakoll: Asked the intern to check with legislative council on it and there was not an answer on it. The challenge is limiting it to one plate.

Chairman Dever: I wonder if we can look at the firefighter section and make it into the same thing.

Senator Nelson: That is what I would suggest.

Chairman Dever: This will not need to go to appropriations. Set the bill aside to review further.

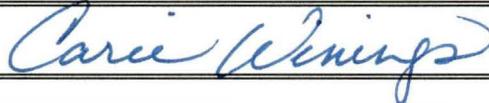
2015 SENATE STANDING COMMITTEE MINUTES

Government and Veterans Affairs Committee
Missouri River Room, State Capitol

SB 2308
2/19/2015
Job # 24175

- Subcommittee
 Conference Committee

Committee Clerk Signature



Minutes:

Attachments 1

Chairman Dever: Opened SB 2308 for committee discussion. I like the intent of this bill but it is kind of clumsy.

Senator Flakoll: See Attachment #1 for proposed amendments.

Chairman Dever: Mark Nelson spoke to us from the DOT and my recollection is that he thought that we should do the same for others as we do for the firefighters and we should charge for others because we charge for the firefighters.

Senator Cook: There is no differentiating whether they are volunteer or fulltime.

Chairman Dever: I wrote a note to take the firefighters out because they are already covered.

Committee Discussion: The committee discussed what the proposed amendments would do to the bill and they took several minutes looking up current code and information given in testimony for the bill. The concern of not wanting a person to have more than one vehicle with the plates on it was addressed. The committee wanted to address the correct section of code of changes are going to be made. It was decided, after reading the current code, that any group can pay a fee to get their own plates designed and have a minimum number of people that want them. Otherwise, it would be group after group asking.

(11:50)Senator Cook: Moved a Do Not Pass.

Senator Davison: Seconded.

A Roll Call Vote Was Taken: 6 yeas, 1 nay, 0 absent.

Motion Carried.

Senator Davison will carry the bill.

Date: 2/19
 Roll Call Vote #: 1

**2015 SENATE STANDING COMMITTEE
 ROLL CALL VOTES
 BILL/RESOLUTION NO. 2308**

Senate Government and Veterans Affairs Committee

Subcommittee

Amendment LC# or Description: _____

Recommendation: Adopt Amendment
 Do Pass Do Not Pass Without Committee Recommendation
 As Amended Rerefer to Appropriations
 Place on Consent Calendar
 Other Actions: Reconsider _____

Motion Made By Cook Seconded By Dawison

Senators	Yes	No	Senators	Yes	No
Chairman Dever	✓		Senator Marcellais		✓
Vice Chairman Poolman	✓		Senator Nelson	✓	
Senator Cook	✓				
Senator Davison	✓				
Senator Flakoll	✓				

Total (Yes) 6 No 1

Absent 0

Floor Assignment Dawison

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

REPORT OF STANDING COMMITTEE

SB 2308: Government and Veterans Affairs Committee (Sen. Dever, Chairman)
recommends **DO NOT PASS** (6 YEAS, 1 NAYS, 0 ABSENT AND NOT VOTING).
SB 2308 was placed on the Eleventh order on the calendar.

2015 TESTIMONY

SB 2308

#1

Senate Bill 2308
Voluntary Emergency Responder License Plates
Senator John Warner
29 January 2015

Mr. Chairman, members of the committee

Senate Bill 2308 is entered on behalf of a constituent who is not a volunteer emergency responder but who has a deep respect for the selfless work that these people do for their community and wanted to find some way to express that appreciation.

The bill would allow for one set of license plates for a car, pickup or motorcycle without additional cost after the registration had been paid. This is a budget friendly way to recognize the millions of dollars of free or low cost service that these volunteers provide every year.

While it is not included in this bill, it is the plan to promote places and events where the license plate would be free admission for the vehicle and its passengers. This might include entrance to state parks, some types of athletic events, rodeos, auto races or anywhere where local communities wanted to recognize this valuable contribution to civic life.

Mr. Chairman, members of the committee. I hope that you will give this bill a do pass recommendation and allow it to advance through the process.

1/29

#2
Pg 1

SENATE BILL: 2308
2015 TESTIMONY FOR: SENATE GOVERNMENT AND VETERANS AFFAIRS COMMITTEE
NORTH DAKOTA FIREFIGHTER'S ASSOCIATION

Renee Loh, Executive Director

Chairman Dever and members of the Government and Veterans Affairs Committee; good morning. As Executive Director of the North Dakota Firefighter's Association, I want to thank you for your support of the North Dakota firefighters over the last 130 years.

It is important that we recognize all emergency services responders. The Special Interest License plates alert the Highway Patrol, Firefighters, Ambulance and Emergency Responders that the arriving vehicle has emergency training and skills to assist with the incident.

The North Dakota Firefighter's Association is here today to support Senate Bill 2308 on behalf of the All Emergency Responders. North Dakota Firefighter's Association Members request that two distinct plates; one for fire and one for EMS are issued under this section of the North Dakota Century Code.

To secure a North Dakota Firefighter's Plate; the firefighter must complete State Form Number 52908. Signatures of the firefighter and Fire Chief of the Fire Department are required. The Director of the North Dakota Firefighter's Association must also sign the form confirming that the requesting fire department is a Member of the Association; in good standing; and is approved to certify the eligibility of the firefighter making application for the firefighter's license plate.

When a firefighter leaves the fire department, the license plate needs to be returned to the Motor Vehicle Division, along with a \$5 replacement plate fee. It is important that the protocols listed in North Dakota Century Code 39-04-10.11 would be followed for all Emergency Responders.

Senate Bill 2308 reflects a motorcycle, passenger motor vehicle, or a truck the registered gross weight of which does not exceed ten thousand pounds for the Volunteer Emergency Responders special interest license plates. The Firefighter's Association License Plates may not be displayed on a vehicle with a registered gross weight exceeding twenty thousand pounds.

In concluding this testimony; please note that the North Dakota Firefighter's Association supports that there should be special plates for the honorable volunteer emergency responders.

1/29 SB 2308 #2
Pg 2

APPLICATION FOR NORTH DAKOTA FIREFIGHTER'S PLATE

North Dakota Department of Transportation, Motor Vehicle Division
52908 (Rev. 06-2013)

MOTOR VEHICLE DIVISION
ND DEPARTMENT OF TRANSPORTATION
608 E BOULEVARD AVE
BISMARCK ND 58505-0780
Telephone (701) 328-2725
Web site: www.dot.nd.gov

APPLICANT

Applicant's Legal Name		Daytime Telephone Number	
Address	City	State	Zip Code
Year and Make of Vehicle	License Number	Title Number	

North Dakota law allows firefighters who are members of a city, rural, or fire protection district in good standing with the North Dakota Firefighter's Association to obtain special license plates. There is an annual fee of \$15 in addition to the regular license fee. Qualified applicants must complete the information above and have their application certified by their Fire Chief and the Executive Director of the North Dakota Firefighter's Association before submitting this application.

If a qualified applicant requests a personalized plate, the annual fee is \$40 (\$15 firefighter fee + \$25 personalized plate fee) in addition to the regular license fee. Maximum number of characters is five (5).

--	--	--	--	--

Meaning of Plate (required)

X

Applicant's Legal Signature _____ Date _____

FIRE DEPARTMENT

Fire Chief	Department (City, Rural, or Fire Protection District)
------------	---

I certify that the above named applicant is a firefighter in good standing with said fire department and is eligible to use the North Dakota Firefighter's License Plate.

X

Signature of Fire Chief _____ Date _____

NORTH DAKOTA FIREFIGHTER'S ASSOCIATION

Name of Executive Director of the North Dakota Firefighter's Association
--

I certify that the above named fire chief of the said fire department is a member of the North Dakota Firefighter's Association in good standing and is approved to certify the eligibility of the firefighter making application for the firefighter's license plate.

Signature of Executive Director _____ Date _____

39-04-11, a motor vehicle that displays a plate under this section must have a clearly visible distinctive identification number on the rear of the vehicle assigned by the appropriate law enforcement agency.

39-04-10.10. North Dakota veterans' number plates.

1. The director may issue distinctive number plates to individuals eligible for interment in the North Dakota veterans' cemetery. The director shall issue a number plate under this section upon receiving:
 - a. Payment of all other fees required under this chapter for registration of a motor vehicle;
 - b. Payment of an initial fee of fifteen dollars of which ten dollars is to be deposited in the highway tax distribution fund and five dollars is to be deposited in the veterans' cemetery maintenance fund; and
 - c. Verification of subsequent payments of an annual surcharge of ten dollars paid to the adjutant general.
2. The department shall collect the fees and the ten dollar surcharge under this section. The department shall report to the legislative assembly on the funds collected under this section during each legislative session. The department shall pay the funds collected under subdivisions b and c of subsection 1 to the adjutant general monthly, who then, within ten days of receipt of the funds, shall deposit five dollars of each initial fee in the veterans' cemetery maintenance fund and the ten dollar surcharge shall be divided with five dollars being deposited in the veterans' cemetery trust fund and five dollars being deposited in the veterans' cemetery maintenance fund in the state treasury. Investment of the fund is the responsibility of the state treasurer who shall have full authority to invest the fund only in the same manner as the state investment board is authorized to make investments. At the request of the adjutant general, the interest in the veterans' cemetery trust fund must be deposited in the veterans' cemetery maintenance fund for the purpose of funding salaries and maintenance of the veterans' cemetery.
3. The veterans' cemetery trust fund may accept funds from private and federal sources.

39-04-10.11. Firefighter's association plates.

The director, in cooperation with the North Dakota firefighter's association, shall design a decorative decal that contains an insignia representing service in the pursuit of firefighting and which is to be placed on a distinctive number plate. On payment of all other fees required under this chapter for registration of the motor vehicle, and payment of an additional annual fee of fifteen dollars for deposit in the highway fund, the applicant is entitled to issuance of the decals and plates. However, the director may not issue the decal and plates to the owner of a passenger motor vehicle or a truck the registered gross weight of which exceeds twenty thousand pounds [9071.84 kilograms]. A registrant is eligible for distinctive number plates under this section if the registrant is a member of the North Dakota firefighter's association. On request of the director, the North Dakota firefighter's association shall certify those members of the North Dakota firefighter's association eligible to receive the decals and plates. On termination of the registrant's eligibility, the registrant shall return the decals and plates to the director, who shall reissue for a fee of not more than five dollars another number plate to which that registrant is entitled under this chapter. The director and the North Dakota firefighter's association shall cooperate in establishing procedures to implement this section.

39-04-10.12. North Dakota future farmers of America foundation number plates.

The director shall design a decorative decal that contains the insignia of the North Dakota FFA foundation to be placed on a distinctive number plate. On payment of all other fees required under this chapter for registration of the motor vehicle and payment of an additional fee of ten dollars, the applicant is entitled to issuance of the decals and plates. However, the director may not issue the decals and plates to the owner of a passenger motor vehicle or a truck the registered gross weight of which exceeds twenty thousand pounds [9071.84 kilograms].

Special Interest License Plates

Firefighter's Association License Plates

- You must be a member of the North Dakota Firefighter's Association to be eligible for these plates.
- [SFN 52908 Application for North Dakota Firefighter Plate](#) must be completed and signed by the applicant, fire chief, and the executive director of the North Dakota Firefighter's Association. The fees due will be an **annual** \$15 fee or if requesting personalized plates with a maximum of five (5) characters (to include spaces) the fees due will be an **annual** \$15 plus the **annual** \$25 personalized plate fee.
- Plates **may not** be displayed on a vehicle with a registered gross weight exceeding 20,000 lbs.
- Upon termination of eligibility, the owner shall return the plates to the Motor Vehicle Division, along with a \$5 replacement plate fee.

Gold Star Number Plates

- Gold Star Number plates are issued to a surviving spouse, parent, including stepmother, stepfather, parent through adoption, and foster parent who stands in loco parentis, grandparents, child, including stepchild, and child through adoption, and sibling, including half-brother and half-sister, of a member of the armed forces of the United States who died while serving on active duty during a time of military conflict.
- [SFN 59183 Application for North Dakota Gold Star Plate](#) must be completed by the North Dakota State Veteran Affairs office. www.nd.gov/veterans.
- There is no initial fee to receive the Gold Star Number plates. Personalized Gold Star Number plates are available with a maximum of five (5) characters (to include spaces).
- Qualified applicants are eligible for one set of license plates. Plates **may not** be displayed on a vehicle with a registered gross weight exceeding 20,000 lbs.

Lewis & Clark Plates

- [SFN 2872 Application for Certificate of Title and Registration of a Motor Vehicle](#) must be completed and returned with the \$10 initial plate fee and the **yearly** license fees. If requesting personalized plates only a maximum of five (5) characters (to include spaces) is allowed and the fees due are the **yearly** license fees, the initial \$10 plate fee plus the **annual** \$25 personalized plate fee.

Mobility Impaired License Plates

- [SFN 2872 Application for Certificate of Title and Registration of a Motor Vehicle](#) must be completed and returned with the \$5 plate fee and the **yearly** license fees.
- An applicant must have one (1) mobility impaired parking placard assigned to them by this division before mobility impaired license plates can be issued. If an applicant has two (2) mobility impaired parking placards they must return one placard with the signed request for the mobility impaired license plates and fee for processing. The vehicle (car, truck, or motorcycle) must be owned or leased to a mobility impaired applicant.

Senate Transportation Committee
January 29, 2015 – 10:00a.m. – Government and Veterans Affairs

North Dakota Department of Transportation
Linda Sitz, Director of Motor Vehicle Division
Senate Bill 2308

Mr. Chairman and members of the committee - I'm Linda Sitz, Director of the Motor Vehicle Division at the North Dakota Department of Transportation (DOT). Thank you for giving me the opportunity to present information to you today.

The DOT is neutral on SB2308. The DOT would like to remind committee members that we are starting a new general plate issuance beginning in the fall of 2015 and that until this process is implemented it will be difficult to work on the creation of any additional new plates.

The suggestion in SB2308 is to collaborate on a design with volunteer ambulance and firefighter organizations. It also states the director shall designate qualifications and verification procedures for plates issued under this section. DOT would like clarification as to what this statement means.

Another item which should be addressed is that NDCC § 39-04-10.11 already has a standard established recognizing the Firefighter's Association plates. This section of law states the ND Firefighters Association certifies the eligible members who should receive the plate as well as follow up upon termination of the registrant's change of status and the plates and decals are then terminated. Currently there are 999 active firefighter plates; the DOT would like clarification on what is to become of this section of NDCC and plates already issued under the law, if this bill were to pass. I have attached a copy of the application currently used for ND firefighter plates.

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

1/29 SB 2308 #3
Pg 2

APPLICATION FOR NORTH DAKOTA FIREFIGHTER'S PLATE

North Dakota Department of Transportation, Motor Vehicle Division
SFN 52908 (Rev. 06-2013)

MOTOR VEHICLE DIVISION
ND DEPARTMENT OF TRANSPORTATION
608 E BOULEVARD AVE
BISMARCK ND 58505-0780
Telephone (701) 328-2725
Web site: www.dot.nd.gov

APPLICANT

Applicant's Legal Name		Daytime Telephone Number	
Address	City	State	Zip Code
Year and Make of Vehicle	License Number	Title Number	

North Dakota law allows firefighters who are members of a city, rural, or fire protection district in good standing with the North Dakota Firefighter's Association to obtain special license plates. There is an annual fee of \$15 in addition to the regular license fee. Qualified applicants must complete the information above and have their application certified by their Fire Chief and the Executive Director of the North Dakota Firefighter's Association before submitting this application.

If a qualified applicant requests a personalized plate, the annual fee is \$40 (\$15 firefighter fee + \$25 personalized plate fee) in addition to the regular license fee. Maximum number of characters is five (5).

--	--	--	--	--

Meaning of Plate (required)

_____ Date _____
Applicant's Legal Signature

FIRE DEPARTMENT

Fire Chief	Department (City, Rural, or Fire Protection District)
------------	---

I certify that the above named applicant is a firefighter in good standing with said fire department and is eligible to use the North Dakota Firefighter's License Plate.

_____ Date _____
Signature of Fire Chief

NORTH DAKOTA FIREFIGHTER'S ASSOCIATION

Name of Executive Director of the North Dakota Firefighter's Association
--

I certify that the above named fire chief of the said fire department is a member of the North Dakota Firefighter's Association in good standing and is approved to certify the eligibility of the firefighter making application for the firefighter's license plate.

Signature of Executive Director

Date

2/19

#1

PROPOSED AMENDMENTS TO SB 2308

Page 1, Line 9 after "one" insert "of the following:"

Page 1 line 12 replace "firefighter" with "emergency medical responder"

Page 1 line 13 replace "firefighter" with "emergency medical responder"

Renumber accordingly